

# **‘The Children Are Victims, They Are Not in Any Way an Extension of the Crime’: Caregiver Perceptions About the Experiences of Children Whose Father Downloaded Child Sexual Abuse Material (CSAM)**

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**Summary:** Sexual crime represents one of the most vilified and stigmatised crimes. As a result, there are repercussions for non-offending family members, including children, due to their kin relationship with the offender. This evidence-based report, including analysis of new empirical findings from a larger qualitative research study with adult family members of Child Sexual Abuse Material (CSAM) offenders, contributes to the limited knowledge about the experiences of children of CSAM offenders. Specifically, the data signals to children’s experiences of trauma and secondary stigma emanating from their father’s behaviour, and their interactions with members of their community and statutory services. The available evidence supports the need to recognise that children of men who downloaded CSAM need to be awarded ‘victim status’ and receive appropriate support. The clinical and policy implications of these findings are discussed therein.

**Keywords:** CSAM, non-offending family, trauma, secondary stigma, secondary victims.

## **Introduction**

An Irish broadsheet newspaper recently reported information about a ‘father of three caught in possession of images and videos of child pornography’ (Dodd, 2022). The associated reporting identified both the name and address of the individual concerned. This highlights a paradox: while naming individuals accused and/or convicted of downloading Child Sexual Abuse Material (CSAM) might represent commercial importance for those with business

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interests in mind for a public fascinated with crime (Burgason, 2021; Fitzgerald O'Reilly, 2018), the implications of how the publicised information would potentially identify the 'three children' and psychologically affect those children and the wider family unit are often not considered (Condry, 2007; Kilmer and Leon, 2017). The experiences of children whose father has been convicted of a CSAM crime and its psychological impact are the focus of this report.

## **Background information**

### ***Sexual crime as a 'special category'***

It has been argued that sex offenders face greater public stigma than individuals who have committed other types of serious crime, for example, homicide offences (Jahnke *et al.*, 2015; Tovey *et al.*, 2022). There are countless stories concerning the nature of sex offenders (Burgason, 2021) and, collectively, these accounts have resulted in an outcome where, in the eyes of the public, the label 'sex offender' carries an immutable presumption of dangerousness (Fitzgerald O'Reilly, 2018). Indeed, in most western societies there is a public acceptance that individuals convicted of non-sexual crimes can be reintegrated into society and become law-abiding citizens; however, this may not apply to those convicted of sexual offences (Hanson *et al.*, 2014; Harper and Hogue, 2015). The stigma associated with the label is powerful and provides a useful lens to examine how control is exerted upon the 'incurable' and how stigma ensures that punishment endures long after formal punishment ends (Fitzgerald O'Reilly, 2018, p. 205).

### ***Non-offending family members***

Public aversion toward sexual crime does not stop with a focus on those accused and/or convicted of such crimes but often radiates out to include all family members (Condry, 2007). The importance of 'family' is a discourse located in many disciplines, and all point to a family's responsibility to uphold moral values and ensure adherence to societal norms, with the failure of any member to maintain the 'ideal' reflecting negatively on the collective (Chambers, 2001; Condry, 2013). In this context, associations via kinship ties have resulted in relatives being perceived in the same way as the offender; they are 'tarred with the same brush' (Condry, 2010, p. 232; Condry *et al.*, 2016, p. 8) and confronted with a societal belief that criminals are 'made' by the family (Condry *et al.*, 2016, p. 8). Causality for a family member's crime can be placed on their family. Mothers are frequently blamed for the crimes

of their children (Azzopardi *et al.*, 2018; Condry *et al.*, 2016). Siblings and children are often blamed and/or shunned in case they have inherited their offending relatives' criminal traits or are in possession of the 'crime gene' (Condry *et al.*, 2016, p. 8; Sample *et al.*, 2018, p. 4262). Grandparents are blamed for their failure to act in assisting parents in preventing the commission of the crime, and partners are blamed and shamed for not being aware that the offence might occur, and if they continue to support the offender (Condry, 2007; Goffman, 1963; Sample *et al.*, 2018). Recent research has investigated the psychological impact on wives, partners and mothers of sexual offenders (Kavanagh *et al.*, 2022), and the harm arising from a kin association was found to have far-reaching consequences for non-offending family members, both at the point of discovery and frequently for many years thereafter (Kavanagh *et al.*, 2022).

The combination of society's collective abhorrence of sexual crime and the blame kinship ties attract places non-offending family members in the precarious position of being socially shamed and rejected for a crime they did not commit (Condry, 2010). The prevalence of sexual crime, specifically, the rapid increase in CSAM offences (Bouhours and Broadhurst, 2012; Brown and Bricknell, 2018; Wolak *et al.*, 2011) suggests that the numbers of non-offending family members becoming affected are also increasing substantially (Jones *et al.*, 2022).

Research has found that the consequences for family members of being blamed and stigmatised for the criminal actions of one family member can be severe (Evans *et al.*, 2023; Farkas and Miller, 2007; Kavanagh *et al.*, 2022; Levenson and Tewksbury, 2009). Friendships were lost, family members were ostracised by other relatives and by their community, some lost their employment, resulting in increased financial burdens (Evans *et al.*, 2023), and family members' accounts reflected experiences of being subjected to physical violence for a crime committed by another (Condry *et al.*, 2016; Evans *et al.*, 2023; Kavanagh *et al.*, 2022; Levenson and Tewksbury, 2009). Notably, such findings were replicated across different populations and in different legislative jurisdictions (Armitage *et al.*, 2023; Duncan *et al.*, 2022; Evans *et al.*, 2023; Farkas and Miller, 2007; Levenson and Tewksbury, 2009; Sample *et al.*, 2018).

### **Children of Offenders**

There is little available empirical research that has considered the impact of a parent's association with a CSAM crime on their children. In one study,

conducted in the United States (US), Levenson and Tewksbury (2009) used a survey methodology to ascertain the reactions of 584 family members of registered sex offenders and found that a significant amount of stress was experienced by non-offending family members. Specifically in relation to children, 29 per cent of respondents identified as parents who outlined the impact of having a registered sex offender in the family on children in that family (Levenson and Tewksbury, 2009), with all parents reporting unfavourable outcomes for their children. More than half of the sample reported disrupted friendships (78 per cent), different treatment by teachers (63 per cent), depression (77 per cent), anxiety (73 per cent), harassment (47 per cent) and suicidal ideation (13 per cent) (Levenson and Tewksbury, 2009). These findings highlight some of the negative psychological experiences of children related to a registered sex offender.

In addition, Kilmer and Leon (2017) conducted a qualitative web-based survey ( $N=58$ ) and open-ended interviews ( $N=19$ ) to explore the impact that sex offender laws had on family members, including children, in the US. The authors noted the paradox that legislation (such as sex offender registries) designed to protect children appeared to have been designed with little thought regarding how they affected the children of sex offenders or the relationships that sex offenders have with their families. Offering further evidence to support previous findings from Levenson and Tewksbury (2009), family members reported feelings of shame and stigma. Furthermore, they found that children of sex offenders were often limited in relation to experiencing a 'normal childhood' because of limitations and restrictions placed on their parent, such as supervised-only access (Kilmer and Leon, 2017). While many factors might contribute to an individual's experience of distress, these studies highlight the negative psychological consequences for family members, including minor children, who are affected in much the same way as the offender by the stigma associated with the crime. The data indicate that these psychological consequences are related to widely held societal attitudes towards sex offenders and, in particular, how family members are unable to escape the stigma and shame associated with sexual crime, despite their own innocence.

### **Stigma experiences in context**

Recently, we qualitatively explored the experiences of fifteen non-offending family members (mothers, spouses and partners). Participants were recruited from across Ireland and the United Kingdom (UK), via four gatekeeper

agencies, and were required to be aged 18 years or over. All participants identified as having had or as continuing to have an association with a relative accused and/or convicted of a CSAM crime (Kavanagh *et al.*, 2022). Self-selecting participant interviews yielded a very rich source of data about their experiences for analysis. Seven of these family members identified as parents with minor children. While acknowledging the possibility of participant selection bias (Kavanagh *et al.*, 2022), our work uncovered powerful stigma experiences for families, including minor children, which began with considerable distress experienced at the point of offence discovery (Kavanagh *et al.*, 2022). Subsequent changes in family structure, changes in children's ability to interact with friends, the need to interact with external agencies, such as the police and social services, collectively resulted in adverse experiences for which there was little available support, accounts similar to those previously noted in the literature (Armitage *et al.*, 2023; Bailey, 2018; Condry, 2007; Duncan *et al.*, 2022; Evans *et al.*, 2023; Farkas and Miller, 2007; Levenson and Tewksbury, 2009; Sample *et al.*, 2018). In addition, our research highlighted the very broad reach of non-offending family's secondary stigma experiences, including ongoing repercussions for those who no longer had an association with the offending family member, such as ex-partners, and evidence about how adverse consequences continued over time, in some cases for many years following discovery (Kavanagh *et al.*, 2022).

While our research did not intend to capture children's experiences specifically, parental accounts highlighted issues about how discovery of a father's CSAM offence affected their children both at the time of discovery and thereafter. While parents' views may not reflect children's experiences in ways that children might describe them, their narratives offer some important points of information for consideration. Therefore, we summarise the key findings relating to children's experiences here with reference to supporting quotations. Through use of reflexive thematic analysis (Braun and Clarke, 2021) in our broader study, the following three key areas were identified as pertinent to children of CSAM offenders: children's experiences at the familial, community and institutional levels. Parental accounts highlighted these as particularly impactful on their children, with the information presented below representing an important contribution to the relatively sparse literature about the children of CSAM offenders across Ireland and the UK.

### **Children's experiences at familial level**

At the familial level, parents discussed how discovery of the offence was a moment of intense shock, and they expressed a profound sense of loss for themselves and their children. Children were no longer permitted to remain alone with their father. Our participants emphasised how children experienced considerable emotional distress because they were not permitted to meet with their offending parent and witnessed the remaining primary carer's deep suffering as a result of the accusation/conviction. One participant explained:

'You know, the children cope to begin with, but then when they can't see daddy and then mums are crying all the time ... It gets really tough around three months and you can't tell anybody why your child is crying all the time, withdrawn or has bad behaviour, you know, unless "you know".'

In this quote, the remaining safeguarding parent felt unable to speak openly about their child's upset. This is consistent with the view that sexual offending is a highly stigmatised crime (Fitzgerald O'Reilly, 2018; Jahnke *et al.*, 2015; Tovey *et al.*, 2022), and those associated with a person accused and/or convicted of a sexual crime will be blamed and shamed for its occurrence (Condry *et al.*, 2016; Sample *et al.*, 2018), thus information about their circumstances is withheld from others (Armitage *et al.*, 2023; Condry, 2007; Duncan *et al.*, 2022). Indeed, a participant emphasised how the power of the stigma experience was sufficient to cause harm to the lives, and futures, of innocent family members, including minor children:

'The families that have got young children involved, it ruins their life. They have all that baggage to carry around with them for the rest of their life.'

This description of baggage is indicative of an inescapable burden that the children must carry for the remainder of their lives. The participant's emphasis on the long suffering caused to innocent family members is made clear by the statement: 'it ruins their life'.

Moreover, changes in family structures resulted in some, but not all, non-offending parents choosing to leave the relationship. However, for those who left relationships, the circumstances of their separation did not allow the children to have 'sleepovers' with their offending father, rendering the separation experience different from that of other separated couples:

'If you decide to leave your partner because of something they've done this big, it's not like a normal divorce. It's not, you know, 'cos access to children is hugely complicated.'

A further complicating factor in situations of separation was in relation to what to tell children. Non-offending parents struggled with decisions about how and what to tell young pre-teenage children about their father's crime and explain why sleepovers were not permitted without supervision ('Do you tell your children why or not?'). Their struggle was confounded by stigma and a desire to protect their children from the crime as it might 'ruin their life'.

### ***Children's experiences at community level***

Parental accounts highlighted significant experiences of stigma for children at the community level. Our research found that knowledge about a father's crime reached communities via media exposure, including social media, and due to vigilantism, an aspect found to occur with increasing frequency (Cubellis et al., 2019). One participant, whose partner had been live streamed by a vigilante group, spoke about her house being attacked while her children were located inside (Kavanagh et al., 2022). Following media reporting, another spoke about how her young child was no longer invited to playdates or sleepovers because of their father's crime, a finding in line with past research findings in the US (Kilmer and Leon, 2017; Levenson and Tewksbury, 2009).

A notable aspect for some, in circumstances where knowledge about a father's offence had yet to enter the public sphere, occurred when statutory agencies such as social services made teachers in schools aware of the child's circumstances. In these situations, participants spoke about how their children experienced different treatment by teachers, as one participant explained:

'So, everybody else met with this class teacher apart from [child]. So, it kind of singled [child] out.... And that was when I thought, Oh God, [child] knows [child's] been singled out because of this ... kids need nurturing, and they need love and care, they need support ... they're the victims, they are not in any way an extension of the crime.'

In this quote, a parent described how her child was 'singled out' because of a father's crime, and importantly this occurred in an arena that represented an important part of a child's social network. Parents were concerned that their child's needs, including support needs, were overlooked, and emphasised

their concerns about their children's welfare on foot of such differential treatment in an influential community network (Kavanagh *et al.*, 2022).

### ***Children's experiences at institutional level***

All participants in our research indicated that discovery of the offence brought them into contact with institutions with which they had no previous experience. One participant described her child's significant distress reaction when the police came to the family home with a search warrant:

'And then I heard my [child] and I can only describe it as like sounding like an animal in pain. Just a horrible noise.'

Participants spoke about how their children's lives changed as a result of increased interactions with professionals, such as child protection professionals. They described how they perceived being judged by professional services, as one participant explained:

'And then when you've got children services who are basically making judgements upon you, as to whether or not you're going to be a, you've gotten a good enough protective factor to to be a mother to your own children, given that, you know, you lived in a home with a man who was capable of doing something like that.'

In this quote, the person describes feeling judged not only as a partner, but as a mother, by intervening services, because her children's father was associated with a CSAM crime as she continued to reside with him in the home. This, for her, represented an implicit suggestion that she was somehow culpable for its commission and therefore required assessment about her safeguarding abilities. These data are consistent with some of the limited available literature highlighting disempowering experiences arising from interactions with social services (see, for example, Duncan *et al.*, 2022; Evans *et al.*, 2023; Farkas and Miller, 2007; Liddell and Taylor, 2015; Levenson and Tewksbury, 2009; Sample *et al.*, 2018). Notably, however, despite participant perceptions about being judged by statutory services, our findings noted an acceptance on the part of non-offending parents that intervening agencies, including social services, were required to complete their work in a particular way and adhered to requirements, such as supervised access with the offending father.



Participants described a perceived requirement emanating from child protection services that they leave relationships. For example, in the quote below, one participant describes feeling pressure to leave the relationship with their offending partner. The participant refers to child protection services as 'they', and explains how she believed it a requirement that she leave the relationship or have such services a permanent feature in her, and her children's, lives:

'They said a number of times at the beginning ... we're not here to break up families, but at the same time, if you do, yourself, we will completely get off your back. And if you don't, then basically we're going to be a permanent feature of your life.'

While participants indicated that the involvement of police and social services was not an ordinary occurrence prior to discovery, they found themselves confronted with a paradox: despite the involvement of child protection services, their children did not receive appropriate supports. Parents highlighted an absence of specialised supports for children whose father was accused and/or convicted of a CSAM offence. The prioritisation of statutory risk assessment protocols was emphasised, with participants noting that their children's support needs remained unacknowledged. One participant emphasised this point:

'There really needs to be something for children ... I didn't just want anybody supporting the kids, I wanted it to be somebody specialist who understood about this type of crime and there just, there isn't a lot.'

Taken together, the above findings start to highlight how children are affected by their father's association with a CSAM crime through their immediate interactions with their parents and family, but also affected are children's important social networks, including friendships and access to normal childhood activities such as sleepovers and playdates. In addition, societal networks, such as specialised support services for children who have been affected by this type of crime need to be made widely available and accessible to all families, regardless of income or geographic location. The findings outlined in this report highlight the very broad reach of children's secondary stigma (Condry, 2007) experiences. Indeed, while children might not be deemed responsible for the crime of a parent ('they're the victims,

they are not in any way an extension of the crime'), their situation, to date, has remained generally unacknowledged, under-researched and unsupported (Condry, 2010).

## **Evidence-based recommendations**

An analysis of these research findings raises some important policy and practice implications, which, if acted upon, might serve to minimise the harms experienced by children following discovery of a parent's offence.

First, a shift toward viewing non-offending families of CSAM offenders as secondary victims is recommended (Armitage *et al.*, 2023; Condry, 2010; Duncan *et al.*, 2022; Evans *et al.*, 2023; Jones *et al.*, 2022). While suggestions that family members of sex offenders be awarded 'secondary victim' status have been forwarded relatively recently (Armitage *et al.*, 2023; Condry, 2010; Duncan *et al.*, 2022; Jones *et al.*, 2022), propositions that family members of incarcerated offenders be granted this position is not new and has its roots in research spanning 40 years about the families of prisoners who have been referred to as 'hidden victims of crime' (Bakker *et al.*, 1978) or the 'forgotten victims' (Dyches, 2009). It comes as a result of the notion that the punishment imposed on the offender is experienced vicariously by their families, and a considerable body of research has provided evidence for the veracity of this claim (see, for example, Besemer and Dennison, 2018; Bradshaw and Muldoon, 2020; Codd, 2007; Comfort, 2008; Condry, 2007; Fuller, 2016; Murray and Farrington, 2008; Wakefield and Wildeman, 2011). However, acceptance that family members of those associated with sexual crime, or crime in general, be seen as 'secondary victims' is a controversial proposition, and one that has not necessarily been successful because of the notion that criminals are family 'made' (Condry *et al.*, 2016, p. 8). Nonetheless, the label 'victim' holds immense importance (Condry, 2010) because it bestows upon the person an acceptance that they have been harmed in some way by forces outside their control, that responsibility lies *outside* the one considered a victim and so preserves personal integrity (Holstein and Miller, 1990). Claims to the status of 'victim' can be made by a plethora of groups or individuals experiencing a wide range of predicaments, including victims of illness, addictions, or mental health issues (Condry, 2010). Each condition can generate claims of 'secondary victimisation' for those connected to the primary victim, and some of those claims have given rise to various support groups such as Al-Anon for family members of alcoholics or Nar-Anon for

family members of those engaged in problem drug misuse (Condry, 2010). Thus, a shift in how families and, in particular, children of CSAM offenders, are viewed is required to recognise, acknowledge and address children's trauma experiences following discovery of a parent's crime.

Second, recognition is needed that intervening agencies can influence (often inadvertently) experiences of shame and perceived blame judgements (Armitage *et al.*, 2023; Duncan *et al.*, 2022; Jones *et al.*, 2022; Kavanagh *et al.*, 2022). The arrival of police to the family home represented the first contact that child(ren) have with police officers, and, in many cases, they witnessed a parent's arrest, and so were exposed to an extremely distressing experience, which compromised their emotional wellbeing ('I heard my [child] and I can only describe it as like sounding like an animal in pain'). Children rely on trusted adults to help them make sense of novel situations; however, the remaining non-offending parent frequently did not have sufficient information to make sense of what was occurring at the time of discovery (Kavanagh *et al.*, 2022), which compromised their ability to help their child understand what was happening. The police, as the first agency to encounter non-offending families, have an opportunity to provide important information – for example, information about available support services – which might contribute toward a more compassionate approach at a time of considerable distress and shock (Armitage *et al.*, 2023; Condry, 2007; Duncan *et al.*, 2022; Evans *et al.*, 2023; Jones *et al.*, 2022). The provision of such pertinent information at the time of discovery might potentially diminish non-offending parents' experiences of distress on discovery, thus reducing the distress of their children.

In addition, while the involvement of child protection services was viewed by participants as a necessary precaution, many referred to a lack of knowledge displayed by such professionals about sexual crime as an issue which exacerbated perceived blame judgements. The lack of knowledge resulted in blanket access restrictions and perceived encouragement to leave relationships, regardless of the nature of the sexual crime (Kavanagh *et al.*, 2022). Echoing past research suggestions for training programmes targeting child protection professionals in relation to sexual crime (Kwhali *et al.*, 2016), our research recommended that child protection professionals involved in child sexual abuse risk assessments receive adequate training in this area, including an enhanced awareness about the needs, supports and circumstances of non-offending parents and their children (Kavanagh *et al.*, 2022). For those employed in intervening services, an increased awareness of

families' experiences is crucial to identifying pertinent interventions and appropriate supports that might facilitate a family's ability to overcome a time of considerable distress and upheaval. In an encouraging sign of increasing awareness about training needs, the Centre of Expertise on Child Sexual Abuse (CSA Centre), located in the UK, recently released a manual about managing risk and trauma after online sexual offending, with information designed to aid professionals, such as social workers, to safeguard the entire family following a family member's association with a CSAM crime (CSA Centre, 2023).

Third, despite an absence of information at the point of discovery, participants recounted an issue around a scarcity of support for both themselves and their children. Our broader research study identified a key barrier to accessing appropriate supports as one of cost (Kavanagh *et al.*, 2022). Access to therapists, counsellors or specialist services was dependant on financial means. Non-offending family members typically experience considerable impacts to their financial standing following discovery, on foot of losing half their household income and/or reducing their working hours to accommodate childcare responsibilities, highlighting a need for the greater availability of, and access to, supports. At present, despite the involvement of external services, participants recounted little, if any, readily available support for their children, which highlights a need for both resources and allocated funding to be made available in this area, to support children (Armitage *et al.*, 2023; Kavanagh *et al.*, 2022).

Fourth, policies are needed to insulate family members from the consequences of an association with what is arguably the most stigmatised crime (Jahnke *et al.*, 2015; Tovey, *et al.*, 2022). The issue of privacy is one with real consequences for the remaining safeguarding parents and their children. Privacy laws ensure that patients' medical records remain confidential, or data collected from research participants remain confidential and private, yet the media remains unlimited in its power to stigmatise through providing identifying information about those arrested or convicted of CSAM offences, across Ireland and the UK, with deleterious consequences for family members and the minor children of such offenders. While there are reporting restrictions in relation to the identification of primary victims, it would be important that the media restrict reporting of such cases to safeguard *all* children. Limiting media reporting would start to recognise the range of harms experienced by children of CSAM offenders, including, but not limited to, lost playdates, increased potential for vigilante attacks (Cubellis *et al.*, 2019) and diminished access to normal childhood experiences, as a result of a

father's media exposure. Privacy concerns need greater consideration to ensure protection for children of CSAM offenders.

Last, it is recommended that future research consider children's experiences from children's perspectives. Specifically, to generate a greater depth of understanding about their lived experiences, future research should endeavour to capture children's experiences from the child's point of view. Such empirical-based research would hold immense importance when attempting to formulate effective interventions that aim to diminish a child's distress at the familial, community and institutional levels.

## **Conclusion**

Sexual crimes warrant punishment, but this reality does not negate the need to recognise the human rights of innocent adults and children connected to the sexual offender. CSAM crime is increasing (Landi, 2021) and, by association, the numbers of non-offending families and minor children are increasing (Jones *et al.*, 2022). Unfortunately, children experience harm as a result of their association with the sexual offender and through negative interactions with statutory agencies and educational establishments. Their complex trauma experiences are further compounded by being ostracised from extended family and friends who should be best placed to offer social support. The difficulties experienced by these children are often not acknowledged (Condry, 2010) and, as such, their needs remain unsupported. A shift in both language and societal views in relation to this cohort is needed. The ramifications for children need to become central considerations of both policy and practice.

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## **Ethical approval**

Ethical approval for this research was granted by the University of Limerick (approval code: 2019\_05\_09\_EHS).

## **Disclosure statement**

No potential conflict of interest was reported by the author(s).

## Data availability statement

Due to the nature of this research, participants of this study did not agree for their data to be shared publicly, therefore supporting data are available to the researchers.

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