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Research Article

# COMPARISON OF EXAMPLES OF CHILD SEXUAL ABUSE CASES IN TURKISH AND BRITISH MEDIA: PROTECTION OF CHILDREN'S RIGHTS

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### ABSTRACT

*This study compares news articles which have documented child sex abuse cases in Turkish and UK press in terms of their lexical choices and the level of details which they conceal in order to protect the rights of the child. The aim is to shed light on the significance afforded to the protection of children in both countries. Furthermore, the causes and consequences of child sex abuse will be discussed with mention of the various laws and penalties enforced to deter such acts.*

**Keywords:** *Child sexual abuse, children's rights, Turkish Press, British Press*

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### 1. INTRODUCTION

Child sexual abuse, like any other form of violence, is a concerning issue for all nations. Since children are one of the most vulnerable individuals in a society, the protection and wellbeing of children in any society in the world must be the vital concern to be taken into consideration by the governments through the laws, regulations and conventions. It is an undeniable fact that the family is the cornerstone of society, and the welfare, physical and mental health of children raised in these families is of great importance for healthy societies. In this case, lawmakers and authorities must enact laws, legislations and determine policies with respect to the protection of children's rights in order to raise them as physically and mentally healthy adults to contribute to the society.

## **2. CHILD SEXUAL ABUSE**

In this part of the article, the terms related to child sexual abuse will be defined and some statistics from England and Turkey will be shared to shed light on the significance of the issue.

In order to better understand the difference between “child abuse” and “child sexual abuse”, the definitions of both terms must be clarified. The World Health Organization (WHO, 1999) defined child abuse as “treatment likely to harm the child’s survival, health, development or dignity in the context of a relationship of responsibility, trust or power”. Another definition is as “Sexual abuse can be considered as cases where the Prohibition of incest can be broken and therefore incest can be observed; alcohol and substance abuse, crowded family environment and thus increased physical intimacy.” (Polat, 2019, p.202)

As it is seen from the definitions of “child abuse”, it can be said that child sexual abuse is one form of child abuse or maybe one of the most traumatic form of violence whose consequences may last for a life-time. Mainly four forms of child abuse can be listed as physical abuse, sexual abuse, emotional abuse and neglect (Polat, 2015, p.138).

Since the main concern of this article is on child sexual abuse, it is necessary to define the term clearly in order to analyze the cases in news articles keeping the definition in mind. Child sexual abuse can be defined as follows, “sexual abuse is the use of a child who has not completed his or her psychosocial development and is under the age of an adult for sexual stimulation. Sexual abuse covers all kinds of behavior involving sexuality” (Polat, 2015, p. 138). According to the report published by Republic of Turkey Prime Ministry Social Services and Child Protection Agency in 2010, among the forms of other abuse forms, the children between the age 7-18, the victims subjected to the sexual abuse was 3%. In the report, it is stated that the reason why the percentage’s being low compared to other forms of violence is that the incidences are not reported to the authorities because of possible social consequences such as victim blaming, shaming, being isolated from the society or with the fear of blamed for lying about the incident.

The situation does not seem very different in Europe. According to the report published by non-governmental organization NSPCC based in the UK, “1 in 3 children sexually abused by an adult did not tell anyone at the time. All types of abuse and neglect are associated with poorer mental health. Strong associations were found between maltreatment, sexual abuse, physical violence, and poorer emotional wellbeing, including self-harm and suicidal thoughts”.

The same organization defines child sexual abuse as follows: “Contact abuse” involves touching activities where an abuser makes physical contact with a child, including penetration. It includes: sexual touching of any part of the body whether the child's wearing clothes or not, rape or penetration by putting an object or body part inside a child's mouth, vagina or anus, forcing or encouraging a child to take part in sexual activity, making a child take their clothes off, touch someone else's genitals or masturbate, whereas “Non-contact abuse” involves non-touching activities, such as grooming, exploitation, persuading children to perform sexual acts over the internet and flashing. It includes: encouraging a child to watch or hear sexual acts, not taking proper measures to prevent a child being exposed to sexual activities by others, meeting a child following sexual grooming with the intent of abusing them, online abuse including making, viewing or distributing child abuse images, allowing someone else to make, view or distribute child abuse images, showing pornography to a child, sexually exploiting a child for money, power or status (child exploitation) ([learning.nspcc.org.uk](http://learning.nspcc.org.uk), 2019). As can be seen from the definitions, child sexual abuse is a broad term with various definitions, whereas in the news articles chosen as example cases for this article have been selected based on the cases including “contact abuse”.

It is clear from the above definitions that child sexual abuse will cause traumatic and long-term negative effects on the victim. Any traumatic experience may trigger psychological problems in the later years of victim's life.

In this regard, it is necessary to define the perpetrator of child sexual abuse: "It is not easy to talk about a typology for the exploiters who abuse the child. It can be seen that people from all walks of life can be an assaulter and approach the child as a sexual object. However, it is observed that people who are having a hard time on sexual relations with their own peers, who are experiencing lack of confidence, tend to children because they are young and vulnerable and have more easily established relationships with them. It is also necessary to add that they do not consider themselves physically adequate." (Polat, 2019, p. 151). As it is seen from the above citation, there is no simple definition of perpetrator, however when the initiator of the problem is made visible, the problem is made visible as well.

In this case, it can be said that the aim of this article is to give information on the ethical approaches of both media (Turkish and English) while presenting such sensitive issue as child sexual abuse considering the safety and protection of victim.

### **2.1. The Role of Turkish and European Media in Reflecting Child Sexual Abuse Cases**

Media is an indispensable part of individuals' daily life to get national and international news. Every day, individuals get news on different topics, however for the person who gets the news and presents the news; perhaps the hardest thing is that they have news of child sexual abuse as the number of cases has reached to a worrisome level all around the world.

According to UNESCO, six principles and guidelines for media reporting on children are as following:

- 1- Respect the dignity and rights of every child in every circumstance.
- 2- In interviewing (and reporting on) children, pay special attention to each child's right to privacy and confidentiality, to have their opinions heard, to participate in decisions affecting them and to be protected from harm and retribution.
- 3- Protect the best interests of each child over any other consideration, including advocacy for children's issues and the promotion of child rights.
- 4- When trying to determine the best interests of a child, give due weight to the child's right to have their views taken into account in accordance with their age and maturity.
- 5- Consult those closest to the child's situation and best able to assess it about the political, social and cultural ramifications of any reportage.
- 6- Do not publish a story or an image that might put the child, their siblings or peers at risk, even when their identities are changed, obscured or not used.

As the above mentioned principles are inclusive for all nations, while analyzing the examples of news articles selected for this article, they will be mentioned.

The aim of the study is to increase the awareness of the society and lawmakers on the significance of the children's rights through the examples of the child sexual abuse news articles on Turkish and British media with respect to comparison of the representation of the victims and how much both media protect the rights of the victims in the framework of the media ethics.

### **3. MATERIAL AND METHODS:**

In this article, the main focus will be on the representation and comparisons of the child sexual abuse news cases in Turkish and British Media. Two news articles related to the subject from each country will be compared in the light of the lexical choice, the media ethical code on sharing sensitive news and the protection of children's rights and related statistics, policies and preventive laws will be shared on the subject.

This section of the article will examine the news reports of four cases of sexual abuse of children, two of them from Turkish media and two from English media. The news articles will be analyzed in the light of wording, censorship and ethical code of journalism in presenting such sensitive news.

All news articles are directly shared without being summarized in order to clarify the points of the analysis. The method used during selection of news articles is that most popular news portals of both countries have been browsed and the news articles with similar abuse cases were chosen to compare the ways of presentation on both media. The news articles are given below as they appear on the news portals so as not to hinder the objective comparison of them on sharing news about sensitive topics like child sexual abuse.

While selecting the news, the main criteria was to choose 'contact sexual abuse' and how much detailed was expressed related to the incidents.

The reason why news articles selected from England is to search and analyze what measures the country to punish or prevent such abuse against children and how the issue is addressed in the media despite not having a written constitution. Furthermore, England is still a member of EU and Turkey is the candidate state for EU for decades. During this candidacy process, press freedom and human rights are two of the EU membership criteria for Turkey so to what extent Turkish media represents child sexual abuse cases and what preventive laws are put into force was searched through the news articles chosen based on 'contact abuse' in child sexual abuse cases.

First two cases from England and Turkey were chosen as the examples to incest and how these two cases were detailed in English media and Turkish media. The second case from England was chosen to demonstrate the consequences of online grooming and how it turns into a contact sexual abuse. The second case from Turkey was selected as the victim has a special condition and the victim of incest.

Overall, the purpose of the article is to analyze the cases in the framework of ethical code of Journalism and to increase awareness in the society to stand by the protection of the children's rights as the more cases are brought up by the media, the more preventive laws are put into force.

### **4. CASES**

#### **4.1. News Case I: England**

##### **Elliott Appleyard abuse: Daughter's 35-year fight for justice**

*(Source: www.bbc.com)* 25 January 2019

"Carol Higgins was scouring skips for scrap metal with her father when he unexpectedly shot the family dog dead in front of her, then proceeded to "snog" her. This was just the beginning of the repeated abuse the then 12-year-old suffered from Elliott Appleyard, who has been jailed for 20 years for sexual offences including rape and indecent assault. Growing up in Denby Dale, West Yorkshire in the 1980s, Appleyard maintained his grip on Carol, her half-sister Donna and brother Paul with regular threats of violence. His then-wife Jean was

threatened with a machete for having a "sex dream", with Appleyard pointing a legally-owned 12-bore shotgun at her head during an argument. During Appleyard's trial, Jean told the jury: "If [the children] went to phone the police, he'd shoot me." After fleeing the house with her mother, Carol returned to the home on Giltwhaites Crescent eight months later due to her strained relationship with her mother and her need to see her siblings. **The abuse then escalated. Elliott Appleyard "manipulated, groomed, controlled and emotionally oppressed" his daughter, his trial was told "I wish somebody on the streets would have raped me so I'd have had my mum and dad to support me, but it was never like that, so I made my friends my family," Miss Higgins, now 49, said.** "I'll always feel sad, I feel emotional now talking about it, the pain will never go away, but I've got enough courage to rebuild and to heal." Appleyard would play fight with his daughter, but leave her with bites on her neck so deep they would turn "blue, black and purple". While he was away in the US on a hunting trip in the Appalachian Mountains, 13-year-old Carol held a party at the house with her friends. During an interview with police in November 2015, Miss Higgins said her father was "furious" when he returned, causing her to self-harm for the first time. "I started cutting my wrist, I'd never done it before. My dad started bandaging up and said, 'you're too mentally disturbed to sleep by yourself tonight'." He cuddled up to me... he started touching me in places, took a condom out of the drawer and started having sex with me." She added: "It became an everyday occurrence." The majority of the abuse took place at the family home in Giltwhaites Crescent, Denby Dale. During the trial, Peter Hampton, prosecuting, said: "He manipulated, groomed, controlled and emotionally oppressed his daughter." At the time she was vulnerable and felt abandoned by her mother, who was living elsewhere, she became conditioned to comply with his perverted sexual demands. Miss Higgins said: "You feel jealous of other people because you don't have that support; it's a lonely place to be and it's scary." I used to wake up in the morning with a scary feeling in my tummy because I didn't have anyone to love me in a way that I wanted to be loved." She added: "I used to think, why me, why does this have to happen to me?" She often thought of running away, but was told by social services she could end up in a children's home - a thought that "terrified" her, Mr. Hampton said. Appleyard placed his estranged wife's engagement ring on her daughter's finger when she was 14 and took sexual photographs of her, police were told. She was also taken to a tattoo parlour in Barnsley to have a declaration of love inked on her shoulder. It took 10 "painful" acid treatments to have it removed in later life. During the police interview, she said: "I'd hear his footsteps coming in from the pub and coming upstairs, I'd think 'please, please'; as sometimes he'd go straight past. Most of the time he didn't." I'd be asleep or pretending to be asleep, he'd grab my arm and take me to his room at the other end of the landing." She added: "I was just confused; I didn't know what was going on and what was normal. I was just complicit for everything he wanted me to do. 'I'm angry at myself for not doing anything about it, for making him believe that it was all right, for not kicking and screaming.' Despite feeling she had no escape, she eventually ran away from home and told police what had been happening. She gave a 17-page statement to officers in 1985, but was encouraged not to take the matter any further as it would "blacken" her name. Miss Higgins said: "It's taken me 35 years and five attempts to keep knocking on that door - I'd say to anybody, never give up fighting for justice." Go speak your truth to the police and make sure your voice is heard and never give up." West Yorkshire Police is investigating a complaint relating to the case and said it was unable to comment further. "I fill my life with positives and always try to overcome the negative barriers," she said. "This has been the biggest mountain I've ever had to climb and I feel like I'm at the summit now, I can put the flag in, climb back down and get on with the rest of my life."

In News Article 1, the identities of both the victim and the perpetrator were clearly shared as well as all the details of the incident are given as well. Detailed wording is used such as "...bites on her neck" and "took a condom out of the drawer and started having sex with me".

The readers of the news article can easily recognize the traumatic consequences of incest child sexual abuse from the statements of the victim like: "I wish somebody on the streets would have raped me so I'd have had my mum and dad to support me, but it was never like that, so I made my friends my family", through this statement of the 49-year-old victim, who was sexually abused by her biological father at the age of 14 systematically, though she has a happy family life at the moment, she still expresses the pain and the trauma she holds deep down subconsciously. The statements related to victim's story when she tried to report the perpetrator were also discouraging for her, as the police she reached out for help sent her back to the trauma zone by advising her not to "blacken her name" which is actually one of the main reasons why the statistics on child sexual abuse cases seems lower. When the incident is analyzed with respect to the ethical code of journalism, the details related to the abuse such as the names of victim and perpetrator, the name of the city, the statement of the prosecutor and the whole story are shared, mainly because mostly likely the consent of the victim has been taken by the journalist to share the identities and details of the story otherwise it would be against the ethical code. The other factor on sharing the details is to increase public awareness about such a traumatic case like child sexual abuse.

#### **4.2. News Case 1: Turkey**

*(Source: hurriyetdailynews.com-September 27 2018)*

**"Father sentenced to 57 years in jail for sexually abusing daughters**

A man in the western Turkish province of Manisa has been sentenced to 57 years in jail for sexually abusing his three daughters. The man, who was unidentified, was charged with aggravated sexual assault, child abuse and child pornography in the abuse of his daughters aged 10, 14 and 17 from 2010 to 2014, Demirören News Agency reported on Sept. 26. The abuse was uncovered by the 17-year-old girl's teacher, who discovered footage showing sexual abuse by the girl's father on a flashdrive she had brought to school to turn in homework. The Turgutlu Heavy Penal Court issued a ruling bearing the heaviest possible jail sentences according to Turkish law."

On the other hand, in News Case 1 from Turkey, not many details are shared in the news article though it is the incest child sexual abuse case like the News Case 1 from England. It is mainly because the three victims of the abuse are still children and in order to respect their privacy according to the ethical code of journalism, it may cause the victims flashback the incident over and over again. As can be recognized from the news article, the ages of victims and perpetrator, the date and the city of the incident and the crimes the perpetrator charged with were given, however the identities of the parties were not share with the public.

#### **4.3. News Case 2: England**

**"Bradford grooming trial: Nine men guilty of abusing girls**

*(Source: www.bbc.com), 26 February 2019*

The men were found guilty after a trial lasting more than six weeks. Nine men have been found guilty of sexual exploitation offences against two teenage girls in Bradford. The men were found guilty of offences including rape and inciting child prostitution after a trial lasting more than six weeks. The jury is still considering its verdict on a 10th man. The girls were living in a children's home in the city when the abuse started, and a full investigation began after the BBC contacted police.

### **Guilty men**

At Bradford Crown Court, Basharat Khaliq, 38, of Bradford, was found guilty of five counts of rape and one count of assault by penetration.

Saeed Akhtar, 55, of Bradford, was found guilty of two counts of inciting child prostitution and one count of rape. Naveed Akhtar, 43, of Bradford, was convicted of two counts of rape and found not guilty of a third count. Parvaze Ahmed 36, of Bradford, was convicted of three counts of rape. Izar Hussain, 32, of Bradford, was found guilty of one count of rape and one count of attempted rape, but found not guilty on another two counts of rape. Zeeshan Ali, 32, of Bradford, was convicted of sexual assault. Kieran Harris, 28, of Dewsbury, was convicted of two counts of rape. Faheem Iqbal, 27, of no fixed abode, was found guilty of aiding and abetting rape. Mohammed Usman, 31, of Bradford, was found guilty of two counts of rape.

### **Girls were 14**

Khaliq was found guilty of offences against both girls, while the other eight men were convicted in relation to one victim. The men have been remanded in custody at Bradford Crown Court and will be sentenced on Wednesday. The court was told the grooming and abuse began in 2008 when the girls were aged 14, living in a children's home in Bradford. The jury heard staff could not physically prevent the girls leaving the home but they were aware that one of the girls was "being picked up by multiple Asian males in smart cars". A statement from Bradford Council said: "The Safeguarding Board will look closely at this case to see if there are any lessons we can learn that could help us keep young people safer." Earlier in the trial, the court heard one of the girls told police in 2013 that she had been "groomed by hundreds of men", but those allegations were not followed up. The girl was interviewed by BBC Look North a year later, and she talked about abuse she had suffered."

In the second News Case from England, the abuse against children is ranging from grooming to rape and pornography by a group of men whose names, ages and places they live are explicitly shared but the identities of the victim girls. The reason not to share the victim girls' identities is to protect their rights of privacy and to protect them from the probable shaming/ self- shaming in the future. Conversely, the perpetrators' names are given so as to create public recognition on such organized crimes including sexual abuse of children.

#### **4.4. News Case 2: Turkey**

##### **"Man who raped daughter with Down syndrome gets reduced sentence**

*(Source: hurriyetdailynews.com- August 12, 2012, Istanbul)*

Lawyers and nongovernmental organizations have reacted angrily after the Supreme Court of Appeals reduced a sexual abuse sentence against a father convicted of raping his own daughter on the grounds that the girl had remained a virgin even though she had aborted the fetus. "This decision has ruined every attempt we have made to prevent the legitimization of these kinds of incidents," Liz Amado, head of the Women's Human Rights Association, told daily Akşam. The incident was revealed after the then-14-year-old victim, who suffers from Down syndrome, went to the hospital to undergo abortion four years ago. Blood tests revealed that it was 99.99 percent likely that the father of who her unborn child was her own father. The victim was immediately transferred to relevant authorities, where she confirmed that her father had had intercourse with her. A local court sentenced the father to 15 years in prison for sexual abuse.

The high court, however, recently overruled the decision, claiming that the "the victim's hymen is not suitable for intercourse and that she is still a virgin." The high court stated that "only sexual abuse through penetration" necessitated a heavier sentence, whereas "basic sexual

abuse" did not. Publicly, mother reacts to the decision.

The mother quickly divorced the father once news of the rape became public, but the victim reportedly failed to understand what had happened due to her mental challenges. The victim's attorney, Hünkar Demir Çelik, said the decision was "unacceptable." "I will request that the local court insist on its prior decision," Çelik said. "It is a known fact that only birth will undoubtedly break the flexible hymen." Çelik further stated that if high court gets its way, the father will only serve five years in prison. Amado said the case was not unique in its ruling and that similar misjudgments had been given before."

Contrary to News Case 1 from Turkey, in News Case 2 from Turkey, the details of the story are shared about the victim' being sexually abused by her biological father and the victim's suffering from Down syndrome. The decision of the court about the incident and the attorney's statements related to the decision are also shared with the public, nevertheless the identities of the victim and the perpetrator are not given in the news article to protect the rights of the victim specifically.

### **Discussion: Children's Rights and Preventive Acts to Protect Children**

In this section of the article, after analyzing four news articles from England and Turkey respectively and focusing on whether the wording and the given details related to the incidents are in accordance with the ethical code of journalism or not, the deterrent laws and regulations, the conventions and the prudential actions against child sexual abuse crime will briefly be expressed.

Without a doubt, children are one of the most dependent and vulnerable members of the society. In order to bring up them as healthy adults to be, parents, educators and lawmakers are obliged to protect the right of children by the laws and regulations.

According to the Turkey Human Report prepared by United States Department of State Bureau of Democracy, Human Rights and Labor, child sexual abuse and the penal code for such crime are stated as follows: "Child abuse was a problem. The law authorizes police and local officials to grant various levels of protection and support services to victims of violence or to those at risk of violence. It requires the government to provide services to victims, such as shelter and temporary financial support, and empowers family courts to impose sanctions on those responsible for the violence.

By law, if the victim of abuse is between ages 12 and 18, molestation results in a three-to-eight-year prison sentence, sexual abuse in an eight-to-15-year sentence, and rape in a sentence of at least 16 years. If the victim is younger than 12, molestation results in a minimum five-year prison sentence, sexual abuse in a minimum 10-year sentence, and rape in a minimum 18-year sentence. On September 3, a Ministry of Justice report stated the Forensic Medicine Office received 650 child abuse files each month and that the office was still working on cases received three years previously. It emphasized the office was closing the gap and was processing child abuse cases more quickly than in the past. According to the Turkish Statistical Institute, child abuse cases increased by 6.2 percent from 2013 to 2014. In 2014 there were 1,377 documented cases of sexual abuse of boys and 9,718 of girls." (Turkey Human Right Report, Country Reports on Human Rights Practices, (2015), United States Department of State Bureau of Democracy, Human Rights and Labor, p.52). The excerpt from Turkey Human Right Report focuses on child sexual abuse's being a social problem, the numbers of the child abuse cases and the penal code for the perpetrators of child sexual abuse.

Since child sexual abuse is globally recognized inhumane treatment against children, not only the governments but also non-governmental organizations are responsible for protecting children's rights and increasing public awareness on gravity of the issue.

Since no written constitutional law exists in England, the preventive actions are taken in local level to protect children as it is mentioned on the website of NSPCC (NGO): “The Department for Education (DfE) is responsible for child protection in England. It sets out policy, legislation and statutory guidance on how the child protection system should work.

From 29 June 2018, local safeguarding children's boards (LSCBs) are being replaced by safeguarding partners, who are responsible for child protection policy, procedure and guidance at a local level.

The local safeguarding arrangements are led by three statutory safeguarding partners:  
the local authority  
the clinical commissioning group the police.

Working together with other relevant agencies, they must co-ordinate and ensure the effectiveness of work to protect and promote the welfare of children, including making arrangements to identify and support children at risk of harm.”

However, in Turkey, the rights of the children are under protection of constitution. Penal code regulates punishment for the perpetrators of child sexual abuse. In Article 41 - (Paragraph added on October 3, 2001; Act No. 4709) regulating protection of the family, and children's rights (The phrase “and children's rights” was added by the fourth Article of Act No. 5982 dated September 12, 2010), it is declared that “Family is the foundation of the Turkish society and based on the equality between the spouses. The State shall take the necessary measures and establish the necessary organization to protect peace and welfare of the family, especially mother and children, and to ensure the instruction of family planning and its practice.

(Paragraph added on September 12, 2010; Act No. 5982) Every child has the right to protection and care and the right to have and maintain a personal and direct relation with his/her mother and father unless it is contrary to his/her high interests. (Paragraph added on September 12, 2010; Act No. 5982) The State shall take measures for the protection of the children against all kinds of abuse and violence.”

As mentioned above, only constitutions or punishments may not be deterrent enough in order to attract the attention of the public to the significance of the child sexual abuse cases. In this sense, the media must use its power in hand while raising public awareness on the issue; it must also protect the privacy and rights of the victims of the incidents in the alignment with the Ethical Code of Journalism.

## **5. CONCLUSION**

As a result, as can be seen that similar incidents have occurred not only in Turkey but also in Europe, and that child sexual abuse is a social problem that results in sociological and psychological traumatic consequences in global level.

After the analysis of the four news articles on child sexual abuse, it is clear that though the profile of the predator or perpetrator is unstable, the victim's profile is unfortunately quite stable which is being fragile to harm by the adults as they are the vulnerable members of the society.

In this case, the responsibility to protect children's rights is a shared responsibility among the parents, educators, lawmakers and the media. The more the publish awareness is raised, the more deterrent laws and regulations will be forced and the more preventive actions will be taken because when the problem is named, the solution is made.

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