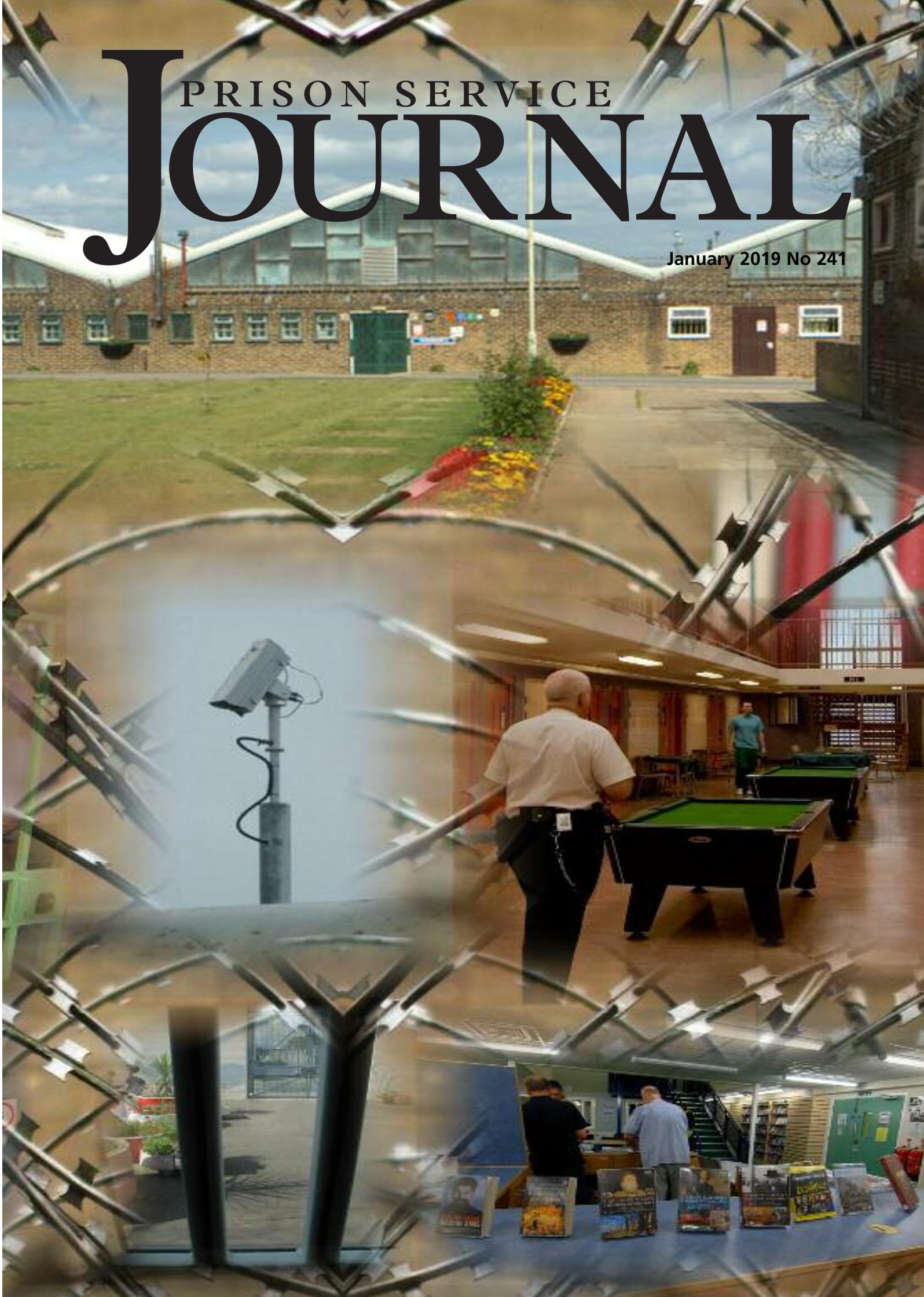


PRISON SERVICE JOURNAL

January 2019 No 241



Working with people with sexual convictions

A presentation given to the 2018 Perrie Lectures.

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The background for this lecture spans a thirty year career, (intermittently) working with people with sexual convictions in the criminal justice system. Most recently, as the Governor of Whatton Prison, an 841 place treatment site for this particular client group. I originally trained as a social worker and started my career as a probation officer in 1987. I was responsible for running a range of offending behaviour group work programmes, and supervising a range of clients, including people convicted of sexual offences.

During the lecture today I want to consider a number of questions. What is the impact of the 'sex offender' label on the successful resettlement of this group of people? What do we know about people who commit sexual offences? How do we keep the public safe? What can we do to help people in prison? And what happens when people with a sexual conviction leave prison?

The impact of labelling on the successful resettlement

The popular press often portrays people who have committed a sexual offence in a negative and stereotypical way. The press headlines of 'beast', 'paedophiles', and 'monster' are frequent and familiar. People who have committed offences against children are almost always labelled as paedophiles, when in fact only a small percentage of this group actually have a sexual preference for children.¹ Their offending is often behavioural and/or they have a desire for intimate relationships with adults, but a variety of factors including IQ, physical restrictions or attractiveness inhibit these preferences. People convicted of sexual offences often reflect on how they are perceived and people in prison at Whatton regularly comment about how people

convicted of other serious offences such as murder or other offences of violence are considered more sympathetically and given more support for their successful resettlement in the community.

There is significant discussion in some circles about the impact that the term 'Sex offender'² has on a person's wellbeing and self-worth commentators also question how this labelling of people by something we don't want them to be is helpful to their desistance journey.³

Many treatment programmes for people with sexual convictions have moved on from risk management and relapse prevention strategies to a strengths based approaches to promote 'good' or 'better' lives.⁴ Yet many practitioners, colleagues, academics and policy makers continue to label and define people by possibly the worst thing that they have ever done, rather than seeing people as human beings with the same hopes and aspirations as the rest of us. If we are to change negative public attitudes then I would argue we as professionals need to look to ourselves first.

History/Politics/Legislative Response

It is interesting to consider the extent of the growth in the number of people in prison convicted of sexual offences in prisons in England and Wales, in 1981, this was four per cent of the overall prison population. By 2018 this had risen to 18 per cent and according to NOMS data in 2016 25 per cent of the overall prison population had a current or previous conviction for a sexual offence.

Of the people in prison for a sexual offence ninety nine percent are men, and the age of this group is much older than the rest of the prison population. Almost eighty percent are over thirty years of age and eighteen percent are over sixty. A large majority of this population are serving long sentences (eighty one percent are

1 Seto, M.C.(2004) Pedophilia and sexual offences against children. Annual review of sex research:2004.15Research library pg 321.

2 Willis, G.M (2018) Why Call someone by what we don't want them to be? The ethics of labelling in forensic/correctional psychology. Psychology Crime and Law doi:10.1080/1068316x.2017.1421640

3 Harper, C.A., Hogue, T.E.,& Bartels, R. M (2017) Attitudes towards sexual offenders: What do we know, and why are they important? Aggression and violent behavior doi: 10.1016/j.avb.2017.01.011

4 Ward, T.,& Stewart, C. A. (2003) The treatment of sex offenders: risk management and good lives. Professional Psychology: Research and practice, 34353-360. 10.1037/0735-7028.34.4.353

... serving sentences over four years, including life and indeterminate sentences for public protection). An analysis of the criminogenic needs of this group found that the majority had issues with relationships, and problems with their attitudes and thinking. A relatively small number had substance misuse features to their offending.⁵

There are two main reasons for the growth in the numbers of people with sexual convictions in prison. Firstly an increase in the prosecution and subsequent conviction and sentencing for historical sexual offences and secondly increases in the length of sentences handed down to people with sexual convictions. For example fifty five percent of the 2283 people in prison for Indeterminate Sentences for Public Protection in 2016 had been convicted of a sexual offence.⁶

People with sexual convictions are often perceived as a homogenous group but this is not an accurate representation. There are a wide range of sexual offences. There are those involving direct physical contact with victims, and those that do not, such as downloading or viewing internet based child or adult sexual abuse images. Victims, may be children, adult men, adult women, or animals. Offences can be committed utilising a variety of means. People may be coercive, groom victims or be surreptitious in their approach. Offences may be committed in the context of under-age peer child abuse or as an element in extreme violence such as murder. Offences may involve indecent exposure or voyeurism or making or distributing child abuse images. Given this complexity the simple characterization of 'sex offender' is neither helpful informative or illustrative of a person's ongoing risk of reoffending. This worth bearing in mind when considering the media perception of a homogeneous group.

Since 1997 there has been a range of legislative and administrative restrictions controlling and increasing the level of surveillance for people convicted of sexual offences. The Sex Offender Act 1997 first introduced the Sex Offender Register. This requires people convicted of a sexual offence serving over 30 months or imprisonment for life to be subject to be Sex Offender registration indefinitely. Registration requires people with convictions for sexual offences to inform the police of their names and any aliases and of their home addresses. The Crime Services Act 1997 also

introduced Sex Offender Orders, which requires that the person who has been convicted of a sexual offence is subjected to a 'release supervision order' unless 'there are exceptional circumstance to justify not doing so'. In 2003 the Criminal Justice Act established indeterminate sentences for public protection and extended sentences. Also in 2003 the Sexual Offence Act established an extra range of restrictions, such as Sexual Offence Prevention Orders (SOPO), foreign travel orders, risk of serious harm orders and increased the length terms for sexual offender registration for people receiving a sentence of 30 months or more to an indefinite period.

It is significant that the SOPO was amended and strengthened to a Sexual Harm Prevention Order by the Anti-Social Behavioral Crime and Policy Act 2014.

Legislative restrictions aside, there have also been a range of administrative procedures to manage and control people convicted of sexual offences over recent years. In 2008 the Child Sex Offences Disclosure Scheme was at first trialed, and then eventually extended to all police forces in 2011. This scheme allows people who care for children to apply to find out if someone has a record for sexual offences against children.

Polygraph testing was piloted in two probation areas, the East and West Midlands in 2009 and extended to the whole country in 2014. GPs monitoring for high MAPPA risk cases for people with sexual convictions can also be considered, and this is currently being extended more widely.

The scale of this level of surveillance and control is in some part understandable because of concerns about public safety, but it is potentially self-defeating if people with sexual convictions are isolated and seen as having fundamentally different needs to the rest of the population. Research in the United States has highlighted the potential implications of these restrictions and as Laws and Ward pointedly observe:

Most sex offenders are people like us with the potential to lead meaningful law abiding lives, if given the change and appropriate support⁷

The legislative and administrative restrictions on a person convicted of a sexual offence are becoming so dominant and such a focus that the need to help and

... the simple characterization of 'sex offender' is neither helpful informative or illustrative of a person's ongoing risk of reoffending

5. NOMS (2016) Commissioning Strategy Interventions and services for people convicted of sexual offences (unpublished).

6. Ibid.

7. Laws, D R and Ward, T (2011) Desistance from sexual offending; Alternatives to throwing away the keys. Guilford Press. P.6

support people to transform their lives when they leave prison is very much a secondary issue. Risk management and compliance procedures are of dominant concern. Yet ironically it is worth considering that these control measures may have a direct influence on a person's ability to desist from offending as opportunities to gain suitable employment, safe housing and meaningful relationships are restricted. It could also be argued that the media portrayal of the person with sexual convictions as a social pariah⁸ also has a significant impact on the likelihood of his successful resettlement.

So what do we know about people who commit sexual offences?

There has been a significant amount of research over a number of years conducted to try to understand the motivation for their offending. The National Offender Management Service⁹ (now HMPPS) summarized the research outlining four distinct groups. Firstly, people who have a sexual motivation for their offending. This group are motivated by sexual interests that are markedly different to the general population (people with a sexual preference for children, or sexual violence for example). The second group are people who have an anti-social motivation. This group may commit a variety of different criminal offences including sexual offences when angry or aggrieved. This group of people are a high risk of re-offending, and therefore a priority group for HMPPS accredited offence focused interventions. Thirdly, a group of people who are motivated by combination of sexual and antisocial factors. This group are considered to have a hostile motivation to the world and a propensity to anger and grievance. They are the highest risk of sexual re-offending and again considered to be a priority target by HMPPS for offence focused programmes. The final category are people who commit offences who have neither a sexual nor an anti-social motivation. This group of people normally prefer sexual relationships with consenting adults but in certain circumstances they can be aroused by children and/or by rape. For example when they begin a sexual relationship with a minor as a substitute for activity with an adult partner. This group of people typically will not have an extensive criminal history and be a low risk of sexual re-offending. This group of people are not currently eligible for accredited offence focused programmes by HMPPS, as the research base suggests that formal programmes for

this group of people have little impact on re-offending rates.¹⁰

How do we keep the public safe?

There are a number of key factors to consider in the operational management of a prison holding people convicted of sexual offences. Protection of the public needs to be of paramount concern, so a number of key elements are essential if this objective is to be successfully achieved. Firstly the prison's security procedures must be robust. Good prison security comes in many forms. The physical security of the building and the strong and consistent management of procedures are vital. This ensures the safety and wellbeing of both the people who live, and those who and work inside the prison. It is also critical to the protection of the public outside this community. Good staff prisoner relationships are also vital to ensure that intelligence is gathered about prisoner activities, and to ensure that security procedures and policies are successfully and effectively applied.

The management of risk is also a critical feature of the operational focus of the prison. This ensures that the public and the prisoners in the establishment are kept safe. Prisoners risk of reoffending (and reconviction) is assessed by a number of risk assessment tools but predominantly by Risk Matrix 2000 (RM2000)¹¹ is currently utilized by Criminal Justice agencies in England and Wales. This tool assesses which a person's risk of reoffending and/or reconviction for a sexual offence. People can be assessed as high, very high, medium or low risk of sexual reconviction. This measure utilises a number of static risk factors such as, the age of first offending, and the gender and age of victims. An updated risk assessment tool OAYIS Sex Predictor (OSP), also a static risk prediction tool is shortly to be introduced in both prisons and the community. The benefit of this updated method of risk assessment over RM2000 is that it is a more accurate assessment of risk of reoffending, for some groups and it is simpler and easier for a practitioner to score. The risk management of a person whilst in custody is also crucial to both the safety and security of prisons, and also the safety and of the public when the prisoner eventually leaves the prison. Ensuring that prisoners do not obtain access to weapons or to material that is likely to enhance their opportunities to cause harm is crucial, and security information and intelligence gathering is linked to this.

The prison Interdepartmental Risk Management brings together all the relevant intelligence about an

8. McAlinden, A. M (1999) Sex offender registration: some observations on Megan's law and the Sex offenders Act 1997. *Crime prevention and community safety*. Vol.1 Issue 1. Pp41-53.
9. NOMS (2016) see n.5
10. Wakeling, H. C., Mann, R E and Carter A J. (2012). *The Howard Journal* vol51. No 3 July 2012. Pp286-299.
11. Wakeling, H, Mann, R. E, Milner, R (2011) Interrater reliability of Risk Matrix 2000s. *International Journal of Offender therapy and comparative Criminology* 55(8) 1324-37.

individual prisoner and makes informed decision about the risk they pose to others. This group considers applications for child contact, the extent of telephone monitoring and the implications of Court directions such as Sexual Harm Prevention Orders and/or Harassment Orders.

The group also consider applications for a change of name (prisoners often want to change their name to prepare to develop a positive ‘new me’ identity like they leave prison and also to reduce the possibility of being identified by hostile members of the community when they begin their resettlement process). A key objective of the prison is the creation of a rehabilitative culture is to create a climate that helps people with sexual convictions to begin to understand their risk factors, how to manage them, and to be alive to risky situations. In short to learn to become better people when they get out of prison from when they came in. Offence focused offending behaviour programmes are an important, but only part of this process. Improving self-esteem and self-worth and providing activities and educational opportunities are also key. It is vital that people have the motivation and the desire to desist from offending as well as the climate and support to do so.

Horizon	Medium risk RM2000 – 29 sessions
Becoming New Me + (BMNT)	Adapted programme – 4/5 months (4 sessions per week) group sessions plus one to one sessions High or very high risk
New Me Strengths	Adapted programme - 3 months (3 sessions per week)
Living as New Me	Successful completion of (BNM or BNM) roll on roll off programme (at least 5 sessions)
Kaizon	High intensity programme – rolling format 68 sessions
Healthy Sex Programme (HSP)	One to one basis between 12 and 20 sessions

What do we do in prison?

There are a range of offence focused offending behaviour programmes for people convicted of sexual offences whilst they are in prison. The table below gives a brief summary of those currently available.

A new suite of programmes Kaizon and Horizon have been in operation since early 2017 and replaced the old Core and Extended Programme which were replaced following research about their effectiveness.¹² The development and improvement of new accredited

offending behaviour programmes is continuous, and interventions are developed and adapted to reflect the best available evidence.

Other Interventions at HMP Whatton

In 2009 the prison funded and established a pilot anti-libidinal project. The project focuses on the provision of medication to prisoners who are sexually pre-occupied. This initiative came about because group work facilitators thought that some prisoners were unable to focus on the offence focused offending behaviour programmes because of intrusive sexual thoughts. Because they were masturbating excessively, or because they were expressing concern about their thoughts and feelings around sex. The project was evaluated from the outset by researchers at Nottingham Trent University.¹³ Participation in the programme is entirely voluntary. Release decisions are not made on the basis of a prisoner’s participation in the anti-libidinal programme, and an assessment of a prisoner’s suitability for the programme is made by a psychiatrist who will decide on whether to prescribe SSRI’s (anti-depressants) or Anti Androgen medication. Very few prisoners require a prescription for Anti Androgen’s and the majority of people who have been involved throughout the nine years of the project have been prescribed SSRI’s. This programme has had encouraging results¹⁴ and is now rolled out to nine other prisons (now called Medication to Manage Sexual Arousal, MMSA rather than an Anti Libidinal service) and a randomised control trial is now planned to further objectively test its effectiveness. Prisoners are able should they choose, to continue to take the medication when they are released.

Education and Employment are key features of the prisons release planning. A range of programmes and education classes are available for people to develop their skills or to be re-skilled to enter the world of employment upon release from prison. There are also a number of people due to age or disability who will not be able to obtain employment upon release from prison. Activities to help people to develop and to plan constructive use of leisure time are equally important as employability skills and the prison works with voluntary sector organisations such as Age UK and the Carers Federation to develop these skills.

Many prisoners were in employment prior to the start of their prison sentence, and some people committed offences during the course of it, as a result they will not be able to return to their former careers. A

12. Mews, A, Di Bella, L Purver. M (2017) Impact evaluation of the prison based core sex offender treatment programmes. Ministry of Justice Analytical series.
 13. Winder, B, Livesley, R, Kaul, A, Elliot, H,,Hocken K. (2014) Preliminary evaluation of pharmacological treatment with convicted sexual offenders experiencing high levels of sexual preoccupation. The journal of forensic psychiatry and psychology 25 (2) 176-194.
 14. Winder, B Livesley,R Elliott, H, Hocken, K, Faulkner, J,,Kaul, A (2018) Evaluation of the use of pharmacological treatment with prisoners experiencing high levels of hypersexual disorder. The Journal of Forensic Psychiatry and Psychology 29 (1) 53 71.

number of people may also have restrictions on working with the public, with children, or because they have offended whilst in positions of trust. This will inevitably have an impact on the number of employment opportunities available to them. In addition, some employers simply would not consider the employment of a person with a sexual conviction at all regardless of the circumstances or type of offence,¹⁵ finding suitable employment is therefore a major challenge for this group.

Rehabilitative Culture

Positive staff/prisoner relationships based on respect are critical to maintain the effectiveness of the group work programmes. Research undertaken at Whatton in 2016¹⁶ emphasised the importance of the prisons culture in supporting prisoner well-being and desistance. The wide range of peer support projects available in the prison, also support this culture. Research by Perrin and Blagden¹⁷ explored the role of the prisoner listener scheme in enabling prisoners to 'give something back' to help rather than to harm others. The other peer support projects include; the Social Care Support Project, prisoners are trained as peer supporters care to care for and support older prisoners with complex needs and social care needs. The prisoner wheelchair pushers provide a taxi service to the large number of wheelchair users to move around the prison. The Insiders help people to adjust when the first arrived in the prison. The Programme Support Volunteers help people who are struggling to cope with the emotional drain of participation the new offence based programmes, and the Shannon Trust mentors and One to One Member Project Peer Support workers help people with literacy and numeracy problems.

All of these programmes allow prisoners to participate in the work of the prison. This helps to improve the individuals well-being but also enhances the positive culture of the prison.

Life Beyond Prison

We can have the best, most innovative prison in the world, but this doesn't mean a great deal if there is insufficient help and support for people to continue what they have learnt and practiced in prison when they return to the community.

There is a strong argument I would argue, that we need to consider whether we need to revise our approach to dealing with this group of people. We

need to consider whether the legislative and administrative framework outlined at the beginning of the presentation would be enhanced by more support and care for the person leaving prison with a sexual conviction. To consider whether simply increasing the range and sophistication of surveillance, and developing more restrictive and intrusive monitoring requirements is effective in reducing the risks posed by this group of people.

The Safer Living Foundation a charity based in the prison was established in 2014 to support vulnerable people leaving prison and to help them successfully resettle in the community. The charity was established because prisoners often said that they felt that they had little reason to leave prison, because they have few friends and family contacts outside. This was particularly pertinent as social isolation was often a contributory factor in their original offending. The first prison based Circles of Support (COSA) project was initially focused on people with intellectual disabilities (around 30 per cent of the prisoners at the prison have some form of intellectual disability). The prison is one of only a small number providing adapted offence focused programmes, and so more people with an intellectual disability are housed there. The Circle (utilising Volunteers from the community) supports the prisoner and holds him to account for his behaviour. The Circle meets in the prison for the last three months of the sentence and then through the gate into the community up to 18 months after his release. Thus assisting people with this difficult period of transition.

The Circle helps to reduce social isolation, and provides help with finding accommodation, applying for benefits and dealing with debt. It also helps to reinforce the key learning from the prison based offending behaviour programmes the individual learning and risk management plans.

The Safer Living Foundation has also developed a community circles project financed by the Big Lottery, and a young peoples' project for people exhibiting sexual harmful behaviour. A prevention project to help people with sexually intrusive or harmful thoughts to equip them with the skills and support not to reoffend. in the first place has been in place since 2017. A drop-in centre to help people to successfully reintegrate. is planned for 2019.

To conclude. There is much that can be done to keep the public safe and to improve the lives of the people in our care with imagination, team work, enthusiasm compassion and creative thinking.

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15. Brown, K, Spencer, J Deakin, J (2007). The reintegration of sex offenders, barriers and opportunities for employment *The Howard Journal*.
 16. Blagden, N Winder, B Hames, C (2016) 'They treat us like human beings'. Experiencing a therapeutic sex offender prison. Impact on prisoners and staff, and the implications for treatment. *International Journal of Offender Therapy and Comparative Criminology* 60(4) pp371-396.
 17. Perrin, C, Blagden, N (20xx) Accumulating meaning purpose and opportunities to change. 'Drip drip' the impact of being a listener in prison. *Psychology Crime and Law* 20 (9) pp 902-920.