

# ***Sexual Offences***

***Paraphilia, paraphilic disorders, consent and  
the cycle of sex offending***



Aleksandra Polak-Kruszyk



Uniwersytet  
Wrocławski

Wydział Prawa,  
Administracji i Ekonomii

KATEDRA PRAWA KARNEGO WYKONAWCZEGO

# *Introduction*

► As Hanson (2006)

Sexual offenders, like everybody else, choose their conduct based on their perception of the options available.

Sexual offenders differ from many other people, however, by perceiving certain situations as ones in which a sexual crime is a legitimate option. Later, sexual offenders may wonder why they did it, but at the time, the sexual offence was perceived as something they could (or should) do.

# ***Paraphilia***

1. Paraphilic disorders (According to the Diagnostic and Statistical Manual of Mental Disorders):
  - ➡ Voyeuristic
  - ➡ Exhibitionistic
  - ➡ Frotteuristic
  - ➡ Sexual masochism
  - ➡ Sexual sadism
  - ➡ Pedophilic
  - ➡ Fetishistic
2. We can divide these into two major categories : **Anomalous activity preferences** and **anomalous target preferences**
3. We can call it paraphilic disorder when there are negative consequences of that intense sexual interest: like causing harm.



# *Paraphilia*

1. **It is not the same thing as paraphilic disorder and it's not the same thing as sexual dysfunction**
2. The sexual dysfunction is completely different set of disorders (like female orgasmic disorders and erectile dysfunction)

Intense, sexual arousing fantasies, sexual urges or behaviors generally involving:

- ➡ Non human objects
  - ➡ Suffering or humiliation of oneself or partner
  - ➡ Children or other non-consenting persons
- 
- ▶ Occurs over a period of 6 months
  - ▶ Focus of sexual arousal
  - ▶ Paraphilia does not necessarily require or justify some sort of treatment.
  - ▶ But a Paraphilic disorder we do view that as requiring and justifying treatment.

# ***Dark Triad***

1. Narcissism
2. Psychopathy
3. Machiavellianism

These three traits have some characteristics in common:

- ➡ empathy deficits,
- ➡ selfishness,
- ➡ a short term mating style
- ➡ being competitive
- ➡ antisocial hedonistic
- ➡ antagonism.

People with these characteristics are ruthless and manipulative, prepared to do or say almost anything to obtain what they want. They have an inflated sense of self-worth and are frequently shameless in their self-promotion.

These people are inclined to be impulsive and may engage in risky behaviour—in some situations, even committing crimes—without thinking about the consequences of their actions.

# *Narcissism*

We can observe such characteristics:

- ➡ arrogance,
- ➡ being socially dominant,
- ➡ being self-centered,
- ➡ having a sense of entitlement.
- ➡ tendency to manipulate others

# ***Psychopathy***

We can observe such characteristics:

- ➡ lack of empathy or guilt
- ➡ callousness
- ➡ violating society's norms
- ➡ being irresponsible,
- ➡ being impulsive,
- ➡ having shallow effect
- ➡ and superficial charm

# ***Machiavellianism***

We can observe such characteristics:

- ➡ antisocial behaviors
- ➡ cynicism
- ➡ having good impulse control (different from psychopathy)
- ➡ callousness (characteristic shared with psychopathy)
- ➡ being goal- oriented

Studies have found **strong relationships** between the Dark Triad traits and the propensity to take financial risks, attitudes toward risky driving , health-risk activities, such as substance use and sociosexuality, problematic media use, and other deviant behaviours, including aggression, bullying and cyberbullying, **and crime.**



# *Consent- What is it? Why is it important?*

PEOPLE **MUST CONSENT**  
TO SEXUAL ACTIVITY.  
CONSENT MEANS **GIVING**  
**PERMISSION** FOR  
SOMETHING TO HAPPEN  
OR AGREEING TO DO  
SOMETHING, **WITHOUT**  
**FORCE** OR COERCION.  
IF IT IS NOT A CLEAR,  
ENTHUSIASTIC "YES"  
**THEN IT IS A "NO"**.

Source: *Consent is Golden: Do you get it?* <https://www.consentisgolden.ca/faqs>



# *Consent- What is it? Why is it important?*

- ▶ **Consent is permission or agreement to engage sexual activity.**
- ▶ Having sex with someone without getting consent is against the law.
- ▶ It is not consent if people agree to sexual activity because they were pressured or forced.
- ▶ People who are drunk, high or asleep cannot give consent.

**CONSENT [verb]:**

is the act of giving permission and agreeing to do something.

**RULES OF CONSENT:**

1. Consent should be FREE, VOLUNTARY, INFORMED and CLEAR.
2. Consent SHOULD NOT be under threat or fear, false conception and intoxication.

**EXAMPLE:**

NO = NO  
YES = YES

**WOMEN:girls**

# *Impacts of sexual violence*

- ▶ Survivors may experience a large variety of physical mental and emotional impacts after being sexually assaulted or experiencing sexual violence.
  - The survivor may struggle with symptoms of PTSD anxiety, depression, low self-esteem, guilt, shame or suicidal ideation
- ▶ Sexual violence impacts not only the individual but can impact a community as well.
  - Sexual violence can cause financial issues related to loss of earnings , medical expanses and counseling expenses.



# ***Why does sexual violence exist?***

- ▶ Sexual violence exists because of many factors
- ▶ Power and control
- ▶ Rape culture / Victim blaming

# ***What can be done to prevent?***

- ▶ Promote social norms that protect against violence
- ▶ Teach skills to prevent sexual violence
- ▶ Provide opportunities to empower and support survivors
- ▶ Create protective environments
- ▶ Pushing for legal procedures that support survivors and prevent re-victimization

# *Cycle of sex offending*

## **Offending cycle includes:**

- ▶ Planning that goes into the offense
- ▶ Cognitive processes used by the offender

## **Sexual offenses are rarely spontaneous**

- ▶ With child sexual abuse there's usually grooming behavior
- ▶ Offenses cycle describes the interaction of the offender's thoughts, feelings and behavior
- ▶ Sexual abuse is a result of a series of multi determinant decision
- ▶ Once begun offense cycle can continue, because the sex offender can neutralize their feelings of guilt, shame and responsibility



# *Cycle of sex offending*

## **Offenders make a series of decisions prior to the commission of the act:**

- ▶ Some decisions transpire after a long period of time
- ▶ Others may occur quickly
- ▶ Sometimes this involves irrelevant decisions and these create a pro-offending environment
  - ▶ Go to a bar (where offenders have access to potential victims)

## **Important to understand:**

- ▶ The conditions that create a pro-offending environment

# *Planning and grooming*

## **Many sex offenders do not realize the amount of planning:**

- ▶ Child sexual abusers may have greater awareness of this due to their grooming of victims
  - ▶ An offender will start to engage in some seemingly innocuous behavior in which it would be with behaviors that would give them sort of permission to touch a child
  - ▶ So this can be anything like: taking a child swimming and then offering to help them with their swimsuit, tickling or wrestling
- ▶ Many rapist do not recognize the level of planning that goes into their offenses
- ▶ Most claim it was an instantaneous decisions

# ***Planning and grooming***

## **Seduction and teasing of the child**

- ▶ Sexual activity is initiated after a common interaction like tickling or bathing
- ▶ Behavior is tested by incrementally increasing behavior until the child says to stop

## **Catching the victim by surprise**

- ▶ Planned for some time, but no opportunity has occurred
- ▶ Offender manipulates the situation so that he is alone with the victim or takes advantage of an opportunity that presents itself

# ***Planning and grooming***

## **Verbal or physical coercion**

- ▶ Most abusers use manipulation
- ▶ Few use physical force, weapons or threats

## **Masking sex in a game context**

- ▶ Used by more manipulative offenders
- ▶ Often have several victims

## **Emotional and verbal coercion**

- ▶ Most common tactic
- ▶ Bribes, lack of disciplinary action, emotional blackmail
- ▶ Often used by incest offenders and those who have regular contact with their victims

# ***Taking over from the Victim***

1. Some offenders do not admit to initiating contact with the victim
  - ▶ Claim instead that victim initiated it
2. Prior refers to this is „taking over from the victim”
  - ▶ Carries on with behaviors once the victim initiates it
4. In reality this is likely a distorted perception



# *Minimization and denial*

- ▶ **Most sexual offenders minimize or deny their offenses**
  - Including the damage cause to victim, violence used, responsibility for the offenses, planning of the offenses and lasting effects
- ▶ **Some deny all or part of their offenses**
  - Partial denial
  - Includes refutation of a problem
  - Refusal to accept that an act was sexual abuse
- ▶ **Some researchers find denial is not an accurate predictor of recidivism**
  - There is a substantial body of literature that says otherwise
- ▶ Few therapists allow deniers to participate in treatment
- ▶ Some claim they are falsely accused

# *Minimization and denial*

- ▶ **Some minimize the damage caused:**
  - That wasn't a violent assault
  - Consensual relationship
  - It's a product of a mutual sexual interested
  - or an „affair”
- ▶ **Sex offenders with adult victims tend to minimize the damage they causes in other ways**
  - Rarely recognize the level of violence or coercion used
  - Often express a distorted thought of sexual entitlement
  - Believe they have a right to sexual intercourse