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# Child abuse

by Bronwyn Dalley

The public attitude to child abuse has altered over the years – in the 19th century a degree of violence was tolerated. In the early 21st century families and neighbours are encouraged to speak out if they witness children being harmed or neglected.

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## Rates of child abuse

The term ‘child abuse’ includes acts of physical violence, sexual abuse and emotional abuse as well as child neglect. These acts have not always been seen as unacceptable. What parents and caregivers may or may not lawfully do has changed over time.

It is hard to measure levels of child abuse. Much abuse is hidden, and not all abused children come to the attention of doctors, the police, community groups or social workers. Victims are often too scared to speak up for fear of further violence, and sometimes no one believes them when they do, especially if they are victims of sexual abuse. Definitions of abuse change over time.

## 19th-century child abuse

In the 19th century, ‘cruelty to children’ was the most common term describing violence towards children. Molesting, defiling or ‘interfering with’ covered the modern term, ‘sexual abuse’. This was very hard to prove, especially if it involved family members, as people were reluctant to think that such acts even occurred. Few abuse cases came to official attention – only 22 (resulting in 11 convictions) went to court in 1899.

## Survey of child abuse, 1967

The term ‘child abuse’ dates from around the middle of the 20th century. The first major national survey of child abuse in New Zealand occurred in 1967. It focused on cases of deliberate physical cruelty – not neglect – coming to the attention of child welfare officers. That year, 419 cases of suspected abuse were reported. Of these, abuse was proven in

### Guilty victims

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Incest became a criminal offence in 1900, but its meaning was narrow. It applied only to some types of blood relationships, and, in common with rape laws, was limited to ‘carnal connection’ (penetrative sexual intercourse). It

255 – fewer than three children per 10,000 aged under 16. The government did not see this level of abuse as a problem, but child welfare officers believed it was the tip of an iceberg.

also made both parties liable to criminal sanction: the victim was as 'guilty' as the perpetrator. Few cases went to court – by 1920, just 35 people had been convicted.

Almost half of the abused children were under five and those most at risk were less than a year old. Girls were more likely to be abused, and a disproportionate number of the suspected and confirmed cases were Māori and Pacific Island children.

## Contemporary trends

Greater awareness of abuse brought more suspected cases to official notice from the 1970s. Social workers investigated 2,131 cases in 1987/8 and 6,500 the following year. The number of notifications reported annually has climbed ever since, to over 10,000 in the early 1990s and almost 20,000 by the end of the decade. There were over 50,000 notifications in 2004/5 and over 150,000 in 2014/15.

Not all reports were about suspected abuse and many needed no further action. In the early 21st century, social workers intervened in a smaller proportion of notifications than previously.

In 2014/15, 11% of all notifications were confirmed as cases of abuse. The majority comprised emotional abuse and neglect. Physical and sexual abuse – the forms that receive the most publicity – were a minority of confirmed cases. Even so, they amounted to more than 4,600 confirmed cases. In the late 1990s and early 21st century the rate of substantiated abuse was around seven per 1,000 children aged 16 and under.

The number of cases has changed but the 'profile' of the abused child identified in the 1970s has not. In the early 21st century, Māori children, especially those living in urban areas, were disproportionately represented in suspected and reported cases – in the early 2010s, Māori children were more than half of all confirmed abuse cases. Girls are more likely to be abused, especially as they grow older, and they are notably over-represented in cases of sexual abuse. Younger children are those most at risk, and form the great majority of children killed through abuse or neglect. Very few children are killed, mostly by people they know, usually close family members.

## High-profile child-abuse cases

Child abuse remains in the public eye through high-profile and tragic cases.

### Baby C

One of the first highly publicised child abuse cases occurred in 1987. ‘Baby C’, a two-year-old South Auckland girl, died as a result of injuries inflicted by her mother, who had been a state ward. Mother and child had been periodically monitored and visited by various health and welfare professionals from the time that Baby C was first abused, at around four months old.

A review of the case revealed many problems in the way various agencies responded to the signs of repeated or suspected abuse. The case, and the review, had a major impact on how government social workers would respond to abuse in the future.

## Christchurch Civic Crèche

From the late 1980s the alleged sexual abuse of children came to public attention. The most prominent instance concerned the Christchurch Civic Crèche. It was New Zealand’s biggest child-abuse case.

Complaints about the alleged abuse of children at the crèche began in 1991. More than 100 children were interviewed by sexual abuse specialists during the resulting investigation. Five crèche staff were arrested during 1992, but only one – the sole male, Peter Ellis – stood trial. He was convicted of sexual violation, indecent assault, and performing (or inducing to perform) indecent acts on seven children in his care.

Some of the more extreme claims had been dropped by the time of the trial, such as those involving satanic rituals or cannibalism, but the case polarised New Zealanders. Controversy raged while Ellis served his prison term, and after his release in 2000.

Some people were convinced of Ellis’s guilt, but for others the case raised questions about how allegations of sexual abuse were handled. There was talk of a ‘sexual abuse industry’ that relied too much on children’s evidence, and people came forward with stories of families torn apart by false accusations. In 2022, the Supreme Court quashed Ellis’s convictions posthumously, ruling that a ‘substantial miscarriage of justice’ had occurred.

## Child homicides

Between 1991 and 2000 there were 91 child homicides, all but two of which involved excessive physical abuse. These cases, and others in the early 2000s, put New Zealand among the worst performing nations for child mortality due to mistreatment.

### Early case

In the early 1900s there were allegations of abuse of children under the care of the Roman Catholic Church. A Royal Commission into the management of St Mary’s Orphanage in Stoke revealed physical abuse and the use of dark cells to confine children. Separate police inquiries uncovered systematic sexual abuse of boys by one of the Marist Brothers. The case was covered by newspapers throughout the country. The Brothers retreated from the orphanage in 1912 after further cases of sexual abuse.

Some cases made household names of murdered children: Delcelia Witika, sexually abused and beaten to death by her caregiver in 1991; Craig Manukau, killed in 1992; Riri-O-Te-Rangi (James) Whakaruru, murdered in 1999; Saliel and Olympia Aplin, stabbed to death in 2001; twin babies Chris and Cru Kahui, who died in 2006 after suffering massive brain damage; Nia Glassie, who suffered ongoing abuse before her death in 2007.

These cases usually spark much debate about how abuse is dealt with by government and other agencies. That debate can be a search for a scapegoat to blame, as people try to understand how such abuse occurred, or continued if families were known to welfare groups, as several of these were.

## Child pornography

The rise of the worldwide web from the 1990s revealed a new and disturbing angle to child abuse. The internet offered a huge market for images of sexually abused children – ‘kiddie porn’ – in New Zealand and internationally. Traders and collectors of such images have been targeted in multi-national raids, but the children subject to the abuse in the first place generally go untraced.

## Regulating pornography

In general, pornography is not illegal in New Zealand, though it is subject to the Films, Videos, and Publications Classification Act 1993 and images and film can be banned or restricted. An exception to this is pornography involving children and young people. All such images are automatically deemed objectionable under the act and any person found distributing or possessing them is committing a crime. The Censorship Compliance Unit at the Department of Internal Affairs enforces the legislation and is the first port of call for complaints.

## State action on child abuse

Government agencies, and professionals like social workers, health workers, teachers and police, play an important role when family networks break down and children are put at risk.

## Early responses

In the 19th century police and courts were reluctant to interfere with the head of the household’s power to discipline children. Physical abuse had to be severe or cruel for court proceedings to occur.

It was more common to remove neglected or abused children from the family than to prosecute parents. From 1867 courts could commit such children to state residential (‘industrial’) schools. The institutions themselves could be abusive places, and various inquiries uncovered excessive punishment and sexual abuse of residents.

Growing awareness of abused children resulted in laws which gave the state new powers to intervene. The Children's Protection Act 1890 allowed police to intervene when children were at risk. In the 1880s, public alarm grew about 'baby farms' – private homes in which very young children were cared for away from their mothers. From the 1890s such homes had to be licensed and inspected by police and later female infant life protection officers.

## Working with families

From the 1920s greater attempts were made to keep children in their families. Neglected and abused children could still be removed, but the emphasis was on preventing problems from becoming more serious. Parental education was seen as the way to combat abuse or neglect, but dealing with child abuse was a delicate process. Child welfare officers knew children could suffer further abuse while they tried to improve the situation.

Overseas research into the 'battered baby syndrome' helped bring child abuse to the fore from the 1960s. Government welfare researchers began to collect information on reported cases from 1962. They called on the medical profession to be more active in reporting suspicious injuries to welfare agencies or the police. By the late 1960s, the state was considering making it mandatory for medical professionals to report cases of abuse.

## Multi-disciplinary approaches

From the 1970s multi-disciplinary child protection teams combined the skills of police, lawyers and medical professionals to give advice to social workers. This co-ordinated approach became the dominant method of handling abuse cases from the 1980s, in theory if not always in practice. More specialist teams dealt with very sensitive matters, such as sexual abuse, or working appropriately with Māori and Pacific Island children. Guidelines for handling cases, and training for social workers, also began in the 1980s in an effort to improve responses to abuse, and inter-agency protocols for dealing with abuse came into force from the mid-1990s.

## Importance of family

In the 1980s the focus remained on keeping children in their families. This approach was enshrined in the Children, Young Persons, and Their Families Act 1989.

The act asserted the primacy of families and whānau, and introduced family-based decision making (family group conferences) for children in need of care and protection. It

## Operation Hope

In 2009, police in the Wairarapa discovered a backlog of child abuse cases which had gone uninvestigated. 'Operation Hope' was set up to deal with those cases. As a result, police formed a child-abuse unit of detectives and

required more active community involvement in responding to child abuse, and greater attention to the cultural background of families. Social workers notified of cases had to consult care and protection resource panels before taking action. These comprised members of welfare organisations, and Māori and Pacific Island communities, as well as other welfare professionals.

interviewers to work with social workers looking into reports of serious abuse in the wider Wellington region.

High caseloads meant that social workers did not always proceed as required. Balancing the needs of children and of families has not been easy. In 2004, the Care of Children Act reinforced the need to ensure the safety of the at-risk child.

## Child, Youth and Family to Oranga Tamariki

Child, Youth and Family (CYF) became New Zealand's statutory child-welfare agency in 1999. CYF was replaced by the Ministry for Vulnerable Children (Oranga Tamariki) in April 2017 after an expert group produced a critical review of CYF services in December 2015. The agency was renamed Oranga Tamariki – Ministry for Children on 31 October 2017. Oranga Tamariki social workers handle notifications about suspected child abuse and neglect. They assist families having difficulties caring for their children and make alternative care arrangements if children are not safe in the home environment.

## Community responses to child abuse

Community and [iwi](#) groups respond to child abuse by raising awareness and working with abused children and their families. The role of these groups became more important from 1989, when the government entered into formal contracts with them to provide care and assist families. That enabled a wide range of welfare, Pacific Islands and iwi-based groups to work directly with their own communities in trying to overcome abuse and neglect.

### Church and women's groups

Religious orders and church groups provided for abused or neglected children, especially before the 1940s. Some, such as the Roman Catholic church, ran homes and industrial schools for these children. Others, such as the YMCA, had a system of 'Big Brothers' supervising children and offering advice to parents.

Women's groups were central in raising awareness of abuse and demanding changes to the law to protect children. The Society for the Protection of Women and Children first drew attention to the sexual abuse of children in the 19th century when it argued for the criminalisation of incest. In the 1970s

### Animals first

New Zealand had a society for the prevention of cruelty to animals before it had one devoted to ending

and 1980s women's and children's rights groups campaigned to end violence within the home. They highlighted the sexual abuse of girls and young women, and were influential in leading research in this area.

violence towards children and women – the first branch of the Society for the Prevention of Cruelty to Animals (SPCA) was started in 1882. The Society for the Protection of Women and Children began in Auckland in 1893, and for many years also managed the prevention of cruelty to animals. Now called Home and Family Counselling, the organisation provides assistance to children who have been abused or have witnessed domestic violence.

## Plunket

The Plunket Society has taken an active role in child abuse prevention since its founding in 1907. Plunket nurses who visited homes sometimes saw abuse and neglect, which they reported to child welfare officers. They also helped monitor the welfare of at-risk children.

Plunket was most active in the child abuse area from the late 1960s. In 1968, the battered baby syndrome was the topic of its annual founder's day broadcast. Medical director David Geddis was an expert in child abuse, and he drew attention to the latest international research on the subject. Plunket nurses formed part of child protection teams and worked with government social workers to assist families.

## Advocacy

Plunket took a lead role in the National Advisory Committee on the Prevention of Child Abuse from 1981. This group advocated better handling of abuse cases and more awareness of the problem. With other groups, it promoted the mandatory reporting of abuse, as occurred elsewhere. The committee also drew up a child protection bill in 1983. With the exception of mandatory reporting, much of this formed the basis of child welfare law reform in 1989.

Child welfare organisation Barnardos has been an important advocate of the end of child abuse and neglect since its first programme in New Zealand started in 1972. Barnardos' child advocates work with community groups that deal directly with abused children. UNICEF (the United Nations Children's Fund) works to keep children in New Zealand and overseas safe.

## Awareness campaigns

Government agencies, health workers, police and community groups have worked together on many campaigns to raise awareness of abuse. Messages, and their medium of delivery, have changed over time. The 1980s' 'Stranger danger' campaign warning children of risks from strangers was followed by 'Keeping ourselves safe' (1988), which recognised that most abuse occurred in the home. Caregivers have been targeted in education and assistance programmes such as 'Alternatives to smacking' (1998). The

'Never shake a baby' campaign launched in 2009 was a collaborative project by government welfare and health agencies, Plunket and Barnardos.

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## Understanding child abuse

### Causes of abuse

How people explain the causes of child abuse has changed over time.

Heredity (genetics), the effects of alcohol and 'feeble mindedness' were all suggested as causes of abuse in the 19th and early 20th centuries. Psychological causes for social problems were first identified around the 1920s and attention turned to the place of the child in the family. Traumatic family relationships or a lack of family affection could lead to child abuse or neglect.

Research into battered children from the 1960s identified social causes, such as social and economic inequalities and overcrowded living conditions. Single parenthood, seen as a social problem in itself, was sometimes given as another cause, especially when 1960s research indicated that women were the majority of abusers.

The high level of abuse of Māori children was noted but largely unexplained in the 1960s. The Māori 'renaissance' of the 1980s led to culturally-based explanations for abuse, including racism and the effects of colonisation.

### Contemporary explanations

In the 2000s child abuse is firmly set in the context of family violence, partly as a result of links made between women's and children's rights and domestic violence. The home or the family situation is recognised as the main place abuse occurs and family members as the major perpetrators of violence towards children. In common with other forms of family violence, child abuse can be a learned – and tolerated – behaviour that is passed from one generation to the next.

Links between family violence and child abuse were made more explicit in government policy from the 2000s through the implementation of family violence prevention strategies and the introduction of pan-agency family safety teams. These links have enabled welfare agencies, police and health professionals to work together more closely. Preventive programmes emphasise working with families to end cycles of violence and abuse.

#### Cycle of violence

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One woman described the maltreatment meted out to her as a child and her abuse of her own child. She was ill-equipped to deal with the demands parenthood brings: '[the baby] wouldn't have her bottle when she was supposed to – she just wanted everything her



## The cost

Abuse is widely recognised as having immeasurable long-term social, health, emotional and behavioural effects on children and their families. The annual financial cost of child abuse has been put at \$2 billion, including health, welfare and corrections services, and the indirect costs of lost productivity.

own way and would scream if she couldn't have it. So I started belting the baby, and Mum started getting worried. I told her I'd kill the baby one day if something wasn't done because I just couldn't keep on top.'<sup>1</sup>

## Speaking out

Those at the heart of child abuse — the children themselves — have often been silent. Children have found it hard to report their abuse, and not only because people may not believe their claims; their family may be split up.

From the 1970s phone help lines gave victims one way of asking for help. Teachers, doctors and others alert to the signs of abuse could act on behalf of children, calling their situation to the attention of police or social workers. Since the 1990s, more survivors of abuse have spoken out. Some have recounted their experiences in private and state residential institutions, and filed cases against the Crown or other agencies. Others have talked about their experiences at the hands of foster parents or others charged with their care. Between 2008 and 2015 the Confidential Listening and Assistance Service was available to listen to the experiences of and provide assistance to people with concerns about abuse or neglect while in state care. Some made repeated calls for an official investigation into their treatment in children's homes. In 2018 the government set up a Royal Commission of Inquiry into abuse in state care between 1950 and 1999.

Since the 1980s, more resources have been put into helping children cope with abuse. This has extended to adult survivors of abuse, especially sexual abuse. Some government compensation has been available for sexual abuse survivors, including funding for therapy or lump-sum payments.

## Backlash

Growing awareness of child abuse led some people to speak of a 'child abuse industry', with parents unjustly accused of abusing their children. After claims of false allegations of abuse, an independent inquiry into one case in 1989 found that social workers had acted in ways not justified by the evidence before them. A local version of the English group Parents Against Injustice (PAIN) was formed in the 1980s. In 1989 it claimed to have 130 members and unsuccessfully called for a ministerial inquiry into New Zealand's 'sexual abuse industry.'

## Oranga Tamariki – a new Ministry for Children

Child, Youth and Family Services was the government agency with responsibility for preventing and responding to child abuse from 1999 to 2017. In the early 21st century it received increasing criticism following high-profile cases of child death .

An expert group was established by the Ministry for Social Development in 2015 to review government and community-based actions in relation to vulnerable children. Its report in December 2015 argued for the better integration of a range of child services and for the establishment of a new agency to respond to the needs of children at risk.

A new Ministry for Vulnerable Children (Oranga Tamariki) was created in April 2017. The title of this agency was changed to Oranga Tamariki – Ministry for Children on 31 October 2017 after criticism of the use of the term ‘vulnerable children’.

Oranga Tamariki is attempting to find new ways of collaborating with other organisations and individuals, including young people and caregivers. It continues to be the key government agency with the responsibility to intervene when child abuse is identified.

## Footnotes

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### More suggestions and sources

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