

Assault offences against children aged 0–6 years

Trends in reported offences to 2009

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English summary of Brå report 2011:16

The Swedish National Council for Crime Prevention – a centre of knowledge on crime and measures to combat crime

The Swedish National Council for Crime Prevention (Brottsförebyggande rådet – Brå) works to reduce crime and improve levels of safety by producing data and disseminating knowledge on crime, crime prevention work and the justice system's response to crime.

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Production:
Swedish National Council for Crime Prevention, Information and Publications,
Box 1386, SE-111 93 Stockholm, Sweden
+46 (0)8-401 87 00, fax +46 (0) 8-411 90 75, e-mail info@bra.se

Authors: David Shannon
Layout: Anna Gunneström
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Contents

Introduction	7
The National Council's instruction.....	7
Background.....	7
Swedish trends in violence against children in the home	8
The trend in offences reported to the police	9
Objectives of the study	10
Central findings	11
Victims and perpetrators	11
Disproportionate number of disadvantaged families	11
Substantial shifts in the number of offences reported to the police by different categories of individuals.....	12
Disproportionately large increase in the number of reported cases involving less serious violence.....	13
Changes in the types of families being reported to the police for child assaults	13
Efforts to improve awareness of the duty to report to the social services have had a major impact on levels of reported violence against young children.....	14
Few offence reports make it all the way to a conviction	15
Choice of sanction varies depending on differences in the offences and victims referred to in the indictment	16
References	17

Introduction

The National Council's instruction

Following a substantial increase in the number of cases of (non-sexual) child assault reported to the police during the early 1990s, the Swedish National Council for Crime Prevention conducted a study comparing the cases of parental child assault against 0–6-year-olds¹ reported to the police in the years 1990 and 1997 respectively (Brå 2000). The study showed that as the number of reported offences had increased, the nature of the assaults reported to the police had changed in a number of respects. The violence reported to the police had generally become less serious in nature and an increasing number of offences were being reported by parents and the social services, whereas the number of offences reported by doctors and other healthcare workers appeared to have actually declined. In combination, the results strongly indicated that the propensity to report cases of violence against children in the home had increased substantially among parents and social services staff, and that it was this increase in reporting propensities that explained the increase in the number of reported assault offences against young children registered by the police.

In 2010, the Swedish Government instructed the National Council for Crime Prevention to conduct a follow-up of the study described above, this time with a focus on the trend in reported assaults during the period 2000–2009. As in the National Council's previous study, the study was to focus on non-sexual physical assaults on children aged 0–6 by parents. One difference by comparison with the previous study was that the Council's instruction also included the task of describing both the extent to which the reported offences resulted in an indictment and a conviction, and the sentences awarded in connection with such convictions.

Background

The right of Swedish parents to “correct” their children was removed by a change to the Swedish Children and Parents' Code in 1966. This criminalised in principle the use of the majority of forms of corporal punishment by parents, since it meant that any form of punishment that resulted in “injury, illness or pain” would fall under the assault statute in the same way as acts of violence committed by non-parents (Prop. 1978/79:67). However, the lack of an explicit *prohibition* on the use of corporal punishment by parents resulted in some confusion, not least in the courts, which in the end led the Swedish government to become the first in the world to explicitly prohibit the parental use of corporal punishment in 1979 (ibid., LU 1978/79:11, Bergenlöv 2009). This was achieved by introducing the following addition to the Children and Parents' Code at Chapter 6, Section 3:

¹ In Sweden, children start compulsory primary education at the beginning of the year in which their seventh birthday falls. Thus the age range 0–6 years largely corresponds to the pre-school period.

“The child may not be subjected to corporal punishment or any other humiliating treatment.”

The criminal law protection of children against relatively minor forms of corporal punishment in the home remained more or less completely ineffectual until 1982, however, when assaults occurring in the home were placed under public prosecution for the first time. Until that time, the victim (or the victim’s guardian) had been required to lodge a complaint in order for the prosecutor to bring an indictment for any non-aggravated assault offence that had not been committed in a public place (Prop 1981/82:43).

In 1983, the Children and Parents’ Code was reformulated in a number of respects and the provision prohibiting corporal punishment was moved to Chapter 6, Section 1, which has since read as follows:

“Children are entitled to care, security and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment.”

Swedish trends in violence against children in the home

Even prior to the introduction of the explicit prohibition of the use of corporal punishment against children within the family, Swedish surveys had shown a substantial long-term decline in the proportion of adults reporting positive attitudes towards the use of corporal punishment, and a corresponding decline in the use of corporal punishment in the home. In the mid-1960s, over 50 percent of the Swedish population stated that they were positive towards the physical punishment of children (SOU 2001:18). This figure then declined to somewhat over 30 percent in the 1970s (Janson et al. 2011). Similarly, in the Sweden of the 1960s, the corporal punishment of pre-school children appears to have been an everyday phenomenon, and the available data suggest that almost all children were subjected to physical punishments in the home, at least occasionally (SOU 2001:18, Annerbäck 2011). During the 1970s, however, studies suggest that the prevalence of the parental use of corporal punishment declined to encompass around half of pre-school children (ibid.).

Following the introduction of the explicit prohibition of corporal punishment in the home, surveys indicate that both the shift in attitudes and the decline in the use of corporal punishment at home continued, at least until the years around 2000. Based on the results of a number of different surveys, Janson et al. (2011) estimate that the proportion of adults expressing a positive attitude towards corporal punishment had declined to around 15 percent in the 1990s, and a national survey of parents conducted in 2000 reported of figure of ten percent. Similar surveys conducted in 2006 and 2011 have produced figures of seven and eight percent respectively (Janson et al. 2011). Similarly, the number of parents who reported having hit or slapped their child declined from approximately 28 percent in 1980 to just over one percent in 2000, while surveys from 2006 and 2011 suggest a slight increase since the start of the new millennium, to just under three percent in the most recent survey (ibid.).

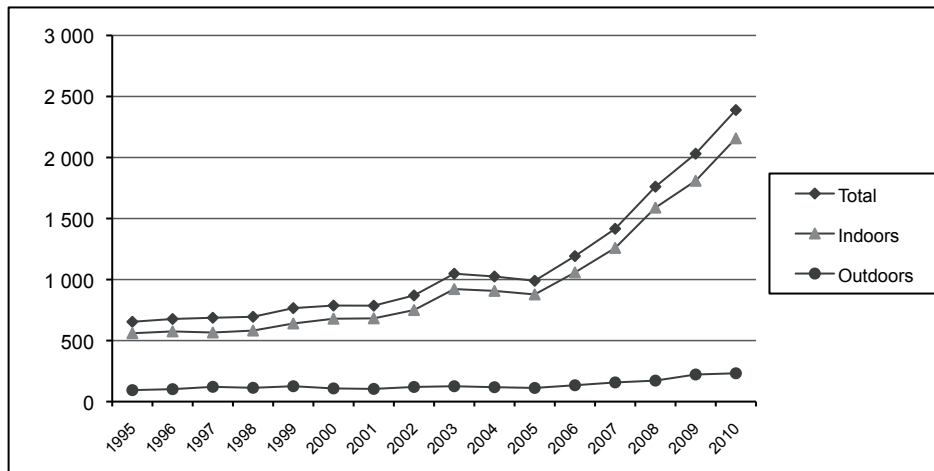
At the same time as the available data indicate a marked long-term decline in the prevalence of minor forms of violence against children in the home, studies have concluded that the proportion of children who have been subjected to more severe forms of physical abuse has remained stable since the 1980s (Annerbäck 2011). Data from the statistical database of the National Board of Health and Welfare indicate that the number of young children (under five years of age) annually

admitted to hospital as a result of assault has remained relatively stable during the period 2001–2010² at approximately 3–4 per 100,000 children. At the same time, the number of child *homicides* has been in decline for a long time and has continued to decline between the 1990s and the 2000s (Socialstyrelsen 2009, Brå 2011).

The trend in offences reported to the police

Since the early 1980s, Sweden has recorded reported assault offences separately for children aged 0–6 years. The trend in reported assault offences against children in this age group lay relatively flat throughout the 1980s, and then began to increase during the 1990s. Since this time the number of registered offences has continued to increase almost every year. Crime statistics also allow for the reported offences to be broken down by whether the perpetrator was somebody known to the victim, and by whether or not the offence was committed in an indoor or an outdoor environment. The statistics show that the vast majority of the reported assaults on children aged 0–6 are committed by a person known to the victim. And of these, the vast majority are committed in indoor environments. Figure 1 presents the trend in reported offences committed by a perpetrator known to the victim for the period 1995–2010 by whether the reported offence was committed in an indoor or outdoor environment.

Figure 1. (Non-sexual) assaults against children aged 0–6 years by a perpetrator known to the victim. Total number of reported offences 1995–2010, and by whether the offence was committed in an indoor or an outdoor environment.



Analyses conducted by the National Council in the context of the current study show that the vast majority of the reported assaults against children aged 0–6 committed by someone known to the victim had been committed by a parent. The definition of “parent” includes biological parents, adoptive parents, step-parents and also a boyfriend or girlfriend of one of the child’s biological parents. The suspected offenders came from one of these groups in approximately 80 percent of the reported assaults against children aged 0–6 committed by a perpetrator known to the victim in 2001, a figure that increased to approximately 90 percent in 2009.

² With the exception of 2003, when there is a temporary peak in the statistical trend.

Objectives of the study

Studies of violent offences reported to the police cannot provide answers to questions relating to trends over time in actual levels of violence. This is due to the fact that trends in reported violent crime are highly sensitive to changes in the reporting behaviours of different groups within the population. Together with sex offences, violent crimes constitute one of the offence types for which official crime statistics are regarded as providing perhaps the most unreliable available measure of trends in *actual* crime rates over time (e.g. Estrada 2006, Tonry & Bijleveld 2007). For the purpose of assessing actual trends in children's exposure to violence in the family, therefore, the sources described earlier in the form of questionnaire surveys and healthcare statistics provide a more reliable point of departure.

However, studies of reported crime constitute an important source for improving our knowledge and understanding of changes over time in various groups' reporting behaviours, and they can also provide important information about possible changes over time in the types of child assault cases that justice system practitioners are faced with and have to work with.

The study is based on three random samples of police reports drawn from the years 2001, 2005 and 2009 – producing a combined sample of 1,035 assault reports involving offences by parents against children aged 0–6 years. The information contained in the offence reports has been coded, together with information contained in documents from healthcare workers, social services, day-care staff etc. that were submitted to the police in connection with the reported offence.

One of the study's principal objectives has been that of attempting to provide an explanation for the substantial increase in the number of incidents of child assault reported to the police during the past decade. In this regard, a special focus has been directed at the question of the categories of individuals who have detected the suspected assaults and reported them to the police, and also at possible changes over time in the character of the offences reported to the police. The study has also examined how many of the offence reports in the sample resulted in an indictment and a conviction, and the nature of the sentences awarded in connection with these convictions.

Central findings

Victims and perpetrators

By comparison with the situation found in the National Council's previous study of the years 1990 and 1997, there are few changes with regard to the sex and age distributions of the victimised children. Boys account for almost 60 percent of the victims of the reported assaults, girls for just over 40 percent. The mean age of the victims is the same for boys and girls. As was the case in the National Council's previous study, the victims described in the reported assaults by parents against 0–6-year-olds are disproportionately comprised of children aged 4–6 years, whereas children aged 0–1 years account for the smallest proportion of victims.

As regards the sex and age distributions of those described in the offence reports as suspected perpetrators, the study once again found very few changes by comparison with the situation noted during the 1990s. Approximately two-thirds of the suspects were males, one-third females. The majority of the suspects were aged either 25–29 years (20 percent) or 30–39 years (45 percent).

Disproportionate number of disadvantaged families

A large proportion of the reported assaults had taken place in families exhibiting signs of social disadvantage. Once again, this had also been the case in the National Council's previous study of the years 1990 and 1997. By comparison with the population as a whole, the suspects included a highly disproportionate number of individuals who had received welfare benefit payments during the year in which the suspected offence had been reported. The suspects also included a disproportionately high number of individuals with no more than a compulsory education. The material also includes assaults where the suspects were individuals with incomes that placed them in the top quartile of the income distribution, but these were disproportionately few by comparison with the population as a whole. By comparison with the situation in the population as a whole, the material also contained a disproportionately large number of families where the parents were either separated or divorced.

It should be noted that while both Swedish and international studies of parental assaults on children based on data sources other than official registers have also reported disproportionately high levels of social disadvantage among those families in which children are subjected to assault, researchers have noted that the strength of the correlation between social disadvantage and the prevalence of violence against children varies across different data sources and is particularly strong in studies based on official registers (e.g. Loseke 2005). It is therefore important to bear in mind that official sources, such as police data, are likely to over-estimate the proportion of cases of violence against children that occur in disadvantaged families, not least because such families are as a rule in closer contact with agencies

such as the social services, which increases the likelihood that cases of assault will be detected in these families (ibid.).

Substantial shifts in the number of offences reported to the police by different categories of individuals

The study examines the question of possible changes in reporting behaviour on the basis of four principal categories of individuals: parents, social services staff, healthcare staff, and day-care/school staff.

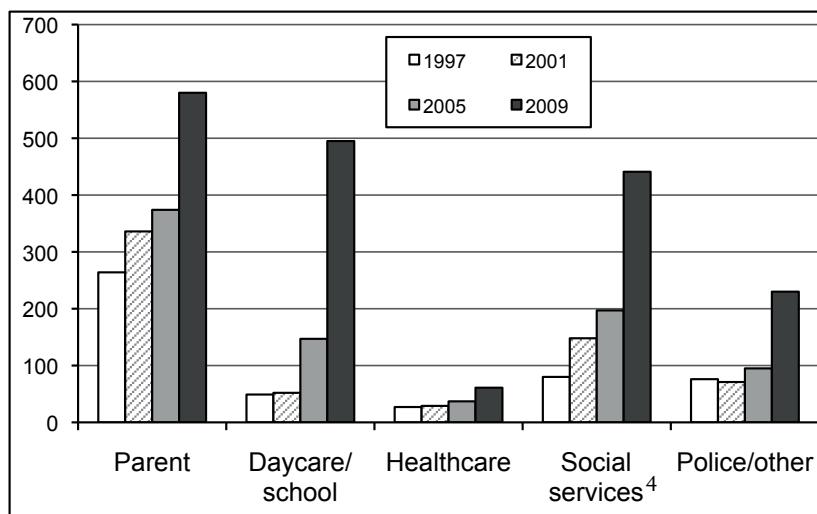
During the period since 1997, there has been an increase in the number of reports made by each of these four groups. However, there is a substantial variation in the size of the increase noted in the number of suspected offences reported by the different groups (Figure 2). Since the National Council's previous study of the years 1990 and 1997, the number of offence reports initiated by staff in day-care or at schools has increased tenfold. This can be compared with a doubling over the same period in the number of offence reports made by parents or healthcare professionals. It should be noted that reports initiated by healthcare professionals constitute only a very small proportion of the total number of reported offences throughout the 2000s (5 percent in 2001, 3 percent in 2009).

The majority of the reported cases initiated by staff in day-care or at school were brought to the attention of the police indirectly. Day-care or school staff had reported their suspicions of violence against the affected children to the social services, and the social services had then passed these reports on to the police. Typically, these cases involved children who had themselves told staff in day-care or at school that one or both of their parents had hit them.

Since 1997, the number of suspected offences reported to the police by the social services has also increased substantially in relation to violence that has come to their attention by other means – e.g. in the course of on-going social services investigations or as a result of reports from members of the extended family, neighbours or the public at large. The number of cases of these kinds reported to the police by the social services has increased fivefold since the National Council's earlier study of reported child assaults during the 1990s.

The increase in the number of reported offences initiated by day-care/schools or the social services is particularly marked during the final part of the period examined (2005–2009).

Figure 2. Estimated number of assault offences by parents against 0–6-year-olds reported to the police by different groups. 1997³, 2001, 2005 and 2009.



³ The data for 1997 are drawn from the National Council's previous study of the years 1990 and 1997.

⁴ Excluding reports initiated by day-care/school or healthcare.

Disproportionately large increase in the number of reported cases involving less serious violence

The National Council's study shows that the proportion of assault reports that describe some form of physical injury to the victim has declined by comparison with the situation during the 1990s.

While no change was noted between the 1990s and the period 2001–2009 in the proportion of cases reported by healthcare professionals that had involved some form of physical injury to the victim, the proportion of cases reported by parents, day-care/school staff and the social services that had involved physical injuries to the victim had decreased significantly over time. Thus for each of these three groups, less serious violence was required during the 2000s by comparison with the 1990s for a police report to be deemed appropriate (Table 1). The shift was particularly marked among the reports initiated by staff working in day-care or at schools, where the proportion of reports that include a description of some form of physical injury to the victim had declined from 73 percent during the 1990s to 28 percent in 2009.

Table 1. Proportion of assault offences by parents against 0–6-year-olds reported by different groups that include a description of a physical injury to the victim. 1990–1997 and 2001–2009.

Detected/reported by	Any injury (incl. minor ⁵)		Serious injuries ⁶	
	1990–1997	2001–2009	1990–1997	2001–2009
Healthcare ⁷	69	66	41	40
Parent	48	39	6	3
Social services	44	28	12	4
Day-care/school	73	30	16	2
Police/other	44	22	8	1

Changes in the types of families being reported to the police for child assaults

Particularly between 2005 and 2009, i.e. the period during which the increase in the number of reported offences was steepest, the study noted a number of changes in the types of families that were reported to the police as a result of the physical abuse of children. There was a decline in the proportion of reports relating to violence against children from families where the parents were separated or divorced, and a decline in the proportion of reports that related to families where one of the parents had also been subjected to violence by the other parent. There was also a significant decline in the proportion of suspects who had six or more prior convictions. Taken together these results strongly suggest that a large part of the substantial increase in the number of offences reported to the police between 2005 and 2009 relates to violence that has occurred in types of families that had previously less often been brought to the attention of the police. The changes are primarily linked to a shift in the reporting behaviour of two central groups: day-care/school staff and parents. (These were the two categories responsible for the largest number of offence reports during the latter part of the 2000s).

⁵ Minor injuries include redness, bruising and minor cuts or grazes.

⁶ Serious injuries include larger cuts, burns, concussion, fractures and also a small number of potentially life-threatening injuries such as skull fractures and brain damage.

⁷ The difference between 1990–1997 and 2001–2009 in the proportion of cases involving injuries is not significant for cases initiated by healthcare staff. Differences are statistically significant for all other categories (social services, parents: $p < .05$; day-care/school, police/other: $p < .01$).

Among the reports initiated by staff in day-care or at school, there was a substantial decline between 2005 and 2009 in the proportion of reports that related to parents who were separated or divorced, as well as a decline in the proportion of reports that related to children from families where the suspect had an extensive criminal record.

Among the reports initiated by parents, there was a successive decline between 2001 and 2009 in the proportion of offence reports that also related to violent crimes against the parent who had lodged the complaint. Among the offence reports filed by parents in 2001, it was more commonly the parent's exposure to violence within the family that constituted the principal reason for filing the complaint. The violence against the child was mentioned in connection with the parent reporting that she (sometimes he) had been subjected to some form of assault by a current or former partner. Subsequent to 2001 there was a successive increase in the proportion of cases where the assault on the child itself constituted the principal reason for filing the offence report. Typically, these cases involved children from families where the parents were separated, and where the 0–6-year-old victims, or older siblings, had told the parent who filed the report that they had been subjected to some form of violence whilst visiting or staying with the other parent.

Efforts to improve awareness of the duty to report to the social services have had a major impact on levels of reported violence against young children

The results of the National Council's study show that the major part of the increase in the number of reported cases of assault against young children since the year 2000 is the result of changes in the reporting behaviour of three important groups: parents, staff at schools and in day-care, and the social services. As regards the particularly sharp increase noted in the number of reported offences between 2005 and 2009, the National Council's study shows that this is primarily the result of an increase in the number of offence reports filed by the social services. The majority of this increase in turn involves incidents that have been reported to the social services by staff working in day-care or at school.

In 2001, the report of the governmental Committee on Child Abuse and Related Issues noted that staff in the healthcare sector, in day-care and in schools rarely reported their suspicions of child abuse or neglect in the home to the social services (SOU 2001:72). In Sweden, all three groups have long had a legal obligation to make a report to the social services when they have information indicating that a child may be at risk.⁸ Given the findings of the Committee that this obligation was often ignored, substantial efforts have since been devoted to working to increase these groups' awareness of their reporting obligations and also to improving their reporting routines. Specific initiatives have included the inclusion of explicit references to the reporting obligation in several additional pieces of legislation⁹, focused measures intended to improve awareness of the obligation to report within the Prison and Probation Service, the Police, and the Prosecution Service, and a collaboration between the National Police Board and the National Board of Health and Welfare to produce a form to be used when reporting information on children considered to be at risk. The National Board of Health and Welfare has also published national reporting guidelines and a handbook for those covered by the obligation to report (Socialstyrelsen 2004). Since the late 1990s, the obligation to report information pertaining to children at risk has also been extended to encompass additional groups.

⁸ This obligation, together with the groups encompassed by it, is specified in the Swedish Social Services Act.

⁹ These include the Education Act (which governs the work of both schools and day-care), the Health and Medical Services Act, the Dental Care Act and the Police Act.

At present, there are no national statistics relating to reports made to the social services, but both local statistics and the results of a number of studies indicate that the initiatives focused on improving different groups' reporting propensities have borne fruit, and that the number of reported cases of suspected children at risk has increased steadily since 2001 (e.g. Länsstyrelsen i Västra Götaland 2004, 2008, Länsstyrelserna 2008, SOU 2009:68).

The increase in the number of such cases that are then reported to the *police* can be understood against the background of a long-term intensification of the level of collaboration between the police and the social services across a range of different fields. These include, for example, wide-ranging collaborations in the fields of domestic violence and in the work conducted with young offenders. Since 2003, the social services have furthermore had a responsibility, as specified in the Social Services Act, to initiate a collaboration with amongst others the police in cases where children are deemed to be at risk (Prop 2002/03:53). And in 2005 a number of Children's Assessment Centres were established in Sweden, where social services, prosecutors, police and healthcare workers work together in joint premises with the activities and measures that need to be co-ordinated when children have been the victims of crime. The assessment centres' objectives include increasing the speed with which such cases are dealt with, improving the conviction rate, and ensuring that children receive the support and assistance they need.

According to the Swedish social services legislation, the social services have no *obligation* to report suspected offences against children to the police. Instead the confidentiality legislation provides the social services with the *opportunity* to act in breach of client confidentiality in order to report certain types of suspected offences against persons under the age of eighteen to the police.¹⁰ The official guidelines issued by the National Board of Health and Welfare state that suspected offences of the relevant kinds should promptly be reported to the police where this is in the best interests of the child.

In its earlier study of reported child assaults for the years 1990 and 1997, the National Council noted a marked increase between these two years in the propensity of social services staff to file police reports in cases where they suspected children had been exposed to violence in the home. The results of the current study suggest that the increasing level of collaboration between social services and the police has produced further increases since 2001 in the propensity of the social services to act in breach of client confidentiality in order to report suspected offences against children to the police.

In summary, the results of the National Council's study indicate that a substantial majority of the increase noted in the number of reported assault offences by parents against young children is due to a combination of two central factors. Firstly, there have been major improvements in the extent to which schools and day-care organisations in particular are acting in accordance with their obligations to report information on children at risk to the social services. Secondly, there has been a continued increase in the propensity of the social services to report suspected incidents of violence against children in the home to the police.

Few offence reports make it all the way to a conviction

Of the total of 1,035 offence reports included in the study sample, the police investigations were discontinued in 25 percent of the cases without the offence being recorded in the Register of Suspected Offenders. Of the 772 offence reports which

¹⁰ The crimes that can be reported in breach of confidentiality in this way are offences against chapters 3, 4 or 6 of the Swedish Penal Code (i.e. crimes against life and health, which include assault, crimes against liberty and peace, which include threatening behaviour, and sexual offences) and also offences against the Act Prohibiting the Genital Mutilation of Women.

include an offence against a child aged 0–6 years that was recorded in the Register of Suspected Offenders, the register shows that 123 reports resulted in a case being taken further to a court prosecution, a summary sanction order or a waiver of prosecution (twelve percent of the original offence reports). In total, almost eight percent of the original offence reports resulted in a conviction decision for a relevant offence against a child aged 0–6 years, the majority by means of a court conviction.¹¹ The study indicates no major changes between 2001 and 2009 in the proportion of offence reports resulting in a conviction.

Choice of sanction varies depending on differences in the offences and victims referred to in the indictment

In approximately half of the court convictions included in the material, the court judgement related exclusively to offences against a child aged 0–6 years. In the other half, the judgement also related to offences against older siblings or the 0–6-year-old’s mother (Table 3).

In those cases where the judgement related exclusively to offences against children aged 0–6 years, the most common sanction awarded was a fine. In almost all of these cases, it can be seen from the judgement that the offence had been adjudged to constitute petty assault.¹²

A prison sanction was much more common in those cases where the judgement also related to offences against older siblings or the 0–6-year-old’s mother¹³. A total of 21 prison sentences were awarded in connection with the cases included in the sample, and in 13 of these 21 cases, the court judgement also related to an offence against the mother of the 0–6-year-old.

Table 3. Number of different types of sanction awarded by the courts, by whether court conviction related only to offences against a child aged 0–6 years or also included offences against older individuals (sibling and/or parent of the 0–6-year-old).

Sanction	Court conviction relates to:	
	Only offences against child aged 0–6 (n)	Conviction also relates to offences against older individuals (n)
Fine	16	2
Suspended sentence	9	3
Probation	2	7
Prison	4	17
Forensic psychiatric care	0	1
Total	31	30

¹¹ In Swedish official statistics, summary sanction orders and waivers of prosecution (both of which are issued by the prosecutor in the absence of a court trial) are also viewed as convictions, since both effectively involve a finding of guilt.

¹² There are currently four degrees of assault specified in the Swedish penal legislation: “petty assault”, “assault”, “aggravated assault” and, since 2010, “particularly aggravated assault”.

¹³ In the majority of cases, the indicted offences against older siblings or the mother involved the crimes of assault or gross violation of integrity. A small number of cases also included indictments for sexual offences.

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