

**Sex offenders and the probation officers who  
supervise them: how relevant are strengths-based  
approaches?**

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## **ABSTRACT**

This thesis explores the supervisory relationship between sex offenders and supervising probation officers, now called offender managers, and whether strengths-based approaches to rehabilitation and risk management can be usefully utilised. The strengths-based approaches considered are: desistance, the Good Lives Model, motivational interviewing, narrative therapy and solution-focused therapy. One-off in-depth interviews were conducted with 15 probation officers and 15 sex offenders, mainly across two probation areas, with one sex offender coming from a third area. A qualitative research approach was taken, with the intention of gaining insight into the subjective experience of officers and sex offenders involved in community supervision. The research is also influenced by positive psychology, focusing on what can be learnt from offenders who, to varying extents, have successfully taken part in probation supervision and have not re-offended. The thesis illustrates how sex offenders face significant challenges in overcoming stigma and establishing a non-offending, pro-social identity and a satisfying lifestyle in the community, twin foci of much strengths-based thinking. Also illustrated is how probation officers' experience significant anxiety about supervising sex offenders in a risk-averse society which renders it problematic to focus on potential strengths rather than on potential dangers. However, it is argued that, despite these difficulties, it is possible for probation officers to employ strengths-based approaches. It is posited that existing risk management systems and cognitive-behaviour groupwork, informed by the Risk, Needs Responsivity Principle, can be valuably augmented by a renewed valuing of the one-to-one therapeutic relationship, a core component of the strengths-based approach.

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## Chapter 1

# Research introduction

### 1.1. Introduction

This qualitative research thesis – *Sex offenders and the probation officers who supervise them: how relevant are strengths-based approaches?* – has three main aims.

1. To explore phenomenologically a hitherto little reported area of social life: the experience of sex offenders trying to rebuild offence-free lives in the community and the experience of the probation officers who supervise them.
2. To identify what helps sex offenders and the probation officers achieve successful rehabilitation.
3. To identify strengths-based approaches which appear relevant and applicable to the supervisory relationship between sex offenders and probation officers.

As will be more fully explored in later chapters, the rehabilitation and resettlement of sex offenders in the community is an emotive and contested issue, engendering strong reactions in lay persons and professionals alike. Sex offenders are rarely out of the media. At the time of writing this thesis, the trial of Joseph Fritzl is headline news. The case involves a father imprisoning his 18-year-old daughter in a specially equipped cellar at their home in Austria for a period of 24 years, during which time he physically and sexually assaulted and raped her numerous times, resulting in the birth of seven children and one

miscarriage. One of the children died soon after birth and three others were kept imprisoned in the cellar with their mother, having no access to the outside world until the crime was discovered. This case is notable, not just because of its extreme seriousness and depravity, but because it involves sexual abuse occurring in the home, highlighting familial rather than stranger danger.

Many high profile sexual abuse cases, such as the murder of 8-year-old Sarah Payne by paedophile Roy Whiting in 2000, involve stranger dangers. Such high profile coverage of tragic, yet statistically infrequent, events obscures the statistical, if unsettling, reality that sexual abuse of children and women is widespread, often occurring in our own homes or relational networks (Russell, 1994). Although any form of sexual abuse can be traumatic and damaging, research indicates that sexual abuse is often more mundane, haphazard, and linked to everyday social problems than the extreme cases which hit the headlines (Smallbone et al., 2008). Moreover, despite great public anxiety about sex offenders, their rate of re-offending is relatively low (Grubin, 1998), as will be more fully explained in the next chapter.

Hence, a major problem facing sex offenders and probation officers is the construction of every sex offender, regardless of the seriousness of the offence, as essentially different from the rest of us. The largely uninformed public fear surrounding sex offenders, fuelled by attention grabbing media headlines, can be seen to have engendered a populist political response, resulting in increasingly

restrictive policies, such as the 1997 Sex Offender Act, establishing the Sex Offender Register, and the 2006 Sex Offender Act, introducing the Sex Offender Prevention Order (SOPO). Such legislation would seem to make it far more difficult for individuals who have committed any sexual offence (regardless of its relative seriousness) to live a relatively normal life in the community, than for individuals who have committed all manner of other serious offences, with the probable exception of murder.

As members of society, probation officers clearly cannot be unaffected by the demonised identity which sex offenders carry in the public mind, and thus an area of interest is how probation officers manage negative reactions to the sex offenders with whom they work. I was also interested in the effect of public outcry when there is a high profile case of a sex offender re-offending in the community. For instance, inquiries such as Hanson and White (Home Office, 2006) and Rice (Home Office, 2006) have criticised the Probation Service when offenders have gone on to commit further serious crimes whilst on probation, including sexual crimes. There appears to be increasing pressure on supervising officers to 'get it right' and public scrutiny if they do not. One of the interests motivating this research is in how probation officers manage such pressure. In addition, I wanted to explore how probation officers combine disciplinary aspects of their work (frequently involving curtailing sex offenders' liberties) and the relationship-building aspect of the job. In addition to these challenges, probation officers have to cope with large caseloads and significant bureaucratic demands to record their

work and to meet set targets. The research project sets out to discover the effects of this.

With regard to sex offenders, I was interested in how they think and feel about and conceptualise their previous sexual crimes and abusive behaviour: how they experience the stigma associated with having committed a sexual offence and being thought of as an ongoing risk to society, and how this affects the sense they have of themselves. When an individual commits a sexual crime, the offender's liberty, relationships, job and standing in society are usually catastrophically affected. The research attempts to elucidate the detailed experience of this, from the sex offenders' own perspectives and in the sex offenders' own words.

This research also borrows heavily from the positive psychology research paradigm (Seligman, 2002; Seligman and Peterson, 2003), in seeking to discover positive stories of rehabilitation. Hence, sex offenders were asked how they managed to overcome major challenges of social restriction and stigma, to build positive, satisfying and offence-free lives. Also a major focus of the research was to discover whether strengths-based approaches were relevant to how probation officers manage such a rehabilitative process.

It seemed fairly clear that the difficult and emotive issues referred to above must have a significant impact upon the supervisory relationship between sex offenders and supervising probation officers and the therapeutic aspects of this relationship. The extent to which a therapeutic relationship or therapeutic alliance can exist, and how therapeutic practice is configured, in the context of supervisory relationships between sex offenders and probation officers, was a major focus of the research.

My interest in exploring the relationship between sex offenders and supervising probation officers stems, in large part, from my professional background. I worked as a probation officer for four years, between 1999 and 2003, although at that time I did not specialise in working with sex offenders. However, for the last five and a half years I have worked exclusively with sex offenders, suspected sex offenders and their partners, assessing risk and providing therapeutic input; initially as a consultant for Ray Wyre Associates and, for the last three and a half years, as a practitioner and senior practitioner for the Lucy Faithfull Foundation. I previously worked as a voluntary counsellor for eight years, specialising in working with couples and men who had been sexually and physically abusive. Prior to commencing this PhD project in 2004, I completed a Masters degree in Brief Solution-Focused Therapy. Hence, I have a particular interest in therapeutic and rehabilitative relationships, particularly with regard to sex offenders.

My decision to undertake an MA in solution-focused therapy and the experience of doing so reflects and informs my interest in strengths-based approaches. The definition of what constitutes a strengths-based approach will be examined in Chapter 3, but a working definition used for this thesis may be summarised in the following way:

Ways of working with individuals within their own motivational frame of reference, to bring about desired change, which focuses upon resources and strengths, rather than deficits and weaknesses.

In order to research the above area of social activity, and related issues, I conducted one-off in-depth interviews with 15 probation officers and 15 sex offenders, mostly across two different Probation Service areas. I took the opportunity of interviewing 1 sex offender from a third probation area. I made this decision as the offender in question was an ex-psychiatrist, and his previous experience as a clinician promised to reveal a particularly interesting perspective on probation supervision. At the time of their interviews, all the sex offenders were currently being supervised, apart from one offender, whose supervision had expired but who nevertheless agreed to take part in the study. The sex offenders were all men. This is consistent with the fact that the majority of sex offenders, at least those coming to the attention of the authorities, are male (Grubin, 1998). No distinction was made between offenders against children and against adults, with the sex offender sample being made up of individuals who had committed different sexual offences, including indecent assaults against children, rape of

adult women, internet sexual offences and indecent exposure (see Appendix 1 for details).

The probation officer sample was made up of 11 women and 4 men. Two of these officers were risk managers with a limited case load of more challenging sex offenders. All the remaining main grade probation officers had generic case loads of in excess of 50 offenders, with sex offenders making up around 10% of each officer's case load. A breakdown of the personal details of the probation officers can be found in Appendix 2, and a full discussion of the sample and methodology used can be found in Chapter 4.

## **1.2. Research rationale**

As stated above, my personal experiences as a probation officer and a counsellor, favouring a strengths-based approach, motivated the research, in part. The advantages and disadvantages of the researcher being something of a professional insider, at least within the general professional area under scrutiny, are discussed in Chapter 4. However, there were additional reasons, apart from my personal interest which, I would contend, render the research a useful contribution to this field of study.

Areas of social activity which usually take place away from the public gaze are arguably of intrinsic interest in themselves, given that their very hiddenness often motivates curiosity. Like the healthy scrutiny of a free press, academic

investigation into hidden areas of public and personal life, particularly areas where the state exercises considerable power (such as the management of sex offenders), promotes accountability and open democratic debate. An example of the democratising nature of research into the more hidden areas of public life, in which the state wields significant power, is Goffman's (1961) research into the total institution of the mental asylum, which can be seen to have helped to humanise the way in which people with psychiatric disorders are treated.

Exploration of and reflection about how forms and expressions of human sexuality have been rendered deviant, can also potentially cast light onto the contradictions and ethical difficulties of trying to socially manage such deviance. For instance, Douglas's (2002 [1966]) classic work on purity provides insight into how deviant sexuality is considered especially dangerous for most societies, a notion suggesting the importance of gaining more insight into the area of sexual abuse. Foucault's exploration of how human sexuality has been, in his view, largely socially constructed (1977, 1985, 1986), adds to an understanding of how power operates within society. Likewise, this study illustrates how power manifests itself in the lives of the sex offenders and probation officers under scrutiny.

The research project was carried out with three main audiences in mind. It was hoped that the research would be of relevance to a general audience, including non-academics, who would be interested in the phenomenological exposure of



an area of social life that is usually hidden from general view. The second audience in mind was a general academic audience, which would not necessarily be familiar with the clinical operational issues of the Probation Service or treating and managing sex offenders. The third projected audience was researchers and practitioners, including probation officers themselves, working within the field of sexual offending treatment and management, with the hope that insights gained from this study could contribute to effective practice in these areas. The following reasons for conducting this research would seem to be of particular relevance to this latter target audience.

Since the introduction of the National Offender Management System (Home Office, 2005b), supervising probation officers have been called offender managers. The central idea of NOMS is that, if possible, the same probation officer should case manage the offender's pathway through the criminal justice system, maintaining a consistent managerial hold on the case, whilst the offender receives input from various sources. However, in this study, I have continued to use the term supervising probation officer rather than offender manager. The majority of the probation officers interviewed, and all of the sex offenders, did not use the term offender manager when they were interviewed, preferring the traditional term of probation officer. When they interviewed probation officers, Robinson and Burnett (2007) also found confusion and ambivalence in relation to NOMS and the role of offender managers. Hence, for the sake of general clarity and widespread relatability, with regard to non-probation audiences, I decided to

use the term supervising probation officer, although the terms probation officer and officer are also used at times.

As is contended in the following chapters, the dominant way in which sex offenders are rehabilitated in the Probation Service is through cognitive-behavioural groupwork programmes, with risk management, public protection, and enforcement the major concerns. In recent years, the quality of the relationship between supervising probation officers and offenders (the area of this study) has not been a main focus. Despite this, as well as risk management, probation officers are still expected to play a key role in motivating sex offenders to attend and to gain optimum benefit from groupwork programmes, to help sex offenders consolidate learning from programmes and to help sex offenders apply this learning to their everyday lives. Also, as the accounts of many of the probation officers and sex offenders in this study testify, for a variety of reasons individual one-to-one work by probation officers is often the only rehabilitative input available to some sex offenders, unable to attend groupwork programmes for one reason or another. An *HM Inspectorate Report of Probation* (Home Office, 2006b) would seem to recognise the continuing importance of the relationship between supervising probation officers and offenders.

The ability of staff to motivate and engage high risk of harm offenders was, therefore, an important ingredient in effective offender management ... Effective management also involves being aware of any diversity issues or other individual needs or factors that might act as a block to available interventions ... This is not about pampering offenders ... In the context of this inspection it was, therefore, important to look at the way in which offenders were engaged with as individuals (p. 17).

There have been few previous qualitative research studies looking, in particular, at the supervisory relationship between probation officers and sex offenders, in order to gain a phenomenological insight into the experience of both parties. To my knowledge, no other qualitative inquiry has been made into how strengths-based approaches can be used with sex offenders, by supervising probation officers.

Major studies into the phenomenon of sex offending have traditionally tended to concentrate on the experience of victims, particularly to gain some understanding of the prevalence of sexual abuse (Finkelhor, 1979; Baker and Duncan, 1985; Russell, 1984, 1993). As will be outlined in the next chapter, official records have also been used to calculate prevalence of sexual abuse and re-offending rates (see Friendship and Beech, 2005). The other main area of research into sexual offending, as will also be shown in the next chapter, has tended to be psychological research, using predominantly quantitative research methods and meta-analysis, in which the research findings of many different research studies are correlated (Beech, 1998; Hanson and Harris, 2000; Thornton, 2002). This in turn has led to theory knitting, in which different theories about how to assess, treat and manage sex offenders have been integrated together (Beech and Ward, 2003).

There has been some research conducted into the experience of sex offenders. However, much of this research has tended to have a problem-based focus, usually restricted to deficits, how sex offenders view victims and how they go about offending. Examples of this sort of focused research into particular domains of risk and pathological categories (i.e. attachment difficulties, denial, empathy defects, fantasy, distorted thinking) are numerous. Many of the most influential research studies, which have informed the assessment, treatment and management of sex offenders, are cited and discussed in the next chapter. However, there has been sparse qualitative research into how sex offenders experience life and the criminal justice system generally, how they can utilise strengths and resources, and their views of how their risk can be best reduced and managed.

There have been various qualitative research studies into the work of supervising probation officers with offenders, some examples of which appear below. However, these studies involved the supervision of general offenders, not sex offenders specifically. For instance, Andrews et al. (1979) examined tapes of interviews conducted by 62 probation officers with offenders in Canada, finding that establishing a good relationship, involving listening and pro-social role modelling, reduced offending rates. Burnett (1996) also conducted in-depth interviews with 80 probation officers and 40 senior probation officers, researching how offenders are allocated to programmes and provisions, including examining the content of probation supervision, which was found to be fairly varied,

depending on the individual officer. Bracken (2003) conducted research in which 44 probation officers in Canada and 31 probation officers in the Midlands were asked to make qualitative comments on the skills and knowledge needed for probation work, finding that each sample group thought interpersonal and interviewing skills were key to the job.

With regard to offenders, Burnett (2000) conducted in-depth interviews with offenders, charting their criminal careers and noting how change was a fluctuating process. Trotter (1996) conducted interviews with 104 clients of probation officers in Australia, especially trained in the more active therapeutic skills of role clarification, pro-social modelling and collaboration. Although this research, along with his subsequent research with child protection workers (Trotter, 2002), was influential in illustrating the importance of the above therapeutic skills, Trotter's interviews with probation clients relied on questionnaires, rather than in-depth qualitative interviews. More recently, Attrill and Liell (2007) held discussions with 60 offenders from a variety of criminal justice settings in the UK, with the majority having committed violent, sexual or drug-related offences, regarding their views on risk assessment. In the study, they found that offenders valued clarity and professionals working collaboratively with them. Much of this above research has emphasised the importance of the practitioner's skills and the quality of the relationship between worker and offender, a research theme explored further in Chapter 3 (Section 3.10.), in a discussion about the research basis of strengths-based approaches.

Other efforts to gain a phenomenological insight into the lives and perspectives of the offenders include desistance research; exploring the criminal careers of individuals and how they desist from crime. Burnett (1992) conducted a ten-year Oxford longitudinal study of 130 men who had committed crimes of acquisition, as they progressed from prison to the community, reviewed by Burnett and Maruna (2004). Farrall (2002, 2004) followed the fortunes of 199 offenders who had received probation supervision, having committed a variety of offences. Maruna (2001) conducted a Liverpool distanced study interviewing 55 men and 10 women, who had a record of committing various criminal acts. Other notable contributors to the field of desistance research and theory include Sampson and Laub (1993), Shover and Thompson (1992) and McNeil (2003, 2005). The nature of the above research and theory, and how desistance fits in with the strengths-based approach paradigm, will be more fully discussed in Chapter 3 (Section 3.3.).

Phenomenological qualitative research has not generally majored upon sex offenders. Scully (1990), however, conducted qualitative interviews with rapists in prison, in order to gain some understanding of how they conceptualised and justified rape. Wood and Kemshall et al. (2007) also recently conducted 15 qualitative interviews with sex offenders in prison and in the community, as well as 29 criminal justice staff, including probation officers. The aim of the research was to explore the subjective experience of sex offenders subject to Multi Agency

Public Protection Arrangements (MAPPA), and the staff responsible for their supervision. Many of the key findings of this Home Office research in relation to good practice overlap with some of the findings of this study, as will be discussed in Chapter 7 (Section 8.6.).

A qualitative study closely related to this research, in terms of method and subject matter, is that of Hudson (2005). Hudson interviewed 32 sex offenders who had attended sex offender groupwork programmes in prison or in the community, in order to explore their perspective about these experiences. Whereas Hudson's study explored one major part of sex offenders' experience - groupwork programmes - this study explores another major part, supervision sessions with probation officers. Hudson comments:

While a considerable amount of research and writing has been devoted to the management of sex offenders, one perspective notable by its virtual absence has been that of the offenders themselves (p.2).

Marshall and Laws (2003, p.110) similarly comment that more qualitative research would be helpful in examining sex offenders' perspectives on their behaviour. Hudson's research and this research study can be seen as attempts to fill this research gap. With regard to practitioners, Beech and Mann (2002) also note that little has been written about the qualities of an effective sexual therapist. Burnett and McNeill (2005) also state:

While practitioners in offender management (i.e. supervising probation officers) are not therapists, they share a similar goal in working with people to influence changes in their behaviour, associated mental states

and social circumstances. More research is needed in the criminal justice field to identify the particular interpersonal skills and processes that complement other professional skills and management procedures aimed at reducing re-offending (p. 233).

### **1.3. Structure of thesis**

The thesis is divided into 9 chapters, with 8 chapters following this first introductory chapter. The following two chapters review the literature surrounding my area of research, setting the research into a wider context. Chapter 2 examines how sex offenders are viewed socially and how this compares with research about the risk posed by sex offenders. Chapter 2 also includes a discussion of how political, organisational and clinical issues affecting the Probation Service have impacted on the treatment and management of sex offenders, and on the role of the supervising probation officer. Chapter 3 traces the evolution of strengths-based approaches and outlines various types of interventions which can be seen to come under the strengths-based approach umbrella: the desistance approach, the 'Good Lives Model', motivational interviewing, narrative therapy and solution-focused therapy. Chapter 3 also includes a discussion about the ambiguities within and criticisms of the strengths-based approach. Chapter 4 focuses upon the methodological and ethical issues affecting the research.

Chapters 5, 6, 7 and 8 are devoted to the results of data analysis. Chapter 5 explores the accounts of both sex offenders and probation officers, with regard to their views on what constitutes positive practice and effective rehabilitation.



Chapter 6 examines sex offenders' accounts only, and the difficulties and challenges sex offenders face in leading constructive, offence-free lives, and achieving the sort of positive rehabilitative outcomes majored upon in much of the strengths-based literature, and outlined in Chapter 6. Chapter 7 concentrates on the experience of probation officers supervising sex offenders, and the challenges of this work. Chapter 8 resumes examining sex offenders' and probation officers' accounts alongside one another, to unearth examples of constructive strengths-based practice, which would seem to aid the effective implementation of probation supervision. Whereas the first chapter of data analysis (Chapter 5) essentially describes what the successful practice and outcomes are presumed to be, Chapter 8 attempts to describe how successful practice and outcomes are realised through the use of strengths-based interventions. Finally, Chapter 9 discusses the limitations and scope of the research and whether the study has met the three research objectives cited at the beginning of this chapter, before recommendations are made for clinical practice and further research.

#### **1.4. Conclusion**

Sexual offending treatment and management is a controversial, contested and emotive area. There has been much research and reflection about the best ways of treating and managing sex offenders, although this has been predominantly based on quantitative research, or qualitative research focusing upon problematic risk domains. There is a significant public concern about sex

offenders. However, sex offenders' perspectives on how they can be treated and managed effectively have rarely been researched. This study attempts to fill this research gap, providing an insight into the perspectives of sex offenders on probation. The study attempts to explore the approaches and methods which seem to be effective in supervising sex offenders, the challenges in implementing such strategies, and whether or not strengths-based approaches can be usefully incorporated into how probation officers supervise sex offenders.

## Chapter 2

### **Sex offending: social concerns, political concerns and clinical orthodoxy**

#### **2.1. Introduction**

The relationship between supervising probation officers and sex offenders, like all relationships between individuals, is greatly influenced by wider forces. White and Epsom (1990, p.5) point out how the questions we ask about events, the realities we construct, and the “real” effects experienced by those party to the inquiries, are determined by our ‘interpretive networks’, a phrase coined by Goffman (1974). In a similar vein, Bateson (1972) proposed that the meaning ascribed to any event (e.g. a sex offence) is determined and restrained by the receiving context for that event, by the networks of premises and presuppositions that constitute our maps of the world.

Sex offending is clearly a highly emotive area of great current social concern. It is likely, therefore, that probation officers, as members of society, influenced by social norms, will be affected by such concern. Probation officers are also liable to be influenced by the professional ideologies permeating their area of practice. Milner and O’Byrne (2002, pp. 68-69), adopting Bateson’s interpretative mapping schema in a chapter entitled ‘Selecting a Map’, make a relevant point about social workers which can be generalised to include all practitioners, including probation officers. The authors illustrate how practice is significantly influenced

by the dominant psychological and sociological theory and research findings of a particular field of endeavour, plus accompanying agency guidelines and procedures.

In order to address the above contextual issues, the following chapter will take the form of a macro to micro trajectory. Firstly, the chapter will outline how sex offenders are generally viewed in society, and how stereotypical views of sex offenders relate to existing statistical knowledge about the risk sex offenders pose. Political change and how this has affected the way in which sex offenders are dealt with by the Probation Service, will then be examined. The remaining sections of the chapter will focus on clinical perspectives with regard to the treatment of sex offenders, including the rise of cognitive-behavioural sex offender groupwork programmes, and the Needs, Risk, Responsivity Model (RNR) as the dominant means of treatment and management of sex offenders. How the rise of groupwork programmes has affected the role of the supervising probation officer, particularly in light of the National Offender Management System (NOMS), will be discussed, a discussion including an outline of the role that supervising officers currently have with sex offenders, the subject area of this study.

## **2.2. Sex offenders, society and statistics**

Numerous authors have charted the significantly increased attention given to sexual offending in the UK and other Western nations, over the last two or three decades (Sampson, 1993; Silverman and Wilson, 2002; Davidson, 2008)). One straightforward reason for this increased attention is that more research data has become available about sexual crime. However, as discussed below, there seems to be some degree of variance between the data produced and the level of public fear. For instance, Silverman and Wilson (2002) and Pheonix and Oerton (2005) point out that the threat of 'stranger danger' has been disproportionately elevated, beyond the statistical evidence. Increased media coverage has meant increased coverage of tragic, but relatively infrequent, sexually motivated murders of children, such as that of 8-year-old Sarah Payne by paedophile Roy Whiting in 2000, and the murder of Holly Wells and Jessica Chapman by Ian Huntley in 2002 (Home Office, The Bichard Inquiry Report, 2004). The intense media coverage of such tragic, but infrequent, events appears to have led to a disproportionate fear of all sex offenders, regardless of the seriousness of their crimes, and a perception of them as "monsters and beasts" (Sampson, 1993, p.124). The more uncomfortable reality - that sexual abuse is widespread, usually perpetrated by ordinary people known in family and friendship circles (Finkelhor, 1979) - is downplayed, with the result that children continue to be put at risk.

In addition to the high profile of sexually motivated murders in this country, there have been a number of widely reported sexual abuse scandals in the Irish Catholic Church (The Ferns Inquiry, 2005), and in children's residential institutions in North Wales (Waterhouse, 2000). The well-publicised inquiries into alleged sexual abuse in Cleveland (Bell, 1988) and the Orkneys (The Clyde Inquiry Report, 1992) also raised public awareness of sexual abuse issues, despite the inquiries finding over-reaction to risk by professionals. Well known celebrities such as Jonathan King, Gary Glitter and Michael Jackson, being caught up in sexual abuse scandals, has also kept the subject of sexual abuse high on the populist cultural agenda.

A number of theories have been put forward for the apparent 'moral panic' about sex offenders. Parton (2005) argues that the fear, risk, and protection issues, which preoccupy late modern society, appear to find particular potency when coalescing around the figure of the child. Critcher (2003), in a similar vein, argues that childhood is a key feature of moral panics over the last thirty years in the UK. Giddens (1991, 1992), Beck (1992), Beck-Gernsheim (1995) and Smart and Neale (1999) offer a possible explanation for this increased fear concerning the vulnerability of children. They all argue that child rearing has become increasingly separated from marriage. Families have become more fluid, with parents no longer expecting lifelong commitment from each other. A possible consequence of this increased instability is that people are having fewer children, with each child being of greater emotional and economic value. Parton (2005)

suggests that the trust that was previously anticipated from marriage and the family is now focused more on the child. Rather than being secondary to that of marriage, the parent-child relationship increasingly takes prime importance. Whilst at the same time as the economic and emotional stock of the child has increased, so too has the level of perceived threat to the child. Buckingham (2000) points out that whilst childhood has always been a site of fear and fantasy, more recently childhood has been surrounded by increased anxiety, as traditional concepts about the meaning of childhood have become eroded. Jackson and Scott (1999) illustrate how the populist media can be seen as increasingly promoting sexualised images of youth (i.e. sexualised images of females dressed as school girls and ever-younger youth role models such as pop-stars portraying sexuality). At the same time anxieties about the sexual targeting of youth are shifted onto the shadowy, monstrous figure of the paedophile.

Thompson (1990, 1996) offers a theory which may account, in part, for the rise of the sex offender as 'Folk Devil,' a term first coined by Cohen (1972), in relation to 'moral panics' about anti-social gangs. Thompson argues that universal TV coverage, and its increased advertising revenue, has resulted in newspapers 'dumbing down' to appeal to the popular market, using stories of sex, crime and scandal (including sexual abuse) to attract audiences and to sensationally communicate, in immediately attention-grabbing ways, what is 'good' and 'bad'. The figure of the sexual offender would inhabit the space of the 'bad' in this

paradigm. Parton (2005) makes the additional point that the contemporary media create polarised opposites, the lionised celebrity and the demonised sex offender. This can be seen as a contemporary reconfiguration of traditional good and evil figures, the fairy princess and the wicked ogre. Two-dimensional figures such as these belie the complexities of life but are, nevertheless, historically embedded in our culture, providing a comforting sense of certainty amidst the uncertainty of relativistic, late modern society. Holloway and Jefferson (1997) describe how living in a postmodern world, with few points of absolute reference, can produce a displacement and projection of anxiety and an increased desire for security. Young (1999) argues that such insecurity can create a need for more seemingly secure clear-cut certainties, providing the basis for projection of uncomfortable and insecure parts of self onto demonised others, such as sex offenders.

The macro theory of the so-called 'Risk Society' (Beck, 1992) has also been seen as accounting for the increased public concern about sex offenders. There is, to echo Thompson's point, a current mass media-fuelled, social and political preoccupation with risk (Beck, 1992; Ericson and Haggerty, 1997; Horlick-Jones 1996, 2001, 2002; Giddens 1991, 1992; Parton et al., 1997). Parton and O'Byrne (2000) illustrate how there is a pervading, late modern, defensive preoccupation with preventing the worst and protection from harm. Ferguson (2004) illustrates this social tendency succinctly, arguing that contemporary social conditions have created a society in which individuals are significantly less likely to suffer harm



than their ancestors. This has created a greater expectation of protection and safety and a concomitantly greater public outcry when this is not delivered.

However, conviction rates concerning sexual offending do not provide conclusive proof that sexual offending is an increasing problem in society, and are therefore not wholly consistent with the above 'moral panic' about sex offending. Numerous studies illustrate that the sexual re-conviction rate for sexual offenders in the UK is low, being consistent with rates found in Europe and North America (Thornton and Travers, 1992; Marshall, 1994; Ackerley et al., 1998; Friendship and Thornton, 2001; Friendship and Beech, 2005; Cann et al., 2004). Friendship and Thornton (2001) illustrate how, from 1980 to 2001, there has been a dramatic decline in the re-conviction rates for sexual offences in England and Wales. For example, released sexual offenders had a 12% re-conviction rate, over a four-year period, when released from prison in 1980. This figure fell to 7% over a four-year period in 1987, and then to 5% over a four-year period in 1992 and 1993. Hood et al. (2002) found that at 4.3% reconviction after four years for all sex offenders, this was the lowest reconviction rate for all offending groups, apart from murderers. However, in Brown et al.'s (2008) research into public opinion about sex offenders, 60% of male respondents and 76% of female respondents estimated the recidivism rate for sex offenders to be above 25%.

However, many who argue that sexual crime is a major problem, and is not overestimated, point to the well-documented limitations of conviction rates, which

tend to underestimate the actual extent of sexual abuse occurring (Calder, 1999). Much sex offending goes unreported. Charges are frequently withdrawn. Often there is not enough evidence to go to trial. Plea-bargaining may reduce the seriousness of the charge. Official statistics do not indicate how many individuals have been abused or the exact nature of the abuse, in relation to given convictions. Fisher (1994) points out that research findings other than official statistics, which can record acts of sexual abuse not officially recorded as crimes, are also prone to significant variation due to methodological problems. The reasons for such variation include differences in sexual abuse definitions, different interview formats and different methods for eliciting, collecting and recording information. For instance, there is evidence that the rate of re-offending increases if measured over a longer period. Studies by Soothill and Gibbens (1978) and Hanson et al. (1993), found that 20% of sexual offenders were re-convicted for a sexual offence after ten years.

The limitations of official sexual re-offending rates have resulted in the exploration of other sources of unofficial data. Russell's seminal, North American study (1986, 1994) found that, out of a sample of 930 women interviewed, 28% of females reported having been abused under the age of 14 and 38% under the age of 18. When Russell added non-contact abuse, the rate rose to 48% for girls under 14 and 54% for those under 18. Finkelhor's earlier (1979) research, also promising confidentiality to the respondent, had found 19% of females and 9% of males in his sample had been sexually abused before the age of 17. Both

Russell's and Finkelhor's research shows how the majority of victims are sexually abused within the family or family friendship networks, by people known to them. With regard to the prevalence of child sexual abuse in the UK, Baker and Duncan (1985) found that 12% of females and 8% of males have suffered from sexual abuse, in their English sample. In the abstract to their 1985 article, Baker and Duncan estimate that there are over 4.5. million adults in Great Britain who were sexually abused as children, commenting that the social and mental health implications are enormous.

As explained above, over the last two decades there has been increasing concern about the threat posed by sex offenders. This concern can arguably be seen as a consequence of changing social perceptions with regard to risk in general and risk to children in particular. The populist media have played a significant role in heightening this concern, reporting sex offending in alarmist and simplistic terms. The ensuing 'moral panic' is not consistent with sexual crime figures regarding offence and re-conviction rates. However, these crime figures appear to belie the true extent of sexual offending, much of which goes unreported, with much of this sexual offending taking place within familial networks.

### **2.3. Sex offenders and clinical developments**

Having outlined how sex offenders are socially perceived, the history of how sex offenders have been clinically perceived will now be explored. Both sets of perceptions can be seen to inform the supervisory relationship between sex offenders and probation officers, the subject area of this research.

#### The religious and psychoanalytical models

Bancroft (1974) argues that before the mid-nineteenth century, sexual deviance was considered a sin and the province of theologians rather than medical or psychological practitioners. However, from the mid-nineteenth century onwards, medical perspectives on sexual deviance became increasingly entangled with religious ones. Laws and Marshall (2003), providing a useful historical account of treatment approaches, illustrate how early attempts to treat sex offenders were informed by Freudian, psychoanalytical thinking, with Freud (1905) recording the first sessions with victims of sexual abuse. Calder (1999, p.21) provides a summary of Freud's theory, explaining that Freud "viewed paedophilia as a form of neurosis, a regression to infantile sexuality or to a phallic stage of development, which results in unresolved Oedipal conflicts." However, having provided the first psychological theory of sexual abuse, Freud then dismissed the reality of it, citing accounts of sexual abuse as figments of his women patients' hysterical fantasies. Gonsiorek et al. (1994) point out that this historical refutation had significant consequences, as Freud's theory of the unconscious has arguably been the most powerful theoretical structure in Western mental

health. Russell (1986) builds on this point, citing Freud's refutation of sexual abuse, along with the famous Kinsey Reports (1948, 1953), which later also questioned the seriousness of widespread sexual abuse, as contributing reasons why sexual abuse did not emerge as a significant social problem until the 1970s and 1980s.

Hurding (1991) comments on the rise of secular professionalism in the UK in the twentieth century, and thus how the viewing of human dysfunction, including sexual abuse, in terms of sin was no longer generally seen as an acceptable, rational option. The psychoanalytical approach to working with sex offenders has also largely lost favour, at least in the statutory sector. For instance, Wootten (1959) criticised social workers generally for claiming professional status through an uncritical use of psychoanalysis, and claiming mystical powers of effectiveness. Woods (2003, p.27), writing as a psychoanalytical therapist, states that the image of psychoanalytical therapy with sex offenders has also been "tarnished by a reputation for lengthy treatments providing little improvement, and of psychoanalysts arguing the main aim is 'not to alter or control behaviour, but to understand it'." Thus agencies with the task of managing risk, such as the Probation Service, have turned away from psychoanalytic theory. Psychoanalytical and psychodynamic approaches were also seen as arcane and ineffective (Gendreau, 1996). Moreover, psychoanalytic approaches were seen to neglect important risk domains such as deficits in self-esteem, emotional management and social skills, which were incorporated into later cognitive-

behavioural treatment initiatives with sex offenders (Marshall and Williams, 1975). The psychoanalytical approach was also seen to neglect the power and control issues involved in sexual abuse, issues largely brought to the fore by the feminist contribution to the field (Calder, 1999).

### The medical model

Houston et al. (1994) illustrate how until the 1980s, when probation officers, in particular, began working with sex offenders, it was practitioners from the medical and psychological professions who undertook forensic work with sex offenders in the UK. Before the emergence of sexual abuse as a major social concern, sexual offenders were seen as a minority group who were mentally ill or biologically dysfunctional. There are numerous theories of biological causes of sexual deviance such as hormonal and brain function (Emory et al., 1992).

However, there are various criticisms of the medical approach. Emory et al. (1992) point out that although drugs can lower sexual drive and invasive treatments such as castration and brain surgery can also limit deviant sexual interests, permanently, damage caused to the individual means that these treatments are generally deemed unethical. As with the psychoanalytical approach described above, the medical approach also fails to address power and control issues, and deficits in emotional and social functioning. Jenkins (1990) also points out that biological explanations can act as excuses for sex offenders to absolve themselves of responsibility for their actions, claiming lack of control

over innate and irresistible urges, allowing the offender to shift responsibility for his offences onto professionals trying to find an elusive cure.

### The behavioural model

Laws and Marshall (2003) outline how behavioural techniques (Skinner, 1938; Watson, 1913), relying upon positive and negative reinforcement, have historically been used with sex offenders. This has mainly taken the form of deviant fantasy/masturbatory reduction and management techniques. For example, negative reinforcement involves pairing deviant fantasy/masturbation with unpleasant experiences (i.e. shame, boredom, unpleasant smells, low levels of pain), whilst positive reinforcement involves pairing non-deviant fantasy/masturbation with pleasant experiences.

However, Brown (2005) points out that, in practice, behavioural approaches with sex offenders have never been a significant part of treating sex offenders in the British criminal justice system. There is also little evidence that behavioural change in arousal patterns translates to long-term behavioural changes (Quinsey and Earls, 1990; Laws and Marshall, 1993). Also, as with the criticism of the psychoanalytical and medical approaches described above, behavioural approaches to sex offending can be seen as having neglected deficits in emotional management and social functioning skills, as well as power and control issues, until behavioural treatment courses began to morph into cognitive-behavioural treatment programmes (Marshall and Williams, 1975).

### The family therapy model

The family therapy approach to sexual offending is, in part, based on systems theory, where sexual abuse is seen as the product of systematic familial and societal dysfunction (Bentovim, 1966). This systemic approach is also heavily influenced by child developmental theorists such as Winnicott (1956, 1958), taking a psychodynamic view of sexual abuse. Woods (2003, p.22) explains how, within this child development perspective, sexual abuse is conceptualised as individuals regressing to an infantile state in which “eroticism, desire, instant gratification and violence” become a dysfunctional response to distress and conflict. Bowlby’s attachment theory (1969) has also been, and remains, influential in the treatment and management of sexual offenders. For instance, Hanson and Bussiere (1998) found that attachment problems, particularly with mothers, were consistent with difficulties in forming stable adult relationships with age-appropriate adults, and also of sexual offending. Marshall et al. (1993) found that poor attachments can also lead to a lack of empathy, and a tendency to sexually objectify others.

The family therapy model of treating domestic abuse has been strongly criticised by feminist theorists (Bograd, 1984; McIntyre, 1984). Although Bograd and McIntyre are predominantly discussing domestic violence, the same criticisms of family therapy have been made with regard to sexual abuse (Calder, 1999). The criticism focuses upon the interactional explanations of sexual abuse put forward



by family therapists. From a feminist perspective, such theories dilute the central problematic issue of patriarchy, whereby men are seen to be socialised into having an elevated sense of entitlement, in relation to women and children, including an entitlement to sexual gratification, legal or otherwise. Jenkins (1990) also makes the point that professionals can also be in danger of colluding with male offenders, shifting responsibility for sexual offending onto perceived difficulties with other family members.

#### The feminist model

Calder (1999) states how the feminist movement, more than any other, has been effective in illustrating that most sex offences are committed by men known to children in close family and extended family and friendship networks. This tradition can be traced back to the pioneering work of Russell (1986), cited above. MacLeod and Saraga (1988) argue that before the feminist perspective raised awareness of the power and control factors of sexual abuse, the main focus had been on victims of sexual abuse rather than on perpetrators, with sexual abuse tending to be seen (as outlined above) as a psychological problem, often originating from an individual's perceived dysfunctional past. However, feminist commentators such as MacLeod and Saraga (1988) and Herman and Hirschman (1977) posit that sexual abuse should be seen in terms of power, as part of a patriarchal continuum of male violence against women and children. This radical feminist approach espouses the view that sexual abuse is not a

problem of psychology or relationships but of social constructions of masculinity and the abuse of power by males.

Despite the significant impact of feminist thought on practising probation officers, Featherstone and Fawcett (1995) chart how postmodern, poststructuralist perspectives, sceptical of universal theories, have challenged the radical feminist notion of fixed power relations, encouraging multifactorial explanations of sex offending, which are described below. Lancaster and Lumb (1999) found that, among probation officers, even those largely in sympathy with a patriarchal perspective on sex offending, most believed that a sociological feminist approach to sex offending, whilst relevant, does not provide a sufficient explanation and treatment paradigm. Similarly, Featherstone et al. (2007) argue that men who perpetrate domestic violence and sexual abuse are not a homogenous group, but occupy a range of masculinities and gender relations, and that there is a need for a variety of approaches and interventions to help them stop their abuse.

### Multifactorial models

The various psychological and sociological theories of sex offending have gradually evolved and been adapted into multifactorial models of sexual offending. In this study, I interview men who have committed sexual offences against children, men who have committed sexual offences against adult women and men who have committed Internet offences. The theories described below are mainly relevant to individuals who sexually abuse children, although they can

also be relevant, to varying extents, to all sexual offenders. However, theories relating to sexual offences against women and internet offences, will be discussed in separate sections below.

Probation work with sexual offenders in the UK has been significantly influenced by North American multifactorial theories. Particularly influential was (and remains) Finkelhor's four preconditions for child sexual abuse (1984). Ward and Sorbello (2003) argue that this was one of the first comprehensive theories of sexual abuse. According to Finkelhor's theory, there are four stages involved in a sexual offence. 1. A sex offender must be 'motivated' to offend (i.e. be sexually or emotionally attracted to children). 2. A sex offender must 'overcome internal inhibitions' (i.e. bypass internalised social norms and taboos against sex with children). 3. A sex offender must 'overcome external inhibitions' (i.e. remove the child from the protection of others). 4. A sex offender must overcome the victim's resistance (i.e. persuade the child to have sex by bribes or intimidation). Finkelhor posits that an offender must go through all four stages in order for a sexual offence to take place, and it is the function of treatment and risk management to interrupt or prevent the offender going through the stages in order to prevent a further sexual offence. Other influential multifactorial theories include Wolf's (1984) influential Cycle of Offending which, similarly to Finkelhor's theory, describes a sexual offence as a cyclic process, involving various contributory emotions, thoughts and behaviour, phases and choices. However, Wolf breaks down the offence process into a greater number of discrete stages

than Finkelhor does in his model. Warwick (1991) and Fisher (1994) point out how the cyclic theories of Finkelhor and Wolf have had a profound effect on practitioners working with sex offenders in the UK, including probation officers. Subsequent criminological theories of sexual offending have become increasingly sophisticated. Notable theories include Marshall and Barbaree's (1990) Integrated Theory, and Hall and Hirshman's (1992) Quadripartite Theory of Sexual Offending. Both theories describe, in different ways, sexual offending in terms of a developmental process, involving the interaction of dysfunctional historical and current circumstances, behaviour, thoughts and emotions.

A more recent multifactorial theory is the Pathway Theory of sexual offending (Ward et al., 2004). Unlike the above theories, the pathway model allows for four different routes to the committing of a sexual offence. In recent years, trait theory has also become more influential in how practitioners view sex offenders. Ward and Keenan (1999) suggest that individuals brought up in dysfunctional circumstances can develop faulty underlying traits which formulate character i.e. 'implicit theories' or 'schema' about the world, relationships and sex, resulting in distorted thinking.

The above theories are ostensibly related to sexual offences against children. However, there is some crossover with regard to rapist and internet offenders, with many of the dysfunctions described in child sex offender lives being seen in the lives of individuals who commit sexual crimes against adults and through the

internet. Ward et al. (2004), for instance, posit that it is possible to categorise both child abusers and adult rapists according to the pathway model of sexual offending. Issues of anger and power tend to particularly characterise the crime of adult rape, issues which are not so apparent in the lives of some child abusers and Internet offenders, some of whom tend toward social diffidence rather than aggressive, anti-social behaviour (Ward and Stewart, 2003). With regard to rapists specifically, Groth et al. (1977) posit power and anger as characterising the crime of rape, describing four types of motivation: 1. Power and dominance, 2. Power and reassurance, 3. Anger and excitement, 4. Anger and retaliation. Prentky and Knight (1985) also described four types of rapist: 1. Compensating, 2. Impulsive, 3. Angry, 4. Aggressive/Sexual. There is significant overlap between the above theories, with different language used to describe similar phenomena and, as with child sexual abuse, classification fails to capture the heterogeneity of rapists and the diverse situations in which rape takes place (Fisher and Beech, 2004).

The research on internet offending is in its infancy, due to the relative newness of the crime. However, Middleton et al. (2006) describe two identifiable groups of internet offenders. The first they termed the 'predisposed group.' These were individuals who had pre-existing distorted attitudes about sex and children, had a sexual interest in children, tended to be impulsive, had self-management problems and their goal was likely to be a 'hands on' offence. Middleton et al. (2006) termed the second category of internet offenders, the 'emotionally

avoidant' group. These people had low self-esteem, poor coping or intimacy skills and difficulty regulating their emotional state. For this group, use of the internet leads to habituation, disinhibition, emotional dependency, arousal and reinforcement, potentially leading to abuse in the real world.

Mark (1992) outlines how much probation practice in the 1980s and 1990s involved structured confrontational interviews, which pressurised the offender to describe the sexual offence in detail, and in terms of the various models and theories put forward above with regard to sexual abuse, particularly Finkelhor's and Wolf's influential models. Offenders' accounts of sexual offences were then systematically questioned, with the cognitive distortions and minimisations pointed out, in order to challenge the perceived denial and rationalisations thought to be commonly used by sex offenders. Once denial and cognitive distortions were broken down, the offenders would then be asked to reconstruct their offending in terms of Finkelhor's and Wolf's offence cycles. Finally, the worker would assist the offender to construct a relapse prevention plan, focusing upon managing emotional, cognitive and behavioural triggers of offending (Pithers, 1990).

Sheath (1990) critiqued the effectiveness of the confrontational element in such an approach to working with sex offenders.

The attractions of overtly confrontational interviews, especially for male workers, are manifold and probably explain why the approach had gained in popularity so quickly. Given the often repellent nature of sexual

offenders, the gut reaction of most male officers is to want to kick their teeth in (p. 159.)

Moreover, as will be more fully explained in the next chapter, with the use of motivational interviewing with sex offenders, and the more recent development of the strengths-based Good Lives Model, using confrontation to pressurise sex offenders to view their offending in the light of the theories of Finkelhor and others, has gradually lost favour. However, it is still routine practice for workers to explain the theories of Finkelhor and Wolf to sex offenders in a non-confrontational way, in order to raise awareness of risk triggers (Brown, 2005).

There have been criticisms of the various models of sexual offending, generally attacking the limited way in which the respective models account for the complexity of sexual abuse. For instance, Beech and Ward (2003) argue that Finkelhor's (1984) model lacks cohesion and consistency, utilising a mixture of theories and constructs from diverse traditions: psychoanalytic, attribution, and learning theories. They argue that both single factors and a combination of factors are theorised by Finkelhor as leading to sexual offending, and no explanation is provided as to why the specific psychological and sociological problems identified should result in a sexual offence, as opposed to any other dysfunctional behaviour. According to Beech and Ward (2003), the sheer wide-ranging nature of the model renders it difficult to test for validity. Similar criticisms are made by Beech and Ward (2003) against Hall and Hirschman's (1992) multi-causal theory of sexual offending. The theory is criticised by Beech and Ward as

failing to discriminate between deep-lying psychological schema, and more surface distorted thinking. With regard to Marshall and Barbaree's (1990) model, Beech and Ward (2003) argue that the model, linking developmental difficulties with dysfunctional cognitions and poor emotional management, is too general to take into account the specific factors of why individuals sexually offend. Beech and Ward (2003) argue that many sex offenders, who deliberately groom children, actually show good emotional management resulting in "immaculate planning," (p. 8), not the lack of emotional management outlined in the theories above. As stated above, building upon these various theories, Ward et al. (2004, p.38) propose a more (in their view) comprehensive and less deterministic model of sexual offending, involving four different pathways, which can lead to a sexual offence. Below is a summarised model of the pathway.

1. *The Avoidant-Passive Pathway is characterised by individuals who have a general desire to avoid sexual offending, but lack the coping skills to prevent it.*
2. *The Avoidant-Active Pathway is also where individuals want to avoid offending, but choose inappropriate coping skills to do so.*
3. *The Approach-Automatic Pathway refers to an individual who will not go looking for opportunities to sexually offend, but if one presents itself they will impulsively sexually offend, motivated by underlying faulty beliefs about the world.*
4. *The Approach-Explicit Pathway refers to fixated sexual offenders, who want to offend, often have no particular self management problems, but deliberately apply their often considerable resources to the pursuit of sexual offending.*



A more radical criticism of psychological models of human dysfunction is made by strengths-based proponents from the narrative therapy and solution-focused traditions (Epston, 1998; de Jong and Berg, 2002). As will be more fully explained in the next chapter (Section 3.6 and 3.7), such criticism stems from a relativist, social-constructionist perspective, which questions the capacity of psychological models, seen as based on the medical paradigm of assessment, diagnosis and treatment, to capture the complexity of any one person's relational experience. In the same vein, Parton et al. (1997, p. 67) point out that definitions and explanations of child abuse are more a matter of "moral reasoning and judgment" rather than a "medico-scientific reality." Coming from a strengths-based perspective, Milner and O'Byrne (2002) argue that Finkelhor's theory is based on the notion of an individual having various deficits, leading to an abuse of power. The same can arguably be said of the other theories discussed above. Milner and O'Byrne (2002) illustrate how the strengths-based approach would seek to build on existing competence not incompetence (i.e. building on resources used when an individual desists from sexual offending, or utilising resources used in the planning of a sexual offence, to achieve alternative pro-social ends). From a strengths-based viewpoint, such an approach would avoid loss of self-esteem and resultant client resistance, often apparent when applying the, arguably, deterministic theories of sexual offending, discussed above.

The above section has illustrated how, from having been an area of marginal clinical interest, sex offending has become a site of far greater professional focus

over the last thirty years. Early theories saw sex offending as a fairly uncommon moral or psychiatric aberration, with Freud casting doubt on the veracity of victims' accounts of sexual abuse. Sex offending is now seen as a large scale social problem, linked to psychological dysfunction due to early adverse experiences, distorted thinking about the world and relationships, emotional management problems, and power issues related to notions of patriarchy. However, despite efforts to theorise and model sexual offending, sex offenders remain a heterogeneous group, evading any attempts at straightforward classification.

#### **2.4. Risk, politics and the Probation Service**

This section will discuss how political and social changes affecting the probation services and the rehabilitation of offenders in general, have also affected probation work with sex offenders. These general changes in how the probation service operates can also be seen to have interacted with concern and legislation with regard to sex offenders specifically. Burnett and McNeill (2005) outline how the relationship between probation officer and offender, variously labelled as the 'casework relationship,' 'the supervisory relationship' or 'one-to-one work' has remained the main channel of probation intervention, even though the purpose of probation has shifted from an initial missionary model of befriending and converting offenders to a treatment model. However, over the past three decades, on a policy level, the one-to-one relationship can be seen to have been undermined by various factors discussed below. Despite this, the interviews

conducted with probation officers and sex offenders in this study suggest that the one-to-one relationship between offender and probation officer continues to be highly significant for both parties.

### Governmental factors

The relationship between postmodern society's greater preoccupation with risk and governmental responses to this, has been charted by Parton (2005). By the time New Labour came into power in 1997, the issue of protecting the public, rather than rehabilitating the offender, had become the central aim of the criminal justice system, as a response to the concept of increasing public fear of crime. Thus, public protection emerged as the dominant governmental discourse, with regard to crime and sexual offending (Parton et al., 1997).

In the mid 1970s, the post-war consensus on state welfare was collapsing, and under the Conservative governments and then under New Labour, the traditionally welfare-orientated Probation Service was under threat (Smith, 2004). As part of its 'Third Way' re-invention, New Labour did not want to be seen to be departing from the previous Tory government's populist "social authoritarianism" by reverting to its traditionally perceived 'soft on crime' stance (Raynor and Vanstone, 2002). Rather, reconstituted New Labour maintained a policy position – 'tough on crime, tough on the causes of crime'- within which was embedded a 'just deserts' notion of justice, which appeared to resonate with the electorate, reflected in the Home Office's enthusiasm for punishment, rehabilitation and risk

management replacing the notions of 'helping,' 'assisting' and 'befriending' offenders (Nellis, 2000).

The above concerns about fear of crime, and the emphasis on risk management and getting tough with criminals as a response to this fear, can be seen to have been particularly prevalent in the area of sexual crime. Kemshall and Pritchard (1996) and Kemshall (2001) outline how a raft of legislation has been employed in the last two decades, designed to increase the incarceration, surveillance and monitoring of sex offenders, and their segregation from children. Important legislation included the 1991 Criminal Justice Act, introducing longer prison sentences for sex offenders. The 1997 Sex Offender Act established the Sex Offender Register, whereby a sex offender can be compelled to register for 5 years up until life, depending on the seriousness of the offence. The 1998 Crime and Disorder Act established that if a convicted sex offender was seen to be acting suspiciously or riskily, an application could be made for a Sex Offender Order, which would put limits upon the sex offender's liberty. The 2003 Sexual Offences Act introduced measures to imprison sexual offenders for longer periods, enlarged the definition of what constitutes a sexual offence, and removed the loophole which allowed a sexual offender to say that sex with a child under the age of 13 was consensual. The Act also created a new offence of 'grooming' for adults who lure children, regardless of whether any hands-on sexual abuse has occurred. The Sex Offender Act (2006) introduced the Sex Offender Prevention Order (SOPO), which bars an individual from activity which

is deemed to constitute a risk to children. *The Home Office Review of the Protection from Sex Offenders* (2007) proposed that consideration should be given to disclosing information about an individual who is deemed a risk to children, if a person with parental responsibility for a child requests this, with one-year pilot disclosure studies being set up in five regions in the UK, throughout 2007 and 2008.

The ideological shift from a welfare-orientated to a risk-oriented model of probation, can be seen to be reflected, for instance, in the 're-branding' of Community Service as Community Punishment Orders and Probation Orders as Community Rehabilitation Orders (Hignett, 2000). The Diploma in Probation Studies placed greater emphasis on risk management, public protection and enforcement than the more welfare orientated, generic social work qualification (Treadwell, 2006). which was the previous route to professional qualification as a probation officer.

McLaughlin and Muncie (2000) argue that the Probation Service is increasingly commoditised, with risk management and rehabilitation being reconfigured into a cost effective process of production, operated through increasingly standardised disciplines of managerialisation. Within this view, offenders have been conceptualised as the raw materials on which the Probation Service works, with public protection being the end product of this production line (Morgan, 2003). The promise of public protection can be seen to be operationalised through what

has been described as a 'community protection model' (Connelly and Williamson, 2000). The community protection model relies upon a select band of professional identifiers, managers and reducers of risk, using a broad range of risk technologies characterised by surveillance, restriction, monitoring, control, compulsory treatment and restriction (Kemshall and Wood, 2007).

Gibbs (1998) points out that as with other public services, the Probation Service would be oriented towards the three 'Es' - Economy, Efficiency and Effectiveness. Effectiveness would not be, as in previous times, conceptualised as 'helping,' 'assisting' and 'befriending', within a one-to-one relationship, but about demonstrably cutting crime, reducing re-offending and protecting the public, within an overall managerial system.

Garland's (2001) illuminating thesis of social control traces the development of many of the themes discussed in this section above, focusing on the criminal justice systems of America and the UK. Garland concentrates on the period between the early 1970s and the beginning of the new century, encompassing what he refers to as 'late modernity'. Garland comments:

The often contradictory combination of what came to be known as neo-liberalism (the re-assertion of market disciplines), and 'neo conservatism' (the re-assertion of moral disciplines), the commitment to 'rolling back the state' while simultaneously building a state apparatus that is stronger and more authoritarian than before – these were the contradiction positions that lay at the heart of the Thatcher and Reagan regimes (p.98).

Garland argues that the combination of neo-liberal economics and neo-conservative morality was fuelled in the UK by disenchantment with the welfare

state, and anger with the related criminal justice system for not being able to control high crime rates regarded as social fact. The dismantling of settled communities and families meant that the influential and vocal liberal middle classes were more effected by crime: the theft of increasingly available consumer goods, car crime, burglary, street violence, drug crime and youth disorder, which challenged their liberal ideals of criminal justice. There was also a greater focus on the rights of victims generally. Rather than criminals being viewed as suffering from psychological disorders, social deprivation, or being the 'losers' in an increasingly competitive and unequal market economy, ratings-hungry mass media and vote-hungry politicians constructed criminals, particularly violent and sexual ones, as irremediably 'bad'. Consequently, Garland argues, the rehabilitation pessimism of some researchers in the 1970s (outlined in the section below), fell on receptive ideological ground, as 'penal welfarism' (the tradition welfare approach to criminal justice) fundamentally shifted to an increasingly punitive and risk-based approach model.

### Practice factors

As Vanstone (2004) outlines, in his history of probation theory and practice, the case work relationship between probation officers and offenders has traditionally been at the heart of rehabilitative endeavours. However, as pointed out by Burnett and McNeill (2005), the case work relation has taken various forms: Freudian/psychodynamic casework, person-centred casework, task-centred casework, with both the latter forms of casework including attention given to social and welfare problems. However, there have been various criticisms,

questioning the effectiveness of one-to-one relationships in their different forms, between probation officers and offenders.

In the 1970s the rehabilitation of offenders, particularly individual rehabilitative endeavours, suffered a major setback due to the oft-cited 'nothing works' conclusion of Martinson (1974), which suggested that little evidence could be found that treatment or any therapeutic engagement with offenders effectively reduced crime. Thornton (1987) challenged the overt pessimism of Martinson's original conclusions, arguing that Martinson based his findings on meta-analysis conducted by Lipton et al. (1975) into the effectiveness of thirty-eight treatment methods. Thornton argued that the majority of these interventions examined by Lipton were carried out in clinical settings, based on psychodynamic/humanistic ideas. Martinson, himself, was also to revise his arguably over-simplistic conclusion. However, as Burnett (2004) outlines, the main criticism of one-to-one casework was of non-directive psychodynamic therapy, with the term non-directive applying to unfocused work with offenders, where the offender was passive and the practice of the probation officer unaccountable, some of which may have been effective or ineffective, but all of which remained un-assessed.

In contrast to Martinson's initial, pessimistic findings, influential meta-analysis by Ross and Gendreau (1980) showed some positive outcomes. Multi-modal cognitive-behavioural skills programmes were shown to have a positive effect (Lösel, 1995). McGuire and Priestley (1985) also found indications of the



effectiveness of cognitive-behavioural intervention in reducing offending. Lipton et al. (2002) also suggested that cognitive-behavioural programmes should be provided alongside positive role modelling.

What emerged from the 'What Works', 'Effective Practice' research agenda was cognitive-behavioural groupwork, plus the 'Risk, Needs Responsivity' Model (RNR) (Andrews and Bonta, 1993), as the dominant rehabilitative practice models in the Probation Service. *A Guide to Effective Practice* (Chapman and Hough, 1998, pp. 41-57) provides specific guidelines with regard to the principles by which case managers and all probation officers should work, based on RNR. The risk principle posits that intensity of intervention should be appropriate to the level of risk, with high risk offenders benefiting from more intense interventions. The need principle refers to the content of interventions being designed to address 'criminogenic' needs such as drug misuse or anger management problems, rather than needs not obviously related to offending, such as anxiety or depression. The responsivity principle stipulates that interventions should be delivered in ways which match the offender's 'learning style' (i.e. not using abstract or conceptual language or interpretations with concrete thinkers). A fourth principle is included in Chapman and Hough's guide, relating to the principle of programme integrity, whereby interventions should be rigorously managed and delivered as designed.

As Burnett (2004) points out, the above principles, inscribed in the RNR model, can be applied to both groupwork and one-to-one practice. However, although efforts were made to incorporate more standardised, focused one-to-one work such as cognitive-behavioural exercises (McGuire and Priestley, 1985), groupwork programmes came to dominate probation rehabilitation practice, including work with sex offenders. For instance, Barker and Morgan (1993) illustrate how the 1991 Criminal Justice Act drove an increasing demand for cost-effective treatment programmes for sex offenders in prison and in the community, on probation. Consequently, throughout the 1990s, Sex Offender Treatment Programmes (SOTPs) were established as the main treatment method for sex offenders, both in prisons and the community. Barker (1996) illustrates how these sex offender groupwork programmes, like the programmes for general offenders, were based on cognitive-behavioural principles. Brown (2005, pp.114-150) summarises six common treatment goals found in most group and one-to-one treatment initiatives used with sex offenders in the UK. 1. Reducing denial and minimisation. 2. Eliminating cognitive distortions. 3. Improving victim empathy. 4. Modifying deviance. 5. Non-offence-specific treatment goals. 6. Relapse prevention. Hence, the general preference for cognitive-behavioural groupwork programmes for general offenders can be seen to have been incorporated with the risk domains emanating from the sex offender theories and models, discussed in the previous section.

Positive treatment outcomes for sex offenders have been found. Alexander (1999) found lower recidivism rates for sex offenders attending groupwork programmes, in a meta-analysis of 79 studies. Beech and Mann (2002) found that sex offenders who had attended a groupwork programme had a 10% reconviction rate, compared to a 23% re-offending rate for those who had not. However, Brown (2005) illustrates that there is a high attrition rate on sex offender programmes, with only the more motivated sex offenders completing treatment. Hence, these more motivated sex offenders are perhaps less likely to re-offend anyway. Brown (2005) also discusses that because the re-offending rate for sex offenders is relatively low, it is difficult for treatment programmes to demonstrate convincing statistical relevance.

The emphasis on groupwork as the main rehabilitation for offenders, including sex offenders, reconfigured one-to-one work between supervising probation officers and offenders into a case management model. The introduction of the 1991 Criminal Justice Act significantly influenced the role of supervising officers, through the implementation of National Standards (Home Office, 2002) for the Probation Service. Introduced in 1992, National Standards provide specific guidelines about how supervising probation officers should enforce orders, specifying the minimum number of occasions an offender should be seen, and requirements about what should be achieved in given time periods. Manuals such as *Strategies for Effective Offender Supervision* (Underdown, 1998) and *Evidence Based Practice: A Guide to Effective Practice* (Chapman and Hough,

1998) specified principles of effective supervisory practice. Hedderman and Hearnden (2000) make the point that such managerial tools were not designed just to prevent idiosyncratic practice, but to assure sentencers and the public that offenders were being seen regularly enough to ensure that the risk of re-offending and harm were reduced through appropriate, regular monitoring and offence-related work.

In summary, from the Thatcherite government through to New Labour, there was an increased emphasis on professionals proving competence, cost effectiveness, and efficacy. Given the increasing social concern about risk, there was an increasing expectation for the Probation Service to demonstrate that it could reduce crime effectively. Within the Probation Service, there was also increased scepticism about the effectiveness of probation officers being left largely to themselves to reduce offending through one-to-one relationships with offenders, although this was superseded by a renewed rehabilitative optimism, centered around cognitive-behavioural approaches, positive role modelling and the principles of Risk, Needs and Responsivity. However, these rehabilitative effective practice principles have been implemented largely through groupwork programmes, as opposed to one-to-one therapeutic rehabilitative work with offenders, including sex offenders.

## **2.5. The current role of probation officers, supervising sex offenders**

The principles of the RNR model still apply to the role of probation officers supervising sex offenders, and are inscribed in the recent major development in probation supervision at the time of writing, the introduction of the National Offender Management Service (NOMS) (Home Office, 2005b). In order to aid clarity, and to put the later accounts of the supervision relationship between sex offenders and probation officers in context, I will outline the role and practical task of a supervising probation officer.

Rather than the title 'supervising probation case manager' or 'supervising officer', the probation officer supervising the offender is now called an 'offender manager,' in the NOMS system. However, as explained in Chapter 1, the title of supervising probation officer, officer or probation officer is used interchangeably throughout this study, this title being considered by the researcher to be more relatable and understandable to a wider audience, unfamiliar with the criminal justice system. In the NOMS system a single probation officer should, if at all possible, supervise an offender throughout the offender's prison sentence (if s/he is sent to prison) and then when the offender is released into the community on licence, or is sentenced to a community rehabilitation order (previously called a probation order).

A typical training course, which outlines what is expected of a probation officer supervising a sex offender, can be found in the training handout pack for supervising officers, related to the Community Sex Offender Groupwork

Programme (SOGP 3 Day Course Handout Pack, 2001). The SOGP pack outlines the following main roles for supervising officers.

### Assessment

The role of a supervising probation officer involves writing assessments, called pre-sentence reports, after a person is found guilty of an offence, and is waiting to be sentenced. These reports will contain the probation officer's assessment of risk, using a combination of actuarial, statistical risk assessment tools, and clinical judgment. In the pre-sentence report, the probation officer will also recommend a rehabilitative package. Once an offender has been sentenced to a community sentence or has been released from prison, it is the supervising officer's responsibility to formulate a supervision plan. The formulation of a supervision plan, and the regular reviewing of it, is now regulated through the computer risk management system OASys (Home Office, 2002). This risk management and supervision system is also used to inform Multi-Agency Risk Public Protection Arrangements (MAPPA) and Multi Agency Public Protection Panels (MAPP) (National Probation Service, 2001; Home Office, 2002), which are composed of various professionals, including the police, charged with the responsibility of managing the risk of an offender living in the community.

### Case Management

As explained in the sections above, most treatment of sex offenders is delivered through sex offender groupwork programmes, run in prison, or by the Probation Service in the community. At the time of this study, there is a division of labour

between probation officers who facilitate programmes and probation officers who supervise offenders, the latter being the concern of this research. Whilst in prison, many sex offenders attend the core groupwork programme, lasting for 200 hours, usually divided into 2.5-hourly sessions. There is a similar 190 hour groupwork programme run in the community, with additional 50-hour induction and 50-hour relapse prevention groupwork programmes. These programmes are designed to treat all sex offenders. However, as will become apparent later in the study, not all sex offenders attend programmes, often leaving supervising probation officers as the sole source of rehabilitative input. With regard to sex offenders who will attend programmes, it is the supervising officer's responsibility to motivate offenders to attend and get the most out of programmes and to assist offenders to consolidate the learning gained on programmes, and to apply this to their lives. Initially, offenders are seen at least once a week. This can be reduced to fortnightly or monthly sessions, after a period of time, if risk is deemed to have been sufficiently lowered. Supervising probation officers are responsible for addressing issues as they arise with offenders, addressing needs such as housing, employment, substance misuse problems, relationship issues, if such issues are judged to be related to offending. Often it is the role of probation officers to refer offenders to specialist services, rather than addressing the needs themselves.

## Enforcement

All sex offenders on probation are either subject to licence conditions, or conditions set out in the community rehabilitation order. If an offender breaches such conditions, it is the responsibility of the supervising probation officer either to issue a verbal or a written warning. If two such warnings are not heeded, then it is the responsibility of the supervising officer to breach the order, resulting in the offender going back to court to be re-sentenced, which could include being sent to prison, if the offender is on licence and the breach and/or the risk is considered serious enough. If the risk is deemed sufficiently high, an offender can be immediately recalled back to prison, without any prior warnings being given.

National Standards (Home Office, 2002, 2005, 2007) stipulate the timing and sequencing of most of the above supervisory tasks. Supervising probation officers are also required to complete a computerised record of all the above tasks and procedures, which is regularly checked to ensure that National Standards are met for the supervision of offenders.

## **2.6. Conclusion**

Greater concern about risk and sex offenders has resulted in greater scrutiny of probation officers supervising sex offenders. Probation work with sex offenders has been influenced by psychodynamic and humanistic therapy, and early probation pioneers and theories of sex offending emanating from North America.



In an effort to distance itself from the presumed ineffectiveness of welfarism, government initiatives have focused on risk management and protection of the public by means of managerial initiatives, replacing previous perceived idiosyncratic probation practice with an 'effective practice' agenda, designed to deliver greater accountability.

The current orthodoxy in the Probation Service, with regard to the management and treatment of sex offenders, is the risk-based RNR model and cognitive-behavioural groupwork programmes, with one-to-one supervision of sex offenders seen, in theory if not in practice, ostensibly in terms of a case-management process rather than therapeutic and rehabilitative engagement. However, an alternative treatment paradigm has been emerging in recent years, with regard to working with sex offenders, called the Good Lives approach, which can be situated amongst other strengths-based therapeutic and rehabilitative paradigms. The evolution of the strengths-based approach will be the focus of the next chapter.

## Chapter 3

### **The evolution of strengths-based approaches**

#### **3.1. Introduction**

As outlined in the previous chapter, the welfare-orientated model of rehabilitation has been replaced by a risk-orientated one, whereby the goal of protecting of the public is often conceived as separate from the welfare of the offender. The Good Lives Model (GLM) (Ward and Brown, 2004; Ward and Marshall, 2004) offers an alternative approach to the risk model, viewing protecting the public and enabling sex offenders to live fulfilling lives as interdependent objectives. The Good Lives Model can be seen as part of a larger therapeutic movement commonly referred to as the strengths-based approach (Ward and Maruna, 2007). This research study is particularly concerned with the following strengths-based approaches: the desistance approach to crime reduction; the GLM; narrative therapy; solution-focused therapy and motivational interviewing. Based upon the various definitions and descriptions in the relevant literature cited below, the researcher's own working definition of what essentially constitutes a strengths-based approach is as follows.

Ways of working with individuals within their own motivational frame of reference, to bring about desired change which focuses upon resources and strengths, rather than deficits and weaknesses.

### **3.2. Early strengths-based approaches**

Burnyeat (1984), in an article entitled '*On Learning to Be Good*,' illustrates how moral development and leading a good life was a fundamental concern of Greek philosophers, and how the questions of what moral virtue actually is, and whether "virtue can be taught, are the oldest questions in moral philosophy (p. 54)". Burnyeat illustrates how, in contrast to Socrates' doctrine that virtue is knowledge, Aristotle emphasised how moral virtue arises and gradually develops out of good habits connected to personal fulfilment and development, toward which humans are naturally inclined. Arguably, this positive Aristotelian view of the human condition is not too far removed from that of the strengths-based approach.

Hurding (1991) traces this positive view of the human condition through to Renaissance humanism and then to the Enlightenment. Both periods celebrated humanity's potential and achievements, in contrast to medieval theism and preoccupation with the fallenness of humanity. Hurding also charts the emphasis on human potential through to American pragmatism, typified by educationalist Dewey (1916), who saw life as perpetually experimental, seeking to free individuals from stultifying tradition. Another American in the pragmatist mould, William James (1902), posited the idea of 'Healthy Mindedness.' In a precursor to Ward's 'human goods,' a strengths-based concept explained below, James (1878) cited social affections, forms of play, novelty and delight in art and religious contemplation, as intrinsic to a happy and adjusted existence.

As an alternative to psychoanalytical and behavioural psychology, a 'Third Force' psychology emerged in America in the 1950s and 1960s. Referred to as humanistic psychology, or sometimes the human potential movement, the approach espoused an optimistic view of humanity. Adler, albeit from the psychoanalytic tradition, can be seen as an early forerunner of this human potential movement, stating:

We always see mirrored the powerful good of human overcoming, with its promise of fulfilment and grace (1935, p.61).

Another early originating force in the humanistic, human potential movement was Maslow (1943), who majored on human beings' potential for 'self actualisation.' Maslow postulated that all human beings have a 'hierarchy of needs,' ranging from basic survival needs to higher needs for personal fulfilment. Fulfilment of the basic needs is necessary before fulfilment of the higher needs can occur. Thus the route to constructive change, as in strengths-based approaches, majors upon personal fulfilment rather than personal restriction. This idea seems to constitute another overlap with Ward's concept of 'human goods.'

Carl Rogers was a particularly influential figure in the humanistic therapy movement. Rogers (1957, 1961) argued that a therapist's main function is to create the 'core conditions' for change: 'unconditional regard,' 'empathy,' and 'congruence' or 'genuineness.' He argued that human beings would naturally incline, eventually, to positive behaviour, if they experienced these conditions through a therapeutic relationship. The term 'therapeutic relationship' is most

generally associated with Rogers, with the importance of the therapeutic relationship emphasised in all the strengths-based approaches examined in this study.

Bandura (1977), more commonly associated with cognitive-behavioural educational treatment, emphasised the importance of self-efficacy in his social-learning theory. Like his humanistic predecessors, Bandura (1986) emphasised the potential for human beings to self-regulate and adapt to environments. This emphasis on the resources inherent within the individual is consistent with much of strengths-based thinking.

Austin and Vancouver (1996) explain how human motivation involves 'avoidance goals', connected to restriction and elimination and 'approach goals', connected to enlargement and realisation. The strengths-based approach favours the latter approach goals (Ward and Maruna, 2007). In the field of general psychological research there has also been a move toward this focus upon the positive, studying human achievement rather than failure, with the development of positive psychology.

Positive psychology can be seen to have its roots in the humanistic ideas of Rogers and Maslow, described above, which emphasised the positive in and potential of humanity. The founding father of positive psychology is generally seen to be Seligman (1975, 1991). However, other notable contributors to the

field include Haidt (2006), Peterson (2006) and Lyubomirsky (2008). Common research themes of positive psychology include: how people optimally experience and function in life, how individuals and groups optimally function, and what constitutes a meaningful and fulfilling life. Having explored learnt helplessness (Seligman, 1975), Seligman went on to explore learnt optimism (Seligman, 1991) finding how both respective states are conditioned through ongoing negative or positive experiences and perceptions. Thus the field of positive psychology can be seen as another formative influence in the evolution of the strengths-based approach, which privileges focusing upon the positive rather than the negative. Seligman and Peterson (2003) posit that valuable data can be discerned from examining positive factors - what seemingly goes right - as well as what apparently goes wrong, a focus not only of positive psychology and strengths-based approaches, but of this thesis.

### **3.3. Desistance**

Amongst the problem-focused discourses of risk, punishment and public protection within the criminal justice system, the strengths-based approach of desistance has emerged. This has been partly based on research into fairly large samples of respondents, charting their criminal careers and the factors which persuaded them to give up offending. A number of notable desistance studies were cited in the introductory chapter - Burnett (1992, 1994), Maruna (2001), Farrall (2002) - as were other notable contributors to desistance theory and

research: Shover and Thompson (1992), Sampson and Laub (1993) and McNeill (2005).

McNeill (2009) discusses how Maruna and Farrall (2004) have divided desistance into primary desistance (a crime-free gap in a criminal career) and secondary desistance (the development of a non-criminal, pro-social identity), although Bottoms et al. (2004) and Laub and Sampson (2003) reject the necessity of a more profound identity change in order for a person to stop offending. McNeill (2009) argues that secondary desistance is at least necessary for frequent offenders with entrenched criminal histories, although perhaps not necessary for individuals committing more transitory crimes.

Farrall (2002, 2004) shows how desistance research studies indicate that increased opportunities for developing and maintaining secure accommodation, satisfying occupation, and fulfilling social and personal relationships ('social capital,' external to themselves) appear to be important factors in offenders desisting from crime. Offenders gaining increased psychological stability, social skills and a more positive pro-social identity ('human capital,' internal to themselves) are also more likely to desist from offending (Maruna, 2001). Although human capital and social capital are separate concepts, they can be seen to overlap, to some extent. For instance, satisfying employment might call for an injection of social capital external to the offender, in terms of employment

opportunities, but might also rely on an offender's internal human capital, her/his capacity for a measure of self-discipline and social skills.

Desistance theory generally posits that constructive change occurs when the practitioner communicates a belief in the value of the offender, a sense of hope, and operates within the offender's own self-defining scripts, narratives and frames of reference. These qualities can be seen as components of a positive therapeutic relationship, aspects which seem to have been neglected in the current probation service (Burnett, 2004). Burnett (1992) also illustrates how change is a long-term, fluctuating process. Maruna et al. (2004, p. 16) argue that "the lesson from desistance research is that correctional interventions should recognise .... natural process of reform and design interventions that can enhance or complement these spontaneous efforts". This approach would take account of subtleties of individual functioning that arguably cannot be attended to in the one-size-fits-all treatment programmes which dominate prisons and the probation service.

As stated above, secondary desistance occurs, not merely by enhancing an offender's sense of moral responsibility, emotional management or problem solving skills, but when a more profound shift in personal identity occurs, as an offender internalises a narrative in which s/he is transformed into a 'good self,' with a pro-social self identity, with an investment in society and in 'going straight' (Maruna, 2001). Offenders desist from offending by constructing narratives or



'redemptive scripts' of their lives in which the central characters (i.e. themselves) have a 'core self' that is essentially 'good' or has been 'good,' or is in the process of becoming 'good'; "the real me" (Maruna, 2001, p. 88). Within this strengths-based paradigm, it is important to invite offenders to believe in such transforming stories, encouraging them to earth emerging new identities in constructive lifestyles, rather than concentrating on their deficits and problems which, it is argued, often results in loss of self-esteem, which can itself trigger re-offending (Ward and Maruna, 2007). Ward and Maruna also argue that the importance of identity issues is neglected in the deficit based, Risks, Needs and Responsivity Model, currently dominating within the probation service.

### **3.4. The Good Lives approach**

The 'Good Lives Model' (GLM) (Ward and Brown, 2004; Ward and Marshall, 2004; Ward and Stewart, 2003), is a strengths-based theory specifically applied to sexual offenders, although it can be used with other groups. As will be discussed below, the practical application of GLM is not underpinned by the research base of desistance theory but shares many of the principles of the desistance model, and Ward and Maruna bring the two approaches together, somewhat, in their recent joint publication (2007).

The GLM posits that when sex offenders experience the legitimate, rather than the illegitimate, obtainment of 'human goods' i.e. good relationships and valued

roles, self identity changes (Ward and Maruna, 2007). Ward argues that human beings are universally and naturally inclined to seek up to 10 'primary human goods: (1) life; (2) knowledge acquisition; (3) excellence (including mastery experiences); (4) agency; (5) inner peace; (6) friendship; (7) community; (8) spirituality; (9) happiness; (10) creativity (Ward and Maruna, 2007, p.113). There is a certain overlapping of these primary human goods; the list of human goods is not exhaustive, and terms for the human goods can sometimes differ slightly. As stated above, some parallels can be drawn with James's therapeutic recipe for living a 'good life' and also with Maslow's 'hierarchy of needs,' noted above. According to the GLM, these primary goods have universally originated in human nature and have evolved by natural selection to promote survival through strong social networks (Ward and Maruna, 2007).

In addition to primary goods, the GLM posits that there are secondary goods. Secondary goods are instrumental means of obtaining primary goods. Thus, it is theorised that all human beings, criminals and non-criminals alike, would seek the same primary goods, but use different secondary goods to obtain them. For example, the primary good of happiness can be obtained pro-socially through mutually satisfying relationships or anti-socially, at least for a while, through injecting heroin or having a relationship with a young person under the legal age for sex. In terms of sexual abuse, a sexual offender may seek the primary goods of achievement and virtual community through building up a collection of indecent images of children, downloaded from the Internet, and swapping them

with like-minded people. Ward argues that rather than merely concentrating on problem based deficits in functioning, risk management and relapse prevention ('avoidance goals'), more emphasis should be placed on helping sex offenders to obtain human goods in pro-social ways ('approach goals'), so that their needs can be met by means other than sex offending. Thus, the Internet offender would be told that he is seeking the same primary goods as everyone else, thus mitigating the sex offender's likely feelings of alienation. He would then be helped to change his secondary goods to legitimate ones. Deci and Ryan's (2000) self-determination theory similarly posits that individuals, including offenders, are self-directed organisms inherently seeking autonomy, relatedness and competence, experiencing dysfunction when these needs and desires are not met.

Another tenet of the GLM is that the process of rehabilitation does not only require the targeting of isolated factors - in the example of the above internet offender, for instance, this could mean targeting poor social skills in one component of a programme, then distorted thinking in another - but also a more gradual, holistic, reconstruction of self (Ward and Maruna, 2007). As stated in the previous section, this process of redefining identity is known, in the desistance literature, as secondary desistance. People change when their sense of themselves in relation to society alters, not just when they are made aware of dysfunctional patterns of behaviour and equipped with skills to manage such dysfunction, as is arguably the case in the current probation service (Ward and Maruna, 2007). Although the RNR Model, discussed in the previous chapter

(Section 2.4.), has made an important contribution to the treatment of offenders, it is seen to neglect identity issues, a gap which, Ward and Maruna argue, the GLM can fill, with regard to sex offenders.

### **3.5. Motivational interviewing**

Both desistance and GLM theories major on broad principles, rather than therapeutic techniques, unlike the strengths-based approaches of solution-focused therapy, narrative therapy and motivational interviewing, which address therapeutic practice process issues in more detail. Motivational interviewing largely derives from the work of Miller and Rollnick (1991) on addictions, and is recommended as effective practice for probation officers (Chapman and Hough, 1998). Motivational interviewing has been extensively used with general offenders (McMurrin, 2002) including sex offenders (Mann et al., 2002). Motivational interviewing interventions are used to aid co-operation from sex offenders attending deniers groups run by the probation service (Baim and Roberts, 1999). Farrell (1991) also points to how motivational interviewing is used in pre-treatment groups with sex offenders, in order to increase their motivation to participate in sex offender groupwork programmes. In this study, probation officers generally talked about also using motivational techniques on a one-to-one basis, to increase sex offenders' motivation to attend groupwork programmes.

Motivational interviewing seeks to build up the individual's commitment to change and has used the Prochaska and DiClemente (1983) 'wheel of change,' to conceptualise how individuals are at various motivational stages in relation to altering their behaviour. The six main stages of the wheel of change are: pre-contemplation, contemplation, preparation, action, maintenance, relapse. It is theorised that individuals will go around the wheel numerous times, with many relapses, before stable change is established, a concept similar to offenders experiencing positive change as a fluctuating process, described in the desistance approach above.

Mann et al. (2002, p. 90) provide a summary of the components of motivational interviewing. The components include: expressing empathy, avoiding argumentation, following the path of least client resistance, emphasising client choice and eliciting self-motivating statements from the client. The techniques involved include: asking open questions (including Socratic questioning), affirming, summarising, exploring goals, asking evocative questions, and exploring decisional balance. This exploration of decisional balance involves what Miller and Rollnick (1991) refer to as "creating cognitive dissonance" (p. 56). This involves drawing the individual's attention to the dissonance between desired goals (i.e. happiness) and current or previous ways of achieving this (i.e. theft leading to imprisonment). A precursor can be seen here of the 'good lives' concept of offenders pursuing anti-social 'secondary goods' in order to obtain legitimate 'primary goods.' However, the use of 'cognitive dissonance' in order to

deliberately focus the individual's attention onto a dysfunctional aspect of their lives, is arguably inconsistent with the strengths-based approach, which focuses upon resources rather than deficits. However, the overwhelming majority of the components of motivational interviewing, as described by Mann et al. above, are consistent with the strengths-based paradigm.

### **3.6. Narrative therapy**

As with important aspects of the desistance approach and GLM, narrative therapy is a strengths-based approach, concerned with identity formation through the stories we tell and others tell about our lives. The approach was developed mainly in Australia, by White (1988, 1995), White and Epston (1990) and Epston (1998). The work of Alan Jenkins (1990, 1996), both with perpetrators of domestic violence and of sexual abuse, is influenced by the narrative approach, with Jenkins having an influence on the work of practitioners, including probation officers, in the UK.

Narrative therapy involves deconstructing the problematic narratives about lives, relationships and significant events. This deconstruction involves identifying resources and alternative meanings within life stories previously deemed problematic by powerful groups, such as governmental and professional elites. Milner and O'Byrne (2002) point out how narrative therapy has a particular political base, influenced by post-structuralist Foucault (1972, 1988) and social

linguist Halliday (1978), and related concerns about the oppressive effects of power in people's lives.

The problematic narratives of individuals are conceptualised in terms of 'thin' stories, in which the positive efforts and strengths of service users go unnoticed. Narrative therapists seek to 'thicken' these partial 'thin' stories by uncovering 'rich' counterplots, which can provide what White and Epston (1990, p.55) call 'unique outcomes.' These 'unique outcomes' are methods of managing difficulties, originating from the way individuals have overcome, resisted, or tolerated problems in the past. When compiling correspondence, official records and reports, narrative therapists tend to use the language of service users, as opposed to professional discourse. This is to reduce the possibility of professional oppression, and to encourage co-authorship and client responsibility for finding solutions to difficulties (Epston, 1998).

White and Epston (1990) explain how people often come to believe that they are the problem, with the person and the problem becoming conflated as one. For instance, an individual who has committed a sexual crime can see himself as a sex offender for life, rather than a human being who has committed a sexual offence. In order to counter this important identity issue, White explains how problematic behaviour can be 'externalised,' countering potential pathologising of individuals. To aid separating the person from the problem, the difficulty is often given a name i.e. depression can become 'Black Cloud' or anger can become

'Raging Bull.' In sex offender treatment and management circles, a sex offender is often encouraged to view himself in terms of 'Old Me,' the person who committed a sexual offence, and 'New Me,' the person who will desist from sexual re-offending (Haaven and Coleman, 2000). This can be seen as another way of distancing the problematic behaviour from the current identity of the individual: an approach seemingly at odds with the way a person's identity as sex offender is arguably consolidated by inclusion, sometimes for life, on the sex offender register.

### **3.7. Solution-focused therapy**

Solution-focused therapy originates from Steve de Shazer, who worked at the Milwaukee Centre of Brief Therapy (1985, 1994). Solution-focused therapy has been used with sex offenders, or suspected sex offenders, by Turnell and Edwards (1999) in their Signs of Safety approach to child protection. Jenkins (1990) also adopts a solution-focused approach, alongside narrative therapy ideas, in his work with men who have committed violent and sexual offences. In the UK, solution-focused therapy has not been traditionally widely used with offenders, although it has been used in a variety of other settings (O'Connell, 1998). However, Essex et al. (1996) and Turnell and Essex (2008) have adopted the solution-focused therapy approach with families in the UK struggling to manage the risk of sexual abuse.



The approach owes much to the work of Milton Erickson's (1959) strategic therapy. Erickson's strategic therapy was based upon not viewing the problems of clients in terms of pathology or psychiatric diagnostic categories, but focusing on clients' unacknowledged resources, mobilising any aspect of experience which could contribute to solving problems. He also encouraged clients to go into a hypnotic trance-like state, in which they would focus on a desired future. Clients would then be encouraged to make changes outside of the therapy sessions, to realise aspects of this desired future. As with the other strengths-based approaches above, solution-focused therapy involves staying as close to the client's agenda's as possible. For instance, O'Hanlon and Beadle (1997, p.15) refer to solution-focused therapy as "Carl Rogers with a twist," the twist being that rather than the practitioner being completely client-led, as in classical Rogerian therapy, the solution-focused practitioner is actively orientating the client to talk about solutions, rather than exploring problems at length.

Like narrative therapy, solution-focused therapy places significant emphasis on how language is used and also, like narrative therapy, is concerned with how language has been colonised by powerful and professional groups. De Jong and Berg (2002) outline how traditional therapeutic approaches have tended to be based on scientific and medical models, which began to achieve impressive success in the late nineteenth century, in treating previously untreatable diseases. Success here was based on the scientific method of analysing and diagnosing the problem, before administering treatment. This view of an objective

reality, knowable through reason, can be seen as part of a modernist world view (O'Connell, 1998). O'Connell goes on to describe how, in the subsequent social constructionist, postmodern view, there is no such thing as objective reality outside that created by social forces. Thus, what are considered to be stable realities - such as various diagnostic categories of mental disorders (and in the world of sexual offending treatment - denial, distorted thinking, and empathy deficits) - are linguistic constructions of powerful groups. O'Connell cites a third, alternative perspective: that objective order and meaning exist, but that such reality can never be fully known by humans, constrained by their social contexts. The epistemological base of solution-focused therapy and narrative therapy, particularly, and strengths-based approaches, generally, can be located within the latter two postmodernist world views. The traditional problem-solving approaches used in the probation service in the risk based RNR model, can be seen to be largely informed by the modernist perspective of the medical model, viewing risk domains as stable realities, which need to be examined, categorised and treated (Milner and O'Byrne, 2002).

Solution-focused practitioners reject the modernist influenced view that a problem has to be understood, with much time invested in collecting information about the difficulty in order to categorise it, before effective solutions can be found. De Jong and Berg (2002) make the solution-focused argument that a lot of time is wasted on gathering and recording information about problems, with helping professionals' credentials being based on their perceived ability to

understand the problem and to prescribe a remedy. The thorough gathering of information about the problem can also allay professional anxieties about ineffectiveness, and act as a bulwark against charges of negligence, a theme repeatedly occurring in the probation officers' accounts of practice in Chapter 7 (section 7.2.).

Rappaport (1981) points out that the human problems people bring to practitioners are not puzzles to be solved. Jenkins (1990), cited above, illustrates how this view of abuse as a puzzle can be shared by practitioner and offenders alike, with offenders often presenting as being preoccupied with the question of why they sexually offended, a question almost impossible to answer with any certainty. The premise behind such a question seems to be a belief that if one knows why, one can stop the problematic behaviour. Jenkins, like other solution-focused practitioners, makes the point that such cause and effect rarely follows when dealing with the complexities of the relational and social world, unlike discovering why an appendix has become inflamed, in the medical model. Jenkins also points out that the why question is often a blind alley or an introspective smoke screen, to avoid taking active responsibility for managing and changing abusive behaviour.

Thus, the solution-focused approach is built upon the belief that people can be helped as much by talking about a positive future as a problematic past. Individuals are asked to describe a desired future, and even if this appears

unrealistic and unrelated to the presenting problem, the individual is asked to think about how to make the first steps in realising this future. The technique of the 'miracle question' has evolved to facilitate this process, whereby a client is asked to perceive a future where the problem no longer exists, and is then helped to extract practical solutions from this idealised scenario, what de Shazer (1985) termed 'skeleton keys.' This practice of encouraging clients to envisage a desired future clearly echoes Erickson's future-orientated meditative techniques explained above. Other core solution-focused techniques include: scaling questions to measure and encourage small steps of change, looking for exceptions to problems, encouraging individuals to do something different and for the therapist to pragmatically do what seems to work (O'Connell, 1998).

### **3.8. Criticisms of the strengths-based paradigm of practice**

Before dealing with the criticisms of strengths-based approaches, it is important to recognise that ambiguities and differences can be seen within the respective strengths-based models. For instance, the issue of cognitive dissonance in the motivational interviewing model being inconsistent with a strengths-based approach has already been discussed above. It is also worth noting Burnett's (2004) point that when talking about desistance, many of the issues involved could be equally discussed in relation to counselling, probation casework or the previous probation slogan 'advise, assist and befriend,' although such labels would probably be seen as passé, in relation to current probation practice. A similar point can be made in relation to the strengths-based approaches,

described above. Although strengths-based approaches can be seen to have distinct unifying qualities (see definition of the strengths-based approach at the beginning of the chapter), many of the interactive skills and methods within strengths-based models overlap, and can be seen in many other forms of therapy and ways of working with people, albeit labelled differently.

A contradiction can also be seen between the solution-focused approach and the narrative therapy and desistance models. The solution-focused approach tends to pay scant attention to past problematic behaviour, viewing an analysis of the problem as unnecessary in the search for a solution. However, this neglects the emphasis in the narrative therapy, desistance approach and Good Lives Model on the importance of making sense of the past in order to construct useful future narratives and identities.

There are also characteristics of strengths-based approaches that can be found in models considered to be more problem-orientated. For instance, as explained in the previous chapter, cognitive-behavioural therapy is the current method of choice in the probation service. Like strengths-based therapy, cognitive-behavioural therapy also seeks to empathically work within the person's frame of reference (Wills and Sanders, 1997). Vanaerschot (1993) makes the point that there is no neat division between empathy and cognitive change, explaining how capturing and better organising generated meaning for a person can lead to shifts in cognitive perception. Moreover, as the title of Wills and Sanders' book

suggests -*Cognitive Therapy, Transforming the Image* - it is debatable whether significant shifts in cognitive processing can be divorced from changes in identity formation. Likewise, within the psychoanalytical approach to sexual abuse issues, empathically engaging with the person, facilitating cognitive and behavioural change which, in turn, can alter self identity, is core to much of the work (Woods, 1998). Hence, there would seem to be a cross fertilisation of therapeutic techniques across a range of strengths-based and non-strengths-based models.

McNeill (2009), whilst advocating the potential usefulness of the Good Lives Model with general offenders, not only with sex offenders, calls into question the foundational idea that human goods are universally sought. Criticism can also be made of the 'can do' influence of positive psychology on strengths-based approaches. Both de Botton (2004) and James (2007) argue that the 'can do' message of much of positive psychology can lead to the advantages of stoical acceptance being downplayed. Both authors also point out that individuals, constrained within limits of functioning and circumstances, can feel a strong sense of failure due to not being able to meet unrealistic expectations for improvement, which pervade the positive psychology mindset. Thorne (1999) also questions the solution-focused approach's tendency to collude with a perceived zeitgeist of quick-fix solutions and short-termism. As outlined above, desistance research shows how dispensing with criminal behaviour is a long-term process for many individuals. Deviant sexual urges can also be notably

enduring (Finkelhor, 1984). Hence, it would seem untenable for the solution-focused model, or the strengths-based approach, to be naively perceived and used by practitioners as a means of quick-fix rehabilitation with sex offenders.

There are two further points of criticism which can be levelled at the strengths-based approach, in particular the GLM model and the desistance model of crime reduction, and their applicability to work with sex offenders. The GLM is premised on the idea of an offender being enabled in pro-social ways to obtain primary human goods, human goods being an arguably clumsy term, failing to capture the non-material aspects of a constructive life. If the offender obtains human goods pro-socially, s/he will not have to resort to anti-social means of obtaining universal and legitimate satisfactions. Often an example is given of sex offenders developing social skills in order to meet intimacy needs through relationships with fellow adults, rather than through relationships with children. This seems feasible in cases where the motive for sexual abuse is linked to other needs such as emotional intimacy or a need for power and control. However, in cases where the motive for abuse is primarily, if not wholly, erotic, where an individual's exclusive sexual attraction is toward children, then a sexual relationship with an adult may not be possible or desirable. In such cases, it must be debatable whether other pleasurable activities (secondary goods) can ever replace or sublimate the sexual urge, leaving orthodox avoidance goals of self-control and risk management as the only seemingly viable options.

With regard to the desistance approach, as stated above, rehabilitative change is conceptualised as a long-term, fluctuating process (Burnett, 1992), with offenders relapsing into crime at different points in their lives but with most eventually leaving offending behind. As illustrated in the previous chapter, a minority of high risk sexual offenders will repeatedly offend if not curtailed and effectively managed in the community. A sizable majority of convicted re-offenders will not go on to re-offend. Many sex offenders pose a moderate risk. They may or may not re-offend. If they do, there may be many years between offences. Such sex offenders can be seen to conform to the fluctuating offending pattern suggested by desistance research. However, stealing a car is different from committing a sexual offence. The former may be disapproved of but reluctantly and philosophically tolerated, until the offender finally gives up crime. It is difficult to extend the same tolerance with regard to the latter, when a fluctuation means the sexual abuse of a child.

### **3.9. Specific criticisms by Ward and Gannon of the Good Lives Model**

In a recent article by Ward and Gannon (2008), the authors outline four main criticisms of the Good Lives Model, which can also be applied to strengths-based work with offenders generally. The four criticisms are as follows. 1. The GLM is essentially concerned with offenders' welfare, and ignores the reduction of and management of risk: 2. The GLM privileges the interests of offenders at the expense of community protection: 3. Giving up the tried and tested Risk, Needs, Responsivity Model (Andrews and Bonta, 1994) would be unwise and unethical:



4. There is no robust scientific evidence that the GLM is an effective rehabilitative approach. Each one of these criticisms will be explored in turn.

The criticism that the GLM and strengths-based approaches, generally, focus on strengths at the expense of risk, shares sentiments with the concerns of Dale et al. (1986) about naive, optimistic practice, termed “professional dangerousness,” which underestimates risk. In their article, Ward and Gannon (2008) counter this criticism, arguing that focusing on meeting the criminogenic needs of offenders, or helping offenders to obtain socially desired goals, can lead to desistance from future crime, which is the most effective means of risk management. The notion that strengths-based approaches naively concentrate on the positive is also rejected by Turnell and Edwards (1999) who argue that, in focusing upon the contextual details of people’s lives, the risk-gap between a safe life and an unsafe one becomes all too readily apparent. Similarly, Ward and Maruna (2007) describe achieving a balance between promoting strengths and managing risks, a balance that is symbiotic rather than mutually exclusive.

The criticism of strengths-based approaches as being naive is also linked to the concern that strengths-based approaches tend to focus on superficial externalities rather than complex internal psychological processes, causal to offending and resistant to change. As explained in the previous chapter, in terms of sex offenders, such internal psychological processes would include cognitive distortions, deviant fantasies, empathy deficits and emotional management

problems. Durrant (1997), taking a social constructionist view and rejecting the essentialist, psychoanalytic notion of the subconscious, makes the point that the distinction between presenting and underlying issues may be a false one, and a function merely of language. White (1995) argues, in a similar vein, that achieving resolutions of current concerns can lend a very different perspective to the past, and that if the past is more constructively re-authored, then the future can be a different story.

Ward and Gannon (2008) point out that the criticism that the GLM and other strengths-based approaches privilege the interests of the offender over the interests of the community is a moral objection, not a clinical one, if, as they argue above, the GLM model is effective at reducing risk. The authors argue that the other side of this moral argument, that the interests and safety of the community should outweigh the interests of the offenders, has been used to justify more punitive criminological methods. However, there is little evidence that undermining the legitimate interests and rights of offenders, particularly sex offenders, results in greater protection for the community (Ward, 2007; Erooga, 2008). Ward and Gannon (2008) propose that effective rehabilitation cannot occur in a context in which the rights of the public alone are acknowledged. Effective rehabilitation, they argue, only ensues when the rights of both offenders and the public are addressed. A criticism of this view would be that Ward and Gannon (2008) appear to talk almost in terms of the rights of offenders, particularly sex offenders, not being acknowledged at all in the current social

climate and criminal justice system. This is clearly not the case. Perhaps a more valid position would be that the human rights of sex offenders are arguably not sufficiently acknowledged.

The ethics of giving up the tried and tested risk based, RNR Model of Andrews and Bonta (2003) in favour of the untested GLM is discussed by Ward and Maruna (2007). They view the GLM not as a replacement, but as an adjunct to the RNR Model. Similarly, citing research by Lindsey et al. (2007), Ward and Gannon (2008) illustrate how utilising the principles of the GLM in conjunction with orthodox relapse prevention strategies can enable progress with particularly intractable sex offender cases.

The fourth criticism of the GLM model identified by Ward and Gannon (2008) is the lack of empirical research for the GLM, a criticism that can be levelled at all strengths-based approaches, with regard to their application to sex offenders. Apart from the seemingly promising research by Lindsey et al., there is limited research evidence for the effectiveness of the GLM and, as stated above, the GLM author Tony Ward does not envisage its use as a stand-alone model, but as an adjunct to existing rehabilitation based on RNR principles.

### **3.10. Other strengths-based research**

With regard to the desistance approach, desistance is more of a theoretical model about how criminals give up crime, than a rehabilitative model. However, key desistance findings such as the importance of offenders obtaining secure housing, a stable constructive relationship and meaningful occupations, have been cited as important factors in reducing offending, by desistance researchers cited above. With regard to young offenders, Carr (2005) found that strengths-based multi-systemic therapy (Henggeler et al., 1998) has emerged as an effective way of treating young offenders, including adolescent sex offenders. The strengths-based Make Work Programme in Australia, promoting a positive life for offenders, also displays positive interim results (Graffam et al., 2006). Linforss and Magnusson (1997) followed up two groups, consisting of 15 prisoners each, for up to 16 months after leaving a Swedish prison. The experimental group, who had been given solution-focused treatment, offended at the rate of 60% whilst the control group, not provided with this treatment, offended at an 86% rate.

Research into strengths-based approaches has been conducted with various non-offending groups. Gingerich and Eisengart (2000) conducted a meta-analysis of 15 solution-focused studies and found evidence for effectiveness, in terms of reports of positive change. De Jong and Hopwood (1996) studied 275 clients, with a variety of presenting problems. 77% of the clients made self reports of some progress, after between 2 to 3 sessions of solution-focused

therapy. Sundman (1997) compared social workers who had received a short training course in solution-focused therapy with a group of social workers who had not. Clients in a test group reported higher levels of satisfaction with the social workers who had received the solution-focused training. In terms of narrative therapy, and its emphasis on externalising the problem, Gorey, Thyer and Pawluck (1998) found that where there is collaboration between practitioner and client to change an external target, the positive effect is five times greater than with cognitive-behavioural approaches. In studying therapy with adolescents, Fischer, Himle and Hanna (1998) found significant improvements after a seven-week programme, in which compulsions and addictions had been externalised as an enemy.

A thorough examination of the methodological strengths and weaknesses of the above studies is outside the purview of this study. However, proponents of strengths-based approaches have tended to cite more established research, with regard to general criminological, counselling and therapy studies, showing that therapeutic methods consistent with the strengths-based approach are effective. In particular, strengths-based proponents point to the repeated finding that the quality of the relationship between individual and practitioner is a crucial factor in facilitating change. A substantial body of research evidence has emerged that that one of the most important factors affecting positive client outcome is the characteristics of the therapist (Luborsky et al., 1985). Hubble (1999) also cites the importance of the therapeutic relationship, regardless of the technique or

model used. Lambert (1992) suggests that the model used accounts for less than 15% variance, with the therapeutic relationship being the main component. Miller et al. (1980) found, when studying problem drinkers, that behaviour indicating low motivation such as non-attendance, non-engagement when in sessions and non-completion of homework tasks were significantly influenced by therapist behaviour. With regard to groupwork with sexual offenders, Beech and Fordham (1997) found that factors primary to promoting long-term change in offenders are group cohesiveness and offenders engaging in the group process, factors facilitated by the therapist displaying positive regard, respect and non-judgementalism. Variance in outcomes of prison sex offender treatment programmes has been shown to be related to therapist interpersonal style (Mulloy, Serran, and Marshall, 1999), including gains in increased perspective taking and victim empathy. Marshall et al.'s (2003) review of desirable therapist characteristics include: warmth, empathic ability, emotional expressiveness and confidence. Mann et al. (2002) found that the therapist's ability to display positive regard, an evaluating approach, and an inquiring mind are important for effective therapy with sex offenders.

### **3.11. Conclusion**

The roots of the philosophy underpinning the therapeutic rehabilitative models which can be placed under the umbrella term 'strengths-based' can be traced back to early Greek civilization. Aristotle proposed that moral virtue develops out of good habits connected to personal fulfillment and development, towards which

human beings are naturally inclined. A positive view of human potential can be traced through from Renaissance humanism and the Enlightenment, to American Pragmatism, the 'healthy mindedness' of James, and the educational reforming ideas of Dewey. North America also saw the development of humanistic psychology and the positive view of the potential of human beings to change, typified by Rogers and, to a lesser extent, by Maslow.

In contrast to the risk based RNR model, with the emphasis on 'avoidance goals,' typified by relapse prevention strategies, which feature in most cognitive-behavioural programmes run for sex offenders, the strengths-based approach has emerged, focusing on 'approach goals,' and developing constructive ways of living from offenders' own resources. The desistance approach, the GLM, motivational interviewing, narrative therapy and solution-focused therapy, can be seen to share this focus on resources rather than deficits.

Strengths-based approaches can be criticised for their fragile research base, with regard to work with sex offenders in particular, despite the seemingly overwhelming evidence that one focus of the strengths-based approach, the therapeutic relationship, is core to rehabilitative progress. Concern remains in many quarters about strengths-based approaches naively underestimating risk, and not adequately engaging with psychological dysfunctions such as denial, empathy deficits and cognitive distortions, the dynamic risk domains of cognitive-behavioural programmes. Strengths-based approaches have also been criticised

for putting the interests of offenders above those of their previous and potential victims.

The above issues, and those issues discussed in the previous chapter, will form a backdrop to the four chapters of data analysis, presented shortly. However, before this, the next chapter will focus on the methodological issues involved in this research study.



## Chapter 4

### Methodology

#### 4.1. Introduction

The following chapter will, firstly, briefly recapitulate the reasons I chose this area of research. I will then describe the research population and setting to be studied, before proceeding to discuss epistemological issues underlying the research. The methods and process of research will be outlined, including discussions concerning the use of interviews to collect data, and the methods of data analysis. I will also discuss the research sample, the process by which the sample of respondents was accessed and the ethics of the research. Finally, a separate section is devoted to some salient reflections about the research process, reflections which also address further ethical issues.

As I illustrate more fully in Chapter 1, there were various reasons why I chose this research topic: *Sex Offenders and the Probation Officers who Supervise them: how Relevant are Strengths-Based Approaches?* To briefly recap, my interest in the relevance of using strengths-based approaches with sex offenders undergoing probation supervision stemmed from previously working as a probation officer, undertaking an MA in Brief Solution-Focused Therapy and, in

recent years, specialising in working with sex offenders. These experiences led to an interest in how probation officers and sex offenders attempt to form a constructive relationship within a risk-averse clinical setting and within a society in which sex offenders are demonised. I wanted to discover more about the experiences and perceptions of sex offenders and probation officers within this situation, and whether strengths-based approaches are relevant to the supervision process. In Chapter 1, it was explained that there had been relatively little qualitative research conducted on how sex offenders experience the criminal justice process and no qualitative research, to my knowledge, about the supervisory relationship between sex offenders and probation officers.

In order to collect data for the research, I completed 30 in-depth, semi-structured interviews with 15 sex offenders and 15 probation officers, mainly across two probation areas in the UK, with one sex offender coming from a third probation area. As will be discussed below, I adopted a qualitative research approach, collecting data through an in-depth 'counselling-style interview' (Coyle, 1997), backed up by a semi-structured interview schedule. I analysed the data by using Grounded Theory methodology (Glaser and Strauss, 1967).

## **4.2. Epistemological considerations**

The method of qualitative research seemed to offer the best way of capturing the detailed, felt experiences and complex perspectives of the sex offenders and

probation officers under scrutiny. McLeod (2001) suggests that quantitative research emphasising numbers, variables, outcomes and prevalence cannot capture the complexity of the therapeutic process, the sort of relational processes involved in the supervision of offenders. Similarly, Silverman (2000) describes how qualitative research focuses on meaning rather than facts. Hence, qualitative rather than quantitative research methods appeared better suited to generating rich sources of information (Willig, 2001) or “thick descriptions” (Geertz, 1973), about complex social and relational phenomena.

The epistemological approach underlying the use of qualitative research in this study is ‘subtle realism’ (Hammersley, 1992). Hammersley suggests three epistemological positions: ‘naive realism’, ‘relativism’ and ‘subtle realism.’ Naive realism refers to a position similar to Lynch’s (1996) modernistic view, in which social and relational reality can be apprehended through objective research, using the scientific method and the positivistic rational analysis of cause and effect. Much quantitative research is based on such assumptions. The ‘relativist’ research position rejects the notion that there is such a thing as objective truth to be researched, adopting the social constructionist view, whereby reality is socially constructed through language, with language reflecting dominant discourses – taken for granted ideas of the powerful (Foucault, 1980; Halliday, 1978). Hammersley’s ‘subtle realism’ position, whilst acknowledging the impossibility of discovering definitive truth, as truth is seen to be always partially socially constructed, nevertheless assumes that there are unique realities in people’s lives and social systems that can be usefully illuminated. Within this

paradigm the researcher's own privileged ideas are seen to inevitably influence research findings, highlighting the need for the researcher to be reflective about the research process. Hence, within the 'subtle realism' position, a main objective of qualitative research is not to discover definitive truths about a non-existent 'reality', but to examine, understand and challenge reigning orthodoxy (O' Connell, 1998).

Coffey (1999) points out that there is a debate about the potential merits of having prior knowledge of the research area, or whether cultural naivety leads to the researcher viewing the research area from a fresh, possibly more objective viewpoint. Hammersley and Gomm (2005, p.8) suggest how the researcher's prior knowledge can be adapted to research.

.... the fact that people have background assumptions, preferences, interests etc. does not mean that their accounts are biased or simply expressions of these characteristics. Occasionally, such assumptions, preferences and interests may even encourage accurate representation, and sometimes any negative effect will not be significant for the purpose for which the researcher wants to use the account. Often they will be a source of bias, but it may still be possible to detect and discount this through methodological assessment.

I personally did not come to this research project as a naive outsider. I had specialist knowledge of the field I was researching, and this could have led to bias. However, when talking about the process by which a therapist is trying to accurately discover and interpret the client's experience, Vanaerschot (1993, p.28) argues that the therapist is not an "empty box" waiting to be filled by the client's experience. The same can be said of the researcher.

It can be argued that, as an experienced therapist, working with largely involuntary clients to reduce and manage risk, I am practised at pushing my own agenda in interviews, whilst developing rapport and trust with interviewees. This issue of the practitioner's potential manipulation of offenders is raised by Sex Offender 7 in Chapter 6 (Section 6.4.) and explored further in Chapter 7 (Section 7.5.), in a discussion about therapeutic genuineness. McCracken (1988) discusses this subject of interviewer manipulation, warning of the dangers of the researcher using active listening (empathy, prompts and subtle encouragement) to surreptitiously and selectively elicit information which matches given hypotheses. Both Hammersley and Atkinson (1983) and Coyle (1997) also advise caution about the dangers of researchers allowing their own values and interests to significantly distort the research.

As I discuss below, I employed a semi-structured interview schedule, and the use of any such interview schedule clearly directs the interview along lines the researcher wants the interview to go. Nevertheless, as Wetherell and Potter (1988) point out, all social interactions are co-constructed. Within these inevitable constraints, I sought throughout the interviews to reflect upon my practice and to avoid, as far as possible, subtly encouraging respondents to say the things which matched any pre-conceived ideas. Atkinson and Shakespeare (1993) and Coyle (1997) note how experienced professionals, such as counsellors, can usefully employ the use of self in the research process, as they do in the clinical setting.

An important aspect of this use of self in my professional role is the capacity to be relatively self-aware and reflective when working with clients. I sought to use these reflective skills in the research interviews to avoid obvious bias, and a separate section at the end of the chapter is devoted to reflective practice.

Given that this research adopts the 'subtle realism' position, there has been no attempt to establish definitive truth about how probation officers supervise sex offenders. The intention was to add to the theoretical knowledge base on a qualitatively under-researched area of social life. Likewise, the aim was not to attempt to crudely generalise findings, but to illuminate the dominant discourses about the supervisory relationship between probation officers and sex offenders. It will be up to the research audience - practitioners, academics, and interested others - to judge whether the dominant discourses discovered usefully resonate with wider practice and more general issues concerning the supervision of sex offenders, and the topic of sex offending.

#### **4.3. Semi-structured in-depth interviews**

##### Why semi-structured interviews?

I chose semi-structured in-depth interviewing as the only means of data collection. For various reasons, I did not employ triangulation of data (Denzin, 1989), where information is gained from more than one source, in order to cross reference findings. Although triangulation of data can add to the depth, breadth and validity of a research project, as Atkinson and Coffey (2002) point out,

triangulation can also disingenuously hold out the promise of greater scientific validation in the positivist tradition, a scientific validity that can never be truly achieved with qualitative research methods, triangulated or not.

I did not choose to employ focus groups (Bloor et al., 2000) because I considered that sex offenders would find my research topic too difficult to talk about in a group setting, and any emotional distress caused through revelations in a group would be more difficult to manage than in a one-to-one interview setting. I also considered that it would be too daunting for probation officers to discuss vagaries of practice, possibly revealing personal and organisational shortcomings, in front of colleagues and peers. I did consider participant observation, but felt that sitting in or recording interviews between probation officers and sex offenders would be too intrusive, given the extremely sensitive nature of the topic. There was also a strong likelihood that both probation officers and sex offenders would be very conscious of a researcher sitting in on sessions. This self consciousness might cause both sets of respondents to act differently from usual, resulting in high degrees of impression management (Goffman, 1974). Although impression management also occurs in one-to-one interviews, there is arguably more scope in an interview for putting the respondent at ease and dissipating self-consciousness when there is no third party audience present.

I also considered documentary analysis (McCulloch, 2004), researching probation files on sex offenders. However, I suspected that overcoming



confidentiality protocols would be prohibitive, given the extreme sensitivity and emotiveness surrounding the subject. I was also not confident, having compiled records on offenders when I worked as a probation officer, that written records would provide me with the depth of insight into the relational processes in which I was interested. Probation Officer 5 confirmed this reservation in one of the research interviews.

Well, it's about quantifying what we've done. It's about quantifying what we know, and where we got information. It's about covering bums mostly. That's how it feels to me. It's bureaucracy. We're so busy filling in computer screens, we haven't got time to do what we came here to do (Probation Officer 5).

There has been criticism of the use of interviews for research purposes. Murphy et al.'s (1998) radical critique of research interviews calls into question the validity of this research method. This radical critique is not so much concerned with traditional practical and methodological limitations of interviews, but with more profound questions, as in the 'relativist position' outlined above, about whether there is any stable truth to be discovered beyond the interview itself. It has also been argued, from the 'relativist' position, that an 'interview society' has developed in the Western world, which is obsessed with uncovering personal realities behind public facades, a trend informed by a romantic belief that interviews can capture genuine voices uttering authentic truth (Atkinson and Silverman, 1997). The view of the individual as having psychological depths to be explored, beneath the social surface, is generally rejected by proponents of the 'relativist' position, arguing that no data concerning psychological depth or



societal breadth can be gleaned beyond what is socially co-constructed within the confines of a given interaction or social occasion, in this case the social event of the interview itself.

However, Hammersley and Gomm (2005) reject this radical 'relativist' position. They accept that this radical position has encouraged interviewers to reflect on the problematic nature of interviews and to engage in increased methodological caution. However, they maintain that interviews can be a useful source of information, as people do have distinct experiences to which they have unique access, access which can be captured to some extent through the type of interview format used in this research. Hammersley and Gomm (2005. p.6) argue that not to entertain such a useful means of generating research data "distorts the character of social research," threatening important sources of research material.

#### The interview schedule

Before conducting the interviews, it was necessary to compile semi-structured interview schedules for both sex offenders and probation officers (see Appendix 6 and 7). Gray (2004, p. 189) states that, "questionnaires reflect the designer's view of the world", which can also be said of interview schedules, a generally less structured form of questionnaire. However, Gray points out that a semi-structured format, as opposed to a structured format, allows for the interview to be more participant- led.

As outlined in Chapter 1, I had a general list of issues I wanted to cover, stimulated by my own experience of working with sex offenders, my time working as a probation officer, and the literature pertaining to these subjects. I built upon this knowledge by roughly following a process for compiling interview schedules suggested by Maykut and Morehouse (1994), including developing the focus of the inquiry, brainstorming and refining categories of inquiry, then deciding on a format. From this process, I developed the interview schedules.

One of the main aims of this study is to explore whether strengths-based approaches are relevant to probation officers supervising sex offenders. However, I was careful not to include any questions in the interview schedule specifically related to strengths-based approaches, as I wanted to avoid any leading questions about this topic. Rather, I wanted to see if relevant data pertaining to strengths-based approaches would naturally emerge from the probation officers' and sexual offenders' accounts.

#### The counselling-style interview

Although I used a pre-prepared semi-structured interview schedule, I utilised the in-depth counselling-style interview (Coyle, 1997). This technique is particularly suited to containing any emotional distress arising from researching such a sensitive area as sex offending, as it tends to follow the agenda of the interviewee, not forcing any disclosures which the interviewee is not psychologically ready to make. Having said this, many of the interviewing techniques of this approach would be used by qualitative research interviewers,

who would not consider their interviewing techniques to constitute a distinct 'counselling style.'

In using the 'counselling style' interview, I also naturally adopted my usual solution-focused approach to interviewing. This approach is characterised by the interviewer adopting a tentative style, making use of Socratic-like questioning. The approach also includes adopting what Cantwell and Holmes (1995) describe as the 'one-down position', a practitioner gently encouraging a person to reflect on matters, but leading from one step behind in the therapeutic conversation. The phrase also attempts to capture the sense of the practitioner displaying respectful curiosity, rather than assuming the role of expert in all matters. O'Connell (1998, pp.101-102) comments that "the one down position can help reduce the chance of unintentional oppressive practice, which is always potentially present", due to differences in "age, gender, race, class, beliefs, sexual preferences and disability." The same can obviously be said with regard to the relationship between researcher and research participant.

Conducting a 'counselling style interview' involves: building rapport, active listening (i.e. using empathy, prompts, clarification), asking open questions, probing sensitive issues, managing the interview process (i.e. refocusing the interviewee, time keeping, opening and closing the interview). In addition to Coyle's (1997) recommended use of such skills, the use of these skills in research interviews is also discussed by Gray (2004, pp. 221-237) The types of questions I used in the interviews corresponded to Patton's (1990) question

typology for qualitative research: experience and behaviour based questions, opinion and value based questions, feeling and sensory based questions, knowledge based questions, and background/demographic questions. Maykut and Morehouse (2004) state that “the primary consideration for qualitative research is that questions be open ended, inviting the interviewee to participate in the conversation” (p.88). I endeavoured to ask open ended questions, generally beginning with “how”, “what”, and “why” (see Appendix 6 and 7), in contrast to closed questions which could be answered easily by one word, or short answers. I augmented these open questions with prompts and clarifications. I also followed Patton’s (1990) recommendation of putting non-controversial questions at the beginning of the schedule, saving potentially more difficult questions for later, when rapport had hopefully been established.

At the beginning of the interview process, each interview provided me with data which stimulated new questions or alterations of existing questions. However, by the time I had completed around 8 interviews, this process had stabilised. Thereafter, I used the same interview schedules for both groups of respondents. As is the nature of qualitative research and in-depth interviewing, the use of the interview schedule changed in some respects from interview to interview (Moustakas, 1994). Gray’s (2004, pp. 215-217) description, with regard to the process of semi-structured interviewing, is largely consistent with my experience. I used most of the questions on the interview schedule with each candidate, but sometimes asking a question was unnecessary, when a candidate pre-empted it with a given answer. The order of questions sometimes changed, depending on

the direction the interview took. As new issues arose, additional questions, which were not anticipated at the start of the interview but were considered relevant, were also asked. As Gray states, "the semi-structured interview allows for probing of views and opinions where it is desirable for respondents to expand on answers" (p. 217). Such flexibility in following the interviewee's developing narratives in qualitative research interviewing would seem essential, as the researcher cannot always predict the questions which will facilitate the disclosure of relevant data from any given individual.

I am very familiar with conducting interviews in my work life. Holland (2004) discusses the similarities between research interviews and assessment interviews, with both types of interviews being concerned with obtaining and interpreting information. However, there are differences. Whilst discussing various similarities between clinical interviews and qualitative research interviews in the field of social work, Scourfield (2001) makes the point that, unlike most clinicians, researchers are not required to make overt judgments about the worth and validity of information gained in order to make assessments, but to ostensibly understand the information provided. I found that, when interviewing sex offenders, I was in fact making judgments all the time about the validity of what they were saying, and could not simplistically turn off my routine professional habit of appraising, for instance, to what extent an offender was displaying denial, minimisation, and distorted thinking, constructed categories of risk typically employed with sex offenders (see Chapter 3). However, to the best

of my ability, when collecting and analysing the data, I attempted to bracket such clinical assessments, restricting myself to understanding and contextualising the narrative accounts of the respondents. A further difference between a research interview and a clinical one is that, as a researcher, it was not my role to provide therapy or to open up sensitive areas which might cause the interviewee distress, issues I comment upon in the section below, dealing with reflective practice.

### Sample interviews

As recommended by May (1993), I conducted sample interviews with 3 therapists known to me who work with sex offenders. This provided the opportunity to test the sequencing of questions, and to test whether the questions were unclear or too complex. Finding sex offenders to take part in sample interviews was not feasible, due to the difficulty of contacting such a marginal group. The three therapists had different roles from the probation officers interviewed in the research study, but there was enough cross-over in terms of them being practitioners working with sex offenders, to ask many of the same questions that I wanted to ask probation officers. Using therapists I knew also had the advantage of not having to go through time consuming protocols involved in obtaining the permission of the Probation Service to interview probation officers. Moreover, I was concerned about using up the scarce resource of probation officers willing to be interviewed on sample interviews.

### Recording the interviews

I informed the respondents before interviewing them, in the introductory letter and then again in the consent form (See Appendix 4 and 5), that I would be making an audio recording of the research interviews. In the interviews, I could discern no obvious signs that respondents were significantly affected by being recorded. However, Flick (1998) points out that there can be an assumption that interviewees will forget they are being recorded, but this cannot necessarily be assumed. Aveline (1997) also comments that it is not possible to know the material being missed because of the presence of a tape recorder.

### **4.4. Data analysis**

Analysis of the data was based on methodology from the grounded theory research approach (Glaser and Strauss, 1967). Glaser and Strauss outlined how data collection and analysis involve a series of comparisons called 'constant comparisons', involving an analysis grounded in the data, in order to establish a relationship between themes from the mass of unstructured information collected. Gilgun (1998, p. 117) states that grounded analysis involves a process of "defining and refining," with the key skill being the researcher's "ability ... to be sensitive to the potential multiple meanings of data" (McLeod, 2001, p.71).

Grounded theory, rather than being a specific method, is based on the principle of theory emerging from the data to produce meaning, as opposed to theory being imposed on the data to produce meaning (Strauss, 1987). The imposition of theory on data can come from two main sources. The first source consists of the life experience, biography, values and interests of the researcher. This issue of the researcher having prior knowledge of the field of inquiry has been discussed above. With regard to the researcher's own perspective, McLeod (2001) points out that the emphasis on the researcher's reflexivity, the ability of the researcher to understand and to acknowledge how s/he inevitably influences the research process and findings, was not traditionally emphasised in grounded theory in an explicit manner. However, as Scourfield (2001, p. 64) states, "a reflexive grounded theory approach is possible." Such an approach involves making existing influences explicit, balanced by an openness to the fresh theoretical implications of raw data, and this is what has been attempted in this study.

The second source of theory imposition can come from the researcher's findings being influenced by relevant literature. If a purist grounded theory approach is taken, reviewing the literature should be delayed until after the data has been collected, in order to help the researcher resist prior assumptions (Spinelli, 1989). However, as Hammersley and Atkinson (1983) point out, the possibility of a researcher having no prior assumptions is a contested issue especially if, as in the case of this research, the researcher is professionally aware of the area



being studied. Hence, I did not delay my literature research until after the data had been collected. I continued to read literature pertaining to the area of research prior, during and after the data collection, which formed an iterative process. This iterative process involved data interpretation stimulating further reading which, in turn, stimulated fresh interpretation, until a point of theoretical saturation was reached, whereby no significant additional meaning was being generated.

In practice, my data analysis began at the end of each interview, although some analytical impressions were inevitably occurring to me throughout the interview. I recorded my impressions in brief field notes, including recording demographic information about the respondent. I also recorded any strong feelings or thoughts I had during or immediately after the interview, in order to consider them in more detail, when focusing on the analysis of data. I also made notes of any alterations I wanted to make to the interview schedules, as discussed above. However, analysis began in a focused, considered way, when I began to transcribe the audio recordings of the interview. This process of transcribing the data was long and laborious, taking around one hour to transcribe 5 minutes of each of the 30 interviews, with each average interview taking one hour. However, the time spent transcribing provided me with the opportunity to immerse myself in the data (Strauss and Corbin, 1990).

Having transcribed the interviews, I conducted a thematic analysis of the data (Aronson, 1994; Boyatzis, 1998), which involved reading through the interviews and categorising the data into the themes which seemed to naturally emerge from the texts of the transcribed interviews. Each chunk of text, corresponding to a particular theme, was then 'cut and pasted,' using Microsoft Word software and put into separate Word files. Each file was given a code name. In each file I also included relevant notes from my own reflections and from theoretical data amassed from my ongoing reading of relevant literature. This activity has been described as 'open coding': the process of breaking down, examining, comparing, conceptualising, and categorising data (Strauss and Corbin, 1990), with the aim of generating as many segments of meaning as possible.

Having categorised the interviews into various themes, I re-analysed each thematic category in its entirety, to search for higher order categories. I defined these higher order categories as themes which repeatedly emerged from the data and themes which included particularly in-depth or rich descriptions of significant events. Such important episodes are called 'epiphanies' by Denzin (1989). Lieblich et al. (1998) also suggest searching for patterns in narratives of significant events, including contradictions and ambiguities. Wikan (1992) proposes seeking the difficult and paradoxical in narratives. Although Denzin, Lieblich et al. and Wikan are talking about narrative research, the description of searching for relevant meaning usefully describes elements of the way I went about analysing my data. The connections between the various thematic

categories in each Microsoft Word file were then cross referenced, a process similar to that of 'axial coding' (Strauss and Corbin, 1990). Through this process of constant comparison, I sought to arrive at a point of sufficient 'theoretical resonance' (McLeod, 2001) to be able to distill the data into four data analysis chapters.

Half way through the data analysis, I purchased an NVivo computer software package, for managing qualitative research data. However, I discovered that the NVivo package only allowed me to thematically sort and code the data, in the same basic way as I was doing, using the 'cut and paste' editing features of Microsoft Word, albeit in a more sophisticated and potentially convenient way. However, this potential convenience was cancelled out by the fact that I had already sorted much of the data using Microsoft Word, and would have to transfer all this data onto the NVivo computer software package. I did not consider that this would add any greater quality of validity to the data analysis, so I continued to manage the data on Microsoft Word.

#### **4.5. Research sample**

Gray (2004) points out that random probability sampling is usually not practical with regard to qualitative research, or is rejected on the epistemological ground that qualitative research cannot achieve scientific validity. Gray notes that "qualitative research tends to work with small samples of people, cases or

phenomena nested in particular contexts ... more purposive than random" (pp. 323-324.) This study conformed to the above qualitative research tradition. The practical concerns involved in researching a particularly difficult-to-reach deviant population simplified the sampling process. To put it starkly, I was grateful to have anyone I could get, as long as they fell within the target group of the research project: sex offenders over the age of 18, being supervised by the Probation Service, or with recent experience of such supervision. Lee (1993) discusses such pragmatic considerations, acknowledging that representative sampling is "more difficult the more sensitive the topic under investigation (p. 60)". Thus, in total, I was able to interview 15 probation officers and 15 sex offenders, with the interviews taking place over a 13-month period between November 2006 and December 2007.

Predictably, all the sex offenders interviewed were male, reflecting that the overwhelming majority of convicted sex offenders are men (Grubin, 1998; Calder, 1999). No distinction was made between offenders against children and against adults, with the sex offender sample being made up of individuals who had committed different sexual offences including: indecent assaults against children, rape of adult females, Internet sexual offences, and indecent exposure. Eleven offenders interviewed had committed various contact and non-contact sex offences against children, and three offenders had committed sexual offences against adult females. One offender refused to disclose the nature of his sexual offence. A breakdown of the personal details of the sex offenders can be found in

Appendix 1. The population studied, sex offenders on probation, constituted a distinctive group in itself. It was beyond the practical scope of the study to interview a representative sample of all sex offenders on probation, based upon convictions and demographics, particularly given the difficulties in obtaining interviews from a notoriously demonised group of people who would be unlikely to want to talk about their experiences. The sex offenders who volunteered to be interviewed were also the ones who were more likely to be compliant, having good relationships with their probation officers. However, as I was looking for successful accounts of rehabilitation, the sample suited my purpose.

I had envisaged that it would be easier to locate probation officers willing to be interviewed, than sex offenders. To some extent this proved to be true. However, as with the sex offenders interviewed, the number of probation officers who were interviewed was still too small to ensure a representative sample, in terms of age, gender and experience. Of the 15 probation officers interviewed, 11 were main grade probation officers. Two probation officers were district risk managers, and 2 were programme managers, dividing their time between running sex offender treatment programmes and supervising offenders. Ten female probation officers and 5 male probation officers were interviewed.

The sample of respondents came from three UK probation areas, designated Area A, Area B and Area C. Eight probation officers and 6 sex offenders came from Area A, and 7 probation officers and 8 sex offenders came from Area B. 1

sex offender came from Area C. As already explained, I made the decision to include a sex offender from a third area, because of his particularly interesting background as a psychiatrist. The overall sample of the group of sex offenders and the group of probation officers was too small to provide any reliable indication as to whether there were any differences between the experience of respondents in each respective probation area, and this was not an aim of the research. As explained above, the research rather sought to elicit subjective narrative accounts, in order to contribute to greater awareness concerning the specific experiences of the respondents interviewed, which might contribute to a greater understanding of an under researched area of social life, generally conducted away from public scrutiny.

It was not the intention to compare and contrast an individual probation officer's perspective with that of a sex offender on her/his case-load. I considered this to be too potentially threatening to both probation officers and sex offenders, with the possibility of each party being worried about what the other would say about them, despite promises of confidentiality. This could have led to serious problems in gaining access to respondents and increased guardedness, leading to restricted data quality.

Before commencing the research, I had estimated that I would need to interview between 12 and 20 of each group (probation officers and sex offenders). This figure was based on Lincoln and Guba's (1985) estimation that they had to

conduct in-depth interviews with between 12 and 20 respondents, before reaching a point of theoretical saturation, when data becomes stable and little new information emerges. I found that after conducting around 12 in-depth interviews with each set of respondents, most of the main themes were being repeated. As I had two separate groups of respondents to interview, totalling 30 interviews in all, this appeared to be a manageable and credible number of respondents, given the scope of the PhD project.

#### **4.6. Access issues**

Farberow (1963) described taboo research topics as those related to death or sex, which are likely to evoke feelings of awe. Researching the subject of sexual abuse comes into this taboo category. Lee (1993) outlines how gaining access can be much more difficult when researching taboo and socially controversial topics because organisations and individuals fear the exposure of deviant, stigmatising or incriminating material. Given the current climate of concern about sex offending, discussed in Chapter 2, I was concerned that Probation Services might be wary of allowing a researcher the opportunity to expose weaknesses in practice, and that sex offenders might be reluctant to disclose stigmatising information about themselves. I therefore made considerable efforts to allay concerns.

Good relationships with key gatekeepers are vital (Hammersley and Atkinson, 1983). Peace (1993) makes the point that “in the end, negotiations over access

come down to face-to-face discussions” (p.31). Peace explains how before such face- to-face discussions take place, “negotiations are carried out through letters, phone calls and meetings (and now emails), and all the time you have to state your case, explain what it is you are trying to do, be nice to people and hope that they will feel that the project is worth their effort” (p.31).

This above process began when I contacted probation service, Area A, in which I had previously worked as a probation officer, to find out whom I should contact about the research application. I chose Area A to conduct my research because of practical advantages. I had worked in the area as a trainee and main grade probation officer, three years earlier, and hoped to capitalise on any good will amassed in that time. A well respected university academic recommended the research to the probation board, of which he was a member, and I was encouraged to make a research application by the probation board in that area.

Contact with Area B came about by sheer chance. My line manager mentioned the research to a friend of his, a probation manager working in Area B. The probation manager thought that the research sounded interesting and suggested I contact him. I phoned the probation manager and he seemed supportive of the research, suggesting that I submit a research application, which was accepted.

The contact with the ex-psychiatrist offender in Area C came about through a personal contact, who had been visiting him in prison. Although this offender was



under probation supervision, he gave me permission to visit him at his mother's home, over 150 miles away, so I did not have to go through official probation channels. However, I provided the same confidentiality to the offender in question, which meant that no details would be revealed about the probation service which was supervising him. I spoke to the respondent on the phone before meeting him, informing him of consent and confidentiality issues. I also discussed the situation with my university supervisors. As a professional used to making judgements about risk, I deemed that it was safe to meet up with the offender at his mother's home.

Rossman and Rallis (1998) point out that a qualitative researcher should "try to know a great deal about the site before entry", "seeking an open door through which he can discover the players and operations of the world within" (pp. 94-95). The door was opened for me to Area A by an academic, in Area B by a senior manager and, to the psychiatrist, by a mutual personal contact. Without these individuals advocating on my behalf, gaining access to respondents would probably have been more problematic.

This research application had to meet a number of objectives. The application had to present a clear outline of the research (Gray, 2004, p.44). It also had to persuade the probation boards that the project was worth their effort (Peace, 1993). I was primarily interested in the supervisory relationship between sex offender and probation officer, and how both parties experience this relationship.

I clarified this, but also stressed how the project could potentially help the probation service manage risk. This was a genuine research objective. Nevertheless, I rhetorically prioritised the risk issue, because I knew this was a major service priority. Horlick-Jones (2002) discusses how the language or rhetoric of risk talk has been used to achieve political objectives. It can be reasonably said that, although risk issues were an important aspect of my research, I deliberately emphasised the relevance of the research to risk management when applying for access, so that I could get the research project underway.

I attempted to ease possible concern that the research would expose serious deficits in practice, by including a strong solution-focused emphasis to my application. I emphasised that I did not merely want to focus on problems, but intended to explore “what worked,” a phrase coined by de Shazer (1985), and a foundational value of solution-focused therapy. The phrase also fortuitously echoes the influential “What Works” zeitgeist in the probation service, discussed in Chapter 2. It was certainly my intention to explore positive practice, but not at the expense of critical rigour. Whilst hopefully not being disingenuous about my research aims, I deliberately used solution-focused language to ease any concerns, in order to improve my access chances.

Both Area A and Area B agreed for the research to proceed. However, the Area A service wanted written assurance that the service would remain anonymous.

Interestingly, Area B did not ask for anonymity and at one meeting, a senior manager stated that they welcomed constructive criticism. Comparing and contrasting the two probation areas studied was not a research objective. However, it was my impression that the probation officers I interviewed in Area B were generally less disenchanted with management than the probation officers in Area A. This impression is consistent with research indicating higher morale amongst staff who work in a more open and less defensive organisational culture (Handy, 1995). However, a full discussion of this topic is beyond the scope of this study.

In seeking to research sensitive issues, as already stated, I was anxious about not being able to access a sufficient number of respondents. Hence, I wanted to do everything I could to maximise research opportunities. As an ex-probation officer, I had some 'insider knowledge' of how the probation service operates which, as pointed out by Rossman and Rallis (1998), can ease researcher access. Knowing how probation supervision works, I was able to suggest utilising the same appointment structure and venues (interview rooms in probation offices) routinely used by participants. It was agreed that supervising probation officers would ask sex offenders on their caseload if they would be willing to be interviewed. Willing candidates would then arrive for their probation appointments, at the usual time. Rather than seeing the officer, they would see me. This system included a built-in incentive for busy supervising officers – they

would have one less offender to see that week, hopefully providing them with extra motivation to facilitate the research interviews.

With regard to sex offenders, I included a number of motivating factors in my introductory letter (see Appendix 4). Jenkins (1990) recommends reassuring sex offenders that you are familiar with individuals who have committed sex offences, and so communicating that you will not be shocked, judgmental or insensitive with regard to them talking about their crimes. I attempted to echo these sentiments in the introductory letter. In the introductory letter, I also reassured them that the focus would be on the supervision process, not on their offending. In practice, many offenders were prepared to talk about their offending, sometimes creating an ethical tension, which will be discussed below. I also utilised Maruna's (2001) rehabilitative concept of appealing to the offender's 'good self', discussed in Chapter 3, suggesting in the introductory letter that their participation in the research, as a convicted sex offender, could make a valuable contribution to future child protection.

As a result of my anxiety that I would not be able to find sufficient sex offenders willing to be interviewed, I decided to pay sex offenders £20 per hour to be interviewed, to increase the likelihood of finding sufficient respondents. The Area B service had no objections to me paying offenders for their time. However, in the end, 4 out of the 8 respondents in this area declined payment, saying that they wanted to be interviewed for altruistic reasons. There did not appear to be

any notable difference in the financial circumstances of those offenders who accepted the payment and those offenders who did not. The ex-psychiatrist from Area C also refused payment. Probation Area A refused to allow payment to the sex offenders in their area, stating that they did not think that offenders should profit from their crimes in any way. This point had not occurred to me and, by the time of the objection made by Area A, I had already offered the payment to offenders in Area B, which was some way ahead of Area A in terms of setting up research interviews. Thus 4 out of the total of 15 sex offenders interviewed were paid. However, I could not detect any significant difference in the accounts of the 4 offenders paid for their interviews and the 11 offenders who were not paid.

Offering payment to respondents for research interviews raises the question of whether this undermines the principle of freely given, informed consent. This would seem to be the case if the participants were in desperate need of the money. It was not possible to know the exact financial situation of the offenders, but the financial incentive was not huge. The most given to an offender was £30 for a one hour and a half interview and, whilst definitely acting as an incentive, it would seem unlikely that the relatively small sums involved would compel any respondent to take part in the study.

Lee (1993) states that there is some disagreement about the wisdom of providing goods, in this case money, in return for co-operation. Yancey and Rainwater (1970) point out that gifts given to participants by researchers can reinforce

paternalistic roles. As my payment was not a gift, but a contracted reimbursement for a service rendered (disclosure of valuable information concerning a rarely studied aspect of social interaction), it was my judgment that payment was not paternalistic. I could not see how paying the sex offenders would influence what they had to say to me. It could be argued that probation officers were getting paid for their time by the probation service. Therefore, if anything, it would be less ethical if sex offenders were not being paid. Power (1989) argues, for instance, that providing payment can prevent exploitation of the respondent.

#### **4.7. Ethics**

In order for the research to proceed, I had to complete an application for ethical approval, describing the nature of my research and how I intended to go about it, to the Research Ethics Committee of Cardiff School of Social Sciences. I submitted the ethics form, which was duly passed by the committee. The submitted ethics form outlined various ethical considerations, some of which have already been described above.

My first ethical priority was to ensure that both the sex offenders and probation officers knew what they would be agreeing to, when deciding to take part in the interviews. Hence, in my introductory letters to both respondent groups (see Appendix 3 and 4), I clarified the area I wanted to research, and the kind of

things I would be asking them about. I also outlined my reasons for the research and described my professional background. The likely time it would take to complete an interview was estimated, and confidentiality was promised. Given the sensitivity of information that would be likely to be revealed by sex offenders, I was clear from the outset in the introductory letter that the information collected would be destroyed at the end of the research project, but that segments of the anonymised interviews might appear in articles and books. It was also made clear in the introductory letter to sex offenders that there were limits to confidentiality, in that if they provided any information about an undisclosed crime being committed or anyone being at risk of harm, then I would have to report this to the probation service. It was agreed that the introductory letter to sex offenders would be read through with them by their supervising officers.

After providing the introductory letter, I also met up with the research officer in Area A and a manager in Area B, to explain the research process in person, and go over confidentiality issues again. With regard to the offending psychiatrist, who came from a separate area, I sent him the introductory letter, and followed this up with a telephone conversation, reiterating the details of the research. In addition, before each interview, I asked the sex offenders to read through and sign a consent form (see Appendix 5), in order to be certain that they understood the terms of the interview.

At the beginning of each interview, I informed the respondents that they were free to refuse to answer any questions, or break off the interview at any time. I told each respondent to feel free to tell me if they did not understand any question or wanted to come back to the question later, and to tell me if they wanted a break. As stated above, I employed a 'counselling-style' interview (Coyle, 1997), with the capacity to contain any emotional distress. I also employed a solution-focused style of questioning, characterised by the interviewer adopting a tentative style, making use of what Cantwell and Holmes (1995) refer to as the 'one-down position' which seeks to validate the unique experience of the interviewee. As already stated, O'Connell (1998, pp.101-102) comments that "the one down position can help reduce the chance of unintentional oppressive practice".

At the end of each interview schedule, I had included questions which asked respondents to narrate positive stories of supervision. This had a dual purpose. I wanted to gain knowledge about what worked well in supervision, as well as what did not. I also wanted to end the interview on a light, positive note, in order to dissipate any distress, particularly when interviewing sex offenders who may have talked about distressing issues in their lives. Further ethical issues will be discussed in the following section, concerned with reflective practice.



#### **4.8 Some research reflections**

As Coffey and Atkinson (1996) point out, reflexivity is an essential component of credible qualitative research because, as outlined above, there is scope for the qualitative researcher to allow her/his subjectivity and biases to contaminate and skew the research findings. Also, on a more positive note, if the researcher takes reflective account of her/his thoughts and feelings throughout the research process, this can add to the richness of the research findings. Below are some of my more salient reflections on the research.

At the beginning of the research process, I found that I had to overcome a degree of embarrassment about going back into Area B where, as explained above, I had worked a few years earlier as a main grade probation officer. I had left the probation service to go to work for a well known national organisation, specialising in working with sex offenders which, from my personal experience within the probation service, would be perceived by most main grade probation officers as a 'step up', career wise. I was now returning in order to conduct research which might further enhance my career. I felt almost as if I was exploiting former colleagues and other probation officers still engaged in arduous day-to-day practice, which I no longer had to do. I was also concerned that ex-colleagues would be either resentful or competitive, and perhaps block the progress of the research.

The above concerns proved unfounded. It had been four years since I had worked in the probation service, and many of my former colleagues had left. Others had gone into managerial positions, so probably felt no sense of having been left behind, career wise. I actually met relatively few former probation officers I knew. The ones I did meet were friendly and helpful. In fact, being an ex-insider may have proved a distinct advantage in terms of access: making me less threatening, and affording me greater credibility as 'knowing what the job was really about.'

At the time of conducting the research, I was a man in my mid to late forties, although most people take me to be younger than this. I was interviewing sexual offenders, who are a distinctly marginalised group in society. Many of the probation officers I interviewed were females, younger than me. I could not escape the structural power afforded to me, by virtue of being a white, professional man, living in a society which, arguably, is still patriarchal in some respects. However, the structural power afforded to me was counterbalanced, to some extent, by the fact that I was totally reliant on the good will of the probation officers and sex offenders, and their decision to grant me the opportunity to interview them.

Many of the probation officers I interviewed were women, and I was in the position of asking them about some very personal matters; how they dealt, both

practically and psychologically, with encouraging men to talk about sexual deviance. A number of female officers stated that they found it difficult at first to talk to strange men (sex offenders) about sexual details. It was never remarked upon that, in the research interview, they were in a similar position, talking to an unfamiliar male about sexual matters. At times I was tempted to remark on this irony but desisted, not wishing to risk social embarrassment.

I am used to talking about sexual matters in detail with female therapists at the Lucy Faithfull Foundation. However, these therapists are generally of a similar age and status to me, working in a professional environment where discussing sexual matters is a daily, routine part of the job. However, in the role of researcher, at times I felt uncomfortable talking to younger or relatively inexperienced female probation officers about sexual issues, as a significant power differential was in operation; I was an older and/or more professionally experienced male, and it was my impression that they were not so used to talking about sexual matters as my female colleagues at work. As is explained in Chapter 7 (Section 7.6.), a number of male probation officers talked about feeling contaminated by working with sex offenders, as if, metaphorically, the 'disease' of sexual abuse is catching. I sometimes felt a version of this when interviewing female probation officers, neurotically thinking at times, 'Am I misusing power to gain satisfaction from talking to younger females about sex? Will they suspect that I am doing this?'

There were moments in the interviews with sex offenders, in which I trod a fine line between research interviewing and therapy. This was a particular danger for me, as it was easy to go into automatic therapist mode when asking questions related to sexual offending. Before each interview, I made it clear that the focus of the interview would be on the supervision process, not on the details of their past offending. However, there was inevitably some overlap.

The first sex offender I interviewed (Offender 1) had finished probation supervision two years earlier. However, he still kept in touch with his probation officer on an informal basis, and valued the support this offered him. He talked about how, since being released from prison into the community, his probation officer was the only person he could talk to about his offending. In the interview, it seemed as if, in part, he wanted to use the time with me for a similar therapeutic purpose. He was clearly intent on talking about the remorse he still feels about offending against his stepdaughter when she was a child, over twenty years ago, and how the guilt of his offending had marred his life. The interview was rich in relevant detail, but I was aware that the participant was becoming emotional and I was concerned that he would be distressed leaving the interview, as the following statement made by him towards the end of the interview illustrates:

Yeah, I can't get rid of it. It's no good people keep on saying, 'don't keep beating yourself up about it'. You're not a bad person, that's all right for that moment, and you go away and it all comes bloody back again. I see people in the street, and say, what the hell was wrong with me? I could be

like that. Look what you've done, you know. It's like it's part of your punishment, that's the way I look at it. It will be with me until I die, I suppose (Offender 1).

I was not sure if the research interview was causing the respondent unnecessary distress, or whether the interview was serving a cathartic purpose for him, so I inquired about this.

... are you going to be OK, leaving here? (Interviewer)

Well, it (the interview) brought back bad memories. It used to feel like this on the course (sex offender groupwork course), travelling back on the train. I'm alright about it. I got a wife to look after. I got responsibility there. I'm one of the lucky ones. My family stuck with me, even though my offences were connected to the family (Offender 1).

I was satisfied that the respondent had made an informed choice to disclose the information and that I had gone to reasonable lengths to ensure adherence to the four ethical principles that should be applied to any research, outlined by McCleod, (1994, p.16): "beneficence (acting to enhance the participant's well being), non-maleficence (avoiding doing harm to the participant), autonomy (respecting the rights of the person to take responsibility), and fidelity (treating everybody in a fair manner)."

With Offender 3, I was also faced with a dilemma about the degree to which I should use my interview skills to extract information, when this could cause the respondent some distress. In my professional role, particularly in assessments, I routinely attempt to overcome an individual's resistance to disclosing information

about sexual offending, albeit by using non-confrontational techniques such as motivational interviewing, a method described in the previous chapter. However, individuals frequently end up disclosing information which causes them some degree of psychological pain. In the context of my professional work, there are usually further sessions with the individual to support him or her through such distress. Moreover, causing some degree of distress in an assessment or rehabilitation context is arguably unavoidable in some cases, when the protection of children is at stake. However, in the research interviews, no such immediate child protection concerns were present.

Offender 3, who had been convicted of the rape of an adult female, was one of the most psychologically closed offenders I interviewed, often giving very brief answers. He appeared to me to be determined to say what he perceived to be the correct, pro-social statements about his rehabilitative experiences in the probation service. In her study on sex offenders undertaking groupwork programmes, Hudson (2005) talks about the dilemma of not knowing for sure if offenders are, to use an oft-quoted phrase in the probation service, 'talking the talk' - paying lip service to issues such as remorse, responsibility taking and victim empathy, in order to gain advantages and liberties. This issue is further discussed in subsequent chapters of this thesis. Whatever the case with regard to whether Offender 3 was 'talking the talk' for much of the interview, I could feel myself getting slightly irritated with him, perceiving him as being particularly closed and defensive. I was aware of the need to internally acknowledge these

feelings and then to bracket them, an internal process I am very familiar with from my clinical work.

However, toward the end of the interview, I felt that there was an opening in the conversation whereby Offender 3 was beginning to talk more genuinely about his previously problematic relationship with women, and how he had dealt with this through his rehabilitation.

Um, also women; it has given me a bigger perspective of women as well. I respect them so much more now than I did do. I didn't have that respect in the past. Um, cause of relationships breaking down and things like that, I wasn't really bothered, you know (Offender 3).

Yeah, I understand them more and talk to them more openly about my past, which has helped me you know. I'm able to move on with them. I don't know what it is. It had brought it home, prison life (Offender 3).

I sensed that the respondent was getting upset at this point, which he then verbalised:

I don't want to get emotional (Offender 3).

At this point in the interview, I was eager to gain more information from the respondent about an interesting and relevant area to the research. I was also aware that, as stated above, I felt few positive feelings toward the respondent, which could potentially render me less caring about his well-being. Acknowledging the danger of this, I resisted probing further. Although this meant losing potentially valuable data, I considered that further disclosure would be

likely to prove significantly distressing for this particular individual who, as stated above, appeared to me to be significantly psychologically defended. I consequently moved the interview on to a less threatening topic, in order for the respondent to regain his composure.

Schon (1983) recommends that practitioners should be aware of the inner thoughts and feelings occurring in the 'here and now' of practice. This can help the practitioner identify why s/he feels about, and wants to respond to, the client in a given way. Such awareness enables practitioners to make more informed, conscious choices about helpful intervention, whether this is a question, silence, change of focus etc. The same issues are relevant for the reflective research interviewer.

#### **4.9. Conclusion**

To conclude, this research project adopts a qualitative research approach, as the method considered to be best suited to capturing complex social and personal relations. This qualitative research method is based on a 'subtle realism' epistemological position which assumes that truth is too complex to be fully discovered and that social phenomena are always partially socially constructed. However, there are unique realities to be usefully discovered. Given the position that social reality is always socially co-constructed, qualitative research can never be free of the researcher's biases for good or ill; hence the need for the



researcher to reflect upon her/his influences throughout the research process, with the aim of both moderating significant partiality, and contributing to the richness and depth of the research enterprise.

Given the extreme sensitivity of the research topic, semi-structured, in-depth counselling interviews appeared the most feasible and sensitive way of collecting the data. A semi-structured interview format was used, but the spontaneous counselling techniques used to facilitate the disclosure of relevant information from each individual were equally important. Although such counselling techniques proved invaluable, unlike with a clinical interview, I sought to understand and contextualize what interviewees were saying, rather than make judgments about the veracity of it, or provide therapeutic input.

I undertook three sample interviews, before conducting the research interviews, with each research interview being audio recorded. The data were analysed using a grounded theory approach. The research sample was purposive. Due to the difficult-to-reach research population, the sample was relatively small and, in the qualitative research tradition, I sought to obtain depth rather than breadth of information. The subject area researched was a highly sensitive one, so it was important to ensure the welfare of the respondents by clearly and repeatedly informing them about the nature of the research, being clear about confidentiality issues, and conducting the interviews in as sensitive a manner as possible. Reflecting on the research process was not only necessary to avoid obvious

bias, but to ensure sensitivity was maintained, concerning the potential vulnerability of the respondents, in particular the sex offenders interviewed.

## Chapter 5

### **Accounts of successful outcomes and practice, and the relationship to strengths-based approaches**

#### **5.1. Introduction**

In all, there are four chapters devoted to the results of the qualitative data analysis. Whereas this chapter will concentrate on accounts of positive practice and outcomes, Chapters 6 and 7 will divert from this positive research paradigm, by investigating the difficulties and challenges of implementing strengths-based approaches within the current probation service. However, in Chapter 8, a positive research focus will be resumed. Whereas this first chapter of data analysis essentially describes what constitutes successful practice and outcomes, Chapter 8 will attempt to describe how successful practice and outcomes are realised through the use of strengths-based approaches.

Much research into psychological and social problems, including the criminological world of sex offending, has traditionally been problem-focused (Milner and O'Byrne, 2002). However, with the development of positive psychology, it has been accepted that valuable data can be discerned from examining positive factors - what seemingly goes right - as well as from what apparently goes wrong (Seligman, 2002; Seligman and Peterson, 2003). The structure of the following four chapters, in which the data from the research will be analysed, is significantly influenced by the strengths-based research

approach. Consistent with this positive psychological approach, which seeks to learn from success, this initial chapter of data analysis will focus upon sex offenders' and probation officers' subjective accounts of successful practice and outcomes. These subjective accounts will then be viewed in terms of how they relate to strengths-based approaches.

## **5.2. Probation officers' accounts of successful outcomes**

As explained in Chapter 2 (Section 2.4.), the sex offender groupwork programme is the major rehabilitative vehicle for most offenders (Brown, 2005), with the groupwork programmes being facilitated not by supervising probation officers, but by specialist probation officers who usually work as group facilitators. However, supervising probation officers explained how, in practice, they are sometimes the only therapeutic influence in a sex offender's life. This situation occurs when a group programme is cancelled for some reason, or when a sex offender is deemed unsuitable for a programme. This can occur with sex offenders who prove too disruptive, have learning difficulties, or whose order and licences are not long enough for them to attend groupwork programmes. There can also be significant delays in groupwork programmes getting underway.

A number of probation officers provided a flavour of some of the organisational difficulties which mean that, for some sex offenders, sessions with their supervising officer are their only means of potential rehabilitative input, for a significant period of time.

... if you don't feel that somebody is going to get through it, because it's a very demanding programme, that can be a reason why you wouldn't propose that condition (Probation Officer 10).

We did used to have a backlog of people waiting to go on the programmes. It was unfortunate when it began to crumble a little. But when staff either left or went off on to long term sick ... (Probation Officer 4).

The ideal is that they should be on programmes in a matter of weeks, but that's just not happening. I mean I had people who have been a year into their order before they even had the initial sexual testing ... Yeah, I have got the year, then, when I've got to work with the people, and I'm doing a bit of therapeutic work, I guess (Probation Officer 10).

I've never had a person who's gone through the programme (Probation Officer 11).

Moreover, as also explained in Chapter 2 (Section 2.6.), supervising probation officers are responsible for motivating sex offenders to attend groupwork programmes, helping to consolidate rehabilitative gains made on programmes, and helping sex offenders to apply these gains in their everyday lives. Thus, even for the offenders who complete groupwork programmes, there is an onus on supervising probation officers to augment the rehabilitative input provided by programmes.

As will be more fully explored in Chapter 7 (Section 7.3.), there was significant variation in what probation officers actually did with sex offenders in supervision sessions. However, with exceptions, probation officers were generally cautious, or even sceptical, about sex offenders making rehabilitative gains, to the extent that they would not sexually re-offend. Gains were generally seen as sex

offenders taking small rehabilitative steps rather than great leaps. Officers expressed caution about believing sex offenders' accounts of progress and lower risk lifestyles, pointing to the difficulty in believing the accounts of a client group which is generally viewed as particularly manipulative and evasive, a view that commonly occurs in the clinical literature concerning sex offenders (Thornton, 2003).

A typically cautious view of rehabilitation was expressed by a senior probation officer, a particularly experienced practitioner.

Given that, I think, most sex offenders are on an extremely long, and slow burnt fuse ... you don't want to get into the realms of self-congratulation, here, but on the other hand you don't want to get into the realms of 'nothing ever works'. They're always going to be an extremely risky person (Probation Officer 1).

Probation Officer 2 was asked if he had experienced any 'light bulb' moments, when a sex offender appeared to have made a significant step of change. Similar caution surfaced.

They don't come along very often. I can't... I don't know whether I'm too cynical. It would be nice to think that you got to that point, but I think it's very small steps, quite often ... I'm guarded about clutching on dearly, and saying 'you're cured now'. By and large, I don't believe that that exists (Probation Officer 2).

Various other probation officers talked about progress in terms of modest, incremental steps of change.

Yeah, looking at the little chinks, and trying to chip away at this ... you're in then (Probation Officer 5).

Probation Officer 3 provided a flavour of the slow rate of uncertain change referred to by many probation officers.

There's not huge amounts of rewards in this job, but some of them is seeing that movement, one of them is seeing you're making a difference, maybe not you personally, but the process is making a difference ... One: I need this guy to change because he's dangerous. Two: I'm really going to struggle to work with him, at times like pulling teeth, it's going to be long, laborious, I may feel deskilled; and also is this going to be one of those I'm not going to get that reward from ?(Probation Officer 3)

This emphasis on sex offenders making small, rather than great, leaps of change is consistent with the strengths-based approach of solution-focused therapy, which seeks to help individuals make small steps of practical change towards their desired goals, rather than major changes in psychological functioning (de Shazer, 1985). Looking for small steps of progress is also consistent with the strengths-based narrative therapy approach of Alan Jenkins (1990) to working with sex offenders. Jenkins comments how sex offenders are seen as particularly poorly motivated and resistant to change. Hence, he proposes how practitioners should remain "vigilant for any evidence of the man accepting any responsibility for his abuse" (p.123). The description of Probation Officer 5, "looking for little chinks", and trying to "chip away" would seem to echo this.

However, there was not wholesale scepticism about sex offenders making progress. Probation Officer 3, for instance, talked of different offenders being capable of varying degrees of progress.

... but then again, that comes down to some people will only move very, very slightly, and others, you have a massive move (Probation Officer 3).

Probation Officer 8 actually expressed more optimism about working with sex offenders than working with other types of offenders, despite sounding a note of caution about whether presenting behaviour equates with actual change.

Personally speaking, I see more change with sex offenders than people who offend generally ... I think people who have been caught committing sex offences are generally more compliant and more motivated to work and co-operate and change; well, change is a difficult thing to say really, but certainly co-operate and work with, and motivated to listen and take on board what messages are being put across (Probation Officer 8).

Probation Officer 14 expressed similar sentiments.

I do like working with sex offenders because they are usually prepared to actually go 'I need some help on this' ... they're generally going 'yeah, I accept what I was doing wasn't great.' Some of that, there's a bit of lip service ... (Probation Officer 14).

One experienced senior probation officer was exceptional, in being distinctly confident about one particular case he had successfully supervised. The case involved a sex offender having made rehabilitative progress to the extent of, in the view of the officer, being at a very low risk of re-offending.

I have managed to develop the working relationship with this offender that almost leads me to believe, to say - I hope I'm not held to account- if that man re-offends then I'll resign (Probation Officer 15).



Despite these more positive accounts of rehabilitative progress, as already stated above, most probation officers were careful about making grand claims for their rehabilitative work with offenders. This perhaps reflects much of the clinical literature surrounding sex offending. As discussed in Chapter 2 (Section 2.3.), practice literature has tended to focus upon sex offenders being caught up in fairly distinct and entrenched patterns of offending, behavioural cycles which they can learn to manage rather than remove from their lives permanently (Finkelhor, 1984; Wolf, 1984).

More recently, as described in detail in Chapter 2 (Section 2.3.), Ward et al. (2006) have developed a pathway theory of sexual offending, explaining that, contrary to media stereotypes, sexual offenders are not all high risk, intent on sexually offending at every opportunity. Rather, some are more amenable to change than others. Although probation officers talked about sex offenders being at different risk levels, awareness of the pathway theory of offending did not emerge in probation officers' accounts. All the probation officers interviewed were fearful of underestimating risk, and this may be another reason for their caution about rehabilitative gains. This fear will be explored in Chapter 7 (Section 7.2.) in the light of concepts related to the 'Risk Society' (Beck, 1992), already discussed in Chapter 2 (Section 2.2.) This said, from officers' accounts, many sex offenders with whom they routinely work appeared to be resistant to change,

presenting with prohibitive degrees of denial and minimisation. These challenges to therapeutic working will also be discussed in Chapter 7 (Section 7.4.).

However, the relative pessimism of probation officers about re-offending is not wholly consistent with research on sexual recidivism. Only about 20% of individuals convicted of sexual offences against children are reconvicted for another sexual offence, with this rate being lower than for most other offences (Grubin, 1998). This 20% re-offence rate does not increase even when the follow-up period extends to 20 years, with even lower reconviction rates recorded in periods closer to the date of the first offence (Hanson et al., 1995). Many sex offenders on probation have also completed a sex offender groupwork programme, which has been shown to have a positive, if modest, effect on recidivism rates (Hanson et al., 2002). However, sexual abuse is a 'dark figure' crime, notoriously difficult to detect, and the official rate of re-offending is unlikely to accurately reflect the extent of sexual abuse (Russell 1986, 1994). As demonstrated in Chapter 2 (Section 2.2.), the statistical arguments with regard to sex offending are complex, emotive and contested. However, the 'moral panic' about sex offenders would seem to be disproportionate to the statistical evidence of threat (Matravers, 2003; Phoenix and Oerton, 2005). On the evidence of this research, it seems likely that probation officers, as members of the public, may not be immune to this 'moral panic' and may share, to some extent, the erroneously pessimistic populist view that sex offenders cannot be rehabilitated and inevitably re-offend. Moreover, the intense media coverage of tragic, but

infrequent, crimes perpetrated by very high risk, difficult to treat sex offenders, (the so called critical few), may lead to a disproportionate fear of all sex offenders, regardless of the seriousness of their crimes or their objective risk level, as commented on in Chapter 2 (Section 2).

Despite the caution of probation officers when talking about sex offenders making rehabilitative progress, officers did talk about incremental rehabilitative gains. These gains were fairly consistent with treatment targets commonly found in most rehabilitative initiatives with sex offenders which tend to be, as explained in Chapter 2 (Section 2.4.) cognitive-behavioural in nature. Brown (2005, pp. 114-150) provides a detailed description of the following treatment goals:

1. Reducing denial and minimisation
2. Restructuring cognitive distortions
3. Managing sexual arousal and fantasy
4. Non-offence-specific treatment goals (enhancing social and relationship skills)
5. Relapse prevention

Many of the probation officers described helping sex offenders to achieve modest rehabilitative gains in these above areas, with the exception of managing sexual arousal and fantasy, with only two probation officers saying that they tackled this area of sexual fantasy. The rest stated that they preferred to leave this area to the sex offender groupwork programme, as they did not consider that they had the training or skills to provide constructive input.

Below are a few selected examples, out of many provided, of probation officers addressing common rehabilitative areas in supervision sessions with sex offenders. Probation Officer 11 described working to reduce minimisation and denial with one particular offender.

...but when I first met him he blames the victim, he didn't really see what he was doing was wrong. Although he still blames the victim now, he comes around to talking more about his offence and how his actions are wrong (Probation Officer 11).

Probation Officer 4 described encouraging victim empathy.

I think it is, for example with the man I was talking about, which was non - contact child pornography. He assumed that because the children were smiling in the pictures, he felt that they were possibly enjoying it. When you get behind it, and do some victim empathy work, and say 'actually, the truth is' .... I think that was a moment when it actually hit him to sort of say, 'OK these aren't models that were paid and were enjoying this; this is probably coercion or threat', and I think that hits home a little bit (Probation Officer 4).

Probation Officer 9 explained how she worked to develop the social and relationships skills of one particular sex offender, helping him to overcome his distrust of women.

Now his thing is that he doesn't trust women at all, and he'd said to me a few weeks ago, that's beginning to change. I'm beginning to trust you, and I thought, well, you know, I've worked hard (Probation Officer 4).

Probation Officer 10 outlined how she conducted ongoing relapse-prevention work, helping a sex offender to ensure that he did not make choices or act in a way that could possibly infringe risk management protocols and increase risk.

He's just started employment, so just before he started employment, there was obviously the issues around do you, should you, disclose his offences? And what happened if you don't and they find out, and vice versa ... And also the fact that there's another sex offender living next door, and started telling people about it. So that was a concern; so we talked about how we could deal with that (Probation Officer 10).

To conclude this section, much of the rehabilitation work with sex offenders occurs in groupwork programmes, although supervising officers still appear to significantly augment and contribute to this in their work with offenders in supervision sessions. The probation officers, with one or two exceptions, described rehabilitative gains in terms of hard-won steps that may help reduce risk, by helping offenders to better manage their lives and impulses. This cautious, arguably pessimistic, view of progress is at odds with research evidence which suggests that many sex offenders do not go on to re-offend. However, the probation officers' modest step-by-step experience of facilitating positive change is consistent with strengths-based solution-focused approaches. The content of the incremental steps of progress described by probation officers was, by and large, consistent with the orthodox cognitive-behavioural rehabilitative goals which dominate current probation practice although, as will be expanded throughout Chapter 9, the interactive processes by which many such goals are achieved can be seen to resonate with much strengths-based thinking and practice.

### **5.3. Probation officers' accounts of successful practice**

Probation officers described successful practice in terms of managing risk via systems ostensibly external to the offender, which appeared to officers to make a significant contribution to public protection. As pointed out in Chapter 2 (Section 2.4.), the increasingly technical nature of the probation service is part of a larger programme of managerial social reform that has taken place in British society, to render public services more efficient, cost effective and accountable (Vanstone, 2004). Also, as discussed in Chapter 2 (Section 2.4), the contemporary concern with risk issues manifests itself in a preoccupation with technical information management processes, which could be seen to circumscribe the supervision of sex offenders (Kemshall, 2001). Nevertheless, the majority of probation officers interviewed valued, to varying extents, the structured way of working that the technical processes of the probation service provide, and believed that the accountability built into the system via computerised recording was necessary. Various probation officers interviewed also valued the guidance and objectivity offered by such information risk technology and how this contributed to effective practice.

An aspect of good practice cited by most probation officers was effective inter-agency working, with this mainly occurring through the Multi Agency Public Protection Arrangements (MAPPA) (Home Office, 2002), set up in order to facilitate a multi-agency response to risk. The initial guidance from the Home Office defined the key purposes of MAPPA as:

- Share information on highest risk offenders and determine risk
- Recommend actions to manage risk
- Monitor and implement agreed actions
- Review decisions and circumstances change
- Manage resources

Lieb (2003, p.208)

Probation Officer 14 states the following.

I think it (MAPPA) got better and better. I value the fact that you can sit and talk with the Police and Social Services ... they've got more resources, clever intelligence, and know more about what's happening in the street than we will. ... I like the fact that it's a time to be honest in a professional way, and it's taken seriously by those around the table. I like the support you get there. I think it's a really, really, important part of our work ... I think it's brilliant and invaluable (Probation Officer 14).

It (MAPPA) shares the responsibility between other agencies, to say that this person we are all ... have an interest in, in the community... we will talk together, particularly if there are children involved, and decisions are made by multi-agencies. So it's not just me going (to my manager) saying, 'I have decided this'. It's all the agencies have decided that this is the way we manage it (Probation Officer 3).

Whilst recognising the usefulness of MAPPA, Wood and Kemshall (2007) found that MAPPA sometimes lacked effective communication, lacked systematic exchange of information, had varied response to risk and had difficulties coping with uneven, and lack of, resources across different areas. However, as the above accounts indicate, probation officers in this study appreciated the multi-agency approach as it facilitated and eased inter-agency communication, was a source of information and expertise sharing, shared the responsibility for risk categorisation and could also help to prioritise, on the basis of risk, the work

supervising officers carried out with offenders in supervision sessions. The importance of such multi-agency working, when it comes to risk management of high risk offenders, has been repeatedly made by enquiry reports, related to fatal violent and sexual offences; the Hanson and White Inquiry (Home Office, 2006a) and the Rice Inquiry (Home Office, 2006d).

As explained in the previous section, many probation officers were cautious about sex offenders being rehabilitated. Consequently, for some probation officers, successful practice constituted managing cases well. Probation Officer 2's account highlights this repeated risk management theme.

Yeah, um, I had a chap who was released on licence. The licence was a reasonable sort of period. He was a MAPPA case - didn't have time to go through a programme in this instance ... I suppose it was successful because it was successfully managed ... We managed to move him away from the victim. You know some of that is merely about the control element, to the provisional MAPPA, and where he was positioned, and the restrictions of where he could go. Because the victim was very close to his parents, so some of it was simple control and liaison with the police, well, and the police keeping an eye and the Public Protection Team, and some of it was about his thinking over the course of supervision (Probation Officer 2).

Similarly, Probation Officer 6 perceived success as "kicking arse" with regard to other professionals, to secure an effective "risk management" plan. Below, the officer described the various risk management, negotiation and advocacy tasks involved in obtaining housing for a particular sex offender, soon to be released from prison, with stable accommodation being cited as a protective factor against sexual offending in some cases (Erooga, 2008).



The one who's on parole, eligible in July, I think I'm actually doing well with, not particularly in terms of addressing his offending, but actually getting a manageable risk management plan into action for his possible release. I'm trying to kick arse with the CDT (community drugs team) who said yeah, we'll attend the February MARAC (multi-agency risk assessment conference). What I did there and there again, the idea of them paying for a rehab, so I talked to the office manager. So I did a confidential referral quickly, the boss rang, didn't actually speak face to face, wanted the MARAC date to be changed. OK, so we send somebody, nobody came so, um, I tried to phone her and I've since written to her and I checked it out with (my line manager) and she actually toughed up the letter a little ... I referred to four other housing providers. So I put a lot of work into that one (Probation Officer 6).

For Probation Officer 8, successful practice was simply writing a particularly good report - which identified the person's risk which, in turn, enabled the offender to receive further treatment in prison.

I did a good piece of work with someone who wasn't in the community. I wrote a report, identifying that person's risk, enabling the person to receive further work in the prison system (Probation Officer 8).

As explained in Chapter 2 (Section 2.6.) probation officers now have to use OASys, the Offender Assessment System (Home Office, 2002b), a computerised information assessment system linking offenders' risks and needs to supervision plans, which are meant to structure and inform input provided to offenders. In Chapter 7 (Section 7.3.) of this study, probation officers cite various limitations of supervision plans being informed by OASys. However, other probation officers welcomed OASys, and how this system contributed to their successful practice.

It all goes through OASys. It gives you scope for looking at all the criminological needs there are. There is real breakdown with the risk sections. That gives you a real plan of what the risk issues are, and the

problems. So they are immediately incorporated in the Supervision Plan (Probation Officer 10).

The OASys is good in terms of your written part of your assessment (Offender 3).

The OASys is good as well, because if the case is transferred, there is all the information there for them (Offender 11).

Probation officers are instructed to use the Community Sex Offender Groupwork Programme Case Manager Pack (C-SOGP), a pack of prescribed exercises designed to prepare sex offenders for groupwork programmes. Exercises, for instance, include one in which a sex offender is helped to compile a life-line of significant negative and positive events. Another exercise consists of the sex offender compiling the reasons for and against re-offending. Probation Officer 12 positively welcomed the 'top down' authority and uniformity such a systemised, prescribed approach can help provide, contributing to perceived successful practice.

Top down because we have got limits and restrictions on what we can use with the sex offenders, with the pre-programme work, you do the same work with every type of sexual offence and every type of offender, so it's not negotiable; you're saying, 'this is what we have to do.' They all attend the same group programme, the pre-programme, and afterwards it's about monitoring. You will get offenders on a weekly basis. They don't have any, any choice about any interventions they need (Probation Officer 12).

Other probation officers also mentioned the C-SOGP pre-programme pack as enhancing their practice, including Probation Officer 1 below.

I mean what, I suppose, has been helpful, the last few years, we've had a sort of pre- what's called the pre-C-SOGP work to do with people, and

even if you don't actually mention the offence too much there, because you don't want to get into 'yes you did, no I didn't' type of thing. But you've got a variety of exercises you can work with, to try and get a better understanding of that person, and that will also give you something in that (Probation Officer 1).

In addition to describing how a more systematic approach to probation supervision can contribute to successful practice, all the probation officers interviewed stated that successful practice for them included the formation of a positive relationship with the sex offenders they supervise. As explained in Chapter 3 (Section 3.10.), there is much evidence to indicate that forming a therapeutic alliance or therapeutic relationship is a basis for productive change in all client groups, including sex offenders (Hubble, 1999; Mulloy, Serran, and Marshall, 1999). Likewise, most of the 15 probation officers interviewed described the quality of the supervisory relationship as an important factor in rehabilitative progress. Whilst probation officers, as illustrated above, were generally cautious about rehabilitative progress, when describing successful cases they still cited their relationship with the offender as an important factor in whatever perceived rehabilitative progress had been made.

I'm a firm believer in that developing good relationships is crucial to the work that we do (Probation Officer 15).

Probation officers talked about the importance of viewing sex offenders as people, not just offenders.

So, sometimes, I think, if you end up talking to someone about football, um, a classic one, isn't it, people say, but maybe that does have its small part to play in looking at sexual offending, um, as long as it's not the main

part, or maybe a very significant part, but it's still a part. It's getting that common humanity really (Probation Officer 1).

I thought he was a very nice man, honestly. I can separate the behaviour from what he has done. No pre-conceptions about anything (Probation Officer 4).

Probation officers also described the importance of relationship building in terms of Roger's (1957) three core conditions for therapeutic change: 'positive regard,' 'empathy' and 'genuineness.' Probation Officer 14 described the importance of developing positive regard, in terms of respect, despite her negative feelings. How probation officers overcome such negative feelings will be discussed in Chapter 7 (Section 7.4.).

His sexual activity I just found so depraved and bizarre ... I remember leaving the prison, and during the interview I wanted to get up and walk out ... Talk about the risk is the main thing, but also for me that the main thing is based on respect ... they are individuals who need respect even if they haven't dished an awful lot out to others, and to work with them I've got to respect them as a human being (Probation Officer 14)

In his interview, Offender 5 highlighted how the communication of regard or respect is not necessarily dependent upon probation officers personally liking offenders.

I don't think it matters whether she likes me. I don't think that it matters if she likes me, as long as she deals with me professionally. And she's courteous towards me. And I wouldn't necessarily expect her to. It would be nice if she did, and in my heart of hearts, I think she may be, and respects me. She respects the fact that I have made these massive changes. But then acknowledges there is a possibility of a relapse. My offences aren't trivial, they are big, important things, that can't just be dismissed. Whether she likes you or not is not the issue (Offender 5).

However, some probation officers talked about coming to genuinely like many of the sex offenders with whom they worked, making the communication of regard more straightforward.

Yeah, I thought he was an old sod, frankly (long pause). Yes, I changed, I think. I wouldn't say quickly, but very gradually, but no, fairly rapidly, I think, once I got to know him. When I first met him in person, I thought he was terrible. I think once you got through that, you know I think I started to really like him (Probation Officer 1).

Yeah, I came to like him, actually. I found, as we worked together, liked him as a person, I think. He's a nice person. We got on. Um, feeling of disgust, as I said, not disgust, feeling about that came to disappear, and I came to understand about what that offence entails (Probation Officer 10).

When describing her view of effective working, Probation Officer 3 described the importance of empathy, in addition to viewing the offender positively as a person.

I think there was probably more of an element of - sympathy is the wrong word - empathy for his life experience and a kind of, 'well, I'm not surprised something has happened, in fact I'm surprised there wasn't more'; so more of an understanding of where this person was coming from, rather than just looking at the offence (Probation Officer 3).

Probation Officer 14 also described the importance of empathy, with regard to relationship building.

So, yeah, I came away, I remember the afternoon seeing him in prison at the end of the SOTP. He was a bit gobby in there. But then I can remember thinking, well would I have been a bit gobby in his position? Well yes, probably (Probation Officer 14).

Being genuine, in terms of being clear about roles and boundaries, was also considered to be important with regard to relationship building.

I think really, you really must lay your cards on the table (Probation Officer 1).

I'm very clear with offenders from the outset: 'OK, here's your licence, this is what's going to happen if you fail, and this is the consequences' (Probation Officer 15).

Yeah, I think you set those boundaries at the start. If you're with an offender, you need to explain to them exactly what your role is. There are the boundaries. These are their responsibilities (Probation Officer 12).

Although probation officers cited being genuine with sex offenders as important to establishing a trusting relationship, probation officers being genuine with ex-offenders on supervision appeared to be an ambiguous area, as will be explored in Chapter 7 (Section 7.5.). The challenges of probation officers being regarding and empathic to sex offenders on probation will also be explored in Chapter 7 (Section 7.6.).

To conclude this section, probation officers viewed successful practice in terms of effective risk management, often facilitated by good multi-agency working through MAPPA (Multi Agency Public Protection Arrangements). Other elements of risk management, such as ensuring risk management strategies are adhered to by offenders, organising resources and writing good reports were also deemed to constitute successful practice. The prescriptive clarity of OASys and the set pre-group work exercises, C-SOGP, were thought to contribute to successful practice by some probation officers.

This emphasis on the various tasks associated with risk management would seem, at least on the surface, to have little relation to strengths-based approaches, as described in the previous chapter. Whereas strengths-based approaches tend to focus on the welfare of the individual, clearly the main focus of risk management is the welfare of the public. However, as will be explored throughout Chapter 8, many probation officers provide examples of effective risk management methods, which have strong resonances with strengths-based approaches. Whilst there would seem to be some tension between systemic risk management and strengths-based approaches, the probation officers' uniform view that forming a positive relationship with sex offenders is the foundation of successful practice, is very much in accord with the strengths-based approach.

#### **5.4. Sex offenders' accounts of good outcomes: the supervisory relationship**

The 15 sex offenders interviewed were far more positive than the probation officers interviewed, about therapeutic progress. However, sex offenders' positive accounts of progress can be construed in terms of them underestimating, or being in denial of, the actual risk they pose. Moreover, as already explained, the sex offenders chosen for this study tended to be the more successful cases, so would be likely to have particularly positive stories to tell about rehabilitation. This notwithstanding, the good rehabilitative outcomes described below repeatedly occurred in the sex offenders' accounts.

As explained above, the prison and community cognitive-behavioural sex offender groupwork programmes are the main rehabilitative tool used with sex offenders in the criminal justice system at this present time. Therefore, unsurprisingly, many of the rehabilitative gains talked about by the sex offenders - responsibility taking, victim empathy, insight into previous antisocial behaviour - took place within the groupwork setting, which is not the focus of this study. All the sex offenders also talked about the importance of consequential thinking, with some offenders describing a significant shift in identity and lifestyle, pro-social developments which made re-offending, in their view, unfeasible. The sex offenders, like the probation officers interviewed, also described various important ways in which their one-to-one relationship with their supervising probation officers crucially supported and facilitated their rehabilitative journey. The offenders described various interventions and skills displayed by their supervising officers, which seemingly aided rehabilitation. These instrumental aspects will be explored in more detail in forthcoming chapters. However, all the offenders described the overall quality of the relationship between them and their supervising officers as a significant factor in helping them to utilise their time on probation constructively.

It was clear that many of the sex offenders interviewed significantly valued the relationship with their supervising probation officer.



When I come and see him (my probation officer) it's never felt that it's been a chore or anything like that. It's been a pleasure (Offender 4).

I will always ask her opinion, and if it will benefit me in any way, shape or form, I'll do it (Offender 9).

I actually missed coming in and just having that 10 minute chat to someone who is objective and is away from your personal life (Offender 6).

It's no big deal to me to come in to speak to my probation officer, in fact I enjoy it (Offender 12).

Consistent with probation officers' accounts, sex offenders described the importance of probation officers communicating regard, empathy and genuineness. In relation to the therapeutic quality of regard, Offender 4 stated that when his probation officer first met him, she probably thought, "Oh God! I've got another case here, another pervert." However, since his probation officer had got to know him better, Offender 4 considered that his probation officer had come to view him with positive regard, in the following way.

Now; a man's done an error in his life, and he's tried to make things right as best he can, but he finds it impossible, but he's going to try and do what he can (Offender 4).

Offender 13 described not only his probation officer's "sincerity" but her empathic ability to perceive his state of mind.

She's sincere; it hasn't taken her long to suss me out, she knows just by the way I talk. If I start to get anxious, if I got this problem, maybe that is like a warning to her. It's how I'm adapting, and how I'm behaving as a result of these triggers, these problems. If I start getting some CDs (cognition distortions) problems, she can see that, it's a slight warning sign for me, not everything is going as well as it was last week (Offender 13).

Offender 12 described his perception of his probation officer as being “fair and honest,” characteristics akin to the therapeutic quality of genuineness.

I've always got on very, very well with (my probation officer), and it's like a friendly relationship, and she has always been very fair with me and I was very honest, and I have always tried to do the same back (Offender 12).

Bottoms (2001) described how involuntary clients can choose to comply with boundaries through ‘normative compliance’ based upon moral obligation rather than ‘instrumental compliance’ based upon deterrents and incentives. This was apparent in some of the offenders’ accounts, citing not wanting to lose the respect of the probation officer, or to let down the probation officer, as factors, among many others, preventing them from re-offending.

And (my probation officer) at the moment trusts me, I haven't re-offended and that is why he trusts me. As soon as I re-offend I have to start my relationship with (my probation officer) over again (Offender 7).

I feel it would be letting him (the offender's probation officer) down, if I re-offended. He's like the main person I can visualise, also can inspire me to not re-offend. He's put faith in me (Offender 2).

That's another thing. I never wanted to re-offend since 25 years, but even if that feeling did come back, I would pull myself up. ‘Look what these people have done for you. You can't let them down.’ Speak to (my probation officer) about it. That's what I would do if I had any problems like that. I'd get on the phone to my probation officer (Offender 1).

Philosopher Charles Taylor (1989), whose views on identity will be expanded upon further below, posits that identity is related to how human beings orient themselves to what they perceive as good. Taylor also makes the point that self is only constructed through language, in relation to others.

I am a self only in relation to certain interlocutors: in one way in relation to those conversational partners who were essential to my achieving self-definition (p. 36).

From the accounts of sex offenders 7, 2, and 1 above, a process of pro-social self-definition appeared to be occurring, whereby the offender wants to be viewed as trustworthy and responsible by the supervision officer. The challenges involved in securing such a transformative process of rehabilitation, and how such rehabilitation can be achieved through strengths-based means, will be addressed in detail in the proceeding chapters.

#### **5.5. Sex offenders' accounts of good outcomes: awareness of the personal consequences of re-offending**

All sex offenders interviewed talked about having developed heightened consequential thinking as the result of being convicted of a sexual offence, and the loss of 'social capital' and 'human goods' in relation to this. As described in Chapter 3 (Section 3.3.), Farrall's (2002) desistance research describes how offenders who achieve a real change of identity and social purpose, leading to a desistance from crime, commonly do so through the accumulation of pro-social rather than deviant 'social capital' (i.e. good family relationships and satisfying occupation), which they come to fear losing through re-offending. Also as described in Chapter 3 (Section 3.4.), with regard to sexual offending, Ward and Stewart (2003) have developed, in parallel, a strengths-based 'good lives' model (GLM), whereby individuals desist from crime. To recap, Ward posits that human beings are naturally inclined to seek up to ten primary 'human goods:' (1) life; (2)

knowledge acquisition; (3) excellence (including mastery experiences); (4) agency; (5) inner peace; (6) friendship; (7) community; (8) spirituality; (9) happiness; (10) creativity (Ward and Maruna, 2007, p.113). The means by which these primary goods are sought (secondary human goods) can either take the form of constructive or destructive ways of being or acting i.e. being a career criminal or a career nurse, for instance. The sex offenders in this study described how valuing and fearing the loss of such 'social capital and human goods' was an important reason why they would not sexually re-offend.

Various offenders talked about the deterrent of losing the 'human good' of freedom, as a reason they would not re-offend.

... because she could stick me in the slammer just like that, so you got to work with them, if you don't, things will fall apart, and everything will go pear shaped (Offender 14).

... but the orders that I have got over my head, other ones from the courts, but I have to abide by, if I don't I can be returned to prison (Offender 12).

This is my life now, and I want to be free to live my life. I don't want to be banged up in prison ... I am not going to re-offend. I have too much to lose. I'm doing so well ... I'm not going to throw that away; I'm not going to throw it away (Offender 9).

Other offenders discussed how the fear of losing the 'social capital' and 'human goods' of relationships would prevent them from sexually re-offending.

Mostly, friends and family, and girlfriend, and thinking about the future. I mean, I've got so much to lose. Yeah, so it's working towards that; something that I don't want taken away from me (Offender 2).

My family stuck with me, even though my offences were connected to the family. ... As I say I got responsibilities, and that is another thing that goes against anybody, stopping them re-offending, being responsible to someone, and thinking, you know, well these people are good. They are looking after you, and don't you dare let them down (Offender 1).

For Offender 4, the 'human good' of 'mastery,' i.e. not being seen as a failure and putting into practice what he had learnt on the sex offender groupwork course, was a reason given for not re-offending.

That's not going to be me. Whatever happens I'm not going to be another statistic for the government. These courses do work for the people who want it to work. We started off with 9 people and by the end of it there was 6, because the others didn't want to work, for their own reason. With some of them you could well, fair enough, I can see what their reason is, but at the end of the day, you don't want to put the effort in, if you don't get nothing out, you know (Offender 4).

## **5.6. Sex offenders' accounts of good outcomes: increased empathy**

Various offenders interviewed described the core importance of acknowledging the harm caused by their offending and developing increased empathy. This was articulated in terms of having come out of denial to appreciate the harm caused to victims and those close to victims. However, the "ripples" of harm, as some offenders described the consequences of their offending, also extended to the relatives of the offenders, and the distress caused to professionals working within the arena of sexual abuse.

It's not just one victim. It's like dropping a pebble in a pool; the ripples that come out of it ... You see, until the people realise that, I can't see them (other sex offenders) getting on, you know. Victim empathy is a very important thing (Offender 1).

I just look on it, the more that I understand myself, the more hurt that I realise that I've actually caused, then I know I'm not going to go down that path again (Offender 11).

The vast majority of sexual offenders interviewed had either completed the prison and/or the community sex offender groupwork programme, or were in the process of participating in the community groupwork programme, at the time of being interviewed. For the majority of sex offenders, it was the groupwork programme that facilitated the rehabilitative gains cited above. Below are two typical examples.

I was put into a situation on the programme; what it must have been like being in her (the rape victim's) shoes, and that brought home how much I destroyed somebody's life and family, and also my family and friends as well. I feel that was the biggest step I made. The biggest thing as well to go through; it was enormous and I feel that that helped me so much (Offender 3).

Yes, yes, OK, it goes deep into offending, and one of the things, the sort of, now I don't want to use the word 'turning point,' but it's the only thing that comes to mind, but something that really opened the door, opened my mind, was the victim empathy part of the course. When you sat there, and what effect this has, or you had; part of the work I didn't mind was, I had to write a letter (letter to victim that is never sent) ... that is seriously hard to do. But when you sit in the room, there is a group of eight guys there and two facilitators, and you're talking about the empathy side of it, and I think that really put it home to me, well hang on, the damage I caused here (Offender 6).

In the above sex offenders' accounts, the perceived rehabilitative pay-off in being prepared to face the harm done to others (the nature of the offenders' pain is explored in the next chapter) was the development of victim empathy. Hence, the concepts of acknowledging harm and victim empathy appeared closely related.

As is evident in Chapter 3, which explores in detail the evolution of strengths-based approaches, focusing upon solutions and on the future are important elements of the strengths-based orientation. However, the sex offenders' emphasis on the importance of acknowledging harm caused and the related development of concern for others usually involves, as will be expanded upon in the next chapter, a traumatic psychological journey into past problematic areas. These aspects of the conceptualised rehabilitative journey have much more in common with the orthodox problem-focused way of treating sex offenders (Salter, 1988; Finkelhor, 1994), which involves the acknowledgement of distorted and harmful ways of viewing self, others and victims, in order to clear the way for the development of empathy

Developing victim empathy and empathy for others has been, and still is, a staple of sex offender treatment programmes (Brown, 2005). As will be more fully discussed in Chapter 7 (Section 7.4.), the project of getting sex offenders to dispense with or reduce perceived denial so that they can develop empathy for victims, was a practice preoccupation for most probation officers. However, the link between greater empathy and lowered risk of sexual re-offending has been contested because of various problems, including the difficulty of defining the construct of empathy (Pithers, 1999). The question has also arisen as to whether sex offenders have generalised empathy deficits or have specific motivations for not experiencing empathy for victims (Ward et al., 1995). There have also been mixed research outcomes, with regard to the link between greater empathy and

lower sexual recidivism (Smallbone et al., 2003). Nevertheless, one of the most important aspects of rehabilitation for most sex offenders interviewed in this study was progressing from denying their offending and anti-social behaviour to acknowledging the harm of it and, seemingly as a consequence, developing greater victim empathy for others.

### **5.7. Sex offenders' accounts of good outcomes: increased general concern for others and valuing of relationships**

Various sexual offenders interviewed described a transformative process, in which constructive relationships with others became a much more important part of their value base. In addition to accumulating relational 'social capital' and 'human goods', a number of offenders described a fundamental shift in how they perceived themselves in relation to society, consistent with Maruna's (2001) concept of developing a pro-social self.

Two offenders, below, describe global shifts in how they now perceive prospective sexual partners.

Also women; it has given me a bigger perspective of women as well. I respect them so much more now than I did do. I didn't have that respect in the past. Um, cause of relationships breaking down and things like that, I wasn't really bothered, you know ... My family, my victim, my friends, the probation officer; it made me realise that life is not about me; it's about other people around me and that's how I felt (Offender 3).

I don't see them (young boys) as sexual targets, if you like. I'm happy with the sex life that I have with my partner, with the life beyond sex I have. I don't want to jeopardise that at all. But even if I didn't have that, I think I would have come to a point where I didn't see them as ... it's kind of like



that I'm bisexual and accept that. Like I say I think that Damon (Matt Damon, the actor) is nice. I still see people who I think are attractive, but I don't feel I want to go beyond that. It's almost as if you can look, but you can't touch. I don't think I'll ever, ever get rid of the attraction or the thought of it. But I don't want to. The fact that it would be destructive to me, destructive to the person, destructive to my family (Offender 5).

The following offenders reflected remorsefully on being self-orientated in the past in general terms, apart from their sexuality.

I told him (probation officer) lots of things about the thieving I done, and how I used to treat other people, people who were really good to me, and how I treated them really bad (Offender 1).

I was a very selfish person; didn't think about anybody else; didn't want to know about anybody. All I talked about was myself, you know. My family, you know, didn't have contact with my family. I was working 70 hours per week, you know (Offender 3).

I had always felt I was concerned about other people, but because I stopped worrying about things that could happen to me, I then became much more focused on 'well, how are you?' I became a much more interested person to other people ... I had become a more caring, more attentive, and more relaxed person (Offender 13).

Offender 10, 60 years old at the time of interview, had committed two offences of rape, serving a 20 year prison sentence. He described his previous offending history.

I've got a serious criminal history, I've been involved in attempted murder, shootings and all that sort of stuff (Offender 10).

The same offender talked of a gradual but fundamental change of values and identity.

I'm a Buddhist. I've got a degree (a social sciences degree, gained in prison). But then I started looking into the Arts, and that opened a whole different world to me. I just wasn't interested before ... I only cared about myself. I failed to really appreciate or realise how selfish I was, or have any awareness at all about the people I hurt, her family, her friends. It affects people's lives. Obviously affected mine, and my family, and what they have had to endure. But that (realisation) doesn't happen overnight (Offender 10).

Similarly, Offender 5 described fundamental shifts in the way he experiences life and perceives himself.

I realise that there's such a lot of things in life that you can do and be involved in that aren't motivated by sex, and I think that for a large part of my life, if I couldn't see any sexual outlet at the end of something ... I would engineer one ... because that was the icing on the cake, if you like, I would still do things, but I would feel I missed out on something. Maybe as a natural ageing process, as I've got older, you don't think so much about sex .... My 40th birthday was the first time that I actually felt as if I was older (Offender 5).

Offender 10 proceeded to illustrate the extent to which he had changed as a person, by discussing a previously close relationship with a woman, which had fairly recently ended. He explained how relationships with women breaking up had been a risk trigger for him in the past, leading to his serious offending. He contrasted his previous destructive reaction to relationships with women ending with how he had recently sensitively supported a partner, with whom he had been having a much valued relationship, when she had chosen to return to her husband. According to the offender, the woman had felt guilty that her husband had been seriously injured in a crane accident. What seems apparent in the

following account is the offender's pro-social empathy and general concern for another rival male.

I felt a certain compassion for this guy ... because of the way I would've reacted years ago ... 'Fuck him, bollocks to him' ... you know, all that sort of stuff ... I would have had some seriously hostile feelings toward that. I would have fucked them up, one way or the other, being spiteful, vindictive and stuff like that. I wouldn't have seen it from any other person's point of view except my own (Offender 10).

Like Maruna, philosopher Charles Taylor (1989) posits that human beings make sense of themselves through narratives, the stories we tell about ourselves. As will be discussed in the following chapter, Hudson (2005) also explores the importance of identity issues, discussing such issues with specific regard to sex offenders. In common with both Maruna and Ward, Taylor posits that self-identity is formed in terms of how we orientate ourselves to what we perceive as the good, the preferred values around which identity is constructed.

I have been arguing that in order to make minimal sense of our lives, in order to have an identity we need an orientation to the good ... now we see that this sense of the good has to be woven into my understanding of my life as an unfolding story (1989, p. 47).

Hence, for an unredeemed sex offender, the good could be developing the street-wise guile to deceive a probation officer about the true state of their lives. Such a situation is commented upon by Offender 10.

I think I put this front on, this model parolee, and I led a secret life. I would come in and everything would be fine and rosy, but my life would be in fucking chaos (Offender 10).

The same sex offender talks about coming to view himself differently.

Grendon (a therapeutic prison regime) was the main thing for me. I saw myself differently, my offence differently (Offender 10).

Offender 10 described a Gestalt-type moment, in which his sense of the good changed. He now constructs previous deceptive “Jack the Lad” type behaviour in terms of the bad, in terms of psychopathology, and no longer wants to be associated with this.

But I have empathy with things now, where I didn't before. I'm ... I knew about this psychopath, and all this ... but in actual fact it was me, if you don't give a toss about people (Offender 10).

The above offenders described how the threat of losing social capital, in the form of relationships and valued occupation, acted as a prohibition against further sexual offending. Various sex offenders interviewed also described fundamental shifts of identify, as they developed a more pro-social self, which was more relationally orientated. These rehabilitative factors are consistent with the protective factors against further offending described in strengths-based desistance approaches to crime reduction, including sexual offending.

## **5.8. Conclusion**

Whilst much rehabilitation of sex offenders takes place on groupwork programmes, significant rehabilitation input appears to occur in supervision sessions. Supervising probation officers generally viewed good supervisory outcomes in terms of hard-won steps of progress, rather than major leaps of rehabilitative gain. These gains were consistent with orthodox cognitive-behavioural treatment goals. Probation officers' accounts of good practice were associated with various risk management tasks, with systems of risk technologies and prescribed practice being seen by many officers as helping them to achieve such good practice. However, all probation officers interviewed expressed the view that forming a good relationship with sex offenders was an important factor in achieving good outcomes and practice.

As with the probation officers interviewed, all the sex offenders said that the developing of a positive relationship with their supervising probation officer was an important factor in the rehabilitative process. The majority of sex offenders interviewed describe how an important part of their rehabilitative outcomes was a heightened awareness of losing liberties and privileges, consistent with 'social capital' and 'human goods,' if they re-offended. Offenders also described the importance of acknowledging harm caused, and the related development of empathy and concern for others. For some offenders, the rehabilitative process involved a fundamental shift in personal identity, as offenders developed a more pro-social self, which was more relationally orientated.

A number of the above repeated examples of good outcomes and practice described by probation officers and sex offenders are not majored upon in strengths-based approaches. Cognitive-behavioural gains, the emphasis on risk management, and sex offenders engaging with the highly problematic nature of their past are, as is evident from the discussions in Chapters 3 and 4, more consistent with orthodox sex offender treatment initiatives than most strengths-based initiatives. However, the stress placed on the importance of the therapeutic alliance between officer and offender, and the importance of offenders obtaining social capital and undergoing identity change, is very much consistent with strengths-based approaches. Moreover, as will become apparent in Chapter 8, many of the interactive means by which probation officers achieve orthodox treatment and risk management goals with sex offenders, are consistent with strengths-based interventions.

## Chapter 6

### **Sex offenders' accounts: challenges to good outcomes**

#### **6.1. Introduction**

The previous chapter outlined probation officers' and sex offenders' accounts of good outcomes and probation practice. As stated at the end of the previous chapter, the sex offenders interviewed cited good outcomes as including raised awareness of losing valued 'social capital' and 'human goods,' increased empathy about harm to others, more general concern for other people and an increased appreciation of the value of relationships; gains in psycho/social functioning which can be placed under the desistance category of 'human capital.' Some offenders also described a process of fairly radical transformation, in which they developed a new pro-social sense of self. In addition, an important aspect of the rehabilitative process was seen by sex offenders to be the establishing of a positive therapeutic alliance with their supervising probation officer, which would seem to rely, in part, on good practice on the part of probation officers. This chapter will focus on the challenges involved in achieving such good outcomes and good probation practice, from the perspectives of the sex offenders interviewed.

## **6.2. The challenge of accumulating 'social capital' and human goods: accommodation, community and occupation**

As explained in Chapter 3 (Section 3.3), Farrall's (2002) desistance research describes how offenders who achieve a real change of identity and social purpose, leading to a desistance from crime, commonly do so through the accumulation of pro-social rather than deviant 'social capital' (i.e. good family relationships and satisfying occupation), which they come to fear losing through re-offending. Also as described in Chapter 3 (Section 3.4), with regard to sexual offending, Ward and Stewart (2003) have developed, in parallel, a strengths-based 'good lives' model (GLM), whereby individuals desist from crime when they constructively, in pro-social ways, seek up to ten primary 'human goods,' ranging from 'life' to 'community'.

Acquisition of secure housing would constitute 'social capital' in desistance parlance. According to the GLM, secure housing would be a secondary 'human good', leading to various 'primary human goods', including 'life,' 'inner peace,' 'community,' 'happiness' and 'creativity.' Without the 'secondary good' of housing to provide basic shelter and safety (i.e. 'life'), it is arguably unlikely that primary 'human goods' such as 'happiness' and 'creativity' can be reliably acquired. However, it became clear, from the offenders' accounts, that being convicted of a sexual offence can jeopardise the basic need or secondary 'human good', of safe accommodation.



Like many general offenders, sex offenders often automatically lose rented accommodation when they go into prison.

When I went inside, I lost everything. I lost all my belongings, all my records, my video, my TV, everything ... I had to re-buy everything ... I'm quite happy where I am now, because it's a quiet area. I don't see anyone. I don't really bother with anyone ... I lost everyone ... mainly friends (Offender 14).

Other offenders move because they fear reprisals in their local area.

When I was inside, I made the decision, it was best if I moved from the area, so that if anyone did know me, that have got any sort of grievance against you ... (Offender 11).

Even when sex offenders were in their own homes, some feared for their safety.

When something comes on TV, they (the offender's family) are not worried about it. I am, because I think it's going to come back on us all again, you know, like having my name out on a website or whatever. I've spoken to the police about that, because I did tell them if that happened, I am going to have to move away from my wife, because I don't want that address on the website. I said I don't care where I end up, as long as you know where I am, as long as my wife knows where I am. I said I can't put her in the firing line, you know what I mean, because some terrible things can bloody happen (Offender 1).

Reading about myself in the paper, it gave me great anxiety, obviously, because people know who I am, and even my address where I was staying was in the paper (Offender 12).

Yes, it's constantly in your mind all the time. Like all this new law, like they want to bring out, so that people can have access to know who is living on your doorstep (Offender 11).

The "new law" to which Offender 11 refers is 'Sarah's Law,' a public campaign for people in the community to know the whereabouts of convicted sex offenders, released into the community. The campaign followed the sexual murder of Sarah

Payne in 2000, by sex offender Roy Whiting. Advocates for 'Sarah's Law' call for legislation similar to that of 'Megan's Law' in the USA, which came into force after the sexual murder of 7-year-old Megan Kanka in 1994. Erooga (2008) provides a recent analysis of the effects and consequences of this legislation in America. Until recently, such notification has been resisted in Britain, because of fears that sex offenders will be counterproductively driven underground (Kemshall and Maguire, 2001). Practitioners in Wood and Kemshall's (2007a) study also expressed the view that public notification of the whereabouts of sex offenders would be counterproductive. However, following the *Review of the Protection of Children from Sex Offenders* (Home Office, 2007a), a limited disclosure 12-month pilot scheme began in September 2008, in four UK areas. With this scheme, anyone can raise suspicions about an individual with the police, but disclosure of previous offences or concerns will only be made to those directly responsible for the child potentially at risk. Erooga (2008) illustrates how Megan's Law in America has led to widespread notification of sex offenders' whereabouts, leading to many more sex offenders living itinerate, homeless lifestyles, through fear of vigilantism. Although widespread notification in the UK is not a present reality, various sex offenders in this study reported a compromised quality of home life, representing a further challenge to developing a 'good life,' which is theorised to reduce the risk of re-offending.

Another of Ward's primary human goods' is 'community,' community being also a form of 'social capital'. However, it was evident from many of the sex offenders'

accounts that achieving the goal of community is particularly difficult for sex offenders, who are probably the most demonised group in society (see Chapter 2, Section 2.2). Various sex offenders reported feeling fearful or alienated in the community.

The first few weeks after, when I came out of prison, I was scared, I came up here, and went - had a walk through the shopping centre. I felt scared (Offender 6).

Obviously reprisals, because the family involved don't live too far away. He's (the victim's father) got a lot of friends which I don't have (Offender 14).

It was important to be the other side of town, for every time we would go to my father's house, there's that concern, even driving the car ... I was on tenterhooks all the time (Offender 13).

Various sex offenders reported that visits to the probation office were also a potential site of stigma and alienation; some were fearful that they would be seen at the probation office by somebody they knew.

One of the main things was coming here, like now. I mean, I walk past a couple of times, to see how many people are in there. Do I know anybody in there? Do you know what I mean? That is another thing I know. It's a feeling that somebody might be in there that lives in the street or something. Do you know what I mean? They might say, 'what the hell is he doing there, like?' (Offender 1)

Offenders did report relief once they moved away from areas in which they were known.

There is always that looking over my shoulder, and I could bump into someone ... I moved away, and it's a real weight off my shoulders (Offender 13).

However, the price of safety often appeared to be the loss of 'social capital' and 'human goods', with regard to quality of life and community ties.

I did have loads of friends out there, and I let everybody down, really. They have been shattered really, quite a lot shattered (Offender 11).

I actually have a 10 mile exclusion zone, so I can't really go to (Anytown), and (Anytown) is a market town. I like going around ... (Offender 6).

I'm quite happy where I am now, because it's a quiet area. I don't see anyone. I don't really bother with anyone (Offender 14).

Making friends, I'm very selective, who I make friends with. I don't socialise very often (Offender 10).

Sex offenders' seeming alienation from the community also appeared to take the form of them experiencing themselves as posing a risk to others in society. Offenders reported that they had developed a heightened awareness of how interactions with others could be incorrectly misconstrued.

I used to write everything down, the time I went out of the house, the time I came back. No one told me about that, I just thought it was a good idea because there's another fear when you come out of prison, and you're on the Sex Register, you got to be careful where, uh, how can I say, situations you can get into, like. You can be on holiday or something; you need to go to the toilet. There could be kids in there. What I always do, I make sure no one's in there before I go in there. Not because I am afraid of anything happening, but in case something does happen, and they are looking for someone, and somebody seen me there, and say 'well that is him, he's a sex offender', and you got a hell of a job to prove your innocence after (Offender 1).

While initially, you're told you're not to hang around parks and not to hang around schools and things, and on the points along the line, I look at employment now. While if I'm doing this job, what does the job involve? What would it put me in contact with? ... They (the probation service) did say, working in a hotel thing, in the kitchens and that. But would they have younger waitresses working for them? That could pose a risk ... It

can look as if it would pose a risk, like if someone else sees me there, even though there is no intention whatsoever. It only needs someone to go back and I could be recalled (Offender 11).

In both the above accounts, the offenders are clearly acutely aware of risk factors and how they cannot afford to put themselves in situations that might trigger an actual risk of offending or might arouse suspicion, even if such suspicion is false, that the sex offender in question is planning to offend. From an orthodox problem-focused relapse prevention perspective (Pithers, 1990), the caution with which the above sex offenders go about interacting in the community would seem to be evidence of effective rehabilitation and risk management.

However, the sex offenders' heightened awareness and inner monitoring of their own risk can be viewed as similar to the self-surveillance process identified by Foucault (1977) as occurring in late eighteenth and nineteenth-century prison life. The 'panopticon' was a prison design put forward by the eighteenth-century prison reformer Jeremy Bentham in The Panopticon Writings, published in 1995, consisting of a central tower which ensured maximum visibility of inmates isolated in their cells. However, from moment to moment the inmates were not aware whether they were being observed or not. Parton (2006 p. 206), notes, about the panopticon:

More than a simple device for observation, the panopticon worked in conjunction with explicitly articulated norms as established by the emerging social sciences, in an effort to transform the prisoner's relation to him or herself. This disciplinary aspect of panoptic observation involved a productive soul training which encouraged inmates to reflect upon the

minutiae of their own behaviour in subtle and ongoing efforts to transform themselves.

Foucault suggests that the panopticon is a metaphor of how power and control can be regulated through society, with the social norms of a society being internalised by the individual. Rose (1990) also discusses ways in which the internal self is governed and regulated through state mechanisms. The “soul training” and “reflection upon the minutiae of their own behaviour,” as Parton puts it, can be seen in the accounts of Offenders 1 and 11 above. Also, as Offender 2 comments in the previous chapter:

I feel it would be letting him (the offender’s probation officer) down, if I re-offended. He’s like the main person I can visualise, also can inspire me to not re-offend. He’s put faith in me (Offender 2).

In Offender 2’s account, it would seem that the centralised surveillance system of the panopticon has been replaced by the supervising probation officer’s image in the offender’s head. In other offenders’ accounts, the panopticon can be seen as the actual and symbolic task of signing on to the sex offender register; for some offenders, a life-long requirement. As stated above, such strengthening of an offender’s internal controls can be seen as positive and necessary risk management, given the dangers that sex offenders can pose. Nevertheless, sex offenders would seem to face a significant challenge in internalising an image of themselves as risky, whilst at the same time internalising an image of themselves as acceptable, pro-social and good, as is advocated in the ‘good lives’ model and other strengths-based approaches.

In addition to having to overcome the challenge of securing safe accommodation and forming community ties, various sex offenders reported difficulty in finding paid occupation. Occupation is an important form of 'social capital'. In the GLM, occupation can be seen to be a secondary 'human good' potentially leading to the acquiring of a number of primary 'human goods': 'knowledge acquisition', 'achievements', 'excellence', 'friendship', 'community' and 'happiness'.

A number of offenders stated that the commitment of having to attend the community sex offender programme, which often takes place in the day, compounded the difficulty of finding and maintaining employment.

The biggest challenge is because of my conviction being a sexual offence, trying to get back into employment, and the only other thing - the 18 month course that I'm doing. I've actually said, I wish they did a more intense course ... It's difficult enough without the sexual conviction, when you are trying to go to an employer, but then to turn around and say you need Tuesday afternoon off for the next 18 months. It makes it a lot more difficult (Offender 11).

Offender 2 talked of the time commitment involved in having to travel to attend sex offender groupwork programmes, which usually take place in more highly populated, urban areas.

I've got to go to (Anytown). It's 100 miles there and back. If you do 30 weeks, that's 3000 miles travelling (Offender 2).

Of the 15 sex offenders interviewed, one offender had retired and five offenders had not been in employment for many years. The offenders who had not worked for a number of years appeared to be particularly disadvantaged. Offender 12, for instance, stated that he had no thoughts of gaining paid employment, and described the following prohibiting issues.

Alcohol issue, mental health issues; I'm on a lot medication at the moment which, shall we say, is keeping me on the straight and narrow (Offender 12).

Offender 9 seemed similarly disadvantaged.

Everything has been offered to me. But I'm on incapacity benefit, so work isn't an option for the foreseeable future. ... I'm one of those who like my own space, my flat is my own, you know, my family's fine, but I don't have visitors, I don't want visitors (Offender 9).

Even for the less disadvantaged sex offenders, finding employment was a significant challenge. Offender 6 was in a semi-skilled technical job before committing his sexual offence.

Yes, I lost my job. I was in quite a good job beforehand. I worked as an inspection engineer. I was earning 30 grand a year, and I had been working for them 17 years. I can understand it. They cut and run and I cannot blame them and I don't blame them. I don't hold a grudge (Offender 6).

He described the challenges of trying to find employment once he left prison.

I went to several agencies, and all the agencies - if you have got a criminal record... So you got to disclose. You know you got a legal duty to disclose,



and once you disclose that, you never hear another word from them (Offender 6).

Offender 6 referred to a lack of support, whilst on probation, with the psychological challenges of finding work. For this offender, being turned down for lower skilled jobs caused considerable distress as work, for him, was a particularly important issue and intrinsically linked to aspects of his identity that were pro-social.

.. and actually finding that support in helping you get back to work; that was a key issue for me. And of course, psychology is a key issue as well ... There was not enough support there ... I got a qualification in hydraulic and pneumatics. Whilst I was in prison I did level two maths and English, ECGL. So when you go to get help from people, try to gain employment, they say well, you're over qualified, and it's that, that sort of kicks you in the teeth. You do need that help and it's that support, I think (Offender 6).

Even when some respondents had overcome the numerous challenges they faced as sex offenders in securing employment, they had to cope with stigma, or the fear of stigma, at work. Offender 13, a self-employed graphic artist, who had sexually assaulted a woman known to him, whilst drunk at a party, described the fear of being associated with his previous sexual offence by work colleagues, and this adversely affecting other areas of his life.

There was an instance where I was trying to get some work, and there was this company with an office close to where ... (his offence occurred) and I decided not to go there. I felt it's not even worth taking the risk ... I'm anxious about my new life being found out, and therefore I'm worried about the stigma of all the people who got to know me recently. They will then see me as this sex offender ... and I would feel that I've got to move.

My son's so happy, where I'm living, it's great for him. He calls in to see me nearly every day (Offender 13).

Only one of the offenders (Offender 4) had remained in the same employment, with the same colleagues, after he had been prosecuted for indecently assaulting his daughter, and after this had become public knowledge. Offender 4 talked about his experiences of dealing with this situation in work.

One said it directly to my face, and I appreciated him for that. He was the only person - this was at work - who openly said 'I don't want you to talk to me.' The other one was a female.... she made snide comments, you know. But I got that stopped at work because obviously there is a Discrimination Act and that, so they pulled her in and said look, do it again, and if she done it again, right, next time we sack you ... You just hid somewhere and cried. I guess that's all you could do (Offender 4).

It is clear from the above accounts that many sex offenders experienced profound difficulties in securing a safe home, positive community ties and paid occupation after being found guilty of committing a sexual offence. However, there did not appear to be a level playing field, with regard to the capacity for sex offenders to secure 'human goods'. For some, such as Offenders 5 and 10, community integration seemed less challenging, although they had committed some of the most serious sexual offences of the men interviewed.

Offender 5, who had a number of different convictions for sexual offences against teenage boys, stated that he had never felt intimidated in the community.

I've got a black belt in karate, so I wasn't physically threatened by people (Offender 5).

He also described a depository of existing 'social capital'.

I've had a brilliant upbringing .... I wasn't abused, I was loved. I was looked after (Offender 5).

He described an incident in which he was mistakenly reported by a member of the public for possible sex offences against children.

Somebody said they saw me going to my house with two young lads. It was my brother and two of his children ... in fact my brother got more angry about it than me. My brother is heavier than me, is about 25 stone (Offender 5).

Like Offender 5, his brother seems to have the physical capacity to defend himself. It would seem that Offender 5 belongs to a family unit which can provide resource and protection.

Offender 10 was 60 years old, but presented as fit and strong and not as particularly vulnerable, having had a gangster-like past in which he had committed serious violent offences.

I've got a serious criminal history, I been involved in attempted murder, shootings and all that sort of stuff (Offender 10).

He pointed out how some sex offenders are more vulnerable than others.

In my flat, where I live, if you were a vulnerable old man with horn-rimmed glasses and you looked the part - the stereotype - then you could have problems, but I haven't met any problems (Offender 10).

Probation Officer 15 also reflected on the effect of surface appearance and demeanour.

I think it was something about his whole demeanour that I didn't like ... But there was something that I couldn't put my finger on about him, you know. The guy I mentioned before, with two rape convictions, I would certainly go out and have a drink with him. I wouldn't go out with the other guy (Probation Officer 15).

The two sex offenders (Offenders 5 and 10) who said they felt relatively safe in the community had committed some of the most serious sexual crimes. Offender 10 was a double rapist. Offender 11 had committed serious sexual offences against underage boys. However, neither offender conformed to the stereotypical 'dirty old man' image, and looked as if they were able to defend themselves. Most of the other sex offenders interviewed, who did fit the stereotype, had committed less serious offences but reported higher levels of fear and social alienation. Hence, it would seem that conforming to the stereotype of a sex offender, regardless of the relative seriousness of the sexual crime and actual risk posed to others, compounds the difficulty of obtaining 'social capital' and 'human goods'.

Many 'human goods' in the GLM and much 'social capital' in the desistance model of crime reduction are linked with secure housing, strong community ties, and satisfying occupation. Hanson and Harris (1998) and Andrews and Bonta (2003) found that lifestyle instability is a risk factor for both general and sex offenders. However, many sex offenders face serious challenges in establishing such stability. After going to prison, sex offenders, like other prisoners, can lose accommodation. When they are released from prison, they can feel unsafe in

their own homes, fearing reprisals. Sex offenders expressed great concern about legislation coming into force that would mean the notification to the general public of their whereabouts and, hence, increased vigilantism. When in the community, sex offenders reported experiencing high levels of alienation and threat. Many sex offenders appeared to have an acute awareness of themselves as risk bearers, a self-questioning process resonating with Foucault's panopticon insights. Whereas the development of inner control mechanisms might be seen as effective relapse prevention, offenders focusing upon themselves as a risk would seem to be in tension with the development of a pro-social identity, an important rehabilitative goal of the strengths-based approach. Having committed a sexual crime, offenders usually lost their jobs, and subsequently found it difficult to secure employment. When in jobs, offenders reported fearing that new colleagues would find out about their previous offending. The more disadvantaged, and the closer to the sex offender stereotype, individuals appeared to be, the greater challenges they seemed to face in securing 'social capital' and 'human goods'.

### **6.3. The challenge of accumulating 'social capital' and 'human goods': relationships**

In addition to sex offenders facing significant barriers to being safely integrated into the community, many faced significant challenges when it came to maintaining and developing social and personal relationships, once convicted of a sexual offence. Forming relationships constitutes and facilitates much 'social

capital' and can be seen as the basis of many 'primary human goods': inner peace, friendship, community, happiness.

In her research into how sex offenders on groupwork programmes view their identity, Hudson (2005) uses the concepts of 'stigma' (Goffman, 1963b), 'extended social identity' (Breakwell, 2001; Duveen, 2001) and 'master status,' (Becker, 1963). Hudson explains how the socially constructed stigma surrounding sexual offending can become internalised, forming an intrinsic part of the way sex offenders perceive themselves. Being a sex offender becomes the 'master status' for that individual, the most salient part of identity. Hence, "it is no longer merely the offending act that is unacceptable but the sex offenders themselves" (Hudson 2005, p. 55).

As described in the last section, sex offenders described a preoccupation with, as Ward (2007, p. 187) terms it, "being bearers of risk," which has resonances with the panopticon metaphor of social control. This self-focus by offenders on the risk they posed suggests that being a sex offender had, for many, become their 'extended identity' or 'master status.'

... but I am very aware that I am a typecast person, if you like. It does make you more ... I think it makes you more aware of yourself and you are that typecast (Offender 6).

Offender 6 went on to amplify this point.

... people thinking 'there is a bloody paedophile walking down the street here,' and it is that type of thing, because, again, the media coverage is so great today (Offender 6).

Various offenders illustrated how the social stigma and disapproval created by committing a sexual offence impacts on close friendships and family relationships.

Other people, you've been friends for 20 years, and boom, they don't want to know you because you've done that, because they don't know the details of the case. They just think that you're on that register because of the way in which things are portrayed in the press, and everywhere else. Only certain people go on the register (Sex Offender Register) (Offender 7).

My Mum and Dad are fine, but I got three brothers; it's trying to build up relationships back with them. I'm talking to two of the brothers; one I'm not talking with. ... Like, you can feel the atmosphere, that there is still something there, do you know what I mean? (Offender 11)

My sister and brother-in-law have stood by me, thick and thin. But this last offence, even they didn't want to know me. My sister has only really recently started to talk to me on the telephone. It's a question of healing time really (Offender 12).

As accounts of offenders verify, not all sex offenders are rejected by their families, after committing a sexual offence. However, maintaining the support of family members when an incest sexual offence had been committed in the family unit, was more rare. Incest offenders reported how family members often felt betrayed, leading to the breaking of contact. Offenders also described how Social Services' child protection concerns about risk often prevented them from living within the family again, or having unsupervised contact with children, separation that would endure even after the criminal sentence had ended.

My wife, it's very up and down because Sharon (pseudonym) has been under a lot of stress and pressure, because a] what I have done and b] she has had a partner for 30 years who she has known and trusted, and I've committed a cardinal sin, haven't I? (sexual abuse of own daughter). The worst sin in their eyes you can possibly admit. We do have some contact but it's very limited (Offender 6).

I found out my daughter was hit by a bus. So the first thing you know, she could be in hospital; can I see her there? No you're not allowed. You'll be in prison if you do. And that hits you as a bullet (Offender 4).

John and Debbie (pseudonyms for the offender's children) are twins and they are both 15 now. John occasionally rings me up and says 'hi!' I can't do anything about that. Technically I am in breach of my conditions. I told my supervisor that, but I cannot stop him ringing me up (Offender 6).

Offender 8, an ex-psychiatrist, had committed a sexual offence against an adolescent girl outside of the family, but had also disclosed voluntarily that he was having sexual thoughts about his own teenage child. As a result of his actions, he now had no contact with his family. In the interview, he talked about the psychological effects of such permanent estrangement.

Normally speaking that person would be separated from the family indefinitely. I think the risk is when you do that, you continue and freeze the trauma. There's no possibility of healing and rapprochement (Offender 8).

He also described an incident in which the social consequences of being viewed as a risk to children are very apparent. The account is cited at length because it provides a relatively rare insight into the practical difficulties relatively low risk sex offenders (this offender has only been convicted on one occasion, against a teenage girl) have in integrating back into normative community relations.



And also I am not allowed to ever set foot on the premises of a school now. I've never hung around school. I don't know where that came from, and that's a... my own children have moved elsewhere, because my ex-wife has re-married, and it's probably not relevant, Should, say, that my children want me to see them perform in a school play, I can't, and that seems totally unnecessary... There was a situation fairly recently, my sister, she's a very keen viola player. She was performing in a Mozart symphony. She invited us to go. We thought 'great, lovely,' so mother and I set off, and as we were approaching this place... Well, where exactly is it being held? Oh it's at a girls' school. I said 'Mummy, I can't go.' Even though it was school holiday time and it was Sunday evening, no children around at all, but I couldn't go. I had to drop her off, and of course I was in a distracted state, got a speeding ticket. I didn't clock the sign saying it had changed from 40 to 30, and I then had a few days of thinking, 'oh my God I've committed another offence; I'm going to be sent back to prison.' I told my probation officer. She said 'don't worry about this.' But that's an example of the mindless, indiscriminate sort of conditions restrictions (Offender 8).

It is clear from the above accounts that, having been convicted of a sexual offence, an individual faces severe challenges in maintaining existing relationships. Often sex offenders are rejected by friends, family members and partners. Often they are prevented from living with families or having unsupervised contact with children. However, sex offenders also face severe challenges in developing new relationships with partners, as is outlined by Offender 10.

Obviously, it wouldn't be right to get into a relationship, and let it develop actually, and then declare 'well listen love, I'm a convicted rapist.' I didn't want to do that at all, that was in my thinking. So after some time, I had to tell her. It wasn't easy, because you are vulnerable, you might lose her as a friend, or a future partner, whatever, and they could go and tell all sorts of people (Offender 10).

Offender 6, who had one conviction for indecently assaulting his daughter, expressed a more embittered view about the barriers against him forming a relationship with a partner.

I also started another relationship up with a lady and she's got a child, and the Social Services said 'well, until we get a report, because we don't know what risk he is, we are going to say no to everything he wants', which we knew. Because Social Services, as far as I'm concerned, are about as useful as that brick wall in a greenhouse. That's just me personally (Offender 6).

Offender 8, the ex-psychiatrist, described the long-term practical difficulties of existing risk protocols, which stipulate that he should never have a child in the house.

Even if their (the offender's) kids are grown up, they are going to have grandchildren or even if they don't have children at all, they are going to have friends with children. Just imagine this scenario. Me and my partner are sitting one Sunday morning, enjoying a cup of coffee, reading the newspapers. The door bell rings. There's a mutual friend of ours, with a 10-year-old child. 'Oh, can I pop in for a cup of coffee?' 'No you can't.' 'Why, what's going on?' So immediately you've got a situation, whereby people start asking questions (Offender 8).

As stated above, according to Offender 8, he had voluntarily disclosed the risky thoughts about children he had been having. He had also disclosed his offending to the authorities before this had been suspected. Offender 8 makes the point that, in his opinion, the risk protocols in his case were unnecessary and did not match his risk profile

And that's just a scenario, to show how absurd; you can understand it might be relevant in a situation where you had a man who committed sexual offences, who had coerced his partner into silence and who had manipulated family members into collusions and silence. I mean, in my situation, I spontaneously disclosed, nobody forced me to. There was no sense of colluding partners, nothing. So that's how inappropriate it is. How over the top it is (Sex Offender 8).

How valid Offenders 8's perception of his own risk is remains unknown. However, his account illustrates the challenges faced by sex offenders when trying to make new family relationships. Offender 8 goes on to explain how emphasising risk, without regard for the welfare of offenders, can counterproductively increase risk.

But just imagine somebody else, who is a bit more sticky about their offending. They struggle for five years to find an adult relationship, and they have something like this SOPO (Sexual Offences Prevention Order), and they can't. They can easily, excuse my language, say 'fuck you' and just .... But what is so grossly irresponsible, in these SOPOs, is they fail to recognise that the people they are dealing with are human beings with needs, who need to form healthy, intimate relationships, and they don't realise that by doing this they are seriously impairing one's capacity to be rehabilitated. I think it is criminal themselves (Sex Offender 8).

The view of Offender 8 resonates with the opinions of proponents of the strengths-based approach, who argue that the formation of healthy, intimate relationships is a means by which sex offenders can obtain the 'human goods' and develop the 'human' and 'social capital' which will make it less likely that they will re-offend. However, those that would privilege risk management and the relapse prevention approach would point out how difficult it is to manage risks of

sex offenders when they are in personal relationships and households with children. In such situations offenders usually have ample opportunity to abuse vulnerable children, with the majority of sex offending occurring in the home, and going unreported (Finkelhor, 1979). Whereas the debate will continue, the current situation is that sex offenders face significant challenges in maintaining and developing relationships with significant others for good or ill, rendering the securing of various 'human goods' related to intimate relationships, highly problematic for many.

#### **6.4. The challenge of acknowledging harm caused and developing empathy**

As described in the previous chapter, for many of the sex offenders interviewed, acknowledging the harm caused by their anti-social behaviour and developing victim empathy was the most important part of their rehabilitation journey. Although, as noted in the previous chapter (Section 5.6), there is uncertainty surrounding the relationship between empathy issues and risk, developing victim empathy, as Brown (2005) points out, is still a staple of most treatment programmes for sex offenders. For most offenders, dealing with the pain which resulted from truly engaging with the harm they had caused, was the most challenging part of their rehabilitative journey. Offender 1 described taking part in a hypothetical role-play exercise on the prison groupwork programme.

I had to take a role-play of this Mum whose little 7-year-old girl had been murdered. I tell you, it really ripped me to bits, that did (Offender 1).

The same offender provided a graphic account of his distress in acknowledging the harm he had caused.

Many people told me then, once you're punished for it you feel better. That's a load of rubbish, you don't ... No; it's with you until you bloody die. You know the hate you feel for yourself. Well the disgust, you know what I mean ... Well, when I was on the course, they kept telling me 'don't keep on beating yourself up about it.' I felt alright then, when there's a big group. Then when they go away, then, you know, it's bloody back. It don't go away, like. I mean, um, you wake up in the morning it's there, so you just got to bloody live with it, like (Offender 1).

Like Offender 1, Offenders 5 and 9 described their pain in facing up to the suffering they had caused.

It's the hardest. It was painful. It was massively painful ... Sometimes I would drive home, and I had to sometimes stop in the lay-by for 20 minutes to collect my thoughts (Offender 5).

You sit back and think 'Phew!' All of the sudden you go from just being well, ah well, get over it, to being ... saying to yourself, 'you horrible, evil, vindictive bastard!' (Offender 9)

Offender 8 similarly commented:

I think the self-esteem during the actual therapeutic process was still fairly low; the whole sense of devastation, shame, having - you know, particularly for a person from my background and opportunities and kind of professional standing - having acted in this appalling way, was very difficult (Offender 8).

Offender 10 had undergone a uniquely (for the UK) therapeutic prison regime for high risk offenders, where offenders are continually challenged about their

behaviour, including about the harm caused by past conduct. He described the emotional cost of this inner journey.

I expressed emotions there that I never thought were within me. Accepting that you've done some truly wicked things ...When you are in bits and when you are sobbing in front of 40 or 50 people (Offender 10).

A number of criminological theorists have commented on the sort of painful rehabilitative journey described in the sex offenders' accounts. Tangney and Dearing (2002) argue that when people feel ashamed over a particular transgression (i.e. sexual abuse), shame reflects globally on who they are as a person, resulting in defensive hostility and shifting blame onto others. In the next chapter (Section 7.4), probation officers provide accounts of the challenges they face as supervising officers, in dealing with such denial and blame shifting. According to Tangney and Dearing (2002), guilt is less "ego threatening" than shame as it involves a focus on some specific behaviour, rather than on a person's global sense of self. Hence guilt is more liable to "facilitate feelings of other orientated empathy" (p.110).

A number of attempts have been made to apply the concepts of guilt and shame to sex offenders. Firstly, as Gilbert (1998) points out, some sex offenders who fail to value social norms or share the view of others that coercive or illegal sexually activity is wrong, may not be affected by either shame or guilt. However, with regards to offenders displaying varying degrees of remorse, Hudson et al. (1992)

found that sex offenders who responded to a lapse in their relapse prevention plan with a sense of controllable internal attribution (i.e. I've made one mistake, but I can build upon my overall progress) are likely to suffer a guilt reaction. However, sex offenders who deploy uncontrollable internal attribution to a lapse (i.e. I have no will power; I'm disgusting) are likely to experience a shame reaction. Roys (1997) associated shame in sex offenders with fear of contempt, a focus on self, preventing a focus on the welfare of others. Hanson (1997) similarly found that encouraging sex offenders to identify with the suffering of victims could provoke a shame reaction, resulting in an increase in self-defensive victim blaming and cognitive distortions. Bumby (2000) also found that shame impedes sex offenders' emotional recognition and perspective taking with regard to victims.

However, unlike the above authors, Braithwaite (1989) argues that shame, or 'reintegrative shaming', as he terms it, can be a socially cohesive force, which does not necessarily lead to defensive hostility and blame shifting, if social bonds are strengthened. However, Braithwaite (1989) does point out that if an offender is shamed in a stigmatising and socially rejecting way, this will probably lead to association with other offenders by whom the offender does not feel rejected, with such anti-social contact likely to result in further offending. Ahmed et al. (2001), writing with Braithwaite about integrative shaming in relation to drink driving and bullying, explores how shame management can occur if an institutional space can be made for it. Restorative justice initiatives, such as groups and conferences in which criminals meet their victims, constitute one

such institutional space used for constructive shame management (McAlinden, 2006). Such restorative elements have traditionally been part of sex offender treatment, in terms of the offender writing a letter of apology to the victim, in which s/he takes full responsibility for the abuse (Hudson, 2005 pp. 110-111). This letter is never sent to the victim, but it can still constitute a restorative process as far as the offender is concerned. Another example of using restorative principles can be seen in my introductory letter to sex offenders, asking them to take part in the research (see Appendix 5), in which I highlight the opportunity for them to make a positive contribution to society.

... your cooperation in this project could provide a valuable contribution to building a better service for offenders and staff, and make an important contribution to the better protection of children in society (Introductory letter to offenders).

As will be discussed throughout Chapter 8, the supervisory relationship between sex offenders and their probation officers can also be seen to act as an institutional space for the constructive management of shame, leading to greater social integration.

Braithwaite (1989) does observe that, as well as being positive and integrative, shaming, if judgemental, can also be negative and stigmatising. This rejecting experience of shame can be seen as similar to the negative shame experiences described by the authors above. From a social constructionist perspective, the concepts of shame and guilt can be viewed as socially constructed grand-narratives, situated arbitrarily within differing professional discourses (Milner and



O'Byrne, 2002). However, this study will adopt the language and theoretical perspective of Proeve and Howells (2002).

Applying Proeve and Howells' view of rehabilitation to the sex offenders in the study, the very painful transition from denial to acknowledgement of the suffering caused to victims can be seen as offenders having been, at some point, willing to go through the trauma of engaging with their shame in order to arrive at a more constructive state of guilt. The replacement of shame with guilt would seem to allow for the emergence of greater victim empathy and increased general appreciation of the suffering of others.

#### **6.5. The challenge of forming a positive therapeutic alliance with supervising probation officers**

As explored in detail in Chapter 3, the concept of the therapeutic alliance is seen as both important for good rehabilitative outcomes, and foundational to the strengths-based approach. Moreover, it is apparent from the data discussed in the previous chapter, that all of the sex offenders interviewed valued forming a positive relationship with their supervising officers, and viewed this as a significant good outcome, in terms of facilitating an offence-free lifestyle.

On the whole, offenders were complimentary about their existing supervising probation officers. As discussed in the methodology chapter, I informed the offenders beforehand that whatever they said to me would not get back to their

supervising officers. Nevertheless, it is possible that the sex offenders still did not want to risk making any waves, as it were, by criticising current officers. It is also possible that the offenders, having by and large a positive experience of probation, felt loyalty to their supervising officers. Despite this, various sex offenders did describe a variety of challenges involved in establishing a positive relationship with a supervising officer, sometimes using examples of relationships with previous probation officers to make the point.

Major barriers to the forming of a positive relationship were offenders perceiving and experiencing the supervising officer as hostile, confrontational and authoritarian.

His words were, when he was waving his hands, 'I can put you back inside at the stroke of the pen, and I've got no problem doing that, and I can do it any time I want (Offender 9).'

She never had a good bedside manner. She was telling me, telling me, basically in a rough way, that I've got to do this, and I've got to do that. Whereas my current probation officer talks to me, tells me what she wants me to do in a more restrained manner (Offender 12).

Offenders thought that when officers displayed hostility, this was related to them having a particular dislike of, or judgemental attitude toward, sex offenders.

It was just the sort of abruptness, the way he was speaking to you, you can see in him that he didn't like sex offenders, you know. I mean, he was professional with it (Offender 11).

To me, my first probation officer was judging me. He was judge, jury and executioner ... He thought he was better, and above everyone else (Offender 9).

Offender 12 described his anxiety before meeting his probation officer.

She was not the bad old ogre I thought they (probation officers) are. That was one of my main fears; that I was going to be facing a very nasty person, or a very strict person (Offender 12).

Sex offenders spoke about how they picked up that their probation officer had antipathy toward them or was not interested in them, from non-verbal clues.

It's just that I didn't like him. The other guy, I can't put it into words really. I didn't like him, didn't like his attitude. The way he spoke to you. When he sees you, the way he sits, obviously body language ... (Offender 14).

Research by Ambady et al. (2002) into doctor-client relationships demonstrates that, independent of the content of conversations, the tone of voice of the practitioner, whether it is essentially dominant or supportive, has a profound effect on the goodwill patients feel for doctors, even influencing whether or not they will sue doctors who have made medical errors. Similarly Mehrabian (1972) posits that 93% of our communication is non-verbal. These research findings into the importance of tone and attitude were also echoed in the account of Offender 6.

... you hear somebody's voice on the telephone, and you take a perception by the tone, by the way they use language, of how that person is (Offender 6).

A number of offenders described probation officers being generally unreliable or unavailable, which would seem to have had an understandably negative impact upon the therapeutic alliance.

She never used to turn up on time for appointments. Sometimes she never turned up at all (Offender 12).

Trying to get hold of him (the offender's previous probation officer) is murder (Offender 14).

I had another probation officer after the two or three weeks, I never saw him (Offender 9).

Rex (1999) points out the importance of practitioners being reliable and considerate to offenders, and how the contrary can be a de-motivating factor for offenders.

The above accounts may reflect subjective resentment or animosity toward probation officers from the respective offenders. However, the reported deficits in probation practice would arguably compromise most relationships and are antithetical to core ideas of respect and valuing of involuntary clients, inherent in the strengths-based approaches (Jenkins, 1990; Miller and Rollnick, 1991; Maruna and Ward, 2007).

A criticism of the strengths-based approach is that it can naively take positive accounts at face value, such practice naivety being termed 'professional dangerousness' (Dale et al., 1986). As will be explored in the next chapter, probation officers are acutely anxious about such underestimating of risk, given that their main responsibility is to protect the public, and they fear vilification if they are seen to fail in this. Many of the probation officers interviewed spoke of their wariness about offender denial, and about being groomed and manipulated

by sex offenders, a particular occupational hazard of working with sex offenders, discussed by Erooga (1994).

I have to be careful that I'm not being groomed (Probation Officer 3).

You don't know whether there has been a change because they are always in denial (Probation Officer 8).

Well, I mean some of them obviously deny everything, which is really difficult to work with, and you've got others who try to manipulate you as well, which I find extremely difficult to work with. So obviously that's what they're used to doing, so they do try to manipulate you as well (Probation Officer 8).

The perspective of sex offenders, on the other hand, reflected the desire to impress their probation officer, with a probation officer's report potentially leading to increased liberty.

Does he (his probation officer) think of me as less of a person; am I a human being in his eyes? (Offender 7)

I wanted to get my foot in the door (of the probation office) and prove myself and show that Eddie Price (pseudonym) is a good guy (Offender 6).

I found myself at the bottom of a set of steps, and I want to be at the top of the steps. There was no way I was going to go from Old Me to New Me unless I communicated (Offender 9).

Well, I suppose everybody knows that they are thought of as a risk. What you do then is that you try to, how can I say? I know myself. I am not a risk, so I try to get other people I am involved with, to realise that I'm not a risk (Offender 1).

The main thing is the risk. It would be nice to have it as zero, to be considered not a risk whatsoever. That would be the main thing. That's what I strive to do (Offender 2).

It was obvious from the accounts of both sex offenders and probation officers that interpretation was an ongoing feature of the supervisory relationship, and a source of considerable tension. Offender 8 illustrated how sex offenders, in his view, can be at the mercy of the varying assessment ideologies of different professionals they meet along their journey through the criminal justice system. Nelson (1982) makes a similar point, stating that all decisions about how incest offenders are treated crucially depend upon how sexual offending is theorised. Offender 8 described how his probation officer's interpretation of the risk and related rehabilitation issues, differed from that of another professional he had been assessed by previously - a psychologist.

... she (the probation officer) hadn't seen sight of my report, neither had she taken the trouble to avail herself of that, of the SARN report ... when she came to writing her report, said that because he mentioned general obsession with sex and poor emotional coping, he was using these to avoid facing his sexual attraction to children, and evidence of further distortions on his part. Now, as I say, I regard that as a cognitive distortion on her part really. I had ... the psychologists telling me this is what you need to address, and on the other hand another professional coming from a different mind set (Offender 8).

Offender 7 similarly described ongoing tension about interpretation. This offender had been found guilty of indecently exposing himself to a young girl on a bus. He had been very drunk at the time, and had since maintained that he could not remember the offence, and that the offence was not sexually motivated. A major tension of his time on probation was how the probation service interpreted this event differently to him. Below, the offender describes his supervising officer attempting to persuade him to change his story.

He (the probation officer) says it a guy thing sort of thing, 'yeah you saw her coming on the bus, yeah; you are really excited. And that's why you did it.' And it's not. Because that's the way they go about it, they try to wheedle; they try to say, 'we know, Ah, we're all guys in here (Offender 7).'

Offender 7 further commented on the underlying power battle involved in his relationship with his probation officer and how he, as an offender, is at an ultimate disadvantage, in terms of whose interpretation is considered most valid.

... what makes me God over you, is because I've got information that you need, and before you become more powerful than I am, you can't be more powerful than I am, because I've got the information you require ... If you don't like a certain probation officer, you have to find a way of getting on with them because they have the power. They can breach you. If he didn't like me, he could just come up with an excuse to put me back in jail ... Who're they going to believe, him or me? ... He's like a probation officer. I've got information that you need, but if I'm breached, he doesn't care, and he doesn't care about the information that I have, because I'm going back to jail (Offender 7).

Other offenders also talked about their relative powerlessness to challenge the reports and interpretation put forward by supervising probation officers.

But there were certain things said about me that were blatantly not true, and when that's said and written deliberately ... (Offender 10).

I don't like being high risk, simply because I don't think I am high risk. I was at one stage, but I'm not now (Offender 12).

They read in black and white, and they make judgements about you and they've never met you. But it always has been from day one; people judge you from what is on a piece of paper (Offender 4).

The importance attached to probation officers' interpretations was clear from the accounts of various offenders; it was clearly in the interests of offenders to be well thought of by their probation officers. Tension seemed to emerge when such interpretations were not favourable. Hudson (2005) found a similar situation, with regard to sex offenders engaging in 'impression management' (Goffman, 1959) to obtain a favourable report from facilitators on sex offender groupwork programmes.

Although this group of sex offenders generally reported good relationships with probation officers, tensions emerged in their accounts, which would seem to constitute challenges to the maintenance of a therapeutic relationship. These tensions included being confronted with probation officers deemed judgemental and hostile by offenders. Offenders described how such negativity could be communicated openly or by more subtle attitudinal means. Many of the sex offenders' criticisms were about previous probation officers. This either suggested that their relationships with their current officers were overwhelmingly positive, or that they were wary of criticising the officer currently supervising them. One of the challenges of forming a therapeutic relationship, for sex offenders, appeared to be their ability to present positively, in order to obtain a low risk classification, whilst not appearing disingenuous to professionals who are schooled to be very aware of the potential for sex offenders to deny, minimise and manipulate.



## 6.6. Conclusion

Many sex offenders reported facing serious challenges in achieving the good outcomes deemed important for successful rehabilitation, outlined in the last chapter. Challenges included securing the following 'social capital' and 'human goods': safe accommodation, a threat-free, positive relationship with the general community, employment and the maintenance and development of relationships with partners and children. For the more disadvantaged sex offenders, securing such 'social capital' and 'human goods' seemed to be even more difficult. An additional major challenge for offenders involved being prepared to experience the pain and guilt of facing up to the harm caused by previous behaviour, and empathising with victims' experiences. Although offenders cited having a good relationship with their probation officer as an important factor in living an offence-free life, in order to achieve this sex offenders reported having to overcome feared and actual questionable practice on the part of some probation officers; a degree of hostility and judgementalism, communicated both openly or at a subterranean level. In addition, sex offenders reported their relative powerlessness to argue against, in their view, erroneous interpretations of risk, with this power imbalance being an inevitably complicating dynamic in the supervisory relationship.

The last chapter (Section 5.7) highlighted how for some sex offenders, the rehabilitation process involved a radical change of self-identity and lifestyle, a shift in self-perception from a 'bad self' to a 'good self'. This process is seen as

being likely to promote a crime-free life in the desistance and Good Lives Models. In this chapter, the rehabilitative journey has been additionally conceptualised as involving a movement from a state of irresponsible shame to responsible guilt. However, offenders appeared to face the dilemma of evolving from shame to guilt and developing pro-social identities, whilst having been encouraged to view themselves as ongoing risks to society, with the arguably inevitable connotations of shame attached to being perceived as an on-going risk. The development of an 'extended identity' and 'master status' of sex offender, fuelled by the socially alienating processes described above, would seem inimical to the development of a shame-free, pro-social identity, an important goal of the strengths-based approach.

## **Probation officers' accounts: challenges to good practice and outcomes**

### **7.1. Introduction**

Having examined sex offenders' accounts of the challenges to good practice and outcomes in the last chapter, this chapter will explore the challenges to good practice and outcomes faced by probation officers. Chapter 5 illustrated how probation officers generally viewed good outcomes as small steps of progress, rather than major leaps of rehabilitative gain, with these gains being consistent with typical cognitive-behavioural treatment goals, commonly used with sex offenders. Good practice was seen in terms of various risk management tasks, with prescriptive systems viewed by many officers as facilitating good practice. In addition, all probation officers interviewed stated that forming good relationships with sex offenders played an important part in achieving good outcomes and practice.

Ward (2007, pp.187-201) cites four polarised positions regarding offender rehabilitation, which he applies to sex offender rehabilitation: (1) risk management versus strengths-based treatment approaches; (2) the conflict between protecting the community and promoting the interests of offenders; (3) utilising individually tailored versus manual-based programmes for offenders; (4) focusing on the technical aspects of therapy (i.e. the content of therapeutic

exercises) as opposed to process issues (the relational dynamics between practitioner and offender). Ward argues that although the above four tensions are conceptually independent, they are all related to the perceived moral status of the sex offender. Ward argues that sex offenders can either be conceptualised as bearers of risk whose intrinsic potential for harm should always be foremost in our minds or as fellow travellers through life, with human dignity and rights, despite society's need to restrict certain rights to freedom, in order to protect others. This tension was also starkly summed up by Offender 8.

What do they want to do? Do they want to rehabilitate people, or do they mean to treat them like animals who pose a risk to be managed?  
(Offender 8)

Ward suggests that the risk based focus to rehabilitation lends itself to an emphasis on community protection and manual-based interventions, whilst focusing on the humanity of the sex offender lends itself to individual tailoring of interventions, the therapeutic alliance and strengths-based approaches. As will be illustrated below, these tensions were evident in probation officers' accounts of trying to establish a productive therapeutic alliance, when supervising sex offenders.

## **7.2. The challenge of risk management**

As explained elsewhere, the majority of sex offenders interviewed for this study would be deemed relatively successful cases in that they had not been re-

convicted and had co-operated with the probation service. However, it was apparent from probation officers' accounts that many sex offenders routinely encountered are seen as being unco-operative and in various stages of denial. With regard to how both co-operative and unco-operative sex offenders are managed in general, probation officers cited accounts (see Chapter 5) of what they believed to be effective risk management, as valued good outcomes. However, risk management was also seen to be a site of significant challenge.

It was clear that, for all the probation officers interviewed, the main purpose of the job was managing risk, reducing offending and protecting the public.

So we're talking, aren't we, about managing the person, and trying to find out as much as possible about them to ensure that the risk of things... that the protection of the public is effective (Probation Officer 6).

For me, it's all about risk, really. It's about looking at the risk factors. ... it's two things, isn't it? It's about working within the MAPPA environment, tightening up the external controls, but working with the individual to increase the barriers to re-offending (Probation Officer 8).

Risk management appeared to be both the main priority for probation officers, and the main source of anxiety. One anxiety, often mentioned, was the high profile of sex offending in the media.

We are affected and we all get really jumpy. Sometimes I say (to offenders) 'you need to be aware that because it's in the media at the moment, people are going to be much more twitchy about your behaviour at the present time' (Probation Officer 14).

There was also related concern over public ignorance about the limits of probation supervision.

The public aren't told actually, we don't do surveillance, and that's the role of the police (Probation Officer 3).

Officers also worried about overlooking information.

My anxiety is, you get it wrong, and you've missed something vital (Probation Officer 9).

There was anxiety about failing to record information, regardless of its importance.

It could be something slight - if I phone Social Services and they haven't given me all the information I need (Probation Officer 11).

Officers spoke of apprehension about not liaising with other agencies, and failing to communicate important data.

You ring people up and they are not always there; they don't always get back to you (Probation Officer 9).

Many probation officers also expressed concerns about not having enough time to keep on top of information management.

You haven't got the time to properly digest that information and record it (Probation Officer 8).

In addition to the above anxieties, there was concern about obtaining accurate information, in the first place, from a group of offenders perceived to be “especially devious” (Probation Officer 6). An example of this was given by a now apparently reformed sex offender, who explained how he used to try to deceive probation officers in the past.

I think I put this front on, this model parolee, and I led a secret life. I would come in and everything would be fine and rosy, but my life would be in fucking chaos (Offender 10).

Probation officers also generally commented, as did sex offenders, that ultimately if an offender was going to re-offend, there was perhaps little the probation officer could do to stop him, apart perhaps from avoiding the blame game, although such avoidance may have little to do with preventing re-offending.

Well, there are the work consequences, in that if he's charged with another offence, you have an investigation don't you ... ? So... on the practical side, have I done my OASys on time, have I filled in every form? Have the reviews happened? Has he done the programme he's meant to do? Has he attended? Has he stuck to everything? As that will be scrutinised (Probation Officer 11).

This issue of probation officers being concerned about their record keeping being checked, if a serious crime is committed, is encapsulated in the following probation officer's comment.

I know my other colleagues feel like this, you think, 'Oh my God, they are going to come and look at my stuff!' (Probation Officer 11)

Interestingly, there seemed to be no question of anybody checking up on the quality of the relationship between sex offenders and probation officers, and how this affects risk management in terms of the probation officer being close enough to an offender to notice any possible changes of presentation that could denote increased risk. All the probation officers confirmed that there was no organisational procedure for such quality control, with appraisals predominantly concentrating on the timely production of information, in the form of reports and recording. What actually occurs, in a relational sense, between probation officer and offender remains largely hidden from view even though, as illustrated elsewhere, the quality and the content of the relationship between individuals and practitioners has been repeatedly cited as an important element in sex offenders changing for the better (Marshall et al., 2003 ).

I'm one of many who feel that a lot of audit and target procedures are quite, quite bizarre, really, because you can meet the audit and all the targets, without actually doing any intervention with the person on a one-to-one basis (laughs). As long as they attend, and you've ticked the box on the right date, you've passed the audit (Probation Officer 5).

In Ericson and Haggerty's (1997) concept, 'the knowledge-risk society', obtaining, displaying and communicating knowledge is seen to increase safety and security. This phenomenon can be seen in the above probation officer's account. The probation officer's chief tool of professional impression



management is the recording and presenting of information. The probation officer's competence is validated, not through qualitative evaluation of the relationship between offender and practitioner, but through a predominantly quantitative evaluation of the means of information production. The product of probation practice is the dissemination of information, to some extent divorced from the rehabilitative reality of practice. As McCulloch and McNeill (2007) argue, it is far from clear whether such technologies can protect society from the risk of sex offending, and the rhetoric of risk management through technology may be as politically important as the reality, in a postmodern society that increasingly holds politicians accountable for harmful events. A similar concentration on information gathering and control can be seen with regard to another area of current heightened social and political anxiety about risk, terrorism (Filler, 2003). As Furedi (2007, p. xxx) states in his introduction to *Invitation to Terror*, "In the West, only the crime of pedophilia can compete with the act of the terrorist as a symbol of evil."

Probation Officer 14 provided a comprehensive account of the pressures that can sometimes drive probation officers to overestimate risk.

Because I also think that the probation service is very good at risking people, so we can be over cautious and very zealous, and can be unfair sometimes. ... It also means that if you place every one at higher risk, you can't see who the high risk ones are. People are all watching their back because we are all terrified of having an SFO (Serious Further Offence Investigation) coming down. One of your guys going out and raping someone, although it is not necessarily your fault because you didn't take them by the hand to do it, you need to know that you've done everything. And we know .... if it were to happen to you, you would get pulled to

pieces, whoever goes through it. ... Why didn't she say he was high risk, and why were you allowing ...? So I think that's why people have anxieties, and are more likely to be more cautious. And that's generally, that's a great idea, I think, but sometimes we need to step back from that (Probation Officer 14).

Probation Officer 14's account, along with the other accounts illustrated above, resonates with Ward's (2007) description of conflict between risk management and protecting the community and a strengths-based approach which includes valuing the human rights of sex offenders. The focus of Probation Officer 14 on risk is consistent with the view that probation practice is played out and articulated within a risk-driven agenda which has replaced the traditional probation welfare approach (Feeley and Simon, 1992; Kemshall and Maguire, 2001). As described by the probation officers in this study, part of this focus on risk is the importance attached to the production, recording, exchange and reappraisal of information as a means of control, a feature of the 'risk society' also noted by Pratt (1995).

Probation officers described not only significant anxiety about sex offenders re-offending, but worry about making an information processing error, should a sex offender on their caseload re-offend. Regardless of the significance of the offence, officers feared that they might be scapegoated for a demonstrable mistake. Such professional anxiety about risk is also noted by Horlick-Jones (1996, p. 149), who points out that one of the 'risks of risk' is the risk of failure faced by professionals charged with managing risk, in terms of blame, public humiliation and job insecurity.

Kemshall (1998) echoes the point made by probation officers in this study that striking an acceptable balance between 'false negatives' (underestimating risk) and 'false positives' (overestimating risk) is often more about social and political acceptability than objective risk methodology. As the probation officers in this study describe, the personal cost to themselves of underestimating risk is far greater than the cost of overestimating risk, a cost only usually paid by the offender and his or her loved ones, in terms of lost liberty and opportunities. Probation Officer 14 provided a concrete example of how heightened professional anxiety surrounding sexual abuse can result in a child suffering emotional harm.

I had one guy who'd done SOTP (Sex Offender Treatment Programme) in prison and everything. He had about five kids, and he had abused one of his daughters, but there was another daughter who was 15/16 by the time he got out of prison. In my eyes, he did not present a risk to this kid ... He'd done SOTP. He was working really well on licence. He was doing alright, and Social Services were saying he's not allowed any contact because of the risks he presents. He had abused his daughter, but it had been ten years ago, twelve years ago. She had been younger than this current daughter was and I felt that, although this child was vulnerable, he was saying 'she is my child, I want to make links with her. I want to see her.' Every other week he was asking to see her, and they were saying no. He wasn't even asking for unsupervised contact. I felt Social Services were being over cautious ... I felt it wasn't fair to her. She was saying 'look, he's my Dad, I want to see my Dad ...' Needless to say, her behaviour kicked off in the children's home, because she got frustrated and didn't know how to deal with it (Probation Officer 14).

Offender 8 addressed the same issue, whereby the perceived risk posed by sex offenders can be viewed in isolation from other concerns.

It partly stems from the Children's Act; the child's needs are paramount, as if the child is somehow an isolated entity, divorced from their natural attachments. Yes, of course the child's needs are paramount but you might, by removing - even if they are experiencing some form of abuse - by removing them from those attachments, you might actually be creating more harm (Offender 8).

Probation Officer 1, below, also described the challenging balancing act of risk management, explaining the pros and cons of whether to recall an offender back to prison for breaching his licence. The offender had got a lift back home with another offender, breaching a licence condition that he should not have any contact with other criminals, as this had been a risk trigger in the past. As is clear from the accounts of the probation officers above, if an offender re-offends, all decisions by supervising probation officers are likely to be closely scrutinised. Hence, a decision not to recall a sex offender after he had breached a licence condition might well be considered poor practice, in the event of another sexual crime being committed. However, as Probation Officer 1 explains, to recall the offender, or to stop him from working in a club, where he is now a manager, might deny him employment and, in the language of Ward, related 'human goods,' thereby potentially increasing his risk.

... the example I gave you of my man, suddenly getting a lift back with another offender on two occasions. Well, I thought, what should I do about this? Should I recall him? Should I give him a warning? He works in a club; alcohol is not a risk issue for him. As far as I know, he's now in a position of responsibility. He's managing the club, and he's not consuming alcohol. I think, you know, what do I do? Do I ban him from work? In which case he goes there as a punter and he will probably be free to drink.

Thus, although probation officers repeatedly described effective risk management as a valued, good outcome of practice (Chapter 5, Section 5.3.), the management of risk also involved distinct challenges. In the current probation service, the focus is clearly on the protection of the public through risk management. However, risk management is the site of most anxiety for officers, with them worrying about overlooking information, making mistakes in record keeping and failing to liaise effectively with other agencies. Officers complained of heavy caseloads and limited time for thorough information management, fearing that they would be made a scapegoat for any lapses of information management if a sex offender on their caseload re-offended, regardless of the relevancy of the lapse to the actual crime. Probation officers also talked of facing the challenge of discerning accurate information from an offending group deemed particularly evasive and manipulative, and how they were ultimately powerless to stop a sex offender re-offending, although officers doubted that the public generally understood the limits of their supervisory role and how it stops well short of community surveillance. The challenge also emerged of not allowing defensive, overly cautious practice to unnecessarily infringe the rights of sex offenders, counterproductively increasing the likelihood of human distress in other areas.

### **7.3. The challenge of 'technicalised' manual practice**

Chapter 5 (Sections 5.2. and 5.3.), includes accounts of supervising probation officers talking about good practice and outcomes partly in terms of enabling sex

offenders to make small incremental steps of constructive change, which would hopefully reduce the risk of re-offending and effective risk management. Both this risk management and rehabilitative input were seen by probation officers as being complementary activities to the sex offender groupwork programmes, and activities which are facilitated by technical risk management systems. The section below will explore the limitations and challenges of supervising sex offenders, using technical and prescribed systems of practice.

As explained in Chapter 2 (Section 2.5.), probation officers are now required to use OASys, the computerised assessment and information management system. OASys also informs the compilation of supervision plans, which is meant to target relevant risk factors and criminogenic needs of offenders and to guide the work of supervising probation officers with offenders. These risk factors and criminogenic needs include risk domains such as emotional dysregulation, as well as practical needs such as housing and employment. Supervision plans are also informed by licence conditions and risk management strategies agreed by the local multi-agency public protection arrangements (MAPPA). A set of pre-groupwork exercises called C-SOGP is also commonly used by supervising probation officers to ostensibly prepare and motivate sex offenders for community sex offender groupwork programmes. In addition, the supervision of sex offenders must meet National Standards, which sets targets for the assessment, review and enforcement protocols (Home Office, 2007b).

As pointed out in Chapter 2 (Section 2.4.) the increasing technicalisation of the probation service is part of a larger programme of managerialism and social reform that has taken place in British society, to render public services more efficient, cost effective and accountable (Vanstone, 2004). Ward (2007, p.191) uses the term “technicalized focused practice” to describe the means by which sex offenders are managed and rehabilitated. Ward suggests that “technically focused practice” privileges the following values: “objectivity, community protection, efficiency and impartiality.” As already stated, Ward posits that an opposition exists between this ‘technicalized focused practice’ and therapeutic “process” issues, which focus on “the ability of the therapist to create an appropriate alliance with the offender” (p.191). According to Ward, the values inherent in this latter stance are “concern for offender well-being; respect for the dignity and agency of the offender; an emphasis on interpersonal meaning, and the need to understand the life goals of offenders” (p.191).

Arguably, the value oppositions which Ward suggests are too categorical. For instance, it would seem overly simplistic to contend that advocates of ‘technicalised focus practice’ do not have concern for offenders’ well-being and dignity. Also, as noted in Chapter 5, both probation officers and sex offenders provide accounts of the ‘well-being’ of sex offenders being very much preserved within the present system, which many would view as largely driven by technically focused practice.

The majority of probation officers interviewed valued, to varying extents, the structured way of working that the technical processes of the probation service provide, and believed that the accountability built into the system via computerised recording was necessary. Probation officers also considered that the systems they work to can help improve practice, as is evident in Chapter 5 (Section 5.3.). However, despite the systemised, technicalised approach to supervision being valued, to varying extents, by probation officers, the oppositional tensions suggested by Ward did emerge, to some extent, from the data provided by the probation officers interviewed. Senior Probation Officer 5 was most vehement in her frustration about prescribed working.

I think the OASys supervision plan is rot, and I've always thought it was badly drawn up ... It's click down ... (i.e. using a menu system on the computer). I think the best work the probation officer will do is in the one-to-one work. It isn't always easy to reflect on paper ... (Probation Officer 5).

Other officers expressed similar views about the applicability of working to a set agenda, given the vagaries of practice.

In theory yes, in practice probably no, cause sometimes it depends on what somebody turns up with in their life. Best laid plans can go out of the window. It's the nature of the offenders. You can have someone walk through the door, who has just been threatened or the night before, something has happened, or there's been an incident. They have been accused of something; someone has outed them. You never know what's going to happen next (Probation Officer 5).

A person might turn up in some crisis or some mini crisis, so you're addressing that first, and then you're trying to return as soon as you can to the supervision plan (Probation Officer 6).



The issue of supervision plans not being applicable in practice was also related to the organisational issue of late reporting. Probation Officer 3 outlines the following dilemma.

Sex offenders tend to have jobs, so they can only come in on the Tuesday night, which is also when you tend to have your domestic violence offenders as well. And people who need the most input, you have the least time for, because we're only open one night, so you've got five or six people between 5 and 7 o'clock (Probation Officer 3).

The lack of time to implement supervision plans was mentioned by other officers.

It's the bureaucracy and the planning; that's far more time consuming than the actual work, probably (Probation Officer 5).

Well, my honest opinion, in the last couple of years, the process is becoming more important than the doing, particularly in terms of the offender assessment system tool (OASys), which is a good tool, um, but I think, you know, in general terms, main grade officers up and down the country are spending way too long doing that, other than the job they are supposed to be doing ... but as I say the OASys tool is taking a lot of officers' time (Probation Officer 2).

Apart from the issues of there not being enough time to implement supervision plan goals, and supervision plans not taking account of the dynamic environment of practice, officers also questioned whether prescribed practice undermined interactive skills and independent thought.

I mean I think that the OASys is OK. Sometimes I think we feel like slaves to it. But then again, accountability, it's got to be there, and somebody else has got to pick it up, whatever, but the quasi scientific bit of it is, I feel, always a bit extraneous. If stuff isn't leaping out at you anyway, you should almost be working in a different job ... Well, when you talk about drop down menus, it's a bit tempting sometimes to just, 'Oh yeah, ETS then' ... What am I trying to say? ... One size doesn't fit all. You know it is about, um, being alive to the detail of each person's situation ... where do

they know other people? So if they are suddenly not here, where have they gone to? (Probation Officer 6)

Probation officers uniformly reported that, although what is recorded in the supervision plan is the subject of much organisational attention, what actually occurs in supervision sessions remains largely unscrutinised. This is in contrast to probation groupwork programmes, in which groupwork sessions are video recorded, in order to assess and improve quality of practice.

The quality ... I mean the group is managed by video tape, and it is video monitored and you have feedback, and you have supervision, and you can't be accredited until you reach a certain level. But one-to-one, there's nothing really (Probation Officer 5).

What I do with offenders, down here with offenders, I could make up (Probation Officer 12).

Despite the attention given to pre-planning supervision sessions, based upon common effective practice guidelines (Chapman and Hough, 1998), in practice there appeared to be significant variation in what probation officers actually did with offenders in supervision sessions. As is evident in Chapter 5 (Section 5.2.), many probation officers stated that they engaged offenders on a one-to-one basis, about issues connected with denial, empathy, distorted thinking, emotional and relational management, although others stated that their supervision sessions were generally restricted to ensuring licence conditions were met, risk management and providing practical assistance. For instance, Offender 12

confirmed that in the case of his supervising probation officer, offence-related work was left to the groupwork programme.

No, I don't talk about my offence with my probation officer. I keep that to groupwork (Offender 12).

Great diversity could also be found in the use of C-SOGP exercises, a pack of exercises that probation officers are told to use in order to prepare a sex offender for groupwork programmes. Exercises include one in which a sex offender is helped to compile a lifeline of significant negative and positive events. Another exercise consists of the sex offender compiling the reasons for and against re-offending. There was much apparent variation in the use of C-SOGP.

Lots of people don't use it at all. Obviously, I use it because I run the group. I mean, it is useful. It is a useful tool to get people ready for the programme. But you are asking quite prescriptive things. You are only just getting to ask them to think about links in the community and think about supports. You are not delving into the work too much (Probation Officer 5).

It may be something that's prompted by the first bit of the session, and you know I'm flying by the seat of my pants, in some respects. If we do the life review for 5 to 10 minutes and something comes out of that, then that may provide the focus ... I think it is intuitive (Probation Officer 3).

Very often the session is just a little springboard to what we are discussing. I start with a session. I can't think of a time when we have just done it systematically. It led into discussion about other things, which is great. You can use anything, but it's there. It's OK, but I don't live it (Probation Officer 12).

At the time of interviewing, there was a new initiative to ensure that probation officers in Area A used the C-SOGP exercises.

Yeah, I'm part of the C-SOGP business group. So what we decided was - because people were just not using it at all - when they make a referral of a man who is suitable to C-SOGP, there is another administration person in (Anytown) who will then log the referral onto CRAMS (computerised information recording system) and who will then send out a pack ... the pre-C-SOGP pack prepared with names on it, and the date that it was sent out. That's put on CRAMS as well. That is chased and expected back before the start of the group (Probation Officer 5).

No apparent attention is given to how C-SOGP is actually implemented, in the above organisational efforts to ensure that C-SOGP is used. From the probation officers' accounts, there is obviously great variation in how C-SOGP is used, which would presumably indicate variation in quality and effectiveness of practice. Such quality issues appeared to remain largely unaddressed at an organisational level, with the emphasis arguably being on what seems to be done, rather than how it is done.

Another area in which the actual quality of interpersonal practice appeared to be neglected was the use of motivational interviewing. As explained in Chapter 3, recommended effective practice in the probation service (Chapman and Hough, 1998) with regard to offenders generally and sex offenders specifically, includes the use of motivational interviewing (Miller and Rollnick, 1991). To briefly recap, this technique involves working whenever possible within the motivational frame of the offender, as apparently rational and constructive courses of action are unlikely to work if an individual is not motivated to take them. Motivational interviewing also avoids direct confrontation ('rolling with the resistance'). Rather than direct confrontation, the use of 'cognitive dissonance' is advised. This

involves the use of reflective listening and Socratic questioning, in order to raise the offender's awareness of the discrepancy between desired goals (i.e. satisfying relationships and lifestyle) and the way in which offenders go about obtaining such goals (i.e. abusive sexual behaviour and antisocial behaviour).

Despite the recommended use of motivational interviewing, there appeared to be diverse views about how to motivate offenders, and inconsistency in applying motivational techniques, although seemingly very positive examples of motivational interviewing will be described in Chapter 8. One senior officer expressed the following view.

OK, sometimes we've got to instruct people to do certain things that they don't want to do, or sometimes we have to direct and say, 'look it's no good you sitting around here now moaning ....' (Probation Officer 1).

Probation Officer 8 expressed a similar view, that if an offender is showing resistance, pressure should be brought to bear.

I feel that there's always an opportunity for me, as a case manager, to say if they are totally resistant, 'well look, if you're not going to do it, I'm going to insist that you do it, and if you don't do it there are enforcement implications. ... You don't recognise it but I do. I would like you to do it under your own steam, but if you don't, the last resort is that I insist that you do' (Probation Officer 8).

Some probation officers also talked of giving little consideration, in practice, to the internal motivational state of the offender when making referrals to other agencies, due to the contingencies of organisational demands and multi-agency working. This was so, despite research showing that agency-referred clients are

apt to show greater levels of resistance than self-referred clients who have greater intrinsic motivation (Chamberlain et al., 1984).

I dunno; I usually refer all mine right at the beginning, then it is a case of waiting for an appointment (Probation Officer 5).

It presupposes that I have authority in itself, to actually absolutely sequence it (referrals to other agencies) in the time I would like, and I would suggest that I haven't, quite often, got that (Probation Officer 2).

There may well be significant value in flexibility of approach when working with sex offenders, and this is certainly a pragmatic value of the strengths-based approach of solution-focused therapy i.e. "do what works" (de-Shazer, 1985). However, there seems to be an inconsistency between the probation service's attempts to standardise the supervision of practice and the fact that practitioners are largely left to themselves to do what they want, as long as they record the right things, as it were. Hence, although probation officers could be recording the same work i.e. C-SOGP exercise, motivational interviewing, referral to drug counsellor, in practice this could refer to very different rehabilitative interventions.

There seemed to be a lack of attention given to the interactive and process issues of one-to-one work in supervision sessions – line managers digging beneath the surface to ascertain quality issues with regard to the how and why of stated intervention. This was consistent with the apparently low organisational priority given to ongoing training for supervising probation officers, with regard to the micro and process skills needed for everyday practice.

I don't remember having that (micro skills training), no. I think it's when you go into the room, you know what your agenda is (Probation Officer 7).

I think the problem is that we don't have in-depth training about dealing with sex offenders ... So you are kind of winging it with each individual (Probation Officer 9).

One thing we asked for is more training, especially with sex offenders who haven't got programme conditions. So definitely being more educated might help me elicit more responses from people (Probation Officer 10).

As stated elsewhere, there is a division of labour between probation officers who specialise in facilitating groupwork programmes and probation officers who supervise offenders. However, in practice, supervising probation officers are still often left as the only source of rehabilitative input for some sex offenders. Other sex offenders also have to wait for long periods for a programme to start. From the accounts of probation officers, this leaves supervising officers with far more time to fill with sex offenders than it takes to prepare them for groupwork programmes. Various probation officers complained of a skill drain, whereby the investment in clinical skills and rehabilitative knowledge has been mainly put into groupwork facilitators. This was expressed by Probation Officer 8, one of two probation officers whose role was split between case management and programme management, involving facilitating treatment groups.

I think the service as a whole is poor at informing a case manager to understand what goes on in the group as well, because we (groupwork managers) have specialist training which isn't really shared with case managers, to understand what work we are doing and why (Probation Officer 8).

Probation Officer 5 expressed the view that the focus on groupwork programmes can lead to some supervising officers abdicating therapeutic responsibility.

I think that the Service have shot themselves in the foot a bit. By making the sex offender groupwork programme available, people just let go of the need to work with sex offenders. I have just got to do the pre-programme pack (C-SOGP), and then it's not my problem. And that is to do with caseloads, time, expectations (Probation Officer 5).

An apparent lack of organisational focus on the process elements, with regard to supervising offenders, seemed to be reflected in the ways in which supervising probation officers were affirmed in the Service. The main focus of organisational affirmation seemed to be reserved for the efficient running of systems and presentation of information, rather than the relational aspects of the job.

And the supervision plan that I have said, at the initial stage, that this is what I will be doing, that is actual evidence in the file that I did that piece of work on such and such a day. So, yeah, if I pass the audit that is validation, but that's not quality control (Probation Officer 4).

They look at your OASys, because OASys is countersigned if you're working at the level I'm working at. Then they randomly sample files. They do file-reads (Probation Officer 5).

... you satisfy the National Standards and the targets set by the NPO or Home Office. Then there is some slightly more qualitative ... 'your assessment is well written and demonstrates that you are reflecting on the relevant issues' (Probation Officer 7).

Arguably, in many professions, practice competence is demonstrated by reports that professionals produce, with practice observations proving more inconvenient, time consuming and, in the sensitive area of sex offender supervision, potentially intrusive. However, as the video recording of groupwork sessions demonstrates, such practice observation is possible if there is sufficient organisational value placed on the activity in question.



A traditional mechanism for evaluating, promoting and affirming good relational practice in the helping professions generally, and with sex offenders particularly, is a worker receiving supportive supervision. Erooga (1994, p. 215) comments on the importance of supervision, focusing on process issues.

The thematic inspection observed (Home Office, 1991) that 'some supervisors were not sufficiently aware that confronting sexual offending requires staff to examine their personal attitudes and behaviour ... in a way that does not apply when working with other types of offenders ... Practitioners therefore need access to a supervisor ... who has a knowledge of work with sex offenders, with whom there is a relationship of trust and who has knowledge of the area of work and its potential impact.

As will become apparent in the remaining sections of this chapter, such process issues can have a profound effect on what supervising probation officers actually do with sex offenders and how and why they do it.

However, the probation officers interviewed stated, with some exceptions, that the dominant mode of supervision they received tended to be line management supervision which, in the probation context, related to line managers ensuring that risk management was taking place, with risk management being demonstrated by the efficient and timely production and use of information.

Oh, I have supervision sessions with my risk manager - I have supervision sessions with my line manager, who will say, you know, from what they can see from the files, for they don't sit in on sessions (Probation Officer 4).

Supervision, I think, just to check that I am doing what I should be doing, and asking the questions I should be asking ... I think as well in, um, regular supervision. I know that (my manager) will certainly look through my case file,

and sometimes make comments, 'you did that really well, remember to do this, this and this' (Probation Officer 7).

Probation Officer 7's account, above, suggests that supervision sometimes does deal, to some extent, with process issues, such as what questions the probation officer should be asking. Moreover, many, though not all, probation officers said that they felt supported by line managers. Probation Officer 6, for instance, recalled with appreciation supervision sessions she had when she first started working with sex offenders. She would practise using sexual swear words with her supervisor in order to overcome the embarrassment of having to use explicit, unambiguous sexual language in supervision sessions with sex offenders. However, by and large, there appeared to be little evidence of the sort of clinical supervision which focuses upon the process issues, described by Erooga above.

In Section 7.5. below, Probation Officers 3 and 12 talk about "debriefing" with colleagues after challenging supervision sessions with sex offenders. Similarly, Probation Officer 14 talks about sharing a difficult experience with her team.

I have to say, I had to share it with my team at the time. There was a lot of gallows humour, and support for me, because I think working with men who sexually offend, this is really important, because I can't tell my husband about this lot. He has quite a Daily Mail attitude about sex offenders (Probation Officer 14).

It may be the case that debriefing with peers can, in part, fill the void left by the absence of time and space for reflective conversations in formal supervision, although peer humour can be seen as a distinct form of necessary relief,

separate from formal supervision. Probation Officer 1, a senior officer and responsible for delivering supervision to main grade officers, stated his concerns about the lack of time for reflection in the currently, as he sees it, over-stretched probation service.

I think it's also got something to do with the fear that's around about sex offenders, too. That, is it all right to say, 'wait a minute, I'm not coping, here, help!' And that's something about the sort of general, again general, media view of probation about having to be competent as a probation officer ... (Probation Officer 1).

However, even Probation Officer 1 viewed reflection in terms of debriefing with colleagues, not in terms of formal supervision.

... and that means sort of shutting up and getting on with whatever's dumped on your desk, which is a hell of a lot for people, which has been too much. Because people need to have time to be able to sit and reflect, and share their concerns with other colleagues, right? If you are too busy rushing around and not really ... you haven't got thinking time with a particular, high risk case, I mean that's when I reckon mistakes can be made, or at least that's one of areas, you know, one of the times when mistakes will ... will get made (Probation Officer 1).

The subject of supervision will be further discussed below, in Section 7.5.

In exchange for Probation Area B allowing me to interview probation officers and sex offenders, I agreed to present some initial findings from this research to a forum, consisting of a group of probation officers working with sex offenders. After my presentation, I stayed on at the forum to hear another speaker. As part of the agenda for the forum meeting, a probation officer fed back on a new manual she had been piloting. The manual consisted of a programme of pre-set

work for supervising officers to complete, on a one-to-one basis, with sex offenders who, for one reason or another, could not attend the sex offender groupwork programme. The probation officer fed back to the forum that she was frustrated and disappointed with the programme. She found it difficult to implement because the exercises were too long for the time she had available in the supervision sessions. The exercises did not take into account offenders' resistance or their shifting motivations, and did not help her to cope with these difficulties. These frustrations about the limitations of prescribed ways of working would seem to stem from the probation service largely prioritising what Ward would term technicalised practice, rather than therapeutic process issues. Probation officers then face the challenge of having to overcome the limitations of this technicalised approach to working with sex offenders.

Probation officers described various drawbacks to working in prescribed ways, in the form of supervision plans which often bear minimal relevance to the complexities of practice. Despite the organisational onus on working to agreed practice principles and targets, what probation officers actually do with sex offenders in sessions appears to remain idiosyncratic and unexamined. This lack of focus on the relationship elements of supervising appears to leave probation officers feeling largely unsupported and ill-equipped to meet the challenge of working constructively with, often resistant and difficult, sex offenders, on a one-to-one basis.

#### **7.4. The therapeutic alliance: the challenge of unconditional regard**

The three remaining sections of this chapter will be devoted to the challenges of maintaining a therapeutic alliance with sex offenders. As already stated in Chapter 5, both sex offenders and probation officers cited the development of a positive working relationship as a core component in the facilitation of a non-offending lifestyle. Chapter 6 illustrated the challenges of maintaining a therapeutic alliance from the point of view of sex offenders; this challenge will now be explored from the perspective of supervising officers.

A therapeutic relationship or alliance has been conceptualised as consisting of the core conditions of unconditional regard, genuineness/congruence and empathy (Rogers, 1957). These three conditions will be examined in the three respective sections below, beginning with an exploration of the notion of unconditional positive regard. In the rehabilitation literature, unconditional positive regard is conceptualised as “non-blaming” (Trotter, 2006); or “displaying warmth” (Marshall et al., 2003). Miller and Rollnick (1991, p.111) refer to regard as “the communication of acceptance and respect, regardless of what the client expresses.” However, this general motivational stance does not rule out the practitioner telling the offender what is expected and the consequences of not meeting expectations.

As outlined in Chapter 2 (Section, 2.2.), committing a sexual offence against a child constitutes breaking a very strong social taboo, commonly engendering lack of understanding and disgust in others. As members of society, most probation officers are not immune to such strong reactions about sex offenders, reactions seemingly diametrically opposed to feelings and thoughts of regard. Most probation officers described feelings of disgust and anger, particularly when reading victim statements, before having met sex offenders.

What's unpleasant about that is, you see the victims ... with sex offender work it is not as if you can, you know, skim-read the CPS or victim statements. You have to know exactly what this person has been convicted of. ... Therefore you have to understand what abuse is heaped on the victim ... So you can just feel disgusted, angry, even as far as repulsed, by reading some of it. ... It's not something I can lightly dismiss because the victim children become your children, the victim becomes your child (Probation Officer 1).

Negativity was pronounced when children were particularly young.

Yeah, some of the victims, they are so vulnerable and young. Obviously some of them are babies and that, you know ... Yeah, it is horrible (Probation Officer 11).

You try to sort of, you know, keep your real feelings and values away, but they do bubble to the surface occasionally ... particularly young, and about infant children (Probation Officer 15).

Negativity was also pronounced when victims were similar ages to the probation officers' own children, a phenomenon noted by Erooga (1994).

... talking about infant children, that, you know, I find that particularly difficult. I used to find it difficult when the ages of the victims were similar to the ages of my children (Probation Officer 16).

Probation Officer 12 also articulated how working with sex offenders made her more aware of actual potential danger to her own children,

I think on a personal level, I'm a 30-year-old mother of two girls. I've got a 10-year-old daughter and a 9-months-old baby ... It makes me more aware of the risk to my own children ... I read a horrific offence on a child my daughter's age. ... and when I was pregnant I dropped all other sex offender cases because of the nature of the files, and the content of the files ... There are certain things you have to do to protect myself. Don't have my children all over my desk and stuff (Probation Officer 12).

Most probation officers interviewed expressed strong feelings of antipathy to sex offenders, not felt about other sorts of criminals. Anthropologist Douglas (2002 [1966]) states, "no other social pressures are potentially so explosive as those which constrain sexual relations" (p.194). Stainton Rogers and Stainton Rogers (1992) also refer to the 'visceral clutch' to illustrate the often gut reaction of horror associated with child sexual abuse. As discussed in Chapter 2, there are also a number of contemporary themes exacerbating concern about child sexual abuse. There is a moral panic about children (Parton, 2006). The decline of marriage has made the adult/child relationship particularly precious (Smart and Neale, 1999). As traditions of childhood are eroded – e.g. the early sexualisation of children - children become a site of increased anxiety for adults (Buckingham, 2000). It is unlikely that probation officers are immune from such influences, problematising the therapeutic task of showing regard for sex offenders.

As illustrated below, particular disapproval was expressed about the premeditated nature of sexual abuse, commonly termed 'grooming' (Finkelhor, 1984; Salter, 1988). Denial and minimisation (Salter, 1988) was also experienced as a particular difficulty for most probation officers working with sex offenders. Probation officers talked about feeling vicarious outrage on behalf of victims, when sex offenders denied or minimised abuse, or blamed the victim.

For me it is, personally, yes, I find it difficult to work with sex offenders and domestic violence as well. I find those quite similar. I'd rather deal with the violent offenders than sex offenders. I don't know. I think it's because the offending is so different. I know there are victims in both cases. With that (violence) there is usually something, whether alcohol issues or drug issues, or something like that. I don't mean it's OK because they are like that. But with sex offenders, they have actually groomed someone. They have taken their time to do this. I don't know; I find it more difficult to work with (Probation Officer 11).

I think it's on the detail that people try to wriggle away, or minimise their offending, so I suppose it's about being able to be dispassionate so you know that any revulsion you might feel, you've got to get beyond that (Probation Officer 5).

I just thought he was an absolute disgrace because of how he minimised things (Probation Officer 12).

Part of the well-documented difficulty of working with sex offenders is denial and workers feeling deskilled (Erooga, 1994). As Probation Officer 12 comments, "It's like banging your head against a brick wall." However, probation officers' outrage about denial can also be seen to be connected to what Foucault (1977b) termed the 'confessional imperative.' This refers to the idea of Christian morality being replaced by therapeutic morality. Ferguson (2004) argues that this concept of therapeutic confession has become imbedded in our culture, granting it legitimate



for professionals to judge clients negatively for not being open and disclosing. As discussed in the previous chapter, Braithwaite (1989) takes a more positive view that confession of shameful misdeeds can lead to social integration. However, both perspectives illustrate the social pressure to take responsibility for wrong doing. The probation officers in this study talked of having negative feelings toward sex offenders when such responsibility was not forthcoming, a reaction complicating the displaying of therapeutic regard.

By and large, both male and female probation officers stated that many sex offenders tend to show more surface compliance, than general offenders do. As Probation Officer 14 commented, “generally they are nearly always regular and compliant.” However, six of the ten female probation officers interviewed talked about feeling worried, at times, about the threat posed to themselves by sex offenders. This perceived threat took various forms. For instance, female officers talked about feeling generally threatened by the conflict which could ensue, given that they could be restricting offenders’ liberty or encouraging offenders to look at painful issues.

No, I suppose in probation, in particular, we have no security here. We have alarms but afterwards, you’re not in uniform. You haven’t got handcuffs, what have you (Probation Officer 9).

I’m careful about which cases I take. I mean obviously if I know them, if I know of them, then there is no way I take them anyway, and this is specifically for sex offenders, and I won’t take any one who lives in the small village where I live, for protection. There are certain things you have to do to protect myself (Probation Officer 12).

Two officers described the potential threat when having to restrict an offender's liberty.

That has happened to me. I've recalled an offender twice and he's left out of prison; he's high risk, and he's quite a violent offender. I was a bit worried about my own safety. He was fine, but there is that initial, 'Oh my God! What is he going to be like now?' (Probation Officer 11)

I obviously think... Oh, I think I could bump into his wife in town, and I wonder will she blame me, cause it was my report, at the end of the day? The judge made the decision, but it was my report. At the back of my mind as well, when I was writing it, I was thinking, he's not going to like this, but that's tough, that is how it is (Probation Officer 7).

Most officers stated that the NOMS system (see Chapter 2, Section 2.5.), where the probation officer works with the offender through the ups and downs of his sentence, did not worry them, in terms of having to work again with offenders whom they had recalled to prison. However, one female probation officer expressed concerns about this.

And especially in this end to end management (NOMS), you are likely to keep that case throughout the term. So you know you could, in theory, you could be recalling (an offender to prison) ... And they are always staying with you, unless you could justify a reason for the case to be relocated, you know (Probation Officer 10).

Female officers also talked of feeling vulnerable because they were women and, by virtue of this, came into the preferred victim category of some of the sex offenders whom they supervised.

And also there would be a worry if you are their type of victim. There is a risk that you could be the next, isn't it? It's daft; well I suppose it is daft; it's not daft, I don't know (Probation Officer 9).

Obviously, depending on the offence, but certain offences, I'm very conscious at times that I'm young, female, fairly slim, so I have to be careful that I'm not being groomed ... Some of it is gut feeling, not tangible, but there might be the odd comment; 'oh you look very nice today,' not even that obvious. You have to just be careful about what their offence is; what their victim spec. is (Probation Officer 3).

Yes, yeah, and it can be quite uncomfortable to think that when somebody may be viewing you in a sexual element, and I suppose that is uncomfortable if you think anybody is, that you're not particularly keen on. And I mean that not just because of the offence, it could be a member of the public. It's just remembering to keep that professional barrier (Probation Officer 3).

Probation officers feeling threatened by offenders is not an issue restricted to work with sex offenders. Littlechild (2002) found that nearly 10% of British social workers and probation officers had suffered physical assault. Stanley and Goddard (2002) also found that threats and intimidation can adversely affect the ability of workers to make accurate assessments and provide effective interventions, although no probation officer made such a disclosure in this study. Interestingly, none of the six male probation officers in the study expressed concerns about feeling threatened in any way. Male practitioners may deny feeling threatened as it is inconsistent with traditional masculine values. However, female officers may simply feel particularly threatened as the vast majority of sex offenders on probation are men. Although the prevalence of sexual abuse by women may be underestimated because of widespread denial of the problem (Saradjian, 1997), most known sexual offences are perpetrated by males on females (Grubin, 1998). Therefore, it is logical that female officers may feel more at risk. Erooga (1994, p. 211) suggests that female workers "may feel

covertly victimised” when working with sex offenders, and may feel a “generalised anger” for men’s abuse of power, which can be manifested in the dynamic of the working relationship. Such feelings of threat as described by the female officers would not seem to be conducive to developing regard for sex offenders.

As illustrated above, there are many aspects potentially complicating the communication of regard to sex offenders. Probation officers, as members of society, are unlikely to be immune from the societal taboo surrounding sex offending and the negative feelings this engenders, particularly when officers have children the same age as victims. Some officers reported experiencing increased concern about their own children after working with child abusers. Female officers also reported feeling personally threatened, on occasions. Working with denial and minimisation was described as particularly frustrating. As stated in Section 7.3. above, the supervision of probation officers tends to be task orientated, with little attention given to such problematic internal issues.

The notion of Reflective Practice (Schon, 1983) has been a significant component in the Diploma in Probation Studies (personal experience); used in training officers to be aware of how internal states and external circumstances might impinge on practice. However, as discussed above, according to the probation officers interviewed, reflective practice played little part in their supervision sessions. Erooga (1994) illustrates the importance of developing self-

awareness in order to work effectively with sex offenders. Erooga uses psychodynamic notions of transference, counter-transference and projection, in order to explain how unresolved issues can contaminate work with clients, particularly demanding individuals like sex offenders. As explained in Chapter 2 (Section 2.4.), one of the main targets for criticism of one-to-one casework in the 'Nothing Works' research was non-directive psychodynamic therapy, with subsequent downgrading of the importance of the one-to-one casework relationship (Burnett, 2004). The psychodynamic practice of attending to transference and counter-transference can also be seen to have lost favour, along with the psychodynamic approach. However, the lack of ongoing organisational consideration given to the internal state of probation officers, whether through the psychodynamic model or reflective practice, is arguably an oversight, possibly limiting the effectiveness and potential of the supervisory relationship, and adding to the challenge probation officers face in establishing a productive therapeutic alliance.

### **7.5. The therapeutic alliance: the challenge of being genuine**

Genuineness, often interchangeably referred to as congruence, is described by Rogers (1961, p. 61) as the practitioner being without "front or facade." Trotter (2006) refers to genuineness as the worker being clear about issues such as: roles, responsibilities, confidentiality, authority and how authority might be used. In the context of the probation service, authority would relate to enforcement.

Similarly, probation officers talked of being genuine as 'telling it like it is', or 'laying your cards on the table.'

I think you've got to be up front with people, and say 'look we're working multi-agency, in a multi-agency way. We do work with the police' (Probation Officer 1).

You tell them that if they are on a community order, or whatever, they are being treated just the same as everyone else; that these are the terms of engagement; that they are on a Court Order; that it's nothing personal; 'if you breach that, we won't hesitate to take you back to court' (Probation Officer 5).

I lay my cards on the table from the very start and I explain to them what experience ... I have. It's just what I'm saying really. This is my role (Probation Officer 12).

However, although most probation officers talked about the importance of transparency, in terms of telling sex offenders where they stood about rules and boundaries, many of the interviewing methods and interventions employed appeared to lack transparency. Disingenuous methods appeared to be deployed in order to manage two main tensions: how to motivate resistant offenders, and how to extract information from guarded offenders, for risk management purposes.

A number of probation officers talked about using motivational interviewing methodology with the sex offenders they supervised. As explained in Chapter 3 (Section 3.5.), motivational interviewing has had a significant influence on probation practice in recent years. Part of motivational interviewing is the use of Socratic questioning in sessions with resistant offenders. The technique involves

the probation officer acting more innocently or as less knowing than he or she actually is, in the hope that this help relax the offender and facilitate the offender to feel that s/he is arriving at a new insight of his/her own accord. Typical of this is the following example of a probation officer talking about being fairly sure that she has touched on a "raw nerve", but couching the clarifying question in mock uncertainty.

I think you know when you are hitting a raw nerve or something. And I would probably actually say to them, 'have I actually hit something there that you are not ready to talk about yet or, you know, you don't agree with?' (Probation Officer 4)

Avoiding confrontation is another staple of the motivational interviewing approach, expressed as 'rolling with the resistance,' in order to avoid the so-called 'confrontation/denial trap' (Miller and Rollnick, 1991, Ch. 5). Probation Officer 12 was particularly open about the deliberate use of such techniques, in order to extract information from sex offenders. Here she talks about how she first experienced applying motivational interviewing.

When I first started practising, I did the 3-day training: then you're looking at initially a non-challenging approach. I remember my first ever interview with a sex offender. I was particularly anxious about applying the right tools that I had been trained to apply, and when I did it, it worked fantastically; it was really impressive that, that was my initial sort of spring board to 'I really like this type of work.' I tried to apply it with my other cases, it worked also. It's about a very deviant type of exploration; from my point of view, what we are actually doing is you're picking up a lot from the offender, without disclosing it back to them; what you are getting out is very good. If you are asking the right questions, you get a lot out of them, which you can then use to interact with them and when you are at a challenging stage, put back to them, and I just found that a very interesting type of assessment and interview technique ... My agenda is to try get as much information out so that I can do a risk assessment to prevent harm

to the victim ... I think a lot of the intervention can be regarded in that way. You are doing things for your own gain at the end of it (Probation Officer 12).

Another probation officer also refers to the strategic, tactical element of supervising sex offenders.

Debriefing with colleagues is really a good way of dealing with that frustration, because a fresh pair of eyes on the situation. They can think of some tactics you can use in the next supervision ... and you must sort of bring in tactics, debriefing, maybe even getting the co-worker in, bringing another dynamic into the situation (Probation Officer 3).

This tactical element of supervision was not lost on one offender.

'Oh, how did the sport go the other day?' to get the conversation going. And then he comes around this way then, with a pincer movement to try and get me to talk ... (Sex Offender 7).

The tension between adopting a therapeutic approach with sex offenders and extracting information from them was highlighted by Probation Officer 13.

And I'll say to them, 'I'll try and be as transparent as I can with you' ... and I'll try and reassure them that there won't be any trick questions (Probation Officer 13).

However, Officer 13 quickly followed up the above statement with a description of interventions which could well be described as involving "trick questions," despite the assurance to the contrary given to the offender.

I put it back to them. You know, use the Socratic bit. "That's quite an interesting thing, let's explore that. Can you tell me about that?" If they're not getting it, or telling me what I want to hear, I'll kind of say, "well, what



do you think that kind of says to us?" I, and I won't say me, I'll say "probation" and kind of draw it out, get them to say, "actually it's a concern," rather than me saying, 'I think you are doing something wrong ...' (Probation Officer 13).

The above description of working with a sex offender would constitute effective practice according to Miller and Rollnick (1991), in that the probation officer is encouraging the offender to voice self-motivating reasons to change. However, it does seem to involve the probation officer orchestrating and manipulating the offender. Such tactics seem similar to grooming tactics, frequently cited as characteristic of sex offenders, although used by probation officers to more benign ends. The use of motivational interviewing can also be seen to be a constructive means to counter offender resistance and to encourage constructive change, as will be explored in the next chapter.

A practitioner being genuine is cited, above, as an important factor in forming a positive therapeutic alliance. The probation officers interviewed described how they endeavoured to meet this ideal by being clear about rules and the consequences of non-co-operation. However, probation officers' accounts of motivating resistant sex offenders and attempting to obtain information from them appeared to lack the sort of transparency which would usually be aspired to by practitioners in a voluntary therapeutic setting. This would seem to be inevitable when the main priorities of the probation service are risk management and public protection, a practice reality representing a further challenge to probation officers, when trying to establish a productive therapeutic alliance.

## **7.6. The therapeutic alliance: the challenge of being empathetic**

As illustrated in the previous chapter, both probation officers and sex offenders cited officers having empathy as being important. The importance of practitioners showing empathy is widely acknowledged in the general literature of the helping professions (Rogers, 1961) and in the literature pertaining to sex offenders (Ward and Maruna, 2007). However, for probation officers in this study, empathy with sex offenders was not straightforward. A recurring topic was the difficulty of empathising with why somebody would want to perpetrate sexual abuse. Whilst probation officers spoke at length about the necessity of relating to sex offenders as human beings rather than sex offenders, they were also keen to distance themselves from the demonised identities of the sex offenders they supervised.

For me, I think I've got to manage to exorcise a few of my sort of demons in the period of doing assessment on sex offenders. I think, you know, of really not understanding the motivation of somebody; of having to make a great leap of imagination, to somehow find out what is making someone tick. We don't have to do that really with someone who is a persistent petty thief, really. It's not so hard to do that (Probation Officer 1).

You do come with your own prejudice don't you? With offenders (general offenders) you can have some empathy with them. You can understand to a certain point why they got where they are. With sex offenders, I can't really understand why they got where they are (Probation Officer 9).

Probation officers also spoke of the dangers of empathy spilling over into collusion, creating a sort of moral slippage. A theme emerged of officers needing

to hold onto themselves, putting a buffer between themselves and the offender, for fear of being contaminated or polluted by the sexual crimes committed.

I think that my immediate response to sexual offending, certainly the heavier end of it ... it's almost trying to think the unthinkable, isn't it, trying to put yourself ... and then of course if you do start thinking that, you know, the slippage things about standards and morals almost ... but yeah, I think particularly with sex offenders, the tendency for any suggestion of any sort of collusion is obviously guarded against and, um, I just think I have to be so careful that, you know, that I don't nod in the wrong place, or say 'yes'. In fact all I'm trying to hear is what they've got to say, and it is, isn't it, the slippage thing, is sort of, because I like to think, you know, that I depend upon it really. It's not there but for the grace of God go I. It's kind of like, no this is quite different (Probation Officer 6).

We have to have a debriefing afterwards, where we did say what we thought about. We did say I just want to have a wash ... It isn't physically want to wash. I wanted to cleanse myself (Probation Officer 12).

The sense of the deviance of sexual offending as something 'catching' can also be seen in the following comments.

I don't tell people I work with sex offenders for fear of being labelled as something undesirable really (Probation Officer 8).

... and sometimes it is the little things where they have groomed the person, and which you would have thought was so innocent, and you realise what's behind it, and that loss of innocence, you feel a bit tainted by it (Probation Officer 9).

The theme of moral pollution in societies has been explored by Douglas (2002, p.161) [1966]. Douglas makes a point that some behaviour may be wrong, yet not provoke pollution beliefs (i.e. general offences such as armed robbery, causing death by dangerous driving) whilst other behaviour (sex offences,

particularly against children) is considered very reprehensible, "polluting and dangerous".

Another problematic area seemed to be sex offenders themselves being victims of sexual abuse and other life trauma. The dilemma for officers appears to focus around the extent to which they should empathise and address victim issues and whether focusing on the offender's own victim issues would compromise the focus on rehabilitation, risk management and protecting the public, which all the probation officers agreed were the main purpose of the job.

I think it's a very difficult area, because it's...there's all sorts of judgements tied up in that, aren't there, and your relationship with the person; how well you think the person is responding to treatment, what you think the risks might be with the person. You know, I guess sometimes you think, this guy has committed so many horrendous offences over the past twenty years, I'm not really interested in talking about his experiences of him being victim. I'm not sure how helpful, in that case, it's going to be to his risk management, um, and was his experience of being a victim almost positive in that he has then gone off and spent the last twenty years, creating more and more victims? Then, again, that's something, I suspect I, and others, have not had a great deal of guidance on, and you do that by the seat of your pants really. But on the other hand, you can't blank people's experience of abuse out entirely, I think, you have to acknowledge it (Probation Officer 1).

Probation Officer 3 reflected further upon the issue of sex offenders being victims of sexual abuse, stating that he does not always address the issue.

The honest answer is, not always. I come back to the rapport, and how much they will tell you about in the first instance. It's a difficult - I think it's quite a difficult area. My personal view would be it is that; I would try to encourage them to go to counselling themselves, away from the supervision arena. I mean, you can't divorce their behaviour against others. You can't disconnect it, totally, clearly from what they are doing to other people and from what has happened to them (Probation Officer 3).

Probation Officer 9 provided an example of how the dilemmas facing convicted sex offenders can appear intractable to a worker, resulting in the worker withdrawing empathy, as a self-protective measure. She discusses, with an impressive degree of honest reflection, the tensions involved in supervising a sex offender who, by virtue of his convictions, will find it difficult to establish a valued relationship with a partner.

I mean once they have been convicted and come to terms with things themselves, where do they go from there, kind of thing? For if they are ever in any relationship and if they are still involved in probation or on a sex offender order, everyone wants to know about their relationship. Everybody's telling them they've got to be honest about this to their partner; what they have done. They risk losing that partner then, and they are back on their own again. So when the next partner comes along, they aren't going to want to disclose anything, and when you meet friends, what do you tell them? (Probation Officer 9)

This issue of sex offenders being constrained in their choice of relationship, even once their sentence has expired, was a frequent theme amongst the sex offenders interviewed, and was explored in the previous chapter. Probation Officer 9 enlarges on the tensions in assisting sex offenders to manage these difficulties with regard to forming new relationships with partners in the community.

They are, very, I mean you can't; they want an answer and they say 'well, what point in the relationship do I disclose this (i.e. the sexual offence)?' But there can never be a point that's the same for everyone. You can't say

that 'well, you've been together a year now, I think she'll be alright with it' (Probation Officer 9).

Probation Officer 9 experiences a seemingly irresolvable tension. She is aware that risk and child protection protocols would demand her advising sex offenders to disclose to potential new partners their previous offending. At the same time she can empathise with the predicament of many sex offenders, where disclosure of previous sexual offences would be likely to significantly limit the possibility of forming a relationship with a partner, a basic instinctive need for most individuals.

Yeah, I said that at the beginning, didn't I, that I couldn't empathise with them and maybe on one hand I don't want to, and maybe that is your safeguard for yourself, that you don't empathise with them. Yes, I would like to give an answer to them. But you can't, you cannot, and you do have to remind yourself that they have committed such a heinous crime that, I don't know. It sounds awful, but do they deserve now to have a happy life, to get on with it? That comes into play sometimes. I like to say 'yes they do,' but there's, you know ... With sex offenders, I do hope that they go on to have more productive lives, then a prejudice and I suppose that ... I hope it's not that pleasant (Probation Officer 9).

Under the weight of an irresolvable tension, the probation officer considers withdrawing empathy (an important rehabilitative tool), emotionally disengaging from the common plight of many sex offenders. The probation officer also considers gaining equanimity through alignment with a populist position, which questions the appropriateness of sexual offenders being allowed to live 'happy,' 'good lives' even though, as discussed at various points throughout this thesis, such 'good lives' may be a pathway to lowering the risk of sexual re-offending.

The above section illustrates various challenges probation officers face in having empathy with sex offenders, empathy being a recognised core component of a productive therapeutic alliance. Probation officers described having barriers against understanding why an individual should want to commit a sexual crime, particularly against a child, an inability which seemed, in part, connected to a fear of being morally polluted by the sex offenders they supervise. Officers also described the concern that empathy may spill over into collusion with sex offenders. The concern about collusion was particularly relevant, when addressing sex offenders' own victim issues. Finally, one probation officer provided a graphic illustration of the withholding of empathy, as a self defence mechanism against uncomfortable feelings, concerning the unenviable and seemingly intractable circumstances in which many convicted sex offenders find themselves.

## **7.7. Conclusion**

Although probation officers described effective risk management as a valued, good outcome of practice, the management of risk involved distinct challenges. Risk management was described as the site of most anxiety for officers. They worried about overlooking information, making mistakes in record keeping, failing to liaise effectively with other agencies and discerning the accuracy of information from an offending group considered particularly deceptive. Heavy caseloads compounded these anxieties, as did the thought that they were, in the

final analysis, relatively powerless to stop sex offenders re-offending, with the public not understanding the limitations of the supervisory role, and how this did not include surveillance of sex offenders in the community. Officers feared that they would be made a scapegoat for any lapse in information management, if a sex offender re-offended, regardless of the relevancy of the lapse to the eventual sexual crime. In the light of this risk-averse environment, the challenge also emerged of not allowing defensive, overly cautious practice to unnecessarily infringe the rights of sex offenders, counterproductively increasing the likelihood of human distress in other areas, and frustrating the sex offenders' attempts to develop 'good lives.'

As Chapter 5 illustrates, many probation officers viewed the prescribed systems to which they work as an aid to good practice, providing better communication, guidance and accountability. However, probation officers also described various challenges in working with such prescribed, technical systems: supervision plans bearing minimal relevance to the complexities of practice; supervising officers' practice with sex offenders remaining idiosyncratic and unexamined, despite the organisational onus on targets and accountability. This lack of focus on therapeutic process issues left many supervising officers feeling largely unsupported and ill-equipped to meet the challenge of working with sex offenders.



The dearth of organisational attention given to ongoing process issues and ongoing reflective practice was in spite of officers having to overcome strong negative feelings about sex offenders, due to the crimes they have committed, and the minimisation and denial of these crimes. Female officers described feeling threatened at times by sex offenders, rendering the positive regard for purveyors of such threat challenging. Probation officers sought to be genuine with offenders, but their efforts seemed restricted by the onus placed upon officers to obtain information pertaining to risk, and to break down denial. Empathy also appeared to be a problematic therapeutic issue. Probation officers reported an inability and reluctance to understand why an individual should want to commit a sexual offence, particularly against a child. They described prohibitive feelings of contagion and pollution, related to empathically working with sex offenders. Displaying empathy for the victim experiences of sex offenders appeared to be limited by concern about collusion, and about empathy being a possible diversion from risk management. The withdrawal of empathy, as a psychological defence mechanism against becoming too sensitised to the unenviable predicament of many sex offenders, also seemed to be a challenging issue. However, in the next chapter, probation officers and sex offenders describe ways in which the challenges of achieving good outcomes and practice can, to varying extents, be met and overcome.

## **How probation officers and sex offenders achieve good practice and outcomes, consistent with strengths-based approaches**

### **8.1. Introduction**

As explained in the methodology chapter (Section 4.4.), it was not an aim of this study to explore probation officers' conscious knowledge of strengths-based approaches, so this information was not sought. When interviewing respondents, no explicit mention of strengths-based approaches was made, in an effort to avoid leading questions and language about strengths-based interventions distorting the data. However, both probation officers and sex offenders were informed that an important research aim was to uncover examples of apparently successful practice. In the following chapter, accounts of perceived good practice and good outcomes, consistent with strengths-based approaches, are unpacked, independent of whether the tellers would conceptualise their tales in such strengths-based terms.

In Chapter 5, both sex offenders and probation officers provided accounts of perceived good outcomes and practice. In Chapters 6 and 7, respectively, sex offenders and probation officers provided accounts of the difficulties and challenges of achieving such good outcomes and practice. This final chapter of data analysis will return to a more positive focus, illustrating from the accounts of both probation officers and sex offenders, how good outcomes, consistent with

strengths-based approaches, can be achieved. These positive narratives of supervision will be analysed with reference to a wide range of strengths-based approaches including desistance theory, narrative therapy, the 'good lives' model, motivational interviewing and solution-focused therapy. An explanation of all these models, approaches and theories can be found in Chapter 3.

## **8.2. Enhancing pro-social identity**

In Chapter 5, sex offenders described how developing pro-social lives and pro-social identities were important factors in keeping them from re-offending. This is consistent with both the 'good lives' model (GLM) and desistance theory. A strong feature of both approaches is the way in which narrative or personal identity concerns are built into the foundations of the theories (Ward and Maruna, 2007). As a sex offender experiences the pro-social, rather than the anti-social, obtaining of 'human goods,' self identity changes. Pro-social relations with individuals, groups and institutions are strengthened and internalised as social capital increases (See Chapter 3, Sections 3.3. and 3.4.). This results in the sex offender having less need and motivation to risk losing such capital and the emergent pro-social identity, by re-offending. As discussed in Chapter 3 (Section 3.4.), whilst valuing the contribution that the Risk Need and Responsivity Model (Andrews and Bonta, 2003) has made to the management and treatment of sex offenders, Ward and Maruna (2007, pp. 86-87) argue that this current orthodoxy neglects identity issues.

The RNR model's lack of attention to the role of personal identity in the change process indicates that it could not provide adequate guidance to therapists on these unavoidable issues ... the RNR model does not pay enough attention to the role of personal narrative identity and agency.

Before illustrating how the potential for reconstructing pro-social identity can be found in the accounts of probation officers and sex offenders, how sex offenders construct narrative identities will be considered. In her research into sex offenders' identities on groupwork programmes, Hudson (2005, pp. 53-75) categorises sex offenders into three groups, depending on the degrees of denial, minimisation or acknowledgement they displayed, with regard to sexual convictions: "total deniers," "justifiers" and "acceptors." She posits that in different ways, and to varying degrees, all the sex offenders in each category attempted to distance themselves from the stigmatised identities conferred as the result of being convicted of a sexual offence. Hudson (pp. 66-67) describes nine "distinct distancing techniques," which allowed the sex offenders to enhance their sense of self worth and acceptable social identity. The explanatory definitions are fictitious examples.

1. Distancing by category (e.g. 'others are worse than me')
2. Distancing by degree of physical contact (e.g. 'unlike other sex offenders, I didn't touch anybody')
3. Distancing by consent (e.g. 'at least my victim consented')
4. Distancing by premeditation (e.g. 'my offence didn't involve grooming')
5. Distancing by age of victim (e.g. 'my victim wasn't a young child')
6. Distancing by relationship to victim (e.g. 'I could never do it to someone I know')
7. Distancing by repeat offending (e.g. 'I'm not a serial rapist')
8. Temporary aberration (e.g. 'I was not sober')
9. Shame (e.g. 'other criminals feel better by having a go at sex offenders')

Various examples of these distancing techniques could be found in the accounts of sex offenders interviewed in this study. For example, Offender 1, an incest offender, 'distanced by category', viewing himself differently from sex offenders who prey on children they do not know. This distancing technique allows Offender 1 to align himself with the pro-social majority who do not sexually offend.

I know there are some evil bastards out there. Kids are not safe in their own bloody bath now. They're taken off the street. It's high profile. It's a big impact on people. You can't blame people on the street for worrying about that, if they've got kids; afraid to leave them out in the bloody garden to play, whatever. So who can blame them for being up in arms about it? (Offender 1)

Offender 2, an Internet offender, 'distances by contact,' when reflecting on whether he is affected by stories in the media about sex offenders.

Sometimes, I think it doesn't quite apply to me. I don't think I'm high risk of anything (Offender 2).

The sex offenders in Hudson's study managed their identities through "impression management" (Goffman, 1959). Borrowing from Goffman's (1959) dramaturgical model, Hudson explains how sex offenders in her study concealed incriminating information about themselves 'backstage', presenting various forms of socially acceptable identities 'frontstage.' Such stage management by sex offenders has often been interpreted by professionals as sex offenders being a particularly manipulative group, and as evidence of denial, minimisation and cognitive distortion, which need to be challenged (Salter, 1988; Calder, 1999).

Hence, it would seem that offenders attempting to tell stories about themselves and others which put distance between them and the harmfulness of their offending, can be counter-rehabilitative. Certainly, as outlined in Chapter 5, for many sex offenders in this study it was their very preparedness to stop distancing themselves from the harm caused by their offending which was the turning point in their rehabilitative journey. However, Offender 8, an ex-psychiatrist and hence an individual with particular insight, both as a recipient and deliverer of psychological treatment, suggested how the timing of the identity building process may be crucial. Offender 8 explains how he has gone through the process of confronting his offending.

I've learnt so much from the course in the prison and from the period of reflection. I understand now - in great depth now - about why I committed the offence; how I was responsible for that, and what I need to do to stay away from anything like that happening again (Offender 8).

However, having gone through the process of engaging with his offending, he now feels that he, and others like him, have a rehabilitative need to move on.

What I find increasingly unhelpful is going over the details of the offence over and over again. It can feel like having your nose rubbed in it. I think often professionals feel that they need to do this to people over and over again to satisfy, to relieve their own anxiety. You know, if this person is still maintaining kind of denial about this, that or the other. So they feel the need to, sort of, get the account. The intimate details of it over and over again, without being necessarily mindful of the fact that people need to move on (Offender 8).

Offender 8 enlarges upon his argument.

I think a lot of professionals fail to realise that there is a developmental trajectory to these things. If somebody recounts the details of the offence in a matter of fact way, that could mean they have no victim empathy, but could mean that they have gone through a process that they have now forgiven themselves, and that they've come to the decision of, 'it is time to let go' (Offender 8).

It would seem to be a matter for the professional judgment of the supervising probation officer, to discern whether each individual offender's response is indicative of denial and minimisation or whether it indicates a genuine rehabilitative need to move on from the offence. However, many of the accounts of offenders interviewed in this study suggest a strong desire to reconstruct their identities, consistent with desistance and 'good lives' models. As explained in Chapter 3 (Section 3.3.), in his study of offenders in Liverpool who had desisted from offending, Maruna notes that the ex-criminals had constructed 'redemptive scripts' or 'identity narratives' which explained their transformation from criminals into law abiding citizens, whilst maintaining a sense that their core self was 'good.' Maruna (p.86) cites Cressey (1963), when explaining this rehabilitative phenomenon.

The individual needs a logical, believable and respectable story that makes it "impossible to engage in criminal conduct without arousing guilt reactions and shame that are incompatible with self conception" (Cressey, p. 158).

Similarly, in this study, sex offenders provided narrative accounts of themselves, in which they could be seen to have cast themselves in pro-social roles. Two distinctive redemptive scripts or narrative constructions of 'good' selves emerged; the 'regular guy' and the 'taking it on the chin guy,' although there was

a certain degree of overlapping of the categories. Depending on one's theoretical orientation or practice judgment, these adopted roles within an offender's life story can offer a potential alternative identity, from which to escape the 'master status' of sex offender.

### The regular guy

Offenders attempted to present themselves in socially positive ways, one of which was portraying themselves as 'regular guys'; honest, conscientious, realistic and just like anybody else, including the probation officers supervising them. Scourfield's (2003) research within child protection social work reveals how male clients were perceived in terms of negative discourses of masculinities: men as threat, men as absent, men as no use and men as irrelevant. Scourfield found that male social workers distanced themselves from such negative masculine discourses, by claiming respectable ones such as men as sensible and realistic. The male sex offenders in this study can similarly be seen to be constructing positive discourses of masculinity for themselves, distancing themselves from the most negative masculine discourse of all – that of male sex offender.

Offender 4 described how he had gone about proving to his probation officer that he was not at risk of re-offending.



Well, by being honest with everybody, and being open about it, I think, you know what I mean, telling them what you're thinking (Offender 4).

A variation on the theme of honesty was adopting a particularly conscientious attitude to risk management and accountability.

I used to keep a diary whilst I was on probation. I used to write everything down, the time I went out of the house, the time I came back. No one told me about that. I just thought it was a good idea (Offender 4).

The self-portrayal of sex offenders as proactive with regard to accountability and risk management can be seen, in part, as providing a face-saving way of being supervised. Rather than being a passive recipient of supervision, the offender proactively makes himself accountable, exercising personal agency.

Everything I do, I put through probation, to clarify that there are no problems. I'd rather something be flagged up early, than too late (Offender 11).

The above statement can also be interpreted as the sex offender becoming overly dependent on probation or else him being fixated with the possibility of re-offending. However, the way in which the offender constructs supervision more in terms of a service from which he can benefit, rather than an indignity that he must tolerate, allows for the identity of service user to emerge, potentially diluting the stigmatising identity of supervised sex offender.

Offender 6 describes how he is a conscientious employee, differentiating himself from less hard-working colleagues.

I'm there every morning between ten and quarter past 8. It's the way I am. And at the end of the business, quite often 5 o'clock, but I'll still be there quite often in an evening, ten or quarter past 5. I'm not one of these people who get in there and disappear down the street. If there is something to do, I'll do it (Offender 6).

Offender 4, another individual who had committed incest offences within the family, produced a narrative about dispensing with self-pity and conscientiously prioritising the needs of his estranged wife and children.

But after the first week: 'hang on, I still got a family, I still got a mortgage, my car and I've got to go back to work.' So then I'm bang - I'm straight on the phone to work. I'm back to work ... I only have one thing in my mind. The family still had a house to live in, so if I didn't work, no house. And that's the only thing that kept me going. They kept saying to me, 'go on the sick, go on the dole,' but why? (Offender 4)

A number of sex offenders talked about themselves in terms of being realists, sufficiently realistic to be able to view the predicament they found themselves in objectively.

When I know, and I feel I'm not a risk, it's a slightly uneasy feeling, but it's an understandable feeling; it's the fact that I know, if I was a probation officer, and I was talking to somebody who has committed an offence, I would see them as a risk, and I would need to ensure that they're not a risk. If I was a probation officer and do my job correctly, I would have to ask serious questions ... It's not a nice feeling, but it's something that I totally understand and respect ... I know it goes with the territory (Offender 13).

I think because I'm from an engineering point of view, I understand risk assessments and how they work. So for somebody to turn a risk assessment around and use it to risk assess a person, I didn't have a problem with that (Offender 6).

Offender 6, above, places himself within a similar category to the professionals assessing him. Like them, he has also been an assessor of risk, albeit in a different work environment.

Another way in which offenders communicated that they were realists was by stating that, in the final analysis, the probation service could not prevent sex offenders re-offending.

I don't think it's the probation service itself. I think it is the offender that hasn't complied with the rules (Offender 3).

... but they have got a difficult job, I think, seeing it - how it works; they are understaffed. I don't think there is a way to actually - you can't watch people 24 hours a day (Offender 2).

Foregrounded in the above statements is the reasonable view that the influence of probation officers does not extend to being able to prevent another individual committing a sexual offence, if that is the offender's intention. Probation officers made the same point in the previous chapter. However, in addition, in making this point, sex offenders can be seen to be reversing the usual social hierarchy of the supervisory relationship, in an attempt to gain more parity. It is the sex offenders who are adopting a protective stance towards probation officers. The sex offenders can also be seen to be attempting to claw back power from probation officers, in asserting the limits of the probation officer's control over

them and reasserting their autonomy and agency - even if this is to re-offend, as is stated by offenders below.

I kind of think that no-one can tell me what I am and not what I am. I can decide where I go and what I do. It's in my head that I don't want to offend (Offender 2).

The main factor is not (my probation officer), not (my wife), not the course and not probation: it's me (Offender 5).

Sex offenders used impression management to collapse the difference between them and non-offending individuals, particularly the professionals with whom they work.

We (the offender and probation officer) had similar experiences in life (Offender 2).

I think we'd get on anyway, as people, outside this place, if we met (Offender 7).

If I turn up here drunk and high on cannabis, this isn't good for me. It's no good for you as a supervising officer. I don't ever want to be in this situation where I come in here and get a bollocking every time I walk in the door. It's not fair on anybody. We're all human beings. We deserve to be treated with respect, and I think you'd like to say 'well great, I wish everybody would come in and say that every day of the week,' I know (Offender 6).

For Offender 6, being co-operative and compliant produces the reward of being treated with respect. The repetition of the word 'we' can be seen as the offender trying to grasp at some sense of equality or mutuality with professionals, including the research interviewer, whom the offender knew was an ex-probation officer. The offender also allies himself with professionals as opposed to fellow criminals who, unlike him, might prove unco-operative. The offender also

dramatises himself in the third person, imagining an affirming scenario in which probation officers would wish that all offenders were like him.

Offender 7 relates how his probation officer responded to being consistently later than his client for supervision sessions.

I was having a bit of a laugh with (my probation officer) about it before, like, to a certain extent. He said 'you're the only person that it has happened to. Normally, everyone else comes in here, and I'm the one that's got to challenge them ...' because I'm the one normally waiting for (my probation officer) (Offender 7).

The above offender makes the point of illustrating the potential (albeit referred to with humour) reversal of the roles, with him challenging his probation officer for being late. This use of humour as social leveller was also remarked upon by other offenders.

I've got a great relationship with my probation officer. We always have a joke and that (Offender 3).

### Taking it on the chin

The main characteristic of the 'taking it on the chin' identity was taking personal responsibility for abuse, and being willing to go through sacrificial suffering for the sake of others. The 'taking it on the chin' identity can also be seen to allow the offenders a certain nobility in their rehabilitative efforts

Offender 5 constructs his journey of rehabilitation as not wanting to make any excuses for himself in terms of a dysfunctional upbringing, and invoking the spirit of his father, cast as somewhat of a champion of the oppressed, as an example of fighting for things that can be changed. In the offender's case, this meant overcoming and managing his sexually abusive tendencies. Thus, the offender links his rehabilitation with his father's noble fight for justice.

I've had a brilliant upbringing ... I wasn't abused, I was loved. I was looked after. My father... I remember he said to me ... you have to accept (i.e. take on board) the things you can change, you fight against with all your heart, sort of thing. He was a councillor; he was a union leader (Offender 5).

Offender 11 took a similar stance.

I look on it really, everything that happens is because of me, so doing probation is something that I have to accept ... The only negative side, as far as I'm concerned, is the actual labelling of 'sex offender.' Really, it's just accepted that I created it. I created that label. If it wasn't for what I've done, then I wouldn't be known as a sex offender (Offender 11).

Some of the offenders interviewed constructed taking responsibility for their offending in almost heroic, self-sacrificing terms.

One of the things, and she reiterates it now all the time: it took a hell of a lot of guts and courage to go in there and say that, and actually say, although it was too late, 'hey, I want some help here' (Offender 6).

The same offender also narrated the story of how he finally handed himself in to the authorities, again somewhat casting himself as sacrificial hero, putting his stepdaughter's (the victim of his incestuous offence) welfare before his own desire to escape punishment.

I actually tried to take my own life. I was in the vehicle at the time, and I was sat there, and I was actually thinking of jumping in the river, because I can't swim etc. etc. Then I thought, hang on, there is somebody else here who is important. My daughter is stuck away with foster parents. You have got to do something about that; and with that, I started the car up and went to the police station and handed myself in. I pleaded guilty all the way along. When I got to the magistrates court they actually put more charges on. I said to my solicitor, 'there's no hassle here.' My daughter's important. I just took the charges that they threw at me (Offender 6).

Below, Offender 4 appears to manage the prospect of always being considered a risk and being on the sex offender register, by viewing matters objectively, from the perspective of others. This is similar to the honest characteristic of the 'regular guy' identity. However, he also can be seen to be taking the noble high ground, magnanimously conceding that professionals could never recommend removing him from the sex offender register, even if they considered him low risk, because of the harmful personal consequences to themselves.

I know, myself, I am not a risk, so I try to get other people I am involved with to realise that I'm not a risk. But ... it's always got to be low risk. They can't say to anybody 'he's low risk, take him off the register,' because the thing is, what could happen then? You could get someone slip through the net and do something, and then who's in trouble? Probation, the police (Offender 4).

Offender 5 described going against his solicitor's advice and wanting the police to check his computer, which had indecent images of children on it. 'Taking it on the chin', for this offender, included being prepared to be punished for offences the police would not have known about, without his co-operation. The self presentation below has aspects of the honesty of the 'regular guy,' but also

suggests the nobility aspect of the 'taking it on the chin' identity, self consciously, and possibly disingenuously, referred to as being "worthy" by the offender.

And I told the police, 'take my computer, and you'll find abusive images on there.' My solicitor said the police couldn't prosecute. But I said I didn't want that. I don't want to sound too worthy about it (Offender 5).

As is outlined in Chapter 6, sex offenders described significant pain and self-loathing involved in facing up to the harm caused by their offending. Offender 1 constructs this self-hatred within a narrative of his having developed a "conscience." The construction of an archetypal redemption tale can be seen. The offender is able to re-author himself in a manner which allows him to make public his sexual offending to professionals. His sexual offences may have been heinous, but nobly suffering lifelong self-hatred and remorse can help him recover some self-efficacy and self-respect.

I never thought up to that time that I ever had a bloody conscience, but by Christ it doesn't half kill me now ... But I think if you, um, anybody sensible, they should take responsibility for themselves. It's up to you. It's all down to you at the end of the day. My guilt at what I've done. Well, all the sorrow and everything that has happened through it. I feel whatever they wanted me to do, I've got to do because this is all down to me ... Many people told me then, once you're punished for it, you feel better. That's a load of rubbish, you don't ... No, it's with you until you bloody die (Offender 1).

In addition to Maruna's concept of 'redemptive scripts', a concept related to desistance crime reduction (see Chapter 3, Section 3.3.), narrative therapy also offers a similar social constructionist view of how individuals change their lives for



the better. Milner and O'Byrne (2002) explain how practitioners working within the narrative therapy model look for contradictions to the 'dominant problem saturated story.' In the case of sex offenders, the problem-saturated story would be their sex offending and the professional risk discourses surrounding the sex offending. A narrative therapy approach would consist of looking for alternative self-narratives which contradict the risk-saturated storylines, and encouraging pro-social behaviour from this positive identity basis. For instance, Jenkins (1990) attempts to do this with sex offenders. He talks of capitalising on the slightest sign of the responsible in the self-narratives of offenders, whether such statements actually reflect responsibility taking in the social world outside of the interview, or not. From this basis, Jenkins then encourages the offenders to build on the positive self-narratives, such as the ones described above, and to put them into practice.

### **8.3. Communicating respect and value to sex offenders**

As stated in Chapter 5 (Section 5.4.), Taylor (1989) posits that self is only constructed, through language, in relation to others.

I am a self only in relation to certain interlocutors: in one way in relation to those conversational partners who were essential to my achieving self-definition (p. 36).

To reiterate, supervising probation officers are important conversational partners of sex offenders, in their rehabilitative self-defining journeys. In the remainder of the chapter, examples will be given of ways in which probation officers utilise and

reinforce whatever positive characteristics or glimpses of positive narrative identity they discover in their work with sex offenders, which can contribute to the development of 'good lives.' This focusing on the positive is facilitated through various strengths-based interventions borrowed from motivational interviewing, narrative therapy and solution-focused therapy approaches. This exploration will begin by identifying how probation officers communicate respect and value to sex offenders.

As more fully explained in Chapter 3 (Section 3.10.), there is a significant body of research evidence and theory which postulates that communicating regard to individuals through a therapeutic alliance can lead to raised levels of self-esteem and positive change (Hubble et al., 1999). However, it would seem that there is a significant and converse potential for a fairly profound loss of self-esteem for sex offenders on probation. As has been discussed in earlier chapters, sex offenders are a particularly demonised group in society (Sampson, 1993). In Chapter 6 (Section 6.2.), sex offenders explained how having a conviction for a sexual offence resulted in significant loss of social capital in the form of relationships, jobs and social status. Also in Chapter 6 (Section 6.4.), sex offenders talked about the especially painful loss of self-esteem when coming to terms with the full extent of the harm caused to others by sexual offending and other self-orientated behaviour. In addition, probation officers in the previous chapter showed how they, as members of society, were not immune from having particularly negative feelings about sex offenders. In Chapters 6 and 7, it was

also clear from both sex offenders' and probation officers' accounts that the onus on probation officers to prioritise risk management can complicate the forming of a therapeutic alliance, involving the genuine communication of conditional regard and empathy. Nevertheless, despite these challenges, there were copious examples of how probation officers, working within the above constraints, were able to communicate value to sex offenders, consistent with general humanistic rehabilitative theory (Rogers, 1961) and strengths-based approaches to the treatment and management of sex offenders (Marshall et al., 2003).

In Chapter 6 (Section 6.4.), sex offenders spoke of being able to pick up on rejecting attitudes from subtle cues, such as tone of voice. Sex offenders experienced being well regarded, similarly.

... you hear somebody's voice on the telephone, and you take a perception by the tone, by the way they use language, of how that person is. So I perceived that (my probation officer) was going to be a good guy, and fair do, he was a good guy (Offender 6).

Offender 12 similarly described the importance of probation officers adopting a supportive, non-threatening manner, comparing his present officer with a previous one.

She was a lot more strict. She was a lot more abrupt. She never had a good bedside manner. She was telling me, telling me, basically in a rough way, that I've got to do this, and I've got to do that. Whereas my current probation officer talks to me - what she wants me to do - in a more restrained manner. That was the biggest difference between the two. She'd explain it (Offender 12).

Offender 14 also compared a poor relationship with a previous officer to a good relationship with his present one, commenting on the importance of body language.

It wasn't so much not being honest with him, it's just that I didn't like him. The other guy, I can't put it into words really. I didn't like him, didn't like his attitude. The way he spoke to you (Offender 14).

The importance of a non-threatening approach was also remarked upon by Offender 9.

I talk to (my probation officer). Yeah, I can talk to (my probation officer) great. She will ask 'how are things? How are the family?' She's calm - relaxed nature (Offender 9).

In addition to communicating regard and respect via the subtext of conversations and encounters, positive messages were also communicated through practical means such as the probation officers being on time for appointments and following through on verbal commitments and promises. This is consistent with research by Rex (1999), suggesting that offenders appreciate the efforts that probation officers make and how this can lead to greater offender co-operation. Offender 6, for instance, proceeded to explain how his probation officer communicated regard not only through words and tone, but by a practical demonstration of concern.

Somebody for me, who was overbearing, who could have come across as slightly aggressive, or giving the feeling that 'oh, I've dealt with so many

people like this before, I don't want to know anymore.' There's an attitude problem, and also that is something that can be apparent in a phone call. But (my probation officer) came across very well. (He) actually said, 'right I'll see you on the Tuesday.' It was the Bank Holiday weekend. Well, I've got to go the police station here on the Tuesday morning at 9.30. 'Oh fine,' he said, 'I tell you what,' he said, 'I'll sort it out. I'll give you a lift down,' and that's what he did. I said, 'hang on, this is great; this is a good start.' We talked in the car going home, and one of the things he said to me was that he was surprised at the quality of my SOTP (Sex Offender Treatment Programme) report; the amount of work and effort, and he was actually saying that it was one of the best reports he'd seen come out of the scheme (Offender 6).

There is a strong sense in the above passage of the offender feeling that he is being treated as an individual, not just another case. The probation officer has an immediately positive, practical effect on the offender's life, giving him a lift to the police station. The probation officer also begins establishing the therapeutic alliance by complimenting the sex offender on the progress he has already made, complimenting being a staple of the solution-focused approach (O'Connell, 1998, p. 64).

Other demonstrations of practical regard included probation officers generally displaying commitment and conscientiousness, with regard to their practice.

The thing that I've noticed is (my probation officer) tries his best with everything (Offender 2).

Probation officers would also seem to demonstrate regard by phoning offenders at home to enquire after general welfare, rather than just showing interest in offence-related needs.

He has always phoned me, and says 'how am I doing? Have I got any questions, any queries?' And it feels as if it's a great bond (Offender 3).

It helps me get things in perspective. Because (my probation officer), she said, 'you know, any time you want me, just phone,' so that's a massive help. So if (my probation officer) couldn't, if it was that bad, she give me a couple of names. I could contact her (Offender 4).

Probation officers making themselves reasonably available to offenders, outside planned appointments, also appeared to communicate regard.

If I phone, and my probation officer is not available, I guarantee that as soon as she's free, she'll phone me back (Offender 9).

Keeping to promises and commitments was also appreciated.

She says she's going to do something, then she does (Offender 9).

Offender 4 explained how his probation officer showed regard for him by providing information at his own pace, using straightforward language the offender could understand.

It was done, shall I say, at my pace, rather than cram all this information into you. I've enjoyed (my probation officer) actually ....How can I explain? If my probation officer talks to me, she seems to, and I hate to use the word, but she comes down to my level, but if she was talking to somebody else, she would go up to their level (Offender 4).

Offenders in general seemed to particularly value probation officers being concerned with their needs as people, and making attempts to address such needs. Below, an offender described how his probation officer went to the trouble

of arranging for him to have an individual meeting with the facilitator of the groupwork programme, to allay the offender's anxieties. Judging from the probation officers' accounts, this was not standard practice.

She has explained the best she can, but what she did do was brought one of the facilitators of the group in to me. She actually invited me down here to meet ... we sat in an office ... and the group facilitator explained to me exactly what was going to happen on the course, and I was asked questions like 'have you got any worries, any anxieties?' (Offender 12)

Offender 9 viewed his probation officer as a strong advocate on his behalf, with the officer communicating her regard, not only by her practical efforts, but by caring about the quality of the offender's accommodation.

It was my move on plan; I wanted to move on to my own place, to settle down, to rebuild my life, and she was fantastic ... And she came down, and she said I had been to look at a couple of places, and I said (to my probation officer) I said, 'I'd rather if you go and check the places, obviously.' She said, 'I've been to look at two places. The one, I wouldn't put a dog in. I don't want you in that.' Fair play, she's looking after my best interests. She said, 'the second one, I've agreed': the police have had a look and they are happy, and she is happy, so great (Offender 9).

The availability and quality of housing appears to be an important factor in offenders desisting from crime (Farrall, 2004). In the light of Farrall's findings, Burnett and McNeill (2005) suggest a need for probation officers to provide "continuing supportive relationship which combines individual counselling with social advocacy" (p. 234), qualities apparent in Offender 9's account.

From the above accounts, it would seem that regard is communicated by probation officers to sex offenders in various ways: tone of voice, body language,

adopting a generally non-threatening approach. Other ways in which probation officers appeared to communicate regard included: general practical acts of respect and courtesy; being available; being punctual; keeping to commitments; pitching language appropriate to the offender's development and phoning sex offenders about general welfare issues, not only issues concerned with risk and enforcement. Probation officers showing regard by acts of social advocacy also appeared to be much appreciated by offenders. Turnell and Edwards (1999, pp. 29-48), adopting a solution-focused orientation to child protection, suggest that perpetrators of abuse should be seen as "people worth doing business with." This, they suggest, involves the professional clearly taking on the position of power and authority, whilst doing everything that s/he can to build a co-operative relationship. Examples of such practice will be discussed below.

#### **8.4. Strengths-based approaches to enforcement**

In the case of probation officers, the power and authority Turnell and Edwards refer to, above, is related to enforcement. Enforcement not only involves probation officers recalling sex offenders to court if they breach conditions of their probation orders or licences. Enforcement also involves the ongoing setting of boundaries with regard to such issues as how often an offender should be seen, putting restrictions on what offenders do, and ensuring as far as possible that in supervision sessions offenders focus on pertinent issues to do with their offending and the risk they pose. Turnell and Edwards (1999, p. 35), solution-focused practitioners working in the field of child protection, comment that child



protection workers cannot successfully build partnerships with service recipients by trying to pretend that they are in an equal relationship with service recipients. In a similar vein, Trotter (2006, p. 67) outlines the importance of practitioners clarifying, early in the relationship with involuntary clients, clear boundaries of "social control and helping."

It is a simple fact that the child protection worker will always have the more powerful role in the relationship as they have the authority of the state behind them. However, Turnell and Edwards (1999, p.35) argue that in such a situation of unequal power, it is still possible to develop co-operation, even where coercion is required. Turnell and Edwards cite MacKinnon and James (1992).

The exercise of coercion by those mandated to intervene in family violence appears to be a necessary aspect of protecting the vulnerable and creating new leverage for change. Unless coercion is used in a considered, skilful fashion, however, it is likely to reinforce the very beliefs that allow an abusive parent to maintain violence as an option (pp.175-6).

MacKinnon and James, above, are referring to child protection social workers. Nevertheless, the same points are relevant to probation officers supervising sex offenders. In the accounts below, it is evident how probation officers, in "skilful fashion," go about the task of enforcing boundaries, whilst building partnership and co-operation, an important tenet of the strengths-based perspective. Offender 9, for instance, described an example of strengths-based practice, with regard to boundary setting.

Before we start, she said ... 'I give you my views, I'll explain to you what's what, and then you tell me, you can have your say,' and she laid the law

down. I understand it's got to be done. She said, 'right, what do you want to say, have you got anything you want to say?' Her saying that was it, that's what broke the ice. The previous one (previous probation officer); I wasn't given a say. I didn't have a chance to have a say. I was asked by her (current probation officer) questions, and you could tell by the way ... she was writing things down that she wasn't happy with the way I had been treated previously (Offender 9).

The current probation officer, referred to above, seems to have simultaneously established restrictions in the offender's life, whilst at the same time empowering the offender by allowing and encouraging him to express his views. Hearing the voice of the client or offender, in order to relate to her/his motivational reality, is at the heart of strengths-based approaches, particularly narrative therapy. As explained in Chapter 3 (Section 3.6.), narrative therapy particularly focuses upon liberating the service user/offender's unique voice from dominating professional discourses (White and Epston, 1990). Moreover, if a probation officer can manage to maintain a positive relationship with an offender, whilst maintaining and enforcing boundaries, this can lead to what Bottoms (2001) terms 'normative compliance,' where compliance is based upon moral obligation to a valued relationship, rather than 'instrumental compliance,' based upon deterrents and incentives. Such normative compliance is expressed by the following offenders.

And (my probation officer) at the moment trusts me. I haven't re-offended and that is why he trusts me. As soon as I re-offend, I have to start my relationship with (my probation officer) over again (Offender 7).

I feel it would be letting him (the offender's probation officer) down, if I re-offended ... He's put faith in me (Offender 2).

Offender 9 further describes how his current probation officer initially clarified the boundaries of their relationship.

To me, my first probation officer was judging me. He was judge, jury and the executioner. My (current probation officer) said, "I'm here to help, I'm here to work with you. I don't want to see you go back into prison, and I don't want to put you back into prison, but understand, for the safety of yourself and the safety of public protection, if I have to, if you give me grounds to, I will." And I thought, fair enough (Offender 9).

In the above account, the probation officer is reportedly clear about her willingness to send the offender back to prison. The responsibility for any recall to prison is placed firmly with the offender, "if you give me grounds to." However, the officer sugars the pill by saying she is also there to help the offender, emphasising how she has the interests of the offender, as well as the public, in mind. The sentence, "I am here to work with you," also signals the possibility of a collaborative working relationship, not merely an authoritative one. She also depersonalises the enforcement role with the phrase, "if I have to," communicating the inclusive, pro-social message that she, like the offender, is accountable to a higher authority.

Probation Officer 5 described a similar depersonalising boundary keeping technique.

I always tell people it's not just my decision. I don't do these things because I don't like the look of your face, or I don't like the look of your shoes. I do these things because that's what's been agreed at a higher level, so you try to bat it off a bit (Probation Officer 5).

This method of 'externalising' the problem, in this case the problem of restricted liberty, is a core method of solution-focused therapy (O'Connell, 1998, p. 80) and narrative therapy (Milner and O'Byrne, 2002, p. 157). O'Connell states that the

advantage of externalising the problem is that the problem is something “‘out there’, not within the person.” Although such externalisation is often used with the service user or offender - i.e. talking about 'black cloud' as a separate entity rather than a person being depressed - practitioners can also use externalisation to objectify their own role in the enforcement process, in order to shift responsibility back on to the individual for behaving in ways which would restrict their liberty. Such externalisation, if it does not lead to simple blame shifting, can help to facilitate a joint consideration of options.

Various probation officers described how sex offenders can sometimes want to take up the time available to discuss grievances and distress about not being allowed contact with their families. In such circumstances, probation officers describe how they attempt to re-focus sex offenders on to developing risk and life management strategies. Whilst acknowledging the importance of working within the frame of reference of the offender, Jenkins (1990, p.122), a therapist working within the solution-focused and narrative therapy frameworks, declines sex offenders' attempts to concentrate on ways in which they feel aggrieved or helpless, inviting them instead to take responsibility for their circumstances and offending. Probation Officer 13 described how she coped similarly with such a situation with regard to a sex offender, who was fixated on talking about his estranged relationship with his daughter. The probation officer describes how she asserted boundaries around the subject matter, in supervision sessions.

'... whilst your kids are really important to you, and it's perfectly right to struggle with it, and we don't expect anyone to find it easy - it must be horrendous for you - we are not here for that ...' He'll say 'I know you don't want me to talk about them.' And I'll say, 'it's not that I'm not recognising it's important to you, but it's not helpful to role-play in your mind what you would say to your daughter if you were able to see her. That is actually probably increasing the risk; that you are getting more depressed, then you are going to drink more, then you are going to offend.' He was able to make those links himself and he demonstrated that on the programme ... (Probation Officer 13).

The officer uses non-collusive empathy in order to communicate from within the sex offender's frame of reference. Similar to Jenkins' (1990) attempts to build on the slightest sign of pro-social impulses, she confirms the socially inclusive message that it is normative i.e. "right" to feel concern about his children. Like the practice examples provided by Offender 9 and Probation Officer 5, above, the probation officer externalises and de-personalises the boundary keeping aspect of the encounter, intimating that both she and the offender have responsibilities to spend time talking about more offence-related issues. Once she asserts the boundary, she invites the offender to consider that changing the conversation could be in his best interests, making overt the dangers of a possible offence pathway, involving the offender's cognitions about his daughter triggering alcohol misuse and possibly a sexual offence. This rehabilitative input is not delivered in the form of a set exercise, but as part of a fairly routine boundary setting conversation which, nevertheless, includes the use of empathy, regard and cognitive behavioural input, involving the illustration of an "offence chain." The probation officer can also be seen to be 'role modelling' (Trotter, 2006) a benign use of authority, counterbalancing any negative experiences of abusive authority

use, which sex offenders have often experienced, identified with, and then gone on to replicate (Vizard and Tranter, 1988).

Probation officers can be seen to respectfully challenge sex offenders and enforce boundaries in various ways consistent with strengths-based approaches. When challenging and enforcing boundaries, officers simultaneously incorporate messages of affirmation and support, utilising and amplifying perceived pro-social elements in the offenders' narratives. The above examples of boundary enforcement take place alongside acknowledgement of the offender's current perception of the world. The problematic activity of restricting the offender's liberty is externalised, minimising the potential for hostility, and conveying the pro-social message that probation officers, like offenders, are accountable to societal authority. In listening to offenders and allowing them a voice in enforcement conversations, probation officers are able to role-model the non-abusive exercise of power, providing an alternative to the misuse of power which is intrinsic to sexual abuse and many sexual offenders' life experience.

### **8.5. Strengths-based approaches to resistance and enhancing motivation**

The preceding chapters have made evident that there are many factors militating against sex offenders co-operating with probation. For instance, sex offenders described how painful it is to face up to the harm caused by their offending and egocentric behaviour. Co-operation usually calls for a sex offender to admit to their offending, with serious social and personal, as well as legal, consequences

following such an admission. Hence, not surprisingly, many probation officers described coping with offender denial and resistance as one of the most difficult parts of the job. Nevertheless, in the accounts of both sex offenders and probation officers, examples and possibilities emerged of how strengths-based approaches can help reduce resistance and motivate sex offenders to address their offending issues.

As has been already stated, in *A Guide to Effective Practice* (Chapman and Hough, 1998, pp. 58-60), the use of motivational interviewing with offenders is recommended in the probation service. Within the motivational interviewing framework, different levels of motivation are explained in terms of an addiction model of change, posited by Prochaska and DiClemente (1984). Prochaska and DiClemente developed a six stage 'Cycle of Change' model: pre-contemplation, contemplation, determination, action, maintenance and relapse. Within this model, it is theorised that individuals who are resistant are stuck at the pre-contemplation stage, and even individuals who are more motivated to change, will move between these stages several times before permanent change occurs. In the solution-focused model, motivation to change is conceptualised in terms of an individual being a 'visitor', 'complainant' or 'customer' (de Shazer, 1985). A 'visitor' is a person who does not think he has a problem, or does not want to be in treatment, or both. A 'complainant' is a person willing to discuss the problem but who sees a solution as lying elsewhere i.e. the problem is not the person's

responsibility, but somebody else's. A 'customer' is a person who recognises that he has a particular problem and wants to do something about it.

Various offenders stated that they had spent many years resisting attempts by probation officers, and other professionals, to help them address offending issues. Hence, in the past, these offenders can be seen to have been 'visitors' or 'complainants' at the pre-contemplation stages of change, before they had made the decision to embark upon the painful rehabilitative journey, described in earlier chapters. Miller and Rollnick (1991) comment that levels of resistance appear to be dramatically affected by the practitioner's style of intervention, citing Miller and Sovereign (1989) and Patterson and Forgatch (1985). Both the strengths-based and motivational models, above, include suggestions for dealing with individuals with low motivation; a non-confrontational approach, with the practitioner communicating empathy, regard and a philosophical acceptance of the motivational stage an individual is at, whilst gently exploring for glimpses of motivational triggers of change.

Offender 3's description of how his probation officer helped him to make the decision for change, illustrates the motivating qualities of a practitioner leaving the decision with the offender, whilst pointing out the consequences of choices.

'Well, it's up to you. I'm here to help you, but it's up to you as a person. If you want to move, that's fine. If you don't want to move on, you spend a lot longer in prison,' and that's what made me think about my past and what I did (Offender 3).



Offender 5 similarly described an important turning point in his life, weighing up the pros and cons of co-operating with the probation service and whether to, for the first time, make a genuine attempt to address his sexual offending behaviour. The offender's perception of his supervising officer as genuinely "caring," showing regard and acceptance before the offender had made the decision to change, appears to have been an important motivating factor, helping to tip the offender's decision to co-operate.

I sat in front of him, sort of feeling that I've got this little bit of history. There was a point where, almost like the sliding doors, it's that point where you take one path or the other. ... I felt like he was a caring person. ... What I said, I didn't feel as if he was going to manipulate that, or use it against me, or come back in the future and say, "look, what you said!" Within about a quarter of an hour, I made the decision that I needed (Offender 5).

Miller and Rollnick (1991, pp. 107-108) describe responding to resistance in terms of "the drama of change." Rather than viewing resistance in terms of psychological pathology, they view it in terms of an ongoing dramatic narrative, in which the resistant individual is probably acting out a well-rehearsed script. In such a script, the practitioner has expected lines of concern and overt persuasion to deliver. If the practitioner changes role, accepting without judgment that it is the individual's choice to change, this may engender a different response. As Lopez Viets et al. (2002, p. 24) comment with regard to motivational interviewing, "if you take up responsibility for the good side of the client's ambivalence, you leave the client with only one position" i.e. the 'bad' side of the ambivalence.

Another key element of challenging resistance in motivational interviewing is creating 'cognitive-dissonance,' which Miller (1983) described as triggering the cost of behaviour, by facilitating an individual's awareness of the discrepancy between desired personal goals and current thinking and behaviour. Importantly, this does not involve merely explaining the discrepancy to an individual, but leading the individual to come to this realisation him/herself.

But it was the way she done it; didn't say 'well what are you **going** to do?' It was just the way she done it over a period of time; 'well is this what you want in this period of time in your life?' (Offender 4)

She has always made you look at it from another side, another perspective to look at what I wanted to see. I couldn't see it. Now I can (Offender 4).

Solution-focused practitioners refer to this type of gentle encouragement to reflect on behaviour as taking the 'one down position,' explained, in the context of staff supervision, as leading from one step behind (Cantwell and Holmes, 1995).

An important tenet of strengths-based approaches is the need to focus upon the positive rather than the negative, and to build upon strengths. Concentrating on strengths is termed in solution-focused therapy as seeking exceptions to the problem (de Shazer, 1985). Solution-focused practitioners, de Jong and Berg (2002), point out how, unlike scientific or medical approaches which are largely generated from problem-solving models, the solution-focused approach to child protection involves turning away from a focus on deficits and concentrating on

the discovery of resources and strengths. Probation officers described ways in which they went about this.

So breaking it down and to recognise the pain, and also to recognise how strong he is to have come through that and still actually be alive, because many people wouldn't (Probation Officer 3).

I gave him this white piece of paper, and drew a black spot of dirt on it, and said 'well look, you know, well if we look at the white bit as being your life, and that spot as being the offence, it's a very small part of your life. There are all these other bits that are you as well. That spot will not go away. It's not going to be eradicated, that stain that will be there for ever, but there is another ninety nine point nine, nine, nine percent that is you (Probation Officer 1).

The previous chapter illustrated how the timing and sequencing of interventions and referrals can often be governed by top-down bureaucratic and organisational demands, rather than by the intrinsic motivation of the individual offender. Thus, rehabilitating sex offenders often tends to be system-led rather than client/offender-led, a core principle of strengths-based approaches. However, despite the limits of working within the demands of organisational systems, numerous examples emerged of probation officers working within the offender's motivational frame of reference. Offender 4 provided insight into his own motivational frame of reference, and how his probation officer worked in harmony with this.

She's done them (interventions and referrals)) at the right time. She had to go at my pace, and say if people start flooding me out with information, I go brain dead. I can - can walk out of the room and forget what you've said in here. So initially she's got to sit down and suss you out and from that time on, it's taking it stage by stage. It's no good coming in here talking about the ex-wife, because I was not interested you know ... So that wouldn't have worked (Offender 4).

Probation officers also cited the importance of tailoring interventions to the current and shifting motivational priorities of the offender. The flexible approach of these probation officers, and the close tracking of the offenders' motivations echoes the pragmatic solution-focused approach of staying close to the client's agenda; 'doing what works,' and if it doesn't work, doing something different (de Shazer, 1985).

So if you're working with somebody on one-to-one ... you can walk away ... and get back to your supervision plan, and say, if he really isn't going to move on this objective, let's look at something else until he is ready to talk about the other one (Probation Officer 3).

So you know, of course, as you build up the relationship, hopefully, with the offender, you do share more of the thinking, and where we're going and what you think isn't working and 'OK this what we need to be doing next' (Probation Officer 6).

It's the bit about judging what your relationship is with them at the time (Probation Officer 14).

In the previous chapter (Section 7.6.), the use of empathy on the part of probation officers towards sex offenders seemed problematic, with officers fearing collusion with and contamination by sex offenders. However, the ways in which the above accounts describe probation officers being in tune with offenders, can be seen as functions of empathy. Solution-focused practitioners tend to be cautious when discussing empathy, fearing that empathy has the potential to amplify negative feelings (de Jong and Berg, 2002). However, de Jong and Berg (p. 36) also refer to exploring and affirming clients' perceptions, as clients describe them, and argue that this constitutes a major share of what is

done in a solution-building interview. Quick (1996, pp. 78-79) describes empathy as 'validating', and makes the point that the therapeutic alliance may not be addressed explicitly in some descriptions of solution-focused therapy, but a focus on joining the client has always been present. Moreover, as is described in the previous chapter, empathy is an important component of other strengths-based approaches (Ward and Maruna, 2007).

## **8.6. Conclusion**

Perhaps the statement from Offender 6 sums up what most of the above sex offenders were trying to communicate, in one way or another.

I wanted to get my foot in the door (of the probation office) and prove myself and show that Eddie Price (pseudonym) is a good guy (Offender 6).

In the strengths-based approach, an individual wanting to present as a 'good guy' is deemed as a positive starting point in the change process rather than an attempt to hoodwink self and professionals. In this chapter, it has been shown how supervising probation officers can utilise strengths-based approaches, despite the numerous restrictions and limitations described in previous chapters. Examples included probation officers encouraging any emergent signs of pro-social identity, however fragile, and attempting to earth this in social practice. The basis of such a hopeful and encouraging attitude seemed to be communicating respect and regard by adopting a genuine non-threatening approach, which is congruous with tone of voice and body language. Regard was also measured by

sex offenders in terms of probation officers being conscientious and advocating on their behalf, contributing to the development of sex offenders' social capital and 'human goods.' Whilst clearly taking on the position of power and authority intrinsic to their role, probation officers doing everything they can to build co-operative relationships is also consistent with strengths-based approaches.

General motivation techniques and approaches to counter resistance included viewing motivation and change in terms of social construction rather than pathology. This involved probation officers, to use solution-focused parlance, 'leading from behind,' allowing the offender maximum scope to take on a responsible role. Accounts of probation officers creating cognitive dissonance emerged from the data, a motivational interviewing technique designed to make sex offenders aware of the discrepancy between the goal and thoughts and actions. Examples of probation officers seeking exceptions to problem-saturated narratives also emerged, consistent with solution-focused and narrative therapy approaches. The use of empathy also appeared to be key, as probation officers tracked the shifting motivations of offenders, in order to choose effective interventions. How the probation service might build upon the examples of strengths-based practice will be discussed in the final chapter.

## Discussion

### 9.1. Introduction

As established in the first chapter, this qualitative research thesis – *Sex offenders and the probation officers who supervise them: how relevant are strengths-based approaches?* – had three main aims.

1. To explore phenomenologically a hitherto little-reported area of social life: the experience of sex offenders trying to rebuild offence-free lives in the community and the experience of the probation officers who supervise them.
2. To identify what helps sex offenders and their probation officers achieve successful rehabilitation.
3. To identify strengths-based approaches which appear relevant and applicable to the supervisory relationship between sex offenders and probation officers.

In the following chapter, these three aims will be discussed separately, in the light of the research findings outlined in previous chapters. Recommendations, both at a policy level and at a practice level, will be presented, before suggestions for future research are made. However, the chapter will begin by discussing the limitations and scope of the research, in order to hopefully put the thesis within its inevitably constraining context.

## **9.2. Limitations and scope of the research**

The findings of this research are based on a limited purposive sample of 15 sex offenders and 15 probation officers, with one method of data collection being used: in-depth, semi-structured interviews. The reasons for this choice of methodology are outlined in Chapter 4 (Section 4.4.). Given the small sample size and lack of randomization, caution should be exercised when generalising any findings to all sex offenders being supervised by probation officers.

As discussed in Chapter 4 (Section 4.3.), unlike within the positivistic scientific tradition, it is not deemed possible within the epistemological approach underlying the research - 'subtle realism' (Hammersley, 1992) - to arrive at provable truth. This is not an objective of qualitative research. Within a qualitative interview format, there can be no guarantee that descriptions are accurate reflections of what has occurred. People have selective and changeable memories of the past. People also have selective and changeable perceptions of the present and the future. Moreover, as discussed in Chapter 4 (Section 4.4.), the meaning within any social encounter is always, in part, co-constructed, with the presence and influence of the researcher inevitably affecting research outcomes, to some extent.

I have attempted to be transparent and reflexive about how my value base and professional experience have been formative influences, with regard to the conception and implementation of this research project. Hopefully, I have



avoided obvious bias, with my practice knowledge of the area under study contributing to the depth and richness of my findings. McLeod (2001) encapsulates the intended scope of this qualitative research project.

Qualitative research is a process of careful, rigorous enquiry into aspects of the social world. It produces formal statements or conceptual frameworks that provide new ways of understanding the world, and therefore comprise knowledge that is practically useful for those who work with issues around learning and adjustment to the pressures and demands of the social world (p.3).

Although a working definition of the strengths-based approach is offered in the first chapter and repeated below, as discussed in Chapter 3 (Section 3.8.), the strengths-based approach is not a consistent stable category. Differences and ambiguities can be seen within the strengths-based approaches focused upon in this study. Also, as discussed in Chapter 3, much of the research into the value of strengths-based approaches has been conducted with general offending groups, not with sex offenders, and it is a contested issue whether the strengths-based approach can be usefully applied to sex offenders, for whom deviant sexual attraction to a child or sadistic sex is the main motivating principle. The study is also focused on sex offenders who have successfully interacted with the probation service and, to all extents and purposes, have not re-offended. Hence, the views of more alienated or un-rehabilitated sex offenders were not sought.

As noted above, at the beginning of the introductory chapter I stated that this qualitative research thesis has three main themes. These three aims will be now discussed separately, in the light of the research findings outlined in previous chapters.

**9.3. To explore phenomenologically a hitherto little-reported area of social life: the experience of sex offenders trying to rebuild offence-free lives in the community and the experience of the probation officers who supervise them**

Sex offenders' experiences

Most offenders reported a fairly catastrophic period in their lives after their sexual offending had been discovered, followed by, for many, a painful process of rehabilitation as they attempted to rebuild their lives in the community. Some offenders found difficulty in securing safe housing after being released from prison, fearing reprisals and vigilantism if their whereabouts were known to the public. A number of sex offenders talked about ongoing fear, when in public places, that they would be recognised as a sex offender. Finding employment was difficult for some, with a number of sex offenders explaining that they had to accept jobs at a more menial level than those they had been in previous to their convictions. Although some sex offenders talked about family members remaining loyal after their sexual offending had been discovered, for many of the offenders, particularly incest offenders, the discovery of offending had meant the loss of partners and children. Contact with children was often seriously curtailed because of the wishes of partners, Social Services and/or the child her/himself, even in cases where the sexual offence had not directly involved the offender's

own children. The more disadvantaged the offender, the greater the challenge seemed to be in securing stable accommodation, occupation and close relationships, regardless of the seriousness of the sexual offence.

In addition to the challenge of building a stable, constructive life, the major challenge for sex offenders appeared to be undergoing the pain of facing up to the extent of the harm their offending had caused others. As will be discussed in more detail below, all the sex offenders talked about the importance of their supervising probation officer, in helping them to negotiate their rehabilitative journey, and to resettle in the community. However, sex offenders also recalled having to overcome the fear and, in some cases, the actuality of probation officers communicating hostility, judgementalism, and manipulation, both openly and at a subconscious level, in their efforts to extract information and combat perceived denial. Sex offenders also recounted their relative powerlessness to argue against what were, in their view, erroneous interpretations of risk.

The sex offenders interviewed stated that they would not offend again, because of valuing forms of 'social capital' and 'human goods' which were, to varying extents, still available to them, despite having been convicted of a sexual offence. A number of sex offenders described a radical process of rehabilitation. At the time of offending, they described having generalised anti-social values, identities and lifestyles. They recalled egocentric, self-gratifying behaviour, leading to general criminality and disregard for others. Sex Offenders 1, 3, 5, 10

and 14 came into this category, with Sex Offenders 1, 3, 5 and 10 all describing a radical transformation from anti to pro-social values, identities and lifestyles.

For the other sex offenders in this study, Offenders 2, 4, 6, 7, 8, 9, 11, 12, 13 and 15, rehabilitative gain did not appear to be so radical. In Chapter 5, various examples were given of these offenders viewing rehabilitative gain as, to varying extents, involving increased awareness of the personal consequences of re-offending, in terms of feared loss of 'social capital' and 'human goods', increased empathy for victims of sexual abuse (their own victims and victims generally), and increased general concern for others and valuing of relationships. Such increases in interpersonal perspective taking and sensitivity to others can be seen as increases in 'human capital.' However, for these groups of offenders, much of their anti-social behaviour was limited to sexual offending, with their sexual offending being more an aberration from generally pro-social values, identities and lifestyles. However, all these offenders talked about having previous problems either with relating to significant people in their lives and/or generally relating to others on a social level.

#### Probation officers' experiences

Various probation officers reported initial feelings of disgust towards sex offenders they worked with, exacerbated if they had children the same age as the offenders' victims. However, as probation officers came to know offenders as persons, feelings of disgust tended to dissipate. Female officers described

feeling threatened at times and more fearful for the safety of their children, having worked with sex offenders. Probation officers reported an inability and reluctance to understand sexual offending, particularly against a child. They described feelings of contagion and pollution, related to working with sex offenders. Displaying empathy for sex offenders' own victim experiences appeared to be problematical because of concerns about collusion and empathy undermining effective risk management.

Risk management was described as the site of most anxiety for officers, although the support and joint decision making of MAPPA helped to ease anxieties. Concerns included: overlooking information, making mistakes in record keeping, failing to liaise effectively with other agencies and discerning the accuracy of information from an offending group perceived to be particularly deceptive. Heavy caseloads compounded anxieties. Officers felt relatively powerless to stop re-offending if an offender was intent on committing a sexual crime, believing that the public had little understanding of the limits of their supervisory role, and how this did not include surveillance of sex offenders in the community. Officers feared that they would be made a scapegoat for any lapse in information management, if a sex offender re-offended, regardless of the relevancy of the lapse to the eventual sexual crime. Despite the negativity and anxiety associated with working with sex offenders, there appeared to be little scope in formal supervision to reflect on these issues, with supervision focusing upon the efficient processing of risk management information, rather than the interpersonal process issues occurring between probation officer and sex offender.

For the probation officers interviewed, the main purpose of supervising sex offenders was public protection, risk management and reducing the risk of re-offending. Promoting the welfare of the offender was seen as subsidiary, but not mutually exclusive to this, and an important aspect of risk management. Despite groupwork being the main form of rehabilitation for sex offenders, it was the experience of all the probation officers interviewed that one-to-one supervision was still the site of significant rehabilitative activity. Contrary to the evidence of low reconviction rates, with some exceptions, probation officers were generally pessimistic about sex offenders undergoing radical positive change, instead viewing progress in terms of small steps of positive change. Officers viewed these small steps as gains consistent with cognitive-behavioural treatment goals: decreased denial, minimisation and distorted thinking, increased empathy and emotional management. Probation officers viewed successful practice in terms of effective risk management, facilitated by multi-agency working through MAPPA, ensuring risk management strategies are adhered to by offenders. Successful practice was also conceived as advocating for resources and writing good reports. However, from the accounts of the probation officers interviewed, practice in supervision sessions differed significantly from officer to officer.

#### **9.4. To identify what helps sex offenders and the probation officers achieve successful rehabilitation**

Offenders cited sex offender groupwork programmes as being a significant help in successful rehabilitation, although the research into the effectiveness of groupwork programmes generally claims only modest success (see Chapter 5, Section 5.4.). Many probation officers viewed the prescribed systems to which they work as an aid to good practice, providing better communication, guidance and accountability. Officers also valued the set C-SOGP exercises as an aid to preparing sex offenders for groupwork programmes. Probation officers spoke of valuing the cognitive-behavioural approach to working with sex offenders, with its emphasis on risk management. Both offenders and officers repeatedly pointed out the importance of the quality of the supervisory relationship in successful rehabilitation, with their accounts of what produces a successful working alliance, consistent with research findings into therapeutic relationships, outlined in Chapter 3 (Section 3.10.). From the accounts of both sex offenders and probation officers, examples of seemingly successful rehabilitation relied upon the skilled and subtle use of therapeutic relationship skills, on the part of officers.

### **9.5. To identify strengths-based approaches which appear relevant and applicable to the supervisory relationship between sex offenders and probation officers**

As established in Chapter 1, a working definition of the strengths-based approach is the following.

Ways of working with individuals within their own motivational frame of reference, to bring about desired change, which focuses upon resources and strengths, rather than deficits and weaknesses.

From the accounts of probation officers and sex offenders, the following strengths-based ways of working and perceiving rehabilitation, relevant to probation supervision, emerged. Both probation officers and sex offenders repeatedly stressed the importance of the working relationship, with the quality of the relationship between worker and client repeatedly stressed in strengths-based approaches (Sundman, 1997; Mann et al., 2002; Maruna et al., 2004).

Probation officers viewed the progress of offenders in terms of small steps of change, consistent with the solution-focused approach (O'Connell, 1998). Change was also conceived as a messy, fluctuating process, which is consistent with how individuals are seen as usually being ambivalent about change in the motivational interviewing framework (Miller and Rollnick, 1991). Desistance research, too, points to the fluctuating manner in which offenders tend to stop or reduce their criminal activity (Burnett, 1992).



Both officers and offenders cited the importance of probation officers adopting a non-confrontational approach with sex offenders, and a collaborative way of working, which offers offenders the opportunity to take responsibility for their offending, whilst not denying the legitimate authority of the officer, and the consequences of the offender not abiding by risk agreements. Most strengths-based approaches, discussed in Chapter 3 and 8 of this study, recommend this collaborative way of working with mandated clients (Jenkins, 1990; Trotter, 2006; Marshall et al., 2003).

The practical efforts of probation officers to increase the social capital of sex offenders (accommodation and meaningful occupation), are consistent with the desistance concept of social capital (Farrall, 2002) and with the accumulation of 'secondary goods' in the Good Lives Approach (Ward and Brown, 2004). Increasing offenders' ability to relate socially and manage their emotions can also be seen, in desistance parlance, as increasing human capital, (Maruna, 2001) and better equipping sex offenders to develop pro-socially and attain Ward's concept of 'good lives'.

Offenders and probation officers talked about interventions which focused on problematic past behaviour. Although focusing on the past and problems is not consistent with much strengths-based thinking, which focuses on the future and solutions to problems, there were examples of the problematic past being approached in a strengths-based way. Rather than concentrating on risk domains and perceived deficits such as denial, distorted thinking etc., both the

offenders and probation officers described ways in which previous life stories were incorporated into life changing narratives. These redemptive narratives appeared to provide sex offenders with ways of coming to terms with their taboo and intensively stigmatising wrongdoing. The redemptive narratives also appeared to provide the necessary ego support to allow sex offenders, as described in Chapter 6 (Section 6.4.), to make the transition from a state of irresponsible shame to a state of responsibility-taking guilt, whilst maintaining or rediscovering a sense of having a 'good self' and a pro-social identity. This identity changing process has been illustrated in previous chapters, and is consistent with the strengths-based approaches of narrative therapy (White, 1995), desistance research and theory (Maruna, 2001) and the Good Lives Model (Ward and Brown, 2004).

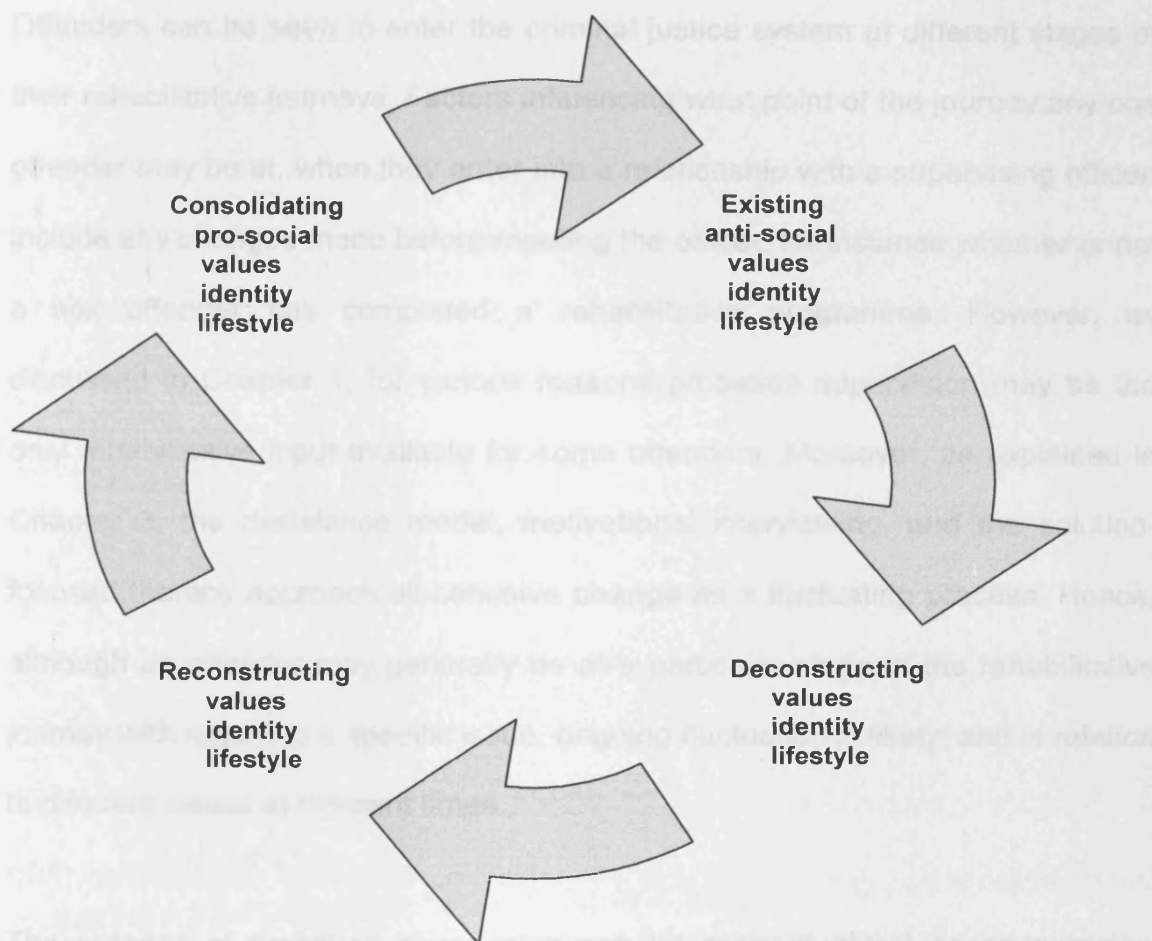
As illustrated in the previous chapter, interventions consistent with the strengths-based approach often required the subtle use of therapeutic relationship skills. Often accounts of successful practice consisted of negotiation over boundary issues, or conversation about important and/or pressing issues in the offenders' lives, rather than set exercises. Officers' accounts included examples of encouraging often fragile signs of pro-social identity and behaviour. This strengths-based practice required probation officers to operate empathically, within the motivational framework of the offenders, whilst avoiding colluding with anti-social tendencies. This involved probation officers adopting a non-confrontational attitude. Positive rehabilitative practice also appeared to require

officers to be firm about boundaries and clear about risk restrictions and enforcement issues, whilst creating a therapeutic atmosphere of collaboration, and a relationship in which the offender felt valued. This valuing of the offender was communicated both by verbal and non-verbal affirmation, and by officers showing concern about offenders' general welfare, as well as the risk they might pose. Practical considerations such as punctuality, following through on promises, being available outside appointment times, getting back promptly to offenders who had called, phoning offenders at home about general welfare issues and advocating on behalf of offenders for resources, were all activities which communicated regard and respect.

#### **9.6. The rehabilitative journey and recommendations**

McLeod (2001) states that qualitative research can produce conceptual frameworks. The rehabilitative process as described by probation officers and sex offenders can be conceptualised in the shape of the following framework (see overleaf).

### The Rehabilitative Journey



(Fig 1)

Having committed a sexual offence, the sex offenders in this study described various aspects of anti-social or risky values, identities and lifestyles which appeared to ameliorate over time, from the point of behaving sexually abusively. According to participants' accounts, various life experiences - aging, the negative consequences of offending, rehabilitative experiences - can interact to bring

about positive change, as anti-social tendencies are replaced with pro-social ones. This process over time can be conceptualised as the rehabilitative journey.

Offenders can be seen to enter the criminal justice system at different stages of their rehabilitative journeys. Factors influencing what point of the journey any one offender may be at, when they enter into a relationship with a supervising officer, include any changes made before meeting the officer, for instance whether or not a sex offender has completed a rehabilitative programme. However, as discussed in Chapter 1, for various reasons probation supervision may be the only rehabilitative input available for some offenders. Moreover, as explained in Chapter 3, the desistance model, motivational interviewing, and the solution-focused therapy approach all conceive change as a fluctuating process. Hence, although an offender may generally be at a particular stage of the rehabilitative journey with regard to a specific issue, ongoing fluctuation is likely, and in relation to different issues at different times.

The purpose of probation supervision can be conceptualised as encouraging offenders to progress along the rehabilitation journey, to consolidate any progress already made on the journey or to prevent any backward momentum, in order to manage and reduce the risk of re-offending. The supervising of any one sex offender would appear to be a highly individualised undertaking, with many variables to be taken into account, and with offenders at different levels of risk. Below are various recommendations emanating from this research, which might

better equip a supervising probation officer to help sex offenders maintain and make progress on their rehabilitative journey.

### Policy recommendations

The current moral panic about sex offending means that all sex offenders, whatever their risk, face serious restrictions of their liberty once they have served their sentence. This often takes the form of not being able to live with children and being prevented from working in certain occupations. The extreme stigma attached to sexual offending means that if the individual reveals a sexual conviction they are likely to suffer rejection from prospective partners, employers and the community in general. Moreover, being convicted of a sexual offence affords the individual an extended, stigmatised identity, from which it is very difficult to escape. Such a stigmatised identity is diametrically opposed to the development of a 'good self', which is theorised to be a protective factor against further offending in the Good Lives Model. Under such conditions, it may be the rational choice for many sex offenders to deny their sexual offending, keeping any indication of deviant sexual proclivities hidden, all of which may increase risk. The very 'social capital' and 'human goods' which are seen to lead to desistance are denied many individuals who have committed a sexual offence.

To counter the above negative consequences of moral panic about sex offenders, the government could make greater efforts to provide more accurate information about sexual crime i.e. that most sexual crime is committed by

perpetrators known to victims (Finkelhor, 1984), that the risk of children being sexually abused by strangers is relatively low (Grubin, 1998), and that many people who commit sexual crimes do not go on to re-offend (Hood et al., 2002). However, high risk sex offenders do exist and it does not appear to be possible to prevent all sex crime, including the very serious, but statistically rare, sexually motivated murders and abductions of children. McCulloch and McNeill (2007) argue that rather than responding to uninformed public fears about sex offenders in order to maintain popularity, the government should resist populist consumer demands for unrealistic promises that the problem of sexual abuse can be solved simply by risk management.

Rather than ratcheting up the technologies of control to which they subject offenders ... probation officers might be better advised to confront the challenge of finding ways to moderate consumer demand by fostering more modest and realistic expectations about the extent of protection they can provide (McCulloch and McNeill, 2007, p. 229).

If probation officers were given governmental backing to admit the limitations of risk management, then many of the fears about risk expressed by probation officers in this study might be eased, giving officers more scope and mandate to implement good rehabilitative practice generally, and principles of the strengths-based approach specifically, in their work with sex offenders.

Both desistance theory and the Good Lives Model posit that rehabilitation takes place in the community in the everyday lives of offenders, rather than within the clinical setting. Thus the establishing of an offence-free 'good life' would seem to

be linked to improving living conditions and opportunities for offenders to accumulate 'social capital' and 'human goods'. Smallbone et al. (2008) point out how much sexual abuse, particularly sexual abuse against post-pubescent children who are under the legal age for sex but have nevertheless developed some adult sexual characteristics, is random, widespread, and committed in disadvantaged and chaotic social conditions, as part of a continuum of other abusive behaviours. Hence, much of such sexual abuse is not committed by highly deviant paedophiles, intent on sexual offending although, as stated above, such highly dangerous individuals do exist. Arguably, more investment into increasing the quality of life in general for people living in such adverse circumstances, and targeted public information and support designed to prevent sexual abuse in such vulnerable groups, may do much to reduce sexual crime. Kemshall and Wood (2007), for instance, have positively appraised public health approaches to sex offending, including the preventative, confidential telephone helpline service, Stop it Now! Initiatives like this can help prevent potential sexual abuse, without exposing the caller to the ravages of being labelled a sex offender or putting a concerned family member in the position of disclosing information which might lead to the removal of a loved one from the family.

McAlinden (2006) also discusses how reintegration of sex offenders can be improved through a variety of non-statutory community schemes such as Circles of Support, whereby a sex offender is provided with a small group of volunteers who provide ongoing support and accountability, backed up by professional



support. Such schemes can offer some degree of 'social capital' and 'human goods.' Relatively few Circles of Support currently operate in the UK, and any expansion would require increased government support and funding, and a change of emphasis from social exclusion to social inclusion, with regard to sex offenders.

This study found that many of the systems of risk management currently used in the probation service are valued by probation officers, with groupwork treatment programmes also valued by offenders. However, one-to-one, individualised rehabilitation with sex offenders, and the process issues involved in this, appear to have been neglected in recent years. The emerging strengths-based approaches do not yet seem to have been fully incorporated within the existing valuable, but arguably limited, risk-averse, one-size-fits-all cognitive behavioural programmes, based on the Risk, Needs, Responsivity principle. In order for one-to-one rehabilitative work, based on strengths-based principles, to make a significant contribution to reducing sexual offending, then commitment and resources for this would probably need to be made available at a governmental level. Hence, the implementation of many of the practice recommendations, below, would require the support of official policy.

### Practice recommendations

All of the probation officers interviewed stated that they would welcome training in working on a one-to-one, interactive basis with sex offenders. Although most probation officers had received motivational interviewing training at one point in their careers, this could be consolidated by training in other strengths-based approaches. Although most probation officers appeared to know the basics of motivational interviewing, when it came to referring sex offenders to services or compiling supervision plans, this seemed to be a top down process, driven by the production of a competent-looking supervision plan. Specific training in working with ambivalence and cognitive dissonance, when negotiating supervision plans and ongoing work in sessions, may help probation officers work more genuinely within the sex offenders' motivational frame of reference.

In addition to further training in motivational interviewing, training in solution-focused therapy techniques might also help probation officers in their one-to-one work with offenders. As noted in Chapter 3, solution-focused therapy has not traditionally been used in the probation service, but many of the techniques from solution-focused therapy would seem ideally suited to working with sex offenders in denial. The strengths-based approach of narrative therapy could also be usefully employed with sex offenders, particularly in assisting probation officers when constructing life stories and life-lines with sex offenders, a staple part of supervision practice.

There was little evidence that probation officers conceptualised their work with sex offenders in terms of desistance theory or the Good Lives Model. However, officers were never directly asked about their knowledge of such theory. As illustrated in the previous chapter, various officers described very skilled strengths-based interventions, although they did not name them as such. Nevertheless, further training in desistance and the Good Lives Model, and the importance given in these models to positive identity construction, might envision probation officers to view impression management more positively. Rather than viewing positive narrative constructions such as the 'regular guy' and 'taking it on the chin' as ways of simply minimising offending and avoiding talking about risk issues (although they may in part constitute this) such narrative constructions could be re-conceptualised within the desistance, 'good lives' frameworks - as efforts to secure pro-social identity, which can potentially be earthed into actual pro-social behaviour, reducing the risk of re-offending.

If more probation officers were to develop the skills to work in a strengths-based way, without compromising public safety by naive, overly optimistic practice, this would probably demand an investment in training, and a re-jigging of organisational policies to value, support and affirm one-to-one therapeutic working. This would include appraising the quality and integrity of the actual clinical work carried out by probation officers in supervision sessions, rather than focusing mainly on the management and presentation of information.

An integral part of a fresh re-valuing of the one-to-one relationship would be recognising the importance of process issues. Just as the behaviour of sex offenders depends on inner attitudes, values and the management of emotional responses, so does the behaviour and clinical practice of probation officers. The interviews with probation officers made clear (see Chapter 7) that working with sex offenders can be distressing and emotive, and this must have an effect on how supervising officers choose what to do when, in terms of interventions, and what to say next. In addition, non-verbal signals, reflecting officers' inner emotional realities, must also have a significant effect on the quality of the supervisory relationship, as discussed in Chapter 6. Therefore, a further recommendation from this study is that the supervision of officers should allow room for reflection upon practice, and the emotional impact of working with sex offenders.

#### Future research recommendations

As stated in Chapter 3, no research has been conducted with sex offenders as to the effectiveness of strengths-based approaches. As noted in Chapter 3 (Section 3.10.), Linforss and Magnusson (1997) conducted research with a general offending group in Sweden, comparing the outcomes of a group of prisoners who had received solution-focused therapy, and a group of prisoners who had not. Similar research could be conducted with sex offenders, with regard to sex offenders receiving strengths-based interventions. Whereas qualitative research, such as this study, could explore the different experiences of offenders being

subject to strengths-based interventions and offenders subject to orthodox interventions, quantitative research could test whether or not the theoretical claim of this study – that strengths-based approaches are a relevant and valuable adjunct to probation supervision - manifests in decreased offending rates or improvement in functioning, possibly verified by psychometric testing.

The sex offenders in this study who claimed a radical change of identity (Offenders 1, 3, 5 and 10) were sex offenders who described living generally anti-social lifestyles at the time of their sexual offending. Two of these offenders were rapists, and all four of them presented as socially outgoing males, thoughtlessly exploiting others. These offenders presented as distinct from the more stereotypical, socially fearful child abusers, who did not report such a radical change of identity. As explained in Chapter 3 (Section 3.3.), change of identity has been termed secondary desistance, with primary desistance referring to a gap in criminal activity. Further research is needed to know more about how the different personality types of sex offenders and their different criminal careers relate to primary and secondary desistance.

As described in fig 1, above, sex offenders on probation supervision can be seen to be at different stages of the rehabilitative journey. Further research is needed to discover more about the efficacy of strengths-based approaches when applied to sex offenders at different points in their rehabilitative journey. For instance, can strengths-based approaches be as usefully applied with sex offenders in

total denial, as with sex offenders who have taken responsibility for their offending? Are there different, more or less effective ways of applying strengths-based approaches to offenders at different motivational stages?

This study has taking a generic approach to different strengths-based models. However, it would be useful if further research, including that suggested above, would specifically focus on the efficacy of each strengths-based approach and model – desistance, the Good Lives Model, motivational interviewing, narrative therapy and solution-focused therapy – with regard to helping to reduce and manage the risk of sex offenders.

### **9.7. Final thoughts**

Throughout this thesis, the rehabilitation of sex offenders has been talked about primarily in terms of sexual crime reduction. However, as discussed in Chapter 7 (Section 7.1.), Ward (2007) focuses upon the human rights of sex offenders, and in doing so raises the point that rehabilitation is about values and moral notions, as well as treatment concerns. Similarly, McNeill (2009) makes the distinction between rehabilitation as a crime-control end in itself and as a moral means. McNeill argues, similarly to Ward, that if rehabilitation is just about achieving the end of ensuring public protection at any cost (even if this were possible), this denies the rehabilitative means by which society exercises restoration and social justice. The prioritising of such values, argues McNeill, is more likely to reflect

and help create a just and fair society, itself more likely, in the final analysis, to lead to a safer society for all.

This thesis argues for the increased incorporation of strengths-based approaches into the work of supervising sex offenders, alongside the Risk, Needs and Responsivity model, cognitive-behavioural groupwork, and effective elements of systematised procedures such as MAPPA and OASys. However, the argument also has an underlying moral basis. Despite the, sometimes horrendous, crimes committed by sex offenders, the implementation of strengths-based probation supervision would help ensure that each sex offender is treated as an individual, worthy of respect and consideration, rather than a collection of risk factors. This is not only a more humane, hopeful process for the sex offenders, than a model of supervision dominated by inflated, populist fears about risk and deterministic deficits, but also a more humane, hopeful process for the supervising probation officers, working within a significantly challenging environment.

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## Appendix 1

The offenders' own descriptions of their offences are used in the following table. All the offenders were male. 14 out of the 15 offenders were under probation supervision, either having been released on licence from prison, or sentenced to Community Rehabilitation Orders (formerly Probation Orders).

<b>Offender 1 Area B</b>	<b>73</b>	<b>6 years custody</b>	<b>Buggery of female stepchild</b>	<b>61 minute interview</b>
<b>Offender 2 Area B</b>	<b>26</b>	<b>3 years probation</b>	<b>Downloading indecent child images</b>	<b>42 minute interview</b>
<b>Offender 3 Area B</b>	<b>33</b>	<b>5 years custody</b>	<b>Rape of adult woman</b>	<b>36 minute interview</b>
<b>Offender 4 Area B</b>	<b>41</b>	<b>3 years probation</b>	<b>Indecent assault, own child</b>	<b>62 minute interview</b>
<b>Offender 5 Area B</b>	<b>40</b>	<b>Unknown</b>	<b>Downloading indecent child images</b>	<b>82 minute interview</b>
<b>Offender 6 Area B</b>	<b>52</b>	<b>2 years imprisonment</b>	<b>Indecent assault, own child</b>	<b>58 minute interview</b>
<b>Offender 7 Area A</b>	<b>37</b>	<b>3 years probation</b>	<b>Indecent exposure</b>	<b>127 minute interview</b>
<b>Offender 8 Area C</b>	<b>45</b>	<b>4 years custody</b>	<b>Sexual activity with a child, grooming</b>	<b>94 minute interview</b>
<b>Offender 9 Area A</b>	<b>33</b>	<b>4.5 years custody</b>	<b>Indecent assault/abduction of a child</b>	<b>47 minute interview</b>
<b>Offender10 Area B</b>	<b>60</b>	<b>20 years in prison</b>	<b>Adult rape x 2</b>	<b>63 minute interview</b>
<b>Offender11 Area B</b>	<b>41</b>	<b>2 years custody</b>	<b>Indecent assault of child, taking indecent photographs of child</b>	<b>46 minute interview</b>
<b>Offender12 Area A</b>	<b>54</b>	<b>3 years probation</b>	<b>Outraging public decency</b>	<b>44 minute interview</b>
<b>Offender13 Area A</b>	<b>52</b>	<b>9 months custody</b>	<b>Sexual assault on adult female</b>	<b>72 minute interview</b>
<b>Offender14 Area A</b>	<b>50</b>	<b>2 years custody</b>	<b>Unwilling to say</b>	<b>53 minute interview</b>
<b>Offender15 Area A</b>			<b>Downloading child images</b>	<b>67 minute interview</b>

## Appendix 2

<b>Officer 1 Area B</b>	<b>51</b>	<b>Male</b>	<b>District risk manager</b>	<b>66 minute interview</b>
<b>Officer 2 Area B</b>	<b>38</b>	<b>Male</b>	<b>Main grade probation officer</b>	<b>65 minute interview</b>
<b>Officer 3 Area B</b>	<b>29</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>75 minute interview</b>
<b>Officer 4 Area B</b>	<b>40</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>62 minute interview</b>
<b>Officer 5 Area A</b>	<b>36</b>	<b>Female</b>	<b>Probation officer/programme manager</b>	<b>115 minute interview</b>
<b>Officer 6 Area A</b>	<b>54</b>	<b>Male</b>	<b>Main grade probation officer</b>	<b>73 minute interview</b>
<b>Officer 7 Area A</b>	<b>28</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>61 minute interview</b>
<b>Officer 8 Area A</b>	<b>44</b>	<b>Male</b>	<b>Probation officer/programme manager</b>	<b>61 minute interview</b>
<b>Officer 9 Area A</b>	<b>25</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>67 minute interview</b>
<b>Officer 10 Area A</b>	<b>27</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>50 minute interview</b>
<b>Officer 11 Area A</b>	<b>26</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>40 minute interview</b>
<b>Officer 12 Area A</b>	<b>38</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>84 minute interview</b>
<b>Officer 13 Area B</b>	<b>28</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>50 minute interview</b>
<b>Officer 14 Area B</b>	<b>43</b>	<b>Female</b>	<b>Main grade probation officer</b>	<b>54 minute interview</b>
<b>Officer 15 Area B</b>	<b>57</b>	<b>Male</b>	<b>District risk manager</b>	<b>68 minute interview</b>

## Appendix 3

### **PhD Project:           How supervising probation officers seek to reduce the risk posed by sex offenders**

I am a part-time PhD student at Cardiff University, looking at how the interactions between probation officers and sex offenders can reduce the risk of further offending. My professional background is working in various capacities with people with mental health problems, before undertaking the Probation Diploma, and working in the Probation Service for four years. After this I worked with Ray Wyre Associates for a while, before undertaking my present job as a therapist with the Lucy Faithfull Foundation. I have also worked as a volunteer counsellor for many years, where my interest in sex offenders originally developed, and have an MA in Solution Focused Therapy. I have outlined my professional background as these experiences have been formative in the formulation of the above research topic, which requires me to find probation officers and sex offenders who are willing to give an hour of their time to be interviewed.

I am particularly interested in discovering how both probation officers and sex offenders experience the probation supervision process: which supervision experiences appear to be constructive, and the challenges both parties have to overcome in order for there to be constructive outcomes. I am not seeking to conduct a comparison study, whereby a given probation officer will be asked about her/his experiences with a particular offender, with that particular offender providing feedback about the supervising officer. Rather, I want to access the important historical and current supervisory experiences of both probation officers and offenders, and will not be asking probation officers or offenders to name names, as it were.

As far as probation officers are concerned, I want to enquire about some of the following areas. As a practitioner influenced by Solution Focused principles, I want to know about stories of successful practice; accounts of effective interactions with sex offenders which appear to have reduced risk. I am also interested in how supervising officers (in the light of desistance research and the Good Lives model of risk reduction) increase and maintain the motivation of sex offenders to lead constructive lives. I also want to hear accounts of successful referrals of sex offenders to groupwork programmes and community agencies, and what made such referrals appear to work well.

In addition to the positives stories of practice, I am interested in how probation officers manage to combine risk assessment and disciplinary aspects with relationship building, in their work with sex offenders. In the light of the recent Hanson and White inquiry (2006) and Rice inquiry (2006), putting increased pressure on supervising officers to 'get it right' and potential public scrutiny if they don't, how do probation officers manage such pressure? What effect do large caseloads, the bureaucratic recording demands of OASys and the onset of NOMS have on relationships with offenders? How do probation officers

### Appendix 3 continued

manage potentially difficult feelings about offenders: disgust, anxiety, fear, anger, frustration and feeling de-skilled by offender denial?

I am not expecting to cover every one of these issues with each probation officer interviewed. It is possible that the above issues will not be particularly important for a given respondent. I envisage that each respondent will have his/her particular story to tell about their work with sex offenders, which will highlight certain themes, some of which I am certain that I have not considered.

As stated above, my intention is to interview sex offenders, as well as probation officers, in order to understand how they experience the supervision process. The aim of the research is to examine not just 'what works' as the effective practice guidelines are well known, but *how* 'what works' is operationalised through the interactive experiences of probation officers and sex offenders in relationship with each other. Hopefully, the insights gained will contribute to greater knowledge and understanding of how the supervision process actually *is* for probation officers and offenders, contributing to future training and policy and procedural initiatives.

I can provide an outline list of questions that I will ask, but this questionnaire will be very provisional, will be adapted to each individual interview, and will evolve as the research develops. All information will be confidential and names of respondents and probation services and offices will be made anonymous. Full documentation, including consent and confidentiality forms, will be provided before the interview. I would be more than happy to meet up with anybody potentially willing to be interviewed, in order to answer any further queries.

Andrew Smith, PhD Student, Cardiff University

## Appendix 4

### PhD Project

My name is Andrew Smith. I'm a part time student at Cardiff University. I want to interview people in order to find out what it is like for a person with a sexual conviction, to be supervised by a probation officer. Each interview will last about an hour. I am paying a fee of £20 per hour (or £5 for every 15 minutes of interview time). As well as being a student, I also work as a therapist for an organisation specialising in working with people who have been convicted of sexual offences, so I am familiar with the sensitive nature of this area.

I am interested to know how supervision can help individuals to live positive lives and not to re-offend. I am also interested in how individuals feel and think about being referred to groupwork programmes and other services, and how probation officers can help people to get the most out of these referrals. In addition, I am keen to understand what effect being on probation has on people's everyday lives, and how setbacks in life can affect being on probation and a person's ability to not re-offend.

I also want to know what it feels like to be thought of as posing a sexual risk to others. It would also be valuable to know how people deal with building a relationship with a probation officer, who is in a position of authority. It is also important to understand, from your point of view, successful ways that probation officers handle this.

A sound recording will be made of the interview. I will then type up what is said. The sound recording will be destroyed at the end of the research project, but parts of the interview may appear in articles or books. Your real name will not be used, and any information identifying who you are will be taken out. Therefore, your identity will remain anonymous. Your probation officer will not know what you have said about them. However, if you provide any new information about having committed a crime, or harming anyone, I would have a duty to report this back to the Probation Service. At the beginning of the interview, I will ask you to sign a consent form, which will fully explain the confidentiality guidelines. You will be free to stop the interview at any time, and refuse to answer any questions.

There has been little attention given to how an individual convicted of a sexual offence, experiences the Probation Service. What is it like from your point of view? Therefore, your cooperation in this project could provide a valuable contribution to building a better service for offenders and staff, and make an important contribution to the better protection of children in society.

Andrew Smith, PhD Student, Cardiff University



## Appendix 5

**CONSENT FORM:** Research conducted by Andrew Smith, Dept. Social Sciences, Cardiff University.

### **AGREEMENT TO PARTICIPATE IN A RESEARCH INTERVIEW**

1. I have been told that I will remain anonymous, any individuals named will remain anonymous, and any details that would allow people to be recognised will be taken out or changed.
2. I have been told that I will be asked to give information about my experiences of being on probation.
3. I have been told that I have the right to refuse to answer any questions that I do not wish to answer.
4. I have been told that the information I give will be used as part of a PhD project, and will appear as a PhD thesis in university libraries, and may be generally published in the form of a book, articles, or used as training material.
5. I have been told that the interview will be recorded onto audio disk.
6. I have been told that the interview is likely to last for around one hour.
7. I have been told that if I disclose any information about new sexual offences that I or others have committed, the interviewer has a duty to report this to the authorities.

**Signature Interviewee**

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**Date:**

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**Signature Interviewer**

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**Date:**

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## **Appendix 6**

### **SEX OFFENDER INTERVIEW SCHEDULE**

How long have you been on probation?

How many probation officers have you had?

What is the main purpose of being on probation?

Can you tell me about the main challenges/difficulties about being on probation?

How do you overcome/cope with these challenges or difficulties?

Describe any strong negative feelings or thoughts about being on probation as a sex offender?

How do you overcome such thoughts and feelings?

Describe any anxieties/worries/concerns about being risk assessed on probation?

How do you overcome such anxieties/worries/concerns?

How are you affected by stories in the media about the probation service not supervising risk sex offenders properly?

What do you feel or think about information about you going from one agency to another?

What are the rewards for you in co-operating with the probation service?

How could probation be improved for you?

How does your probation officer try to get you motivated to attend and get the most out of services/treatment, including the sex offender groupwork programme?

What motivates you to get the most out of what probation offers you, including the sex offender groupwork programme?

How do you remember and put into practice what you've learnt on the sex offender groupwork programme?

How big a role does being on probation play in your life?

What sort of person were you before you went on probation?

What sort of person are you since being on probation?

What have you learnt since being on probation?

What are the main reasons why you would not want to re-offend?

What will help you not to re-offend in the future?

What helps you to change for the better?

Have there been any crucial moments, times, occurrences, when you made big changes, which reduced risk?

## **Appendix 6 continued**

If so, can you describe what happened?

What, for you, are the barriers or difficulties which make it hard to change?

How do you overcome these barriers?

How has the probation officer helped you?

How has the probation officer not helped you?

How do you make probation sessions go well?

What do you do when probation sessions are not going well?

Have you got any views about the timing of when the probation officer tackled subjects?

Have you got any views about the probation worker talking too much or too little?

Have you got any views about whether or not the probation officer listens to you?

Have you got any views about when and how the probation officer challenges or confronts you?

Have you got any views about how the worker/s give you information?

Have you got any views about how the worker/s goes about tackling issues: i.e. cognitive distortions, empathy, fantasy, relationships, managing your feelings?

Describe a particularly good relationship with a probation officer, or other worker, which has helped you not to re-offend, sexually?

What did you think and feel about the person when you first started working with him/her?

Did your feelings and thoughts about the person change as the work progressed?

## **Appendix 7**

### **PROBATION OFFICER INTERVIEW SCHEDULE**

How many sex offenders do you usually supervise at one time?

How many other non sex offenders do you have on your caseload?

How often do you supervise a sex offender, and for how long?

How long do you see a sex offender for?

Can you describe the main purposes of supervising sex offenders?

Can you describe the main challenges of supervising sex offenders, for you personally?

How do you overcome these challenges?

Describe any strong negative feelings or thoughts about sex offenders which could affect your work.

How do you overcome such thoughts and feelings?

Can you describe the rewards of working with sex offenders?

How could your work with sex offenders be more rewarding?

Many sex offenders have been victims of sexual abuse and of other life trauma. How do you address such issues?

Describe any anxieties about the risk assessment element of supervising sex offenders.

How do you overcome such anxieties?

How do you feel about the way you have to record information about sex offenders?

How are you affected by stories in the media of the probation service not supervising high risk sex offenders adequately?

Describe typical feelings surrounding disclosing information about a sex offender, or breaching or recalling a sex offender.

What is it like to breach or recall sex offenders, and then to have to work with them again, under the NOMS end to end management of offenders arrangement?

What are the barriers to communicating effectively with other agencies about risk issues?

How does the MAPPA process help?

How do you overcome these challenges?

Have you any anxieties about working with sex offenders, not mentioned so far?

How do you overcome these?

## **Appendix 7 continued**

How are Supervision Plans formulated?

How are they reviewed?

Do offenders have a final Supervision Plan or Relapse Prevention Plan when they leave probation? If so, how is this formulated?

How do you increase the offender's motivation to attend and get the most out of any service/treatment you referred him to, including the sex offender groupwork programme?

How do you know when to refer the offender on to another service, or form of treatment?

How do you consolidate any progress made by the offender attending a groupwork programme or any other service?

What challenges do offenders present, which act as barriers to change?

How do you overcome these challenges?

How do you know when supervision sessions are going well?

How do you know when supervision sessions are not going well?

What do you do when supervision sessions are not going well?

Are there crucial moments, times, occurrences in supervision sessions which appear to facilitate change and risk reduction?

If so, can you describe what happens?

Do you address any of the following areas in supervision sessions: denial, cognitive distortions, deviant fantasy, empathy deficits, relationship and general life management issues?

Do you generally address any other main areas?

How do you address these areas?

How do you know when it is the best time to make any intervention?

How do you know when to remain silent?

How do you know when to empathise?

How do you know when to challenge or confront?

How do you have your work validated?

Does management supervision help with supervising sex offenders and, if so, how?

How can supervision be improved?

How can the process of supervising offenders be improved?

Can you think of an example where you performed particularly well, which seemed to reduce the risk posed by the offender?

## **Appendix 7 continued**

In your own words, can you tell me the story of this case or cases?

Describe your relationship with the offender.

What did you initially think and feel about the offender?

Did your feelings and thoughts about the offender change as the work progressed?

Describe the reduction of risk, and other changes that took place.

