

Low Recidivism Rates of Child Sex Offenders in a Finnish 7-year Follow-up

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Abstract

This study examines the recidivism rates of Finnish child sex offenders convicted in 2010 (n = 361) over a follow-up period of seven years. The results indicate that while reoffending for other types of offences was common (34%), offenders had very low sexual crime recidivism rates (1%). In terms of more persistent criminal careers, less than a quarter of the offenders had both a previous criminal history and at least one subsequent offence during the follow-up period. Offenders with child sexual abuse material-related crimes reoffended more rarely than did others. Study limitations and implications for policymaking, media and rehabilitation are discussed.

Keywords: child sexual abuse, recidivism, reoffending, reconviction

Introduction

The idea that perpetrators of child sexual abuse (CSA) are at an especially high risk of recidivism is commonly fed by media reports and is accepted both in public and clinical discourse. However, this notion is not supported by the scientific literature. This gap between the research and public perceptions has been discussed since the 1950s (Tappan, 1955). A seminal meta-analysis by Schmucker and Lösel (2015) featuring an international sample of over 10,000 sexual offenders found recidivism rates of 10% in treated offenders and 14% in untreated offenders. However, this large meta-study included studies with mixed groups of rapists, child molesters and other types of offender, thus failing to take into consideration the fact that recidivism rates may vary depending on whether the victim of the sexual crime is a minor or an adult.

According to a second meta-analysis, sex offence recidivism risk factors comprise two major dimensions (Hanson & Morton-Bourgon, 2005), the first being atypical sexuality, consisting of paraphilias such as paedophilia, hebephilia, sexual sadism and hypersexuality, and the second being related to antisocial features, including antisocial personality traits and a lifestyle characterized by, for example, impulsivity and substance abuse. Indications exist that predisposing factors for both sexual offending in general and recidivism specifically may differ somewhat depending on the type of index offence. For example, offenders whose victims are adults are more likely to have an antisocial orientation than are child sex offenders (Firestone, Bradford, Greenberg, & Serran, 2000). Furthermore, maladaptive cognitive schemas that are known to play a role in the initiation of sexual crimes, as well as in reoffending, seem to differ between the subtypes of sex offender (Sigre-Leirós et al., 2015). Thus, it is somewhat surprising that discussions and

analyses of reoffending rates rarely distinguish between CSA offenders and those who offend against adults.

In order to understand child sex offence recidivism better, it is important to realize that offenders committing sexual crimes against children are a heterogeneous group. Estimates suggest that about half of such offenders show disorders of sexual preference, namely, paedophilia or hebephilia, which might be exclusive (sexually attracted only to children) or non-exclusive (sexually attracted to both adults and children). For others, offences are related to antisocial tendencies, in some cases as severe as psychopathy, which by definition is accompanied by a callous disregard for others. In terms of recidivism, the co-occurrence of atypical sexual preferences and psychopathy is the most toxic combination (Seto, 2018). In addition, some offend sexually against children for other reasons, including intellectual disability. The recidivism risk varies depending on the type of victim: the recidivism rates of intrafamilial child molesters are generally lower than those of extrafamilial child molesters are (Hanson, 2003).

Recidivism rates should also be considered within the national socio-legal context. It is worth noting that in an international comparison, sentences for CSA in Finland and other Nordic countries can be regarded as short. For example, the sentence in Finland for aggravated CSA is 1–10 years, but the mean length is less than 5 years. Sentences under two years are typically given as conditional imprisonment, and first-timers typically serve half of their sentence (Hinkkanen, 2009). There are no sex offender registries. In the public debate, Finnish criminal policies are sometimes criticized for being too mild but contrary to popular belief, according to a new study, citizens' sense of justice seems to align quite well with the punishment policies applied by the authorities, and Finnish people find preventive measures, not imprisonment, to be the most important approach to diminishing criminality (Kääriäinen, 2017).

In a meta-analysis consisting of more than 4000 offenders with an average follow-up period of four to five years (Hanson & Bussière, 1998), the recidivism rates for sexual offences and non-sexual violent offences, as well as the reconviction rates for any type of offence, were significantly higher for child molesters than for rapists. However, not all studies have found significant differences. In a study of 419 released sexual offenders followed over an average of seven years, 13% reoffended sexually, while 16% of those initially convicted of child sexual offences relapsed into CSA (Looman & Abracen, 2010). Furthermore, Harris and Hanson (2004) found similar recidivism estimates for rapists (14%, 21% and 24% after 5, 10 and 15 years) and child molesters (13%, 18% and 23%, respectively).

The reported rates for CSA reoffences vary between countries. The variance may reflect not only methodological differences, such as different data sources and definitions of recidivism, but also the earlier mentioned differences in legislation, culture and social circumstances (Nilsson et al., 2014). Thus, data from diverse samples are warranted. In a Swedish study of CSA offenders with a 10- to 15-year follow-up (Nilsson et al., 2014), a 10% relapse rate into sexual offences in a population-based cohort was found (n = 193). For a clinic-referred group (n = 166), the relapse rate was 14%. In two separate studies of convicted Finnish sex offenders, by Hinkkanen (2009) and Laaksonen and Tyni (2015), with mean follow-up periods of 9 years and 7.5 years, respectively, the rate of reconvictions for sexual crimes was low, around 6%. In neither of these studies was recidivism risk associated with CSA.

In terms of treatment goals and rehabilitation, it is of interest to examine the type of offences that sex offenders commit once they relapse, as well as the differences between the index crime and recidivism rates. Previous studies have established a tendency to relapse into violent rather than sexual crimes (Hanson & Bussière, 1998;

Schmucker & Löser, 2015). Likewise, in a meta-analysis of 63 datasets (n = 11,219 adolescent sex offenders, mean follow-up period of 59.4 months), a mean sex offence recidivism rate of only 7% was found, whereas the recidivism rate for general criminality was 43% (Caldwell et al., 2010). Furthermore, recidivism rates may vary between types of child sexual offender. For example, while longitudinal studies on the recidivism of offenders whose crimes are limited to making, possessing or distributing CSA material are still scarce, existing studies suggest that individuals charged with online offences seldom engage in future contact offences (Hirschtritt, Tucker, & Binder, 2019).

The aim of this study was to assess the recidivism rates of Finnish CSA offenders. We describe the type of reoffences (sexual vs. other), as well the relationship between the index crime (CSA crimes vs. CSA material-related crimes) and reoffending. The follow-up period was seven years. For those sanctioned with imprisonment (n = 67), the follow-up period was on average 25 months shorter because of the imprisonment.¹

Sample and Procedure

The analysis is based on longitudinal register data of convictions for sexual offences against children in 2010. The data are from a database maintained by the Institute of Criminology and Legal Policy, which includes convictions and fines given for all crimes in Finland in 2005–2017. For the analysis, convictions for sexual offences against children in 2010 were selected to ensure a long enough follow-up time, that a period was selected in which there had not been any substantial legislative changes influencing the recording of offences (2010–2017) and to collect information about the

¹ The data include the length of the sanction but not the exact release date. Twenty-five months is the average length of the unconditional imprisonment sentences given to the offenders in the data.

criminal history of the offenders (2005–2010).

The cases were collected from the database on the basis of the title of the offence. All 14 offence titles indicating that the crime was conducted against children were included. In cases where the perpetrator was convicted of several sexual offences, the most serious child-related sexual offence – according to length of maximum sentence – was included, and all other offences were excluded. A particular incident is thus included only once, and perpetrators are the unit of observation in the data.

Children can also be victims of other sexual offences, such as rape. These had to be excluded because the database includes information only about the crime and perpetrator, not about the age of the victim. However, if a child falls victim to rape, the charges should also, according to Finnish law, include CSA. Therefore, it is very unlikely that any cases have been excluded from the data on this basis. The final dataset includes 361 convicted offenders.

Variables

Sexual Offence

Six offence types were found: sexual abuse of a child, aggravated sexual abuse of a child, aggravated distribution of a sexually offensive picture depicting a child, possession of a sexually offensive picture depicting a child, purchase of sexual services from a young person and incest. The last two crime types included only two cases each, and were combined into the category ‘other’. For some of the analysis, sexual offences were dichotomized into contact offences, including sexual abuse and aggravated sexual abuse, and material-related offences, including possession and distribution of CSA material. In this dichotomization, the category ‘others’ (n = 4) was excluded.

Criminal History

Two dichotomous variables were used: whether the offender had convictions

for child-related sexual offences or for other crimes during the five-year period prior to the 2010 conviction. The data also included the age and gender of the offender, but gender could not be used in the analysis because the data included only four females.

Sanction

Four separate dichotomous variables for sanctions were used: imprisonment, conditional imprisonment, fine and community service.

Recidivism

Two separate variables (also dichotomous) were formed: new convictions for any type of sexual offence and convictions for other crimes. Reconvictions were included from the 2010 conviction until the end of 2017.

Analytical Strategy

The analysis was limited to a descriptive analysis, including, for example, frequencies and contingency tables, due to the low number of cases. Statistical inference was not used because there was no probability sample used. The data included all cases from 2010.

Results

The most common type of index offence was CSA, and the most common sanction was conditional imprisonment. Altogether, 61 offenders (17%) were convicted of CSA material-related crimes (possession, distribution).

The majority of the offenders (95%) had no prior sexual offence convictions for the five years before the conviction in 2010. Half (50%) of the convicted had prior convictions for other crimes and 13% had more than 10 convictions.

Only four offenders (1%) were reconvicted of a sexual crime after the 2010 conviction. For other types of offence, the recidivism rate was considerably higher (34%). For a complete listing of all the variables and their frequencies, see Table 1.

Because the data only included the date when the sentence ended and not the actual release date, exact survival times cannot be reported. Survival times between the end of the sentence of the index crime and a new sexual offence were 63, 253, 802, and 1661 days for the four offenders who reoffended in this regard. For other reoffenders, survival times varied between 3 and 2434 days.

[Insert Table 1 around here]

Of those who had been convicted of contact crimes (sexual abuse, aggravated sexual abuse), 55% had prior convictions. After the 2010 conviction, 39% had acquired a reconviction for a non-sexual crime and four offenders (1%) for a sexual crime. Of those who had been convicted of offences related to CSA material (possession and distribution), 26% had prior convictions and 8% reoffended. All the reoffences were non-sexual offences. In both groups, about 5% had prior convictions for sexual offences (for all sexual crimes, including offences with adult victims).

[Insert Table 2 around here]

A large variation in the number of convictions (range 3–197) was observed. When criminal history and recidivism variables were combined to describe the criminal trajectories of the offenders, 28.4% of those convicted of contact offences and 4.9% of those convicted of distribution and possession of CSA material had at least three convictions for the period 2005–2017, of which at least one was a sexual offence (the index offence) against children. For a summary of the criminal history and recidivism by type of CSA offences, see Table 2.

Discussion

Our findings replicate earlier, fairly robust findings on CSA recidivism: compared to other criminals, child sex offenders are reconvicted relatively seldom (e.g. Seto, 2018), and although longer follow-up times increase the recidivism rates slightly, the overall percentages remain relatively low. In the current sample, perpetrators of CSA rarely reoffended with new CSA offences. As with recidivism more generally, a minority of the offenders committed the majority of the offences, showing evidence of a persistent criminal trajectory: 87 (24%) had a criminal history and reconviction (for any type of offence). To sum up, the stereotypical image of the prolific CSA repeat offender remains a myth without empirical support, or at least much more rare than the media-fed availability bias (Levenson, 2007) would have readers believe.

The sentences in Finland are short enough for a seven-year follow-up to allow for opportunities to reoffend. However, only one-fifth of the offenders in this study were imprisoned during the follow-up. Furthermore, extending the follow-up period would likely have had only a small effect: the likelihood of recidivism declines the longer an individual remains sexual offence-free in the community, and after 10 to 15 years, most individuals with a history of sexual offences are no more likely to commit a new sexual offence than are individuals with a criminal history that did not include sexual offences (Hanson et al., 2018).

When considering the reasons behind the low recidivism rates observed in this study, it bears mentioning that recent years have brought about changes in the rehabilitation programmes offered to CSA offenders in Finland. For example, since 2012–2014, a proportion of low-risk CSA offenders, including those whose punishment is a fine or unconditional imprisonment, are offered a new voluntary rehabilitation programme tailored for sex offenders. On-going studies are assessing the outreach of

the programme and whether the imposed changes have had an effect on recidivism rates. With regard to the content of rehabilitation, our results highlight the need to focus on general, non-sexual criminogenic factors. Also of note is that the very low base rate of sexual reoffending poses a significant challenge for risk assessment, making it virtually impossible to identify potential reoffenders and increasing the risk of false positive predictions significantly (Berk, 2008).

Sexual crimes in general largely go under-reported and CSA is no exception. According to a recent Finnish victim survey, only one-quarter of CSA victims had disclosed to adults (Lahtinen, Laitila, Korkman, & Ellonen, 2018). However, while the actual prevalence of CSA has gone down (Lahtinen et al. 2018), the number of suspected CSA reports made to the police has been increasing in recent years in Finland (Fagerlund et al., 2014). In light of child victim survey data, it seems that the most severe cases have diminished but are more often reported, while cases that the young do not themselves consider a crime (typically cases with small age differences) have increased but may go unreported.

The recidivism rates observed in this study are lower than those of previous national estimates, which is likely at least in part to be the result of differences in sampling. For example, Laaksonen and Tyni (2015) investigated recidivism only among sex offenders who had been incarcerated for their crime whereas, in our sample, conditional imprisonment was the most common sanction. Hinkkanen (2009) obtained a reoffending percentage of less than 5% among child sex offenders (the exact percentage was not reported). This is a higher percentage than ours is, but it is noteworthy that none of the offenders in his sample convicted of aggravated CSA (n = 120) were convicted again for sexual offences, re-emphasizing the rareness of reconvictions among CSA offenders.

Depending on the national legislation, cases in which older adolescents (above the age of 15) engage in sexual relationships with early or mid-adolescent peers (13–15 years) may lead to convictions (Hinkkanen, 2009). The legal age of consent varies for the Nordic countries (e.g. 15 years in Sweden, 16 years in Finland and Norway), implying that sexual interactions including adolescents of 15 years may be regarded as CSA in Finland but not in Sweden. Interestingly, Hinkkanen (2009) showed that for 14% of the child sex crime convictions in Finland, the perpetrator was the victim's partner, the age of the victim was most commonly 14 or 15 years and the age difference between the parties was typically between 4 and 10 years. Where the age difference was greater than 10 years, punishments tended to be more severe and the victims younger (Hinkkanen, 2009). It can be hypothesized that in cases involving adolescents, reconvictions will be rarer than in other cases because the perpetrators were acting within relationships and the age difference does not indicate an age-related paraphilia. Analyses of sexual experiences, as reported in child victim surveys of 12- and 15-year-olds (Fagerlund et al., 2014), also indicate that 14- to 15-year-old girls comprise the majority of youngsters reporting sexual experiences with persons at least 5 years older. The majority of these experiences are reported to be consensual and take place within relationships. It is worth noting that 30% of Finnish females and around 25% of Finnish males report having had their first intercourse before the age of 16, that is, before reaching the legal age of consent (Kontula, 2016). All cases in which the other party is 15 years or older (the age of criminal responsibility) *could* be regarded as constituting CSA from a legal perspective. Future studies exploring child sex offences should differentiate between sexual interactions among adolescents and cases with greater age differences.

Our study has limitations and caution needs to be exercised when interpreting the results. This was a descriptive study with a small sample and used only conviction data.

Thus, it has limited generalization. The study sheds light only on detected and convicted offenders. A number of interesting variables, such as victim's age, could not be obtained.

As a final note, as pointed out by Seto (2018), the popular but misleading view that CSA offenders are highly likely to reoffend may be used as a means of justifying harsher sanctions. Discussing punitive policies related to sexual and other offences is beyond the scope of this study. However, the current results suggest, in line with earlier international studies, that in Finland, too, harsher sanctions against child sex offenders should not be motivated by the argument that they would reduce recidivism.

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Table 1

Variables and Their Frequencies, Pertaining to the Index Offence, Sentence, Offender and Reoffending

	N	%
<i>Sexual offence</i>		
Sexual abuse of a child	258	71.5
Aggravated sexual abuse of a child	38	10.5
Possession of CSA material	50	13.9
Distribution of CSA material	11	3.0
Other	4	1.1
<i>Sanction</i>		
Imprisonment	67	18.6
Conditional imprisonment	241	66.8
Fine	69	19.1
Community service	9	2.5
<i>Offender age</i>		
Under 21	56	15.5
22–35	142	39.3
36–49	91	25.2
50–65	59	16.3
Over 65	13	3.6

Previous sexual offences

None	343	95.0
One previous conviction	10	2.8
Several previous convictions	8	2.2

Previous other offences

None	180	49.9
10 or fewer previous convictions	135	37.4
Over 10 previous convictions	46	12.7

Recidivism

Convictions for sexual offences 2010–2017	4	1.1
Convictions for other offences 2010–2017	121	33.5

Note. *Other* = purchase of sexual services from a young person and sexual contact between close relatives

Table 2

Criminal History and Recidivism by Type of CSA Offence (Contact- or Material-Related Offences)

	Contact offences		CSA material offences	
	N	%	N	%
<i>Criminal history</i>				
Previous sexual offences	15	5.1	3	4.9
Previous other offences	164	55.4	16	26.2
<i>Recidivism</i>				
Convictions for sexual offences 2010–2017	4	1.4	0	0.0
Convictions for other offences 2010–2017	115	38.9	5	8.2
<i>Criminal career</i>				
Criminal history and recidivism	84	28.4	3	4.9

Note. Contact offences = sexual abuse, aggravated sexual abuse
 CSA material offences = possession and distribution of CSA material