

## FORENSIC SEXOLOGY – CHALLENGES IN MANAGING SEXUAL VIOLENCE AGAINST MINORS

## SEXOLOGIA FORENSE – DESAFIOS NO MANEJO DE VIOLÊNCIA SEXUAL CONTRA MENORES

## SEXOLOGÍA FORENSE – RETOS EN LA GESTIÓN DE LA VIOLENCIA SEXUAL CONTRA MENORES



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### ABSTRACT

Sexual violence is a multifactorial public health issue, characterized as a violation of human rights, with impacts that particularly affect children and adolescents. In Brazil, sexual violence against minors remains alarming, exacerbated by factors such as fear of retaliation, social taboos, and weaknesses in the support network. This study aims to explore the challenges in managing child and adolescent victims through a bibliographic review conducted systematically, justified by the relevance and knowledge gaps on the topic. The methodology was based on the PCC protocol (Population, Concept, Context), addressing national and international studies published over the last 20 years. The databases included PubMed, LILACS, and Google Scholar, with inclusion criteria focused on the age group of 0 to 18 years and a focus on sexual violence. After screening and selection, nine studies met the established criteria. The results highlight that sexual violence against children and adolescents is recurrent in Brazil, predominantly in urban areas, and often perpetrated by individuals close to the victims. The consequences include physical, psychological, cognitive, and behavioral harm, reinforcing the importance of a well-structured support network. Despite efforts by entities such as the Child Protective Services and public policies, challenges such as a lack of professional training, disarticulation among services, and revictimization persist. It is considered that strengthening support networks, training professionals, and promoting interdisciplinary collaboration are crucial for more efficient management, in addition to the need for further studies to deepen the understanding of the topic and its complexities.

**Keywords:** Sex Offenses. Minors. Public Health. Forensic Medicine.

### RESUMO

A violência sexual é um problema de saúde pública multifatorial, caracterizado como violação dos direitos humanos e cujos impactos afetam especialmente crianças e adolescentes. No Brasil, a violência sexual em menores permanece alarmante, agravada por fatores como

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medo de represálias, tabus sociais e fragilidades na rede de apoio. Este estudo objetiva explorar os desafios no manejo de vítimas infantojuvenis por meio de uma revisão bibliográfica, realizada de maneira sistematizada, justificada pela relevância e lacunas de conhecimento sobre o tema. A metodologia baseou-se no protocolo PCC (População, Conceito, Contexto), abordando estudos nacionais e internacionais publicados nos últimos 20 anos. As bases de dados incluíram PubMed, LILACS e Google Acadêmico, com critérios de inclusão pautados na faixa etária de 0 a 18 anos e foco em violência sexual. Após triagem e seleção, nove estudos atenderam aos critérios estabelecidos. Os resultados destacam que a violência sexual em crianças e adolescentes é recorrente no Brasil, sendo prevalente em áreas urbanas e frequentemente perpetrada por indivíduos próximos às vítimas. As consequências incluem danos físicos, psicológicos, cognitivos e comportamentais, reforçando a importância de uma rede de apoio bem estruturada. Apesar dos esforços de órgãos como o Conselho Tutelar e políticas públicas, desafios como a falta de capacitação profissional, desarticulação entre serviços e revitimização persistem. Considera-se que o fortalecimento das redes de apoio, a formação de profissionais e a articulação interdisciplinar são cruciais para um manejo mais eficiente, além da necessidade de novos estudos para aprofundar a compreensão do tema e suas complexidades.

**Palavras-chave:** Delitos Sexuais. Menores de Idade. Saúde Pública. Medicina Legal.

## RESUMEN

La violencia sexual es un problema multifactorial de salud pública, caracterizado como una violación de los derechos humanos, y cuyos impactos afectan especialmente a niños, niñas y adolescentes. En Brasil, la violencia sexual contra menores sigue siendo alarmante, agravada por factores como el miedo a las represalias, los tabúes sociales y las debilidades en la red de apoyo. Este estudio tiene como objetivo explorar los desafíos en la gestión de víctimas infantiles y adolescentes a través de una revisión sistemática de la literatura, justificada por la relevancia y las lagunas de conocimiento sobre el tema. La metodología se basó en el protocolo PCC (Población, Concepto, Contexto), abordando estudios nacionales e internacionales publicados en los últimos 20 años. Las bases de datos incluyeron PubMed, LILACS y Google Scholar, con criterios de inclusión basados en el rango de edad de 0 a 18 años y un enfoque en la violencia sexual. Después del cribado y la selección, nueve estudios cumplieron con los criterios establecidos. Los resultados destacan que la violencia sexual contra niños, niñas y adolescentes es recurrente en Brasil, siendo prevalente en áreas urbanas y frecuentemente perpetrada por personas cercanas a las víctimas. Las consecuencias incluyen daños físicos, psicológicos, cognitivos y conductuales, lo que refuerza la importancia de una red de apoyo bien estructurada. A pesar de los esfuerzos de organismos como el Consejo de Tutela y las políticas públicas, persisten desafíos como la falta de formación profesional, la desarticulación entre servicios y la revictimización. El fortalecimiento de las redes de apoyo, la formación de profesionales y la coordinación interdisciplinaria se consideran cruciales para una gestión más eficiente, además de la necesidad de realizar más estudios para profundizar en la comprensión del tema y sus complejidades.

**Palabras clave:** Delitos Sexuales. Menores. Salud Pública. Medicina Forense.

## 1 INTRODUCTION

Sexual violence is a multifactorial entity that represents an important public health problem and breach of human rights, rooted in the history of humanity. It is defined by the World Health Organization (WHO), in both sexes, as any unwanted sexual act, actions of commercialization and use of a person's sexuality through any type of coercion or constraint, in Brazil, represented by Law No. 12.015/2009. Some groups are more vulnerable to suffering sexual violence, especially females, children and adolescents, low education, child abuse or abuse (Kuhn; Guma; Novakosk, 2022).

Forensic sexology is the area responsible for the study of medico-legal problems related to sex, libidinous practices and their legal implications. In the context of sexual violence, it arises in order to document violence in legal proceedings and bring justice through the formation of evidence (Balduci, 2020).

In Brazil, the child and adolescent population continues to suffer from high rates of violence, with sexual violence being one of the most frequent aggressions against children and adolescents. According to article number 217-A, rape of a vulnerable person refers to "having carnal intercourse or practicing another libidinous act with a minor under 14 (fourteen) years of age" (Carvalho, 2020).

Victims of sexual abuse are people who carry with them, in addition to physical and genital violence, a greater propensity to psychosexual disorders, suicide, depression and drug use, in addition to the possibility of contagion by sexually transmitted infections, as well as the occurrence of unwanted pregnancies, thus reinforcing sexual crime as a complex social and public health problem (Carvalho, 2020).

In this context, the objective of this scientific manuscript is to focus on the challenges in the management of minor victims of sexual violence, carrying out a systematic bibliographic review on the subject. The preparation is justified by the fact that this theme still shines as an important public health problem and that there is still a lack of scientific information in order to fill the gaps that still exist.

## 2 DEVELOPMENT

### 2.1 SEXUAL VIOLENCE AGAINST CHILDREN AND ADOLESCENTS IN BRAZIL

Sexual violence against minors is characterized by the sexual stimulation of the child or adolescent. It encompasses both homosexual and heterosexual relationships and occurs through situations such as rape, harassment, sexual exploitation, manipulation of genitalia, breast, or anus, with or without penetration (Miranda, 2020).

Sexual violence against children and adolescents represents a serious public health problem, which is characterized as a complete violation of human rights, being one of the main causes of child and adolescent morbidity and mortality. In Brazil, over the years the incidence of this type of violence has been increasing, with a greater number of notifications, however, the act is often silenced for complex and multifaceted reasons. Among them are the fear of reprisals by the abuser, exposure to ridicule, lack of trust in investigators, police and health professionals, and due to social taboos that generate discomfort when reaching family integrity and when talking about sexuality. This includes the necessary factor, which is the family's financial dependence on the aggressor, having a fragile support network, previous experiences of abuse in the family, and the continuity of violence between generations (Alves, 2023).

A study analyzed the occurrence of cases of sexual violence in people between 0 and 19 years of age, from January 2010 to December 2017, these children and adolescents residing in the municipality of Petrolina/Pernambuco, registered in SINAN. During this period, 1232 cases of sexual violence against children and adolescents were registered, with a median age of 13 years, and the absolute majority of cases were concentrated in the age group of 10 to 19 years (80.4%), with a predominance of female children and adolescents (95.8%). The urban area had the highest percentage of cases (67.3%) and the home was the place with the most records of sexual violence (89.9%). Most of the victims were assaulted by males (97.3%), with the boyfriend being the most frequent aggressor (33.8%). From the statistical analysis, it was possible to point out a statistically significant association between sexual violence and the victim's age (OR = 0.91), reducing the chance of sexual victimization every one year of age (Miranda, 2020). From this study, it is possible to perceive the prevalence and epidemiological characteristics of the child and adolescent population affected by it.

Another study evaluated risk and protective factors in the care network for children and adolescents who are victims of sexual violence. The Guardianship Council was the main body sought at the time of reporting the violence, later forwarded to the Public Prosecutor's Office, formalizing the complaints. From this it was possible to carry out measures such as sheltering (98.6%), psychological treatment (32.4%), placement in another family (31.1%), police department (25.7%), forensic medical institute (9.5%), term of responsibility/custody of other relatives (9.5%) and hospital (6.9%). The factors that contributed to the effectiveness of the interventions of the Guardianship Council were mapped, highlighting the involvement of family members in the complaint and in the fulfillment of referrals (19%), the effective follow-up of cases (19%), the acceptance of custody of victims by other relatives or surrogate family

(15.5%), the request for the arrest of the aggressor (13.8%) and the speed in conducting the case (12.1%). However, other factors delayed or impaired the work of the Guardianship Council and the conduct of the cases, such as the lack of response to referrals and calls to attend the hearings at the Council (30.9%), lack of investigation of sexual violence (16.2%), lack of psychological and financial conditions of the parents to remain with the children (11.8%) and absence of a medical report (8.8%) (Oliveira, 2014). In this context, demonstrating the existence of a coordinated network in order to carry out an adequate management of underage patients who are victims of sexual violence, but which still demonstrates that there are challenges and barriers regarding this theme, requiring new measures in the practical and theoretical world, as proposed in this scientific work.

## 2.2 CONSEQUENCES AND IMPACT OF SEXUAL VIOLENCE AGAINST CHILDREN AND ADOLESCENTS

The consequences of sexual violence for the child and adolescent population are multiple. Sexual violence is a risk factor, for example, for psychopathological symptoms and conditions, and there is no syndrome that is exclusively presented by the victims. The development of psychopathological symptoms and conditions will depend on the propensity of the victims to present them. In order to facilitate understanding, a literature review grouped these consequences into four groups: physical, emotional, cognitive, and behavioral (Hohendorf, 2014, p. 293–308).

The repercussions of sexual violence (SV) in children and adolescents have mediating factors that influence the impact, that is, the presence or absence of these factors affects the manifestation and severity of symptoms and psychological disorders. These mediators can be classified into four categories, as pointed out in the literature: characteristics related to the victims (e.g., predisposition to develop symptoms or mental disorders), characteristics of the aggressors (such as proximity to the victim and the age difference between them), aspects associated with sexual violence itself (such as duration, frequency, and occurrence or not of penetration), and factors related to the social and emotional support network (e.g., reactions to the revelation and protective measures adopted) (Hohendorf, 2017).

With the exception of factors related to the social and emotional support network, the others cannot be modified at the time the victim is referred for intervention. Therefore, it is essential that the support network is properly prepared to offer the necessary interventions efficiently and appropriately. It is known that the measures adopted, such as notifications, interviews and legal proceedings, can generate stress for both victims and their families. Thus, it is essential that these actions are carried out in a coordinated manner between the

services of the protection and care networks, with the performance of qualified professionals (Hohendorf, 2017).

In this context, a study was carried out in Florianópolis/SC from 2008 to 2014 on all suspected or confirmed cases of child sexual abuse. Among the consequences, the impact on the mental health of the victims stands out, where in this study four of them attempted suicide (1%), five (1.3%) developed mental disorder, 90 individuals (22.4%) had a behavioral disorder and 77 (20%) had post-traumatic stress disorder. These changes were more prevalent in male victims, with statistical significance in both sexes (Platt, 2018).

The multifactorial impact of sexual violence is notorious, with consequences that can be grouped into physical, emotional, cognitive and behavioral, evidencing the complexity of the effects. There is no uniform response to violence, since the manifestations depend on individual characteristics, in addition to contextual factors.

### 2.3 STRATEGIES IN THE MANAGEMENT OF CHILDREN AND ADOLESCENTS WHO ARE VICTIMS OF SEXUAL VIOLENCE

First of all, in order to be able to make referrals for medical and psychotherapeutic care, it is necessary that, upon suspicion or confirmation of the occurrence of sexual violence, notification is made to the responsible and competent bodies such as the Guardianship Council.

The protection and care networks for victims of sexual violence (SV) involve services in the areas of health, social assistance and justice. It is crucial that professionals know the structure of these networks in their municipality and promote effective integration to plan joint actions. However, studies point to structural flaws in these networks, such as inadequate infrastructure, repetition of interventions, and lack of support for victims and their families (Hohendorf, 2017). Demonstrating the need for efforts in order to improve the structural and organizational of these networks.

Coordination between the various services, governed by guidelines from the Statute of the Child and Adolescent (ECA), the Unified Health System (SUS), the Unified Social Assistance System (SUAS) and the Judicial System, is challenging due to the complexity of management between the disciplines involved. This requires professionals to understand not only their role, but also to have general notions about other areas, ensuring interdisciplinary and harmonized work, also avoiding a re-victimization of people in situations of violence, caused by the adoption of flawed protective measures and disjointed procedures (Hohendorf, 2017; Santos, 2011).

It is essential that professionals who care for victims of SV are trained, as the topic is little addressed in undergraduate courses. They should seek knowledge in professional ethics, child and adolescent development, dynamics of VS, and its legislation, as well as how to deal with revelations or suspicions of violence. In the event of a revelation, the professional must believe the victim's report, reaffirm that she is not guilty, show empathy and thank them for their trust. Confidentiality should not be promised, since notification to the Guardianship Council is mandatory and must be explained to the victim carefully. It is also important not to investigate details of what happened, leaving the victim free to speak without interference or suggestive questioning (Hohendorf, 2017; Rocha, 2011).

Brazil has been in this fight against sexual violence for a long time, especially since the 1980s and 1990s, driven by the reasons of defending the rights of young people. The National Movement of Street Children played a key role in the creation of a CPI in 1993 to investigate child sexual exploitation (Rocha, 2011). However, it is notorious that, despite these efforts, sexual violence still presents alarming data, evidencing the seriousness of the problem and the need for greater evaluation of the effectiveness of the public policies implemented and the elaboration of new actions to combat it, as seen in the psychosocial impact on these minors, representing, still shining, as an important public health problem.

### **3 METHODOLOGY**

It is a bibliographic review of literature structured according to a specific protocol written prior to the beginning of the review, which leads to a narrative and systematized research of the existing literature on the subject of research.

To prepare the research question, the mnemonic PCC (P - population/participants, C - concept and C - context) was used: "Challenges in the management of minors who are victims of sexual violence".

Regarding the eligibility criteria, he was guided by the mnemonic itself. The participants were individuals between 0 and 18 years of age, which included children and adolescents according to the Statute of the Child and Adolescent (ECA) and Law No. 8,069, of July 13, 1990, which declares a child to be a person up to twelve years of age and an adolescent to be one between twelve and eighteen years of age (Planalto, 1990). The concept was based on any type of sexual violence committed against children or adolescents. The context was limited to studies published in the last 20 years, in order to provide a broader and more panoramic view of this important problem.

This literature review considered primary studies (original research) and secondary studies (systematic and non-systematic reviews) published or unpublished in national and

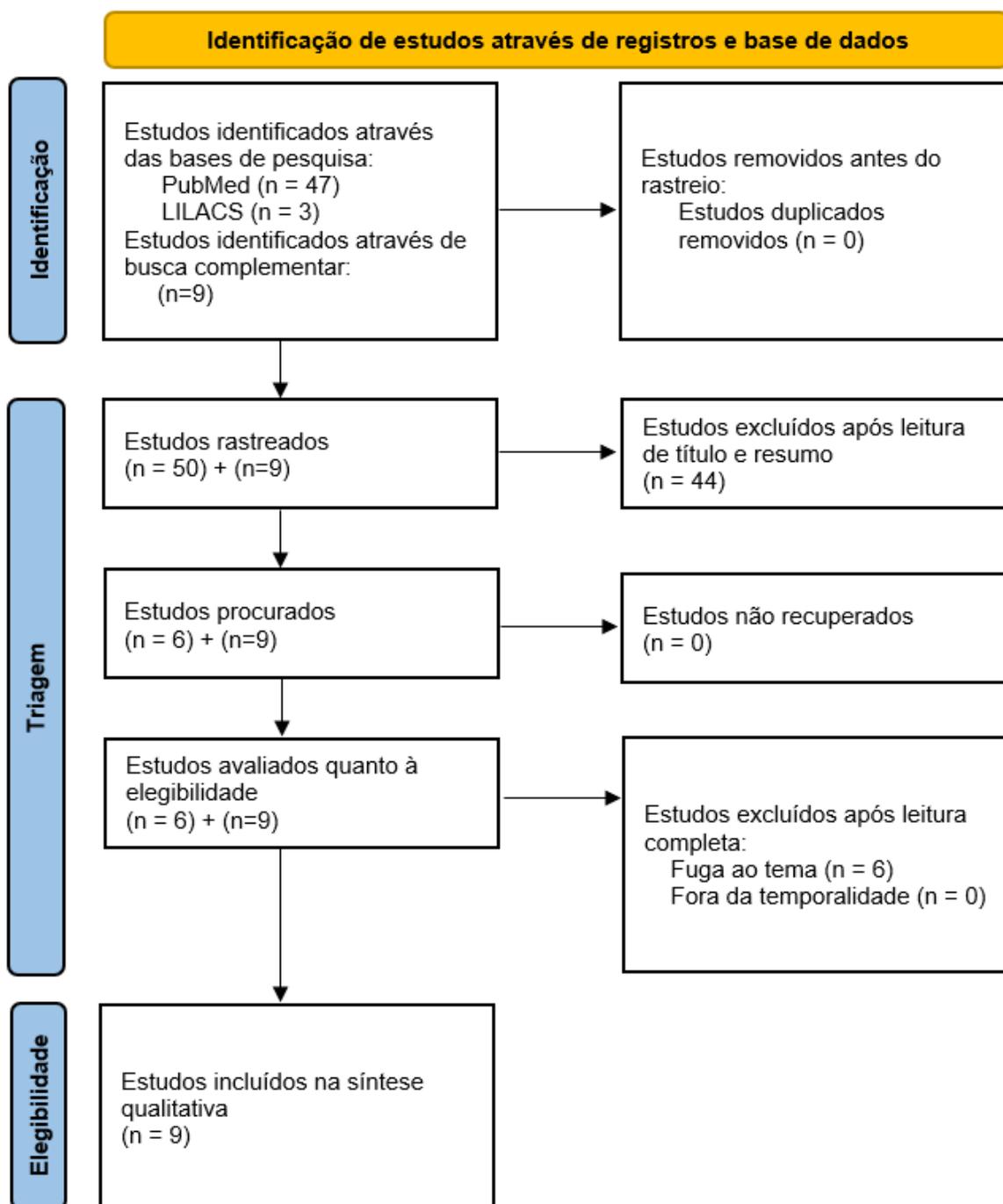
international portals, repositories, and databases. Duplicates, non-full-text studies, and abstracts published in event proceedings were not considered.

The search strategy began with the identification of controlled descriptors (Mesh and DeCs) and non-controlled descriptors, designed from the keywords of the research question, used for the construction of the initial search strategy, such as "Sexual violence", "Sexual violence", "Forensic Sexology", "Forensic Sexology", "Children", "Adolescents", "Adolescents" and others. Through practical experience, the syntax was refined and the search strategies adapted to each database or data repository used. In the PubMed database, the syntax "Forensic sexology AND (Adolescent OR Children)" was used, with a number (n) of 47. In the LILACS database, "Forensic sexology AND (adolescent OR child)" was used, with the number of 3 articles in the chosen time delimitation. In addition to the search in formal databases, a complementary investigation was carried out, including search syntaxes in journals, scientific journals and Google Scholar, in order to enrich and allow a more holistic and comprehensive analysis of the theme. Preprint databases were not searched.

The selection and screening stage of the studies took place in November 2024 and, after the searches, all the identified records were grouped. The first stage consisted of the removal of duplicates; then the title and abstract reading stage. Ultimately, the analysis of the text and references of the selected articles. The titles and abstracts, as well as the studies from the reference lists, were selected by an independent researcher, who evaluated the studies according to the eligibility criteria.

Figure 1

Adapted PRISMA 2020 study flowchart



Source: Authors.

From the search strategies in PubMed and LILACS carried out, a number (n) of 104 studies was initially obtained, another complementary analysis was performed that led to an addition of 9 studies. Duplicate articles were then removed, leaving 50 + 9 studies. After reading titles and abstracts, 44 studies were excluded, leaving 15 studies. Finally, after the complete reading, 6 studies were excluded, leaving one of 9 articles that had all the eligibility items and none of the exclusion criteria.

The exclusion criteria of this literature review were studies outside the theme addressed, either because they did not address sexual violence or because they did not bring an approach aimed at the selected age group; studies outside the time frame, that is, before 2004; duplicate studies or studies without full text; and abstracts published in annals of events.

#### 4 FINAL CONSIDERATIONS

The present narrative bibliographic review, carried out in a systematic way, regarding sexual violence in minors, brings into question the growing importance of this theme, which unfortunately has been present in the history of countries for a long time, including Brazil. It has been shown that sexual violence has marked Brazil for a long time, but it has been gaining notoriety, however there is not a very well structured management, which often leads to an increase in the suffering of these minors and even situations of revictimization.

The study from Petrolina/PE offers concrete evidence on the prevalence and epidemiological profile of sexual violence, which strengthens the argument that it is possible to act on existing patterns of violence. As presented, it is essential to discuss the importance of support networks, such as the Tutelary Council, and the articulation between health, social assistance, justice and medical-legal institutes to face the problem. Another fundamental point is professional training, as exposed, the lack of training as a barrier in the management of victims, highlighting the need for investments in this area.

Finally, it is necessary to highlight that the present scientific study achieves its objective of understanding the challenges in the management of minor victims of sexual violence and the complexity surrounding the theme. While explicit about the topic, it brings awareness about a serious public health problem, offering important insights into its consequences and coping strategies. Ultimately, the importance of training professionals and strengthening support networks is highlighted as pillars in facing this important social and public health problem, it is also necessary to produce new studies on the subject in order to explore this complex theme from different angles.

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