

REFRAMING THE SEX OFFENDER REGISTER AND DISCLOSURE: FROM MONITORING AND CONTROL TO DESISTENCE AND PREVENTION.

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Sexual harm a high profile issue both nationally (UK Office of the Children's Commissioner, 2015) and internationally (UNICEF, 2014) with the number of offenders continually increasing. These increases in the sexual offender population are as a result of a "perfect storm" resulting from increased social and traditional media reporting; increased visibility of the offences; increased trust in the criminal justice system to take victims seriously and respond appropriately; the impact of celebrity as well as historical cases; and related government policies, practices and strategies. The ever increasing sex offender population places additional pressure on existing risk management services (i.e., Police, Probation, Prison, etc) under contained financial, political and practical strain; ultimately meaning that sex offender risk management becomes about bureaucracy, cost saving, risk aversion and an audit culture rather than innovation and adaption. This chapter will consider the implications of this growing offender populations and its impact on the current risk management system, posing the question of are we looking at this from correct perspective and getting the most out of the existing system?

The purpose of risk management: control, protection or audit?

In the UK, currently, there are 49,322 registered sex offenders in England and Wales (College of Policing, 2016), 1,465 registered sex offenders in Northern Ireland (PPANI, 2016), and 4,787 registered sex offenders in Scotland (Scottish Government, 2016); which only going to increase given current criminal justice policies (Crown Prosecution Service, 2016), organizational and institutional inquiries (e.g. Football Association, BBC, Care homes, Independent Inquiry into Child Sexual Abuse & the Office for the Children's Commissioner's report into CSA in the Family Environment) and a series of high profile inquiry's. This means that sexual harm in the UK, as well as internationally poses a significant public protection, risk management, public policy and public relations issue. How do you

manage an increasing population that communities do not want to be there while balancing structural, procedural and logistical strain on the criminal justice system?

Sex Offenders, especially Child Sexual Abusers, are misperceived and fearfully received by the public (McCartan, 2010; Harper & Bartels, 2016; Harper, Hogue & Bartels, 2017; Harris & Socia, 2014), an ostracized population in modern society (Silverman & Wilson, 2002; Kitzinger, 1999; McCartan, Kemshall & Tabachnick, 2015) and, therefore, present a significant challenge to the Criminal Justice System (Kleban & Jeglic, 2012). which increases exponentially when you consider public attitudes towards sex offenders Sexual abuse is a social construction (see Tabachnick and McCartan in Vol 1 for a further discussion) informed by its high profile media profile, political currency and public concern (see Tabachnick and McCartan as well as Williams in Vol 1 for a further discussion). Hence, to fully understand the most effective policy for responding to this child sexual abuse we must recognize that societal discourses are as heterogeneous as the offending population they describe (please see Tabachnick and McCartan in Vol 1 for a broader discussion).

The high level of public, media and political attention that sexual offending has received since the 1990s has focused attention on their management post release from custody. Risk management failures are political, public relations failures as well as failures resulting in harm. For example the murder of Naomi Bryant by Anthony Rice whilst on license, and the ‘cumulative failure’ outlined by Her Majesty’s Inspectorate of Probation (HMIP, 2006) and subsequent media and Parliamentary scrutiny that followed (Hansard, HC Deb, 10th May 2006, c25WS). Against this backdrop public understandings of sex offenders, their aetiology, offending behaviour, treatment and reintegration are mixed at best (Kleban & Jeglic, 2012; McCartan et al, 2014), and public perceptions of policy impact can be cautious (see Schiavone and Jeglic, 2009 on public perceptions of the effective impact of Megan’s Law). The public will often state that they do not have trust in the criminal justice system to manage these offenders despite not having a clear idea what the role of the criminal justice system is or what “management” looks like (McCartan, 2013). Consequently, the UK has moved through a series of high profile child sexual abuse policies and legalisations in recent years (Kemshall et al, 2012), often in a reactionary and punitive manner (Rogers and Ferguson, 2011). These policy changes are often in response to changing societal dynamics around sexual offences prefaced by high profile media stories, high profile child victims and published failings in the existing state systems (Davidson, 2008; Levenson & D’Amora, 2007). As a result, the public are periodically reawakened to the reality of child sexual abuse, with the result that pre-emptive or ill-advised policy

and legislative responses can ensue (Maddan, 2008), and policy development is either reactionary or lacks a sound evidential base (Bierie, 2015; Terry, 2015).

The result of such legislative and policy developments has been increased regulation, surveillance, control, and bureaucratization of sex offender management, particularly across the Anglophone jurisdictions (Lieb, Kemshall and Thomas, 2011; McAlinden, 2012), with an extensive net of penal sanctions including a greater emphasis upon preventive sentencing, increased community regulation and a growth in post release civil sanctions (see Thomas, 2016 for a full review). Paralleling these policy and legislative developments there has been increased practitioner guidance (for example the National Police Improvement Agency guidance to UK police officers 2010, revised 2014); and the development of regulatory standards for risk assessment and risk management of sexual offenders (see for example: Risk Management Authority, 2016a).

These developments in the UK have resulted in a largely centralized approach to the management of sexual offenders within the three legal jurisdictions (England and Wales; Scotland; and Northern Ireland), with each home country having its own sex offender register, community disclosure procedures, differing risk assessment tools, varying multi agency risk management policies and procedures, and differing systems of accountability. For example in England and Wales the National Offender Management Service (NOMS) continues to oversee Multi-Agency Public Protection Panels (MAPPA), issues Guidance (MAPPA Guidance, 2016), and the development of risk assessment tools for probation and MAPPA. However, Police have pursued an alternative tool, The Active Risk Management (ARMS) assessment (McNaughton Nicholls & Webster, 2014; see Hully this volume for a full discussion). In Scotland, assessment tools are approved by an independent body, The Risk Management Authority (2016b), although MAPPA is overseen by the Scottish Government Justice Department. Within Northern Ireland multi agency work is overseen by the Public Protection Arrangements Northern Ireland (PPANI), and joint training and joint selection of risk assessment tools has been done by Probation Board of Northern Ireland and Police Service Northern Ireland. Therefore, whilst some general legislative and policy developments have been pursued in common, implementation and practice can and do differ considerably.

The sex offenders register and the management of offenders.

Sexual offending is an ongoing life-course issue for the offender, which is more about rehabilitation and reintegration than punishment and exclusion. However, there are still important public safety and social order concerns around sexual offender release and management. One of the main mechanisms for monitoring and managing sexual offenders in the community is the sexual offenders register, which exists throughout a number of countries internationally (Thomas, 2010; SMART office, 2016) but does not exist across countries (i.e., there is no international or global sex offenders register) apart from through data sharing agreements and transnational police communications (Thomas, 2010). In countries where a sex offender's register exists it tended to come about via one of three approaches (Thomas, 2010);

1. calls from practitioners (UK; Canada; Australia; South Africa; Kenya);
2. a reaction by governments to societal concerns surrounding the uncovering of sexual abuse networks (Republic of Ireland; France; Jersey; Pitcairn Island; Kenya; Jamaica); and
3. high profile cases linked to problems with the current Criminal Justice System (USA; Republic of Ireland; South Africa).

The USA was the first country to develop a sex offender's register and its biggest supporter, with California introducing the 1st state wide law in the early 1900's, 11 more states introducing it by the end of the 1980's 12 states had registers and a national sex offender register (the Wetterling act, 1994) by the mid 1990's. Each piece of legislation around sex offender registration has become more putative introducing the idea of "civil commitment", community notification, residence restrictions and parkland rezoning (see McCartan, 2014 for a further discussion of these issues). As the 1990s progressed more legislation was passed that developed a national sex offenders database with a mandate that all states and the federal government maintain relevant websites relating to the sex offenders register and the development of the Sex Offender Registration and Notification Act (SORNA) which would be monitored at a federal level by the SMART office. The SORNA set national, minimum standards for sex offender registration and notification; research into the effectiveness of SORN policies is challenging, given state-wide variants, studies show that the success of these policies is ambiguous and at worst counter-productive, with little discernible effect on recidivism with reoffending rates varying from 4-24% (Tewksbury, Jennings and Zgoba, 2012; Przybylski, 2015). Individual offenders do stop engaging with the registration process resulting in them going

“underground” which has a massive impact on their reintegration, especially in respect to employment, housing, and social support (Levenson & Cotter, 2005; Mercado Alvarez & Levenson, 2008; Tewksbury, 2005; Tewksbury & Lees, 2006; Thomas, 2011). In the USA the Byrne Formula Grant Funding enforces that a sex offenders register be created and maintained in each state, but if it was not the relevant states would lose 10% of their crime control budget; however, there has been state resistance with some states willing to have the 10% reduction in funding. Internationally a range of countries have researched and implemented a national sex offender’s register with international differences in the way in which different countries implement this policy; therefore suggesting a loose “worldly” infrastructure for sex offender management (Thomas, 2010).

In the UK the sex offenders register came as a result of a call from professionals for stronger public protection and more information on the whereabouts of these offenders (Thomas, 2010; McCartan et al, 2016). The UK, like many western and European countries, is a strong supporter of the register (Thomas, 2010; Smart office, 2016) with the register being a central component of the community management of sexual offenders, was introduced in England and Wales as part of the 1997 Sex Offenders Act; which was a period of heightened “Populist Punitiveness”, especially towards child sexual abusers, with a number of high profile cases coinciding with the policies introduction (Thomas, 2010). Although, the increased ‘Populist Punitiveness’ (Bottoms, 1995) towards sex offenders across the 1990’s and onwards was not limited to sex offenders as a distinct population but was indicative of public and political attitudes to all types of high risk offenders (including violent offenders, mentally ill offenders and drug users) (Garland, 2001; Kemshall, 2003). Which resulted in a paradoxical approach to understanding and responding to risk which is on one hand is punitive and conservative, regardless of political perspective, while at the same time therapeutically orientated; therefore we have reached a point where attitudes are a combination of “nothing works” with offenders as a whole but at the same time considering “what works” with individual offenders. We have contributed to a sustained demand for tougher punishments and longer sentences (Brayford & Deering, 2012) while at the same time introduced more restorative justice and community reintegration programmes (McKenize & McCartan, 2014) for sex offenders (McAlinden, 2008).

The UK sex offender’s register contains the details of anyone convicted, cautioned or released from prison for a sexual offence against a child or adult since its inception in September 1997; however, it is not retroactive so does not include anyone convicted before this date. The register, which is run by the police, requires individuals to register within 72 hours of release into the community. Initially, in England and Wales the register required convicted sex offenders, for a specified period of time, to notify the police of their whereabouts and circumstances, with sanctions applied to those failing to

comply (Home Office, 1997). The length of time that a person spends on the register depends upon the offence that they committed and their sentence, with offences covering the full spectrum of sexual offences and sentencing parameters:

- A prison sentence of more than 30 months for sexual offending are placed on the register indefinitely.
- A prison sentence of between 6 and 30 months remain on the register for 10 years, or 5 years if they are under 18.
- A prison sentence of 6 months or less is placed on the register for 7 years, or 3 ½ years if under 18.
- A caution for a sexual offence is put on the register for 2 years, or 1 year if under 18.

Recent research on police attitudes towards and use of the sex offender register in England and Wales (O'Sullivan, Hoggett, McCartan & Kemshall, 2016; McCartan, Hoggett & O'Sullivan, forthcoming) found that police officers were generally supportive of the register and the corresponding data management system, ViSOR. However, the research also suggested that officers believe that a number of logistical, practical and multiagency issues were affecting its use in practice. A common issue identified from the research was that greater investment, in terms of staffing, training and raising professional and public awareness was needed to enable the register to fulfil its potential in terms of aiding the management of sex offenders in the community. In particular, multiagency use of the register and the variation in quality and quantity of information recorded on it were issues that were believed to be hindering its effectiveness. These information issues were identified as being of detriment to sex offender managers gaining and sharing a more holistic understanding of the offenders they worked with, their offending motivations and what may help or hinder their rehabilitation.

While, initially, the sex offender register, both nationally and internationally, was a public protection tool by keeping police records accurate and up; this was especially the case in USA of the back the Jacob Wetterling, Megan Kanka and Adam Walsh cases. However, the sharing of the information across police forces within the same country was as big of a problem in the UK as it was in the USA, with the high profile case of the murder of Holly and Jessica in Cambridge in the UK by Ian Huntley being a clear example (See discussions around 'The Soham Murders' for further information). The Bichard Inquiry (2004) discovered that even though all UK police forces had a sex offender's register, this information was not very well connected with different forces recording, storing and passing on information from the register in inconsistent ways. To enable the police in particular to better

manage sex offenders in the community, especially in terms of using the register more effectively in risk management and public protection, there has been a new overarching system introduced in recent years called ViSOR (Violent and Sex Offenders Register) (Edwards, 2003). ViSOR is a new intelligence database that was developed to better manage and preserve the register in England and Wales (ViSOR National User Group, 2013). ViSOR helps police identify, track and share information about known sex offenders in their area and the crimes for which they have been placed on the register (ViSOR National User Group, 2013). ViSOR was rolled out to all UK police forces by mid-2005 and although, the police are responsible for ViSOR it can now be accessed and used by the National Probation Service and HM Prison Service as well. Despite the centrality of ViSOR to the management of sex offenders as yet there has not been an in-depth evaluation on its utility, effectiveness and impact.

Community notification of the sex offender information and offender management.

Whilst initially posed as an aid to law enforcement, the sex offender register quickly became associated with public notification, particularly following the Sarah Payne case in the UK (Jenkins, 1998; Thomas, 2010, 2016). The USA in its increasingly restrictive and risk averse approach to sex offender management introduced 'Megan's law' which required state-level sex offender registration and made the whereabouts of those deemed as 'high risk' available to the public (Thomas, 2010). Community notification of sex offender information was subsequently extended to federal legislature, requiring all states to notify the public of 'dangerous' sexual offenders (Ackerman, Leveson & Harris, 2012). However, public notification in the UK actually takes a number of different forms, ranging from full active public disclosure, to limited disclosure based on levels of risk with the onus on the public to make an application (see Kemshall, 2008 for a full discussion).

In the UK full public disclosure was initially rejected on public protection grounds, amidst fears of sexual offenders going 'underground' (Kemshall et al, 2012). Critical to such resistance was the practical difficulties associated with offender transience foreseen by the Home Office (2007). Additionally, they were concerned by empirical evidence of Megan's law; specifically, public disclosure's lack of efficacy and myriad unintended consequences (Fitch, 2006; Home Office, 2007; Kemshall & Weaver, 2012). Finally, in 2008 the Home Secretary announced a pilot of the Child Sexual Offender Disclosure Scheme (CSODS) should be instituted (Kemshall, Kelly & Wilkinson, 2010), to enable members of the public to make an inquiry about a person in order to determine whether that person had previous convictions for sexual offending against a child. The scheme is not a USA community notification scheme and is actually quite limited (Kemshall et al, 2010). An

enquiry must be made via the police, about a named person, the person must be in contact with or have access to a child or children, and the person inquiring will only be told something if the subject of the inquiry meets certain criteria of risk, and has previous convictions for sexual offences against children. In essence, the scheme has three stages, stage one an enquiry to the police; if this meets the criteria it is processed as a formal application; and if risk levels and previous conviction requirements are met then a disclosure is made.

On the 15th September 2008 a twelve-month pilot study commenced across four police force areas in England expected take up and potential disclosure rates across the four pilot areas were anticipated to be around 2,400 based on population size of the police force area, known number of Registered Sex Offenders in the area, known offence rates for sexual offending, and significant media campaigning for disclosure (Silverman and Wilson 2002; Thomas 2011). However, evaluation of the pilots identified low take up against projections (only 585 enquiries from members of the public against the projected 2400). Of these only 315 inquiries actually met police criteria and were processed, while the number of members of the public actually disclosed to were only 21 across 4 pilot areas (Kemshall et al 2010). Despite this the Home Secretary announced the scheme would be nationally implemented at the pilot's mid-point: 18 further forces joined in March 2010, with the rest following suit in August that year (Kemshall & Weaver, 2012). Monitoring of the CSDCOC by the Association of Chief Police Officers shows application and disclosure rates continue to be low. By December 2013 UK wide figures (England, Wales and Scotland) identified that 4,754 applications had been made, resulting in 700 disclosures, at an average of 1:7. (Wall, 2012; Met Police, 2014). The College of policing figures from 2015/16 showing that there were 1,252 applications resulting in 192 disclosures, from across 21 police forces in England and Wales (College of Policing, 2016), demonstrating a significant reduction in the volume of applications as well as disclosures. The development of ViSOR (Violent and Sex Offenders Register) (Edwards, 2003) in addition to assisting with the creation and maintenance of the sex offenders register also enables sex offender information to be disclosed, either through official channels or the CSODS, in the most accurate and up to date way.

Recent research on police attitudes towards and use of the sex offender register in England and Wales (O'Sullivan, Hoggett, McCartan & Kemshall, 2016; McCartan, Hoggett & O'Sullivan, forthcoming) found that police officers were generally supportive of the register and the corresponding data management system, ViSOR. However, the research also suggested that officers believe that a number of logistical, practical and multiagency issues were affecting its use in practice.

A common issue identified from the research was that greater investment, in terms of staffing, training and raising professional and public awareness was needed to enable the register to fulfil its potential in terms of aiding the management of sex offenders in the community. In particular, multiagency use of the register and the variation in quality and quantity of information recorded on it were issues that were believed to be hindering its effectiveness. These information issues were identified as being of detriment to sex offender managers gaining and sharing a more holistic understanding of the offenders they worked with, their offending motivations and what may help or hinder their rehabilitation.

The version of CSDOC implemented in Northern Ireland is identical to the England and Wales version. The provisions, contained in the 2015 Justice Act, which came became operational on 14 March 2016 have been added to existing methods of disclosing conviction information under the public protection arrangements (PPANI). At the time of writing the scheme has been in place for three months and there has been less than 50 applications made. Whereas the Scottish version of CSDOC is identical in every respect the England and Wales version apart from the fact that it is administered through *Stop It Now Scotland*, not the police. Stop It Now Scotland meet with the applicants, process the applications through the police for them and make any disclosures to said applicants. The CSODS scheme does not currently exist in the Republic of Ireland (Smart Office, 2016).

The role of the register and disclosure in understanding sex offenders reoffending/desistence

Recently in the UK there has been a shift in the way that we think about sex offender risk management with the introduction of a new, all-inclusive tool called ARMS (Active Risk Management System) (National Offender Management Service, 2014; Sheppard, 2015; McNaughton Nicholls and Webster, 2014). ARMS is designed to be an active tool designed to measure, in real time, the risk proposed by certain offending groups in the community to help police and probation manage offenders better (National Offender Management Service, 2014). Preliminary research, based on a small scale representative sample, suggests that ARMS has been accepted by portions of the risk management community in the UK (McNaughton Nicholls and Webster, 2014). Which reflected in a larger study of police officers in England would believe that using the ARMS tool helped them in their day to day working, that the new tool is an inclusive and adaptive one that considers all aspects of the offender's behaviour, psychology as well as practices (O'Sullivan, Hoggett, McCartan & Kemshall, 2016) and. The introduction of ARMS seems to support a wider move towards a

preventive and public health approach to sexual offending rather than simply a reactive criminal justice approach (McCartan, Kemshall and Tabachnick, 2015; Tabachnick, McCartan & Jensen, 2016). A public health approach (McCartan, Kemshall and Tabachnick, 2015) aims to prevent sexual abuse through three prevention categories (for a comprehensive review of public health approaches to child sexual abuse see the chapter by Brown in Vol 1), including;

- **Primary Prevention:** Approaches that take place before sexual violence has occurred in order to prevent initial perpetration or victimization, which includes societal level interventions like public education campaigns, educational programs, professional/public engagement and bystander intervention education.
- **Secondary Prevention:** Approaches that work with “at risk populations” who will be impacted by the abuse, including potential victims and/or potential perpetrators.
- **Tertiary Prevention:** Approaches that work with offenders and victims to limit the negative impact of the abuse and prevent reoffending, these can include restorative justice programs, Circles of Support and Accountability, sex offender treatment programs and risk management programs.

Sex offender risk management is a tertiary prevention program that supports the offender and works to prevent reoffending; however, it can and should be able to the creation, dissemination and viability of primary and secondary prevention as well.

The Sex Offender Register, VISOR, and the Child Sexual Offender Disclosure Scheme are primarily mechanisms for controlling access to and information about sex offenders, with the primary aim of enabling agencies such as police and probation to better manage sex offenders in the community and to fulfil their accountability roles back to central government as to how this function has been achieved. In this sense, they have a key role in the offender management of sexual offenders in the community, and in supporting the information exchange, risk assessment and risk management requirements of the various multi agency procedures across the UK. Their key role is in enabling the State to more effectively manage sex offenders in the community (McAlinden, 2012), but also to demonstrate to the public that the State has indeed met this function (Pratt, 2007). More recently commentators have argued that this regulatory function outweighs the effective reintegration and rehabilitation of sexual offenders, and that the present management tools of registration, restrictions, ViSOR, and community disclosure do not enable a practice focus clinical needs,

reintegration and positive development, or self-risk management (Laws and Ward, 2011). An alternative focus on desistance and living an good life (the 'Good Lives Model', see Hulley this volume) has gained increased attention, particularly focusing on the question as to whether our current risk management strategies enable or discourage self risk management and desistance? Certainly, in terms of the service user voice, sex offenders are not engaged with by professionals and practitioners in the same way that non-sex offending populations within the criminal justice system are. Research into why sexual offenders desist from sexual offending is a growing area of study (Laws and Ward, 2010; Harris, forthcoming) with research indicating that the large proportion of sexual offenders stop offending (Farrall & Calverley, 2006; Göbbels, Ward, & Willis, 2012; Hanson, Harris, Helmus, & Thornton, 2014; Harris, 2014; Harris & Cudmore, 2015; Laws & Ward, 2011). Evidence indicates that offenders desist because of a multiple of explanations including individual (e.g., age, motivations, aspirations, self-perceptions and self-efficacy), relational (e.g., relationships, marriage, parenthood and social as well as faith-based groups) and structural (e.g., housing, finances, employment) (Weaver and Barry, 2014); these factors interact differently for each offender and there is no one single explanation of desistance that encompasses all offenders (Maruna, 2001; Laws & Ward, 2011; Weaver and Barry, 2014). Desistance from sexual offending incorporates all of these factors (Laws & Ward, 2011; Weaver and Barry, 2014; Harris, forthcoming) and is supported, in part, through treatment (Risk Need Responsivity; Good Lives Model; Sex Offender Treatment Programme), social support (Circles of Support and Accountability) and risk management organizations (MAPPA, Probation). This raises the question of whether we should be looking at the sex offender register and CSODS scheme in the UK as a means for facilitating desistance, as we have done with MAPPA (Weaver and Barry, 2014), and a means to understand prevention better, as is being done elsewhere (Harris, forthcoming).

Multi-disciplinary/multi-agency approaches can be effective in work with individuals, with England and Wales leading the way in MAPPA work with high risk sexual offenders. One reconviction study (Peck 2011) comparing an offender cohort pre the introduction of Multi Agency Public Protection Arrangements in England and Wales with a cohort post implementation found a reduction in recidivism rates. Offenders released from custody between 2001 and 2004 (i.e. after the implementation of MAPPA) had a lower one-year reconviction rate than those released between 1998 and 2000. This remained true at the two-year follow-up for those cohorts where this had been calculated. The one-year reconviction rate had been declining before 2001, but fell more steeply after MAPPA was implemented. Whilst the study did not fully meet the requirements of a long term reconviction study, and had some limitations in constructing fully comparable cohorts, it does

represent the first evaluative study of MAPPA impact on reconviction rates for sexual and violent offenders. In a more recent analysis Bryant et al 2015 found that:

- The one year proven reoffending rate amongst Category 2 violent and other sexual offenders decreased from 26% in 2000 (pre-implementation of MAPPA) to 23% in 2004. It has remained relatively stable since, fluctuating between 22% and 24% from 2004 to 2010.
- The one year proven reoffending rate amongst Category 1 registered sexual offenders decreased from 13% in 2000 to 10% in 2004. It has gradually increased back to 13% in 2010.
- For each year between 2000 and 2010, Category 1 registered sexual offenders had a lower proven one year reoffending rate than Category 2 offenders.
- Amongst new MAPPA eligible offenders assessed as having a high risk of reoffending there was a 20% (17 percentage points) reduction in one year proven reoffending between 2000 and 2010, with the reoffending rate falling from 83% to 66%.
- Between 2000 and 2010, the one year serious reoffending rate of the highest risk of reoffending group decreased by 45% (13 percentage points), with the reoffending rate falling from 29% to 16%.

However, determining exactly how MAPPA is having this impact on reoffending rates is more difficult to establish. This makes replicating best practice challenging. However, in interviews with offenders managed by MAPPA found that they valued and benefited from attention to their personal and social problems, and to their personal goals, needs and desires. Offenders were more likely to comply with external conditions that were explained to them, which they saw as legitimate and fair (Wood and Kemshall, 2007). These findings were echoed by Weaver and Barry who found that engaging offenders more in the change process had increased benefits (2014).

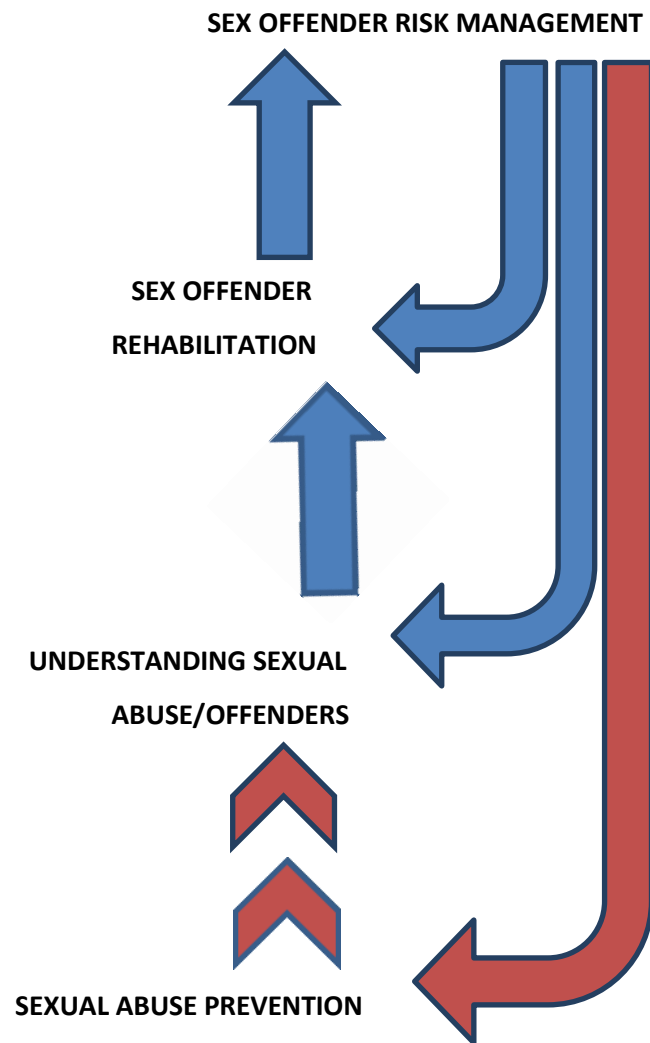
In an evaluation of supervision strategies for high risk offenders under MAPPA, Wood et al (2007) identified that probation practice which promoted reintegration and balanced the promotion of internal controls as well as external ones was the key to effective risk management. Engagement and the promotion of compliance were seen as critical to success. Such strategies have been described as 'protective integration' and seek to offer a more balanced and holistic approach to risk

management (Kemshall, 2008). Arguably, community protection and reintegration do not have to be mutually exclusive, although policy makers and media have traditionally presented them as such.

One important area (that criss crosses police, probation, prisons, MAPPA and other relevant organisations) which may help facilitate understanding of desistance and thus aid better prevention is empowering those that manage sex offenders to capture and use evidence from their everyday work and blend it with existing research based evidence to aid in the development of practice (Sherman, 2013). With increasing sex offender populations and management caseloads, together with budget cuts and drives for efficiency the pressure on those involved in the management of sex offenders has risen dramatically. A turn towards evidence based practice, particularly within policing as a means to counter such pressure, has long been argued for (Sherman, 1998). One of the reasons that development and take up of evidence based policing practice has been slow or inconsistent amongst police organizations and their officers is that traditionally decision making in such professions has been based on experience and gut feeling rather than scientific evidence about what works best, how and why (Lum, 2009). Compounding this slow take up is the sense of threat or challenge to established ways of working that evidence based policing brings, with its perceived focus on top down outside in rather than bottom up inside out development of knowledge and practice (Bullock & Tilley, 2009). In terms of the management of sex offenders and understanding desistance to better aid prevention it is precisely this bottom up inside out approach to developing evidence based practice that offers new opportunities. Capturing offender manager's views as well as empowering them to capture the views of those they manage would provide a wealth of data that could be used to develop knowledge and thus inform practice. Since it is offender managers that are also ultimately the implementers of any evidence based policy and reform, engaging them within this process from the outset is important. As research by Telep and Lum (2014) identified, while officers typically value experience more than research they recognize the importance of working with researchers to address issues relating to offenders and crime and show willingness to engage in the development and use of research methodologies. This is important as through such a process officers can come to see themselves and be seen by others as both a source of knowledge and as treatment providers who use this knowledge to reduce re-offending (Wood et al 2014). Moves to encourage and increase engagement of offender managers in the research process may thus act as a tipping point (Sherman, 2015) in cementing the use of evidenced based practice within the management of sex offenders. Such an approach will in turn aid our understanding of desistance and increase practitioners ability to reduce re-offending through development of evidence based prevention.

Research on the recidivism rates of sexual offenders indicates that they have one of the lowest recidivism rates of any offending population (Levenson, Brannon, Fortney, & Baker, 2007), although that is contested by some authors (Bierie, 2015) and the fear of reoffending, especially by high risk sex offenders, is what drives risk management and the sex offenders register (Brierie, 2014; Thomas, 2010). Which begs the question of, is there something unique to this population and their offending that creates a paradox and cognitive gap between their reoffending behavior, likelihood of offending and/or effective risk management procedures? What stops sex offenders reoffending, themselves, the state or society? Therefore are we enabling desistance in sex offenders through our risk management strategies? Research into why sexual offenders desist from sexual offending is a growing area of study (Laws and Ward, 2010; Harris, forthcoming) with research indicating that the large proportion of sexual offenders stop offending (Farrall & Calverley, 2006; Göbbels, Ward, & Willis, 2012; Hanson, Harris, Helmus, & Thornton, 2014; Harris, 2014; Harris & Cudmore, 2015; Laws & Ward, 2011). Evidence indicates that offenders desist because of a multiple of explanations including individual (e.g., age, motivations, aspirations, self-perceptions and self-efficacy), relational (e.g., relationships, marriage, parenthood and social as well as faith-based groups) and structural (e.g., housing, finances, employment) (Weaver and Barry, 2014); these factors interact differently for each offender and there is no one single explanation of desistance that encompasses all offenders (Maruna, 2001; Laws & Ward, 2011; Weaver and Barry, 2014). Desistance from sexual offending incorporates all of these factors (Laws & Ward, 2011; Weaver and Barry, 2014; Harris, forthcoming) and maybe supported through treatment (Risk Need Responsivity; Good Lives Model; Sex Offender Treatment Programme), social support (Circles of Support and Accountability) and state intervention (MAPPA, Probation). Which raises the question of whether we should be looking at the sex offender register and CSFOS scheme in the UK as a means for facilitating desistance, as we have done with MAPPA (Weaver and Barry, 2014), and a means to understand prevention better, as is being done elsewhere (Harris, forthcoming).

Figure 1: The relationship between risk management, desistance and prevention.



Although, the register, CSODS and risk management procedures are bureaucratic and procedural in nature they build on what happens in Sex Offender Treatment Programmes, namely Risk Need Responsivity (Andrews & Bonta, 2006) and the Good Lives Models (Ward, 2002; Willis, Yates, Gannon, & Ward, 2013), which means that there are elements of strength based approaches and pro-social modelling tied up in risk management. Consequentially, professionals are aware of the challenges and needs of the sex offenders that they are assisting in their reintegration, with research showing that offender risk halves every five years that the offender is living risk free, and supported, in the community (Hanson, Thornton, Helmus & Bachishin, 2015; Hanson, Harris, Helmus, & Thornton, 2013). Professionals should be using their knowledge of offender's approaches to risk management, desistance and community reintegration as a means to preface the debate around preventing intinal offending as well as preventing reoffending, instead of just limiting it to preventing reoffending. Professionals across the risk management spectrum should be;

- Recording the risk management procedures being used by individual offenders;
- Identifying what works and what does not work with different types of offenders;

- Reflecting upon their experience of risk management and desistence in sex offenders;
- Listening and translating into practice the desistence and risk management narratives of offenders;
- Thinking about how working with post-conviction/post release sex offenders helps us understand offenders in the community;
- Recognizing and listening to the sex offender “service user” and realizing that the best person to help us understand, as well as prevent, sexual abuse is the offender; and
- Recognizing that narratives surrounding desistence and risk management can help us engage with and support sexual harm prevention.

Sex offender practice and working is a multi-disciplinary field with many of the organizations, as well as the individuals, who are involved in risk management/relapse prevention also being involved in the emerging sexual violence prevention movement therefore providing a perfect opportunity for tertiary prevention to tie directly into primary and, especially, secondary prevention.

Conclusions

Sex offender risk management is a significant proportion of the work done by police, probation and MAPPA at a local and regional level in the UK; given the current climate this workload is only going to increase (CPS, 2016) and potentially become unmanageable in its current form, as recently stated by Simon Bailey (Guardian Newspaper, 28th February 2017). Sex offender risk management needs to focus on the skills used by the offender (or service user) in managing their sexual offending or in completely desisting from sexual abusive behavior; the key to better understanding the offender and their self-management tools are the professionals and practitioners who work with them. The sex offender register, ViSOR, CSODS and MAPPA offer a real insight into the risk management of offenders, both in terms of offenders and state influences, all of which can be used to develop as well as maintain effective primary, secondary and tertiary prevention.

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