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Risk is a major contemporary issue which has widespread implications for theory, policy, governance, public protection, professional practice and societal understandings of crime and criminal justice. The potential harm associated with risk can lead to uncertainty, fear and conflict as well as disproportionate, ineffective and ill-judged state responses to perceived risk and risky groups. Risk, Crime and Society is a series featuring monographs and edited collections which examine the notion of risk, the risky behaviour of individuals and groups, as well as state responses to risk and its consequences in contemporary society. The series will include critical examinations of the notion of risk and the problematic nature of state responses to perceived risk. While Risk, Crime and Society will consider the problems associated with 'mainstream' risky groups including sex offenders, terrorists and white collar criminals, it welcomes scholarly analysis which broadens our understanding of how risk is defined, interpreted and managed. Risk, Crime and Society examines risk in contemporary society through the multi-disciplinary perspectives of law, criminology and socio-legal studies and will feature work that is theoretical as well as empirical in nature.

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Kieran McCartan • Hazel Kemshall
Editors

Contemporary Sex Offender Risk Management, Volume I

Perceptions

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Preface: Perceptions of Sex Offender Risk Management

Sexual harm is an international policy, practice and personal issue that impacts the lives of victims, perpetrators and their social networks. For many years we considered sexual harm to be solely a criminal justice issue, but now that perception is starting to change. This edited collection will address and consider the changing notion of sexual harm, sex offender risk management and community engagement with sex offender reintegration as these topics move from being solely criminal justice issues to a hybrid comprising both public health and criminal justice approaches. All the chapters presented in this volume are characterised by a focus on the changing perceptions and nature of sexual harm and risk management. The chapters presented here present critical reviews of existing practice, alternative responses and innovatory approaches that can be replicated 'on the ground'.

Kemshall (Chap. 1) starts the collection with a concise history of sex offender risk management in Western society, focusing on the UK, USA and Canada. The chapter highlights the similarities across Western countries in the development of more punitive, risk-averse sex offender management strategies in the name of greater public protection. Kemshall invites us to consider whether increased punitive policies, restrictive management plans and a risk-averse culture have allowed us to balance

risk management and public protection more effectively. Her chapter sets the tone for subsequent chapters by presenting an overview of the criminal justice policies that frame many of the later practice chapters.

In his chapter **Brown** (Chap. 2) presents the other side of the sex offender management coin—the public health approach. He introduces the concept of a public health approach to sexual harm and explains how it marries with ideas around prevention. Brown suggests that a wholly criminal justice approach is problematic and that we need to look at the issue holistically, not just at the perpetrator and the victim, in order to obtain the best outcomes for all concerned.

The first two chapters are key to the rest of the edited collection as they provide the context for the public, practitioner and policy debates that follow.

Tabachnick and McCartan (Chap. 3) follow on from Kemshall and Brown by placing the debates that they raised into a practice-focused, public education context. This chapter focuses on how public education can alter, inform and change sex offender risk management approaches. It highlights some of the main issues attached to public education and engagement in general, before going on to discuss how improved engagement can help society shift towards a better understanding of sex offenders and sex offender risk management which is based in the public health/criminal justice hybrid approach. This chapter also ties in neatly with the chapters by Williams (Chap. 6) and Corcoran and Weston (Chap. 8), which highlight the practical issues of community partnership working and the political realities in which it operates.

The next two chapters, by **Padfield** (Chap. 4) and **Gailey et al.** (Chap. 5), discuss prevention in terms of sentencing, with Padfield discussing the challenges and issues relating to preventative sentencing in respect to sex offender risk management, and Gailey et al. looking at lifelong restrictions in Scotland. Both chapters look at the extreme end of the offender spectrum and the risk management challenges posed by the most challenging and complex offenders. A balance, as both chapters suggest, has to be struck between public protection, victim rights, appropriate legal sanctions, safeguarding and perpetrator rehabilitation. These two chapters provide stark examples of the broader issues debated by Kemshall and

Brown, and complement later chapters by Williams and Corcoran and Weston.

In his chapter **Williams** (Chap. 6) discusses the reality of the current social and moral panic surrounding child sexual abuse. Although he mainly focuses on the UK, his chapter can be related to other Western countries (i.e., Europe, USA, Canada, Australia, New Zealand and South Africa). Williams highlights the issues related to discussing child sexual abuse in modern society, the role of the media in this, the political context of prevention policies, and the inherent need for a dynamic, multi-faceted approach. His chapter builds on the earlier chapters by Kemshall, Brown, and especially Tabachnick and McCartan. Interestingly, Williams devotes time to discussing the rise of 'activist' groups, and certain members of the public's personalised approach to managing/responding to sex offenders in their communities, which acts as a counterpoint to the pro-social engagement discussed in Corcoran and Weston's chapter.

In their chapter, **Corcoran and Weston** (Chap. 8) highlight the pro-social role that the community can take in assisting with the management of sex offenders and their reintegration into the community post-release. Their chapter argues that charities, NGOs and third sector organisations can make positive contributions to sex offender risk management as long as this is conducted in a structured and appropriate way. They illustrate their arguments through case examples of both good and bad practice. Corcoran and Weston argue that sex offenders, sexual offending and all the related consequences are so closely tied to communities that the public should be involved and management responses should not be left to the state.

In what, at first glance, may seem like a chapter that is not neatly linked to the rest of the collection, **Guthrie** (Chap. 7) highlights the issues faced by professional staff working in the arena of sex offender risk management. She reflects the messages conveyed in the other chapters and suggests that professional perceptions need to be heard, sometimes altered and supported through greater investment (i.e., financial, training and emotional support). This chapter highlights the need for a better-developed, more supported and better-enabled workforce to ensure the safe and stable management of sexual abusers.

This edited collection highlights the changing perceptions of sex offenders and their risk management. It suggests that as we move towards a more collaborative, hybrid approach between public health and criminal justice we need to develop a more rounded perception of this offending group. We need to shift the policy, practice, politics and social construction of sex offender risk management.

May 2017

Kieran McCartan
Hazel Kemshall

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Notes on Contributors

Jon Brown is a qualified social worker with a Master's in Social Policy from the LSE. During his career as a probation officer and social worker, he has been responsible for setting up and managing a range of sexual abuse services, including therapeutic services for child victims, services for children and young people with sexually harmful behaviour and services for adult sex offenders. He is also a trustee of the Loudoun Trust, which promotes evidence-based research and practice in the field of sexual aggression against children, a board member of eNACSO (European NGO Alliance for Child Safety Online; www.enacso.eu), a peer reviewer for the Economic and Social Research Council (www.esrc.ac.uk), the Australian Royal Commission into Child Sexual Abuse (www.childabuse-royalcommission.gov.au) and the Children's Commissioner, and co-chair for the Office for the Children's Commissioner's Inquiry into Child Sexual Abuse in the Family Environment.

Mary Corcoran is Senior Lecturer in Criminology at Keele University. She has published widely on women in the criminal justice system, multi-agency offender management and the marketisation of criminal justice. She is co-editor (with Anthea Hucklesby) of *The Voluntary Sector in Criminal Justice* (2016). Her current, grant-funded projects include a national study of the penal voluntary sector in England and Wales and disenfranchised bereavement among young prisoners.

Yvonne Gailey is chief executive of the Risk Management Authority. Her background is in criminal justice social work, training and the development of

evidence-based risk practice for multi-agency application. She led the development of the Framework for Risk Assessment, Management and Evaluation (FRAME), which has been implemented in Scotland.

Lydia Guthrie, BA (Oxon), MSc, Dip SW is a systemic practitioner, co-director of Change Point Learning and Development, and works as a trainer and supervisor across social work, criminal justice, mental health, secure forensic and voluntary sector settings. She qualified as a social worker in 1998, and spent ten years working for the Probation Service in a range of specialisms, including work with long-term prisoners, victims of serious crime, and group work with men who have committed sexual abuse and domestic abuse. She has worked as a treatment manager on community-based sexual offending behaviour programmes and as a senior probation officer, and has developed and delivered programmes with the non-offending partners of men who had sexually harmed others. From 2008 to 2012, she was contracted as co-lead national trainer for the UK's community-based sexual offending treatment programmes. She is the co-author, with Clark Baim, of *Changing Offending Behaviour* (2014). She completed an MSc in Attachment Theory in 2014, and is currently training as a systemic psychotherapist. She has worked with the Latvian Probation Service on two projects: setting up a community-based group work programme for men who have sexually offended; and supporting Latvian probation and prison officers to work motivationally with men and women who have committed offences. She has contributed to numerous radio programmes, including Radio 4's *Today* and *PM*, on the theme of community responses to sexual crime.

Hazel Kemshall is currently Professor of Community and Criminal Justice at De Montfort University. She has research interests in risk assessment and management of offenders, effective work in multi-agency public protection, and implementing effective practice with high-risk offenders. She has completed research for the Economic and Social Research Council, the Home Office, the Ministry of Justice, the Scottish Government, the Risk Management Authority and the European Union. She was appointed to the Parole Board Review Committee in 2011, and is a board member of the Risk Management Authority Scotland. She has over 100 publications on risk, including *Understanding Risk in Criminal Justice* (2003) and *Understanding the Community Management of High Risk* (2008). She led the Serious Offending by Mobile European Criminals (SOMECE) EU project, which investigated information exchange and management systems for serious violent and sexual offenders who travel across the EU member states.

Lesley Martin was educated at Glasgow University and the Glasgow Graduate School of Law. She qualified as a solicitor in 2009, and after five years of private practice, including criminal defence work, she took up an appointment with the Risk Management Authority as an Order for Lifelong Restriction case worker. She has wide-ranging knowledge of criminal procedure, risk assessment and offender management policy and practice.

Kieran McCartan is an associate professor in Criminology at the University of the West of England, where he is the leader of the Social Science Research Group and joint coordinator of the Sexual Violence Research Network. Previously, he was leader of the Criminology Program (2010–2014), deputy director of the Criminal Justice Unit (2010–2012) and associate head of the Department for Sociology and Criminology (2015–2016). He has developed an international reputation and a wide-ranging, multi-disciplinary network around sex offender management and reintegration and has a track record of public, academic and professional engagement on criminological issues, including the origins and causes of sex offending, and societal responses to sex offenders (including policy, practice and public engagement). He has experience of qualitative, quantitative and mixed-method research from funders including the Ministry of Justice, the Cabinet Office, Public Health England, the ESRC, the Leverhulme Trust, Bristol City Council and Wiltshire Probation Service. He previously co-led a national ESRC-funded knowledge-exchange network on the limited disclosure of sex offender information (2012) and an international Leverhulme Trust-funded network on sex offender management (2014–2016). He is currently an adjunct associate professor in Criminology at Queensland University of Technology and a visiting research fellow at the University of Huddersfield.

Nicola Padfield is Reader in Criminal and Penal Justice at the Law Faculty, University of Cambridge, and has been a fellow of Fitzwilliam College since 1991. She has held a number of posts in the college, including President, Director of Studies and Admissions Tutor. Her publications include *The Criminal Justice Process: Text and Materials* (5th edition, 2016), *Criminal Law* (10th edition, 2016) and *Beyond the Tariff: Human Rights and the Release of Life Sentence Prisoners* (2002). She has edited and contributed to a number of recent collections of essays on parole and early release (which has involved research in a number of European countries). While maintaining a wide academic lens, her recent research has explored how the law on release from, and recall to, prison works in practice, and how it is perceived by offenders and those who work in

the system. She has been active in a number of pan-European research networks and writes the monthly editorials in the *Criminal Law Review*.

Joan Tabachnick Over the past 25 years, Joan Tabachnick has developed educational materials and innovative programmes for national, state and local organisations. She created the programming for Stop It Now! before starting her own consulting practice. Since then, she has been the director of NEARI Press and executive director of MASOC, and she is currently a fellow with the Department of Justice, SMART Office. Joan is also on the executive committee of the National Coalition to Prevent Child Sexual Abuse and Exploitation, is founding co-chair of ATSA's prevention committee and serves on a number of state-wide task forces. Her recent written work includes a National Sexual Violence Resource publication titled *Engaging Bystanders in Sexual Violence Prevention*, another titled *Family Reunification after Child Sexual Abuse* and a publication for the Association for the Treatment of Sexual Abusers titled *A Reasoned Approach: The Reshaping of Sex Offender Policy to Prevent Child Sexual Abuse*.

Rachel Webb is an Order for Lifelong Restriction case worker at the Risk Management Authority. Her background is in psychology: she has a Master's in Forensic Psychology and graduated with distinction from Glasgow Caledonian University. She has undertaken research with at-risk young people and presented at conferences in the UK and abroad.

Samantha Weston is a graduate of Staffordshire University, Keele University and the University of Manchester. She has a BA (Hons) in Law and Accounting, an MA in Criminology, an MRes in Criminology and Socio-Legal Studies and a Ph.D. in Criminology. Before coming to Keele University as an academic member of staff, she worked for eight years as a research associate at the National Drug Evidence Centre, University of Manchester. There she was involved in a number of Home Office- and Department of Health-funded research projects and had a leading role in the largest UK evaluation of drug treatment to date—the Drug Treatment and Outcomes Research Study (DTORS). She has also worked as a field researcher for Matrix Knowledge and as a research associate for the University of Birmingham.

Andy Williams is a principal lecturer and Director of Postgraduate Research at the Institute of Criminal Justice Studies, University of Portsmouth. Having completed his doctorate in 2003, which consisted of an ethnography of the Paulsgrove demonstrations in 2000, he has developed academic courses and

practitioner training in understanding risk and dangerousness for violent and sexual offenders. He is co-author (with Mike Nash) of *The Anatomy of Serious Further Offending* (2008) and *The Handbook of Public Protection* (2010). His more recent books are (with Bill Thompson) *The Myth of Moral Panics* (2014) and *Forensic Criminology* (2015). He has undertaken numerous evaluations of public protection systems, including the Integrated Management IRiS model for Avon and Somerset Police and Probation Services (2014) and the Violent Offender Intervention Programme for Hampshire's Police and Crime Commissioner (2016). His current research primarily focuses on an online ethnography of online grooming and anti-child sex offender activist groups.

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