“It felt like falling off a cliff”: The Transition from Prison to the Community of People Convicted of Sexual Offences

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Abstract

The number of people in prison in England and Wales with a current or previous conviction for a sexual offence has risen significantly in recent years, in part because of a growth in the number of convictions for historical offences over this period, but also as a result of growing recognition and understanding of the harm that sexual offending causes. Changes in legislation and developments in professional practice have taken place as a response to these legitimate concerns. This thesis critically analyses the expectations and experiences of people convicted of sexual offences in the transition from prison to the community. It also examines data from those responsible for their supervision. It explores and advances the established literature on desistance, risk assessment and risk management. The study data are analysed thematically. The six key findings cover: the impact of imprisonment on a person but also the benefits of the prison as a community; the importance and role of family support in reducing isolation; the positive impact of employment or purposeful activity on well-being; the importance of not simply the provision of accommodation but the opportunity to establish a home; the stigma and challenges of life in the community; and the importance of hope and planning for the future. It provides an insight from the perspective of the people involved in this challenging period. As a result, recommendations for improvements in policy and practice are made both to reduce reoffending and to improve the well-being of the individuals concerned.

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Table of Abbreviations

HMPS	HM Prison Service
HMPPS	HM Prison and Probation Service
NOMS	National Offender Management Service
NPS	National Probation Service
MOSOVO	Management of Sexual Offenders and Violent Offenders
MAPPA	Multi Agency Public Protection
SOTP	Sexual Offending Treatment Programme
TC	Therapeutic Community

Preface

As the Governor of the institution where this research is focused (HMP Whatton), I had spoken to many people convicted of sexual offences prior to their release. Many expressed their anxieties and uncertainties about the transition from prison to the community. Some said that they were not in contact with family, as they had either committed offences within their family, or they had been disowned by them as a result of their offences. Some had been in prison for such a long period that their families had died. Often, people were worried about the feelings of isolation and loneliness that they might encounter and how they would cope with having no friends outside of the prison environment. Many were unsure how the notification requirements for people with sexual convictions and the restrictions on whom they could associate with upon release would impact upon them. Some people had uncertainties about where they would live, as their licence conditions prevented them from returning to their home area and their Offender Manager had been unable to find any alternative accommodation for them. The media and political interest in this group of people is considerable. This, and these conversations, prompted me to consider research into this important area. I wanted to find out to what extent people were prepared for their return to the community, with, it seemed, these significant challenges for their successful reintegration.

In 2013, I was awarded a travel fellowship by the Winston Churchill Memorial Trust to explore how the criminal justice agencies in the US and Canada managed the transition of people convicted of sexual offences leaving prison and returning to the community. I found that although people convicted of sexual offences were subject to a wider range of restrictions on their liberty in many states than the same group of people leaving prison in England and Wales, the criminal justice agencies were knowledgeable about the offence-focused programmes and support services available in prisons prior to a person's release.

Continuing my interest in the subject, I established a charity – the Safer Living Foundation – in 2014, with representatives from other criminal justice agencies and with academic colleagues to assist vulnerable people with sexual offence convictions and intellectual disabilities leaving prison and returning to the community. Many of the users of the service said that they were ill prepared, fearful and unsupported for the challenge

of independent living. A Circles of Support and Accountability (CoSA) project was established, starting in the prison and continuing into the community. This charitable project has been consistently researched and has shown some empirically positive results (Kitson-Boyce et al., 2018). The charity continues its work, opening a drop-in centre in 2019 to support people with sexual convictions and safely manage their transition back into the community.

This thesis provides the opportunity to build on existing research and explores how an individual's experiences of this difficult time can be improved. It also offers thoughts and ideas about how policy and practice can be developed, with the aim of protecting the public from further offending. It examines how existing knowledge about what works with people with sexual convictions can be utilised to develop services to provide meaningful support and reduce social isolation, and therefore how the life experiences of those convicted of a sexual offence upon release from prison can be improved. Knowledge of the actual experiences of this group of people from their perspective is scarce. This thesis addresses this significant gap in knowledge and gives a voice to a group of people who are arguably the most stigmatised and feared in our society.

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Chapter 1: Introduction

1.1 Outline

This thesis explores the experiences of men convicted of sexual offences leaving prison and the views of their Offender Managers. Through a series of interviews, it examines their expectations and plans prior to release. The thesis then considers how their actual experiences differ from those that they had imagined by re-interviewing the same individuals approximately three months after their return to the community. How the individuals are managed and supervised is explored by an analysis of the interviews with their respective Offender Managers. Thus, the research included two participant groupings.

The nature and extent of the public protection restrictions that are put in place to manage an individual's risk of reoffending are also examined, together with the type and extent of the support that is made available to assist their rehabilitation in the community as they return from custody. This analysis explores not only the aim of reducing reoffending, but also how people convicted of sexual offences are enabled to become, or return to being, active citizens, and therefore to live offence-free lives. The thesis also examines the legislative and administrative restrictions placed on this group of people and explores how legal and administrative frameworks have developed as a response to political, media and community concerns about people with convictions for sexual offences living in the community. This work represents a novel contribution to the literature on the subject, as the author had the opportunity to interview and analyse the experiences of people with sexual convictions from their own perspective during this difficult and stressful period of their lives.

As explained more fully in Chapter 3 (3.3), the following primary research questions are considered. 1) What are the expectations of people leaving prison with a conviction for a sexual offence? 2) How do these compare with the reality of life in the community? 3) How can this group of people be best assisted not to reoffend? 4) What is the impact of licence conditions and statutory restrictions on their resettlement plans and goals? 5) What support is provided to people leaving prison? 6) Do ex-prisoners think that their transition could have been done differently and more usefully?

The thesis also explores how people leaving prison with a sexual conviction are managed by criminal justice professionals (Offender Managers) and what services and support are best able to help an individual leaving prison. It also proposes changes to current policy and practice to improve their prospects for successful resettlement in the community. It considers the factors professionals supporting them need to bear in mind, and how a professional can enable and empower people to contribute positively to society as well as supporting them not to reoffend. Offender Managers' experiences of working with people convicted of sexual offences are examined, as well as how they see the problems facing the person leaving prison. At the time of the research, the Probation Service had undergone major organisational change (Transforming Rehabilitation, see: Ministry of Justice, 2013), and many staff were new to their role working with people who were considered to be a high risk of harm or further offending.

Throughout this thesis, the subjects of study are referred to as "people convicted of sexual offences" rather than "sex offenders". Although this phrase may seem cumbersome, it is important to be positive and forward looking. The research is centred on the whole person and their potential for change, not simply on defining people by their previous behaviour or by what we do not want them to be (Willis, 2015). The subjects of this thesis are referred to as "he" throughout. This is in part because women accounted for 0.5% of the people convicted of sexual offences in prison in England and Wales in 2013 (National Offender Management Service, 2016), but also because all of the participants in the research are male, as the prison where the research was conducted, HMP Whatton, houses only people over the age of 21 who were born biologically male.

HMP Whatton is a medium-secure (Category C) specialist treatment site, with a capacity of 841 adult men between the ages of 21 and 89 who have been convicted of sexual offences. The prison was responsible for completing almost 40% (in 2018) of all the cognitive-behavioural programmes specially designed to treat sexual offending in prison in England and Wales. It ran a total of eight different specialist programmes, including two for people with an intellectual disability, one for profoundly deaf people for whom British Sign Language is their first language and three for people at various levels of intensity and duration dependent upon their risk of reoffending and need. Although the prison cannot be defined as a therapeutic community, it does provide a supportive

"rehabilitative culture" to assist people to examine the causes of their offending and to plan for their release.

Because of the range and intensity of the treatment programmes available, Whatton's population differs both from other sites holding people convicted of sexual offences and from the wider prison population. Those people allocated to Whatton are required to have at least a "medium" risk of reoffending, as defined by Risk Matrix 2000 (Thornton, 2007), be assessed as being in need of a treatment and be willing to participate in a programme. Whatton is one of a small number of sites operating the high-intensity Healthy Sex Programme. For clarity, people with sexual convictions who are assessed as having a low risk of reconviction/reoffending are not eligible for treatment programmes and would not normally be allocated to Whatton. As only 15% of the wider population of people convicted of sexual offences are considered to need treatment (HM Prison & Probation Service, 2019a), most people in prison for a sexual offence are not eligible to participate in a programme. Therefore, Whatton houses people who are considered, in general, to be of a more serious risk of reoffending than people in other prisons who have been convicted of a sexual offence.

HMP Whatton, at the time of the research, held the highest number of people imprisoned in England and Wales for the now repealed indeterminate sentence of Imprisonment for Public Protection (IPP), and released around 200 determinately sentenced prisoners directly to the community each year. The prison is a national resource and discharges people to areas throughout the country. There have been several pieces of research conducted in the prison in recent years, for example: Winder and Gough (2010); Blagden, Winder, Thorne and Gregson (2011); Perrin and Blagden (2014); Ievins and Crewe (2015); and Blagden, Winder and Hames (2016). A user consultation group exists to inform and develop research ideas and plans in the prison. Prisoner participants were therefore aware that research studies were commonplace in the prison.

1.2 Background

Over the past thirty years, there has been a significant rise in community, media and political concern about the perceived threat posed by people convicted of sexual offences (Greer, 2007). In England and Wales, there have been high-profile cases of child

abduction and murder: Sarah Payne in 2000, Holly Wells and Jessica Chapman in 2002, April Jones in 2012. Several historical cases of sexual abuse in in the 1970s and 80s by high-profile celebrities such as Jimmy Savile, Gary Glitter and Rolf Harris have come to light. There have been allegations that child sexual abuse was endemic in children's homes and in the British establishment from the 1960s, and the press has reported sexual exploitation of vulnerable children by criminal gangs in several English towns (Rotherham, Rochdale, Telford and Oxford). An Independent Inquiry into Child Sexual Abuse was established by the government "to consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation" (Home Office, 2015). It is examining the role of a number of institutions in these historical allegations, including the police, churches, charities, local authorities and hospitals, and is expected to take a number of years before reaching its conclusions. These cases have distracted from the established fact that most sexual offences are committed by people known or related to their victims (Finkelhor, 1994). The legislation, management and control of people convicted of sexual offences has predominantly assumed that they are firstly predatory, secondly uniformly dangerous and thirdly unlikely to change.

People convicted of either a current or previous sexual office made up 25% of the prison population in England and Wales in 2017 (Ministry of Justice, 2018b). These figures are up from 4% in 1981 (National Offender Management Service, 2016). This is a growing population, in part due to prosecutions for historical offences (National Offender Management Service, 2016), but also because of the increase in the length of sentences being served by people convicted of sexual offences. For example, in 2013, of the 7,037 people serving a determinate sentence for a sexual offence in England and Wales, 80% were serving a sentence of over four years, and of the 2,283 prisoners serving an indeterminate sentence of Imprisonment for Public Protection, 59% were beyond their tariff date. In addition, almost three quarters of life-sentenced prisoners convicted of a sexual offence were post-tariff, compared with only 30% of life-sentenced prisoners serving sentences without a sexual element (National Offender Management Service, 2016).

The vast majority of these people will return to the community at some point. There is only a relatively small number of whole-life-sentenced prisoners in custody. This was

estimated to be 40 in 2012 (Hattenstone and Allison, 2012). More recent figures, however, suggest that this has grown still further, to 63 in 2018 (Prison Reform Trust, 2018). Although people convicted of sexual offences have very low reoffending rates (National Offender Management Service, 2016), it is vital that research explores the best methods of both reducing reoffending and supporting people either to become, or return to being, positive citizens who are accepted by their communities. The criminal justice system struggles to cope with the increased demands of the surveillance and other restrictions placed on this group of people, and arguably, the wider community needs to have more responsibility for public safety by supporting and controlling those at risk (Armstrong et al., 2008).

Both the media and the public have a heightened awareness of this feared and stigmatised group of people, as evidenced by Brown, Deakin and Spencer (2008). They found in their study that that there was a "high level of pessimism in relation to the reform and rehabilitation of sex offenders" (p.266). This pessimistic view has interesting implications for both the development of policy and the work of practitioners as a backdrop to this research.

There is limited research into the personal experiences of those convicted of sexual offences. This thesis aims, in part, to fill this gap and therefore to help inform practice with, and policy on, this growing population. The focus of many previous research studies has been psychological, examining reoffending patterns, risk factors and risk prediction. But there is little research that gives a voice to the experiences of individuals and therefore provides knowledge about how this group copes with the challenges of a return to a community that is dominated by negative media reporting (Malinen et al., 2014) or considers what plans need to be put in place to offer the individuals the best prospect of a successful transition from prison to the community from the view point of the people involved.

There have been many studies highlighting individuals' experiences of desisting from crime and the factors that helped support them to do this. These are mainly family support, accommodation and employment (Brown et al., 2007; Laws and Ward, 2011; Maguire and Nolan, 2012; McAlinden, 2009). However, much of the criminological research relates to acquisitive and violent crime. Few studies have focused on people

convicted of sexual offences and whether their experiences are different from or similar to those of people convicted of other types of offences. A recent exception to this is a study by Farmer et al. (2015) who concluded that because of the low rates of reoffending, "most people who have committed sexual offences appear to desist from sexual reoffending" (p.322).

People convicted of sexual offences are often perceived as a homogeneous group (McAlinden, 2006), but it is worth noting the wide range and type of offences that are considered by statute as sexual offences. Both contact and non-contact offences are included. There are a range of victim types (children, adult males, adult females) and a variety of means (coercion, grooming, surreptitious). Offences include child abuse, sexual assault, rape, sexual murder, indecent exposure and internet child abuse. It is, therefore, difficult to generalise about the typical "sex offender", as reconviction and reoffending rates, and therefore risk to the public, differ depending on the victim groups and offence type (National Offender Management Service, 2016).

Despite these differences in the types of offending, the development of the legislative and administrative framework to control and monitor people with convictions for sexual offences – and in some cases to control those who are simply suspected of having committed them – has grown significantly over the past twenty years in England and Wales. In the United States, there is growing concern about the effectiveness of this type of legislation. Commentators in the US (Levenson and Cotter, 2005; Tewksbury and Jennings, 2010) have expressed opinions about the unintended consequences of these restrictions. Prescott and Rockoff (2011) go further, arguing that these restrictions may actually adversely impact on recidivism, as the people affected become more isolated and detached from communities (p.4). The legislative restrictions in the United States are, however, different from those in England and Wales, as restrictions on where people with sexual convictions may live and their exclusion zones are more individualised.

1.3 Legislative and administrative provision to manage sexual offending

> "Despite the differences in their jurisprudence, governments across continents share the same duty of punishing sex offenders appropriately

> and aim for the same goal of rehabilitation of sex offenders in society." (Zara and Farrington, 2016, p.255).

This section reviews the legislative and administrative framework influencing the changes to the control and management of people convicted of sexual offences. The implications and the impact of these changes on the sentencing, surveillance and other restrictions placed on this group are considered. The section also explores how these changes impact on both the rehabilitation and community acceptance of this group of people upon their return to the community following a conviction for a sexual offence.

Since the 1990s, in both North America and in England and Wales there has been an increase in legislative and administrative measures to control and monitor people convicted of sexual offences. As Kemshall and Britain (2001) observe: "The 1990s witnessed a growing preoccupation around public protection, with policy and subsequent legislation shaped by two separate, although often overlapping, imperatives" (p.4). They go on to define these factors: the protection of the public from the risk of serious harm, usually expressed as serious physical and psychological harm arising from violent offenders; and the desire to respond more effectively to the increase in child sexual abuse.

These priorities have resulted in legislation with, as Feeley and Simon (1994) observe, the aims of "preventative sentencing and selective incapacitation on the grounds of risk" (p.176). Hebenton and Thomas (1996) note further that the extended monitoring and surveillance of people with sexual offence convictions in the community and upon release from prison include the use of registers and "tracking systems" (p.97).

Measures restricting and controlling people with sexual convictions in England and Wales were also included in the Criminal Justice Act 1991. These measures allowed for the imposition of a custodial sentence to prevent "serious harm" to the public, and for sentencing on the grounds of preventing future "serious harm" a person may cause. The legislative provisions to manage people convicted of sexual offences in England and Wales were extended by the Sex Offenders Act 1997 (Part I established the arrangements for notification requirements, known informally as "the sex offender register", designed to monitor and track this group of people). The Act requires people

to notify the police of their name and address and date of birth within a specified time frame. These requirements apply to all those convicted of a sexual offence listed under schedule 1 and section 51 of the Act. The Crime (Sentences) Act 1997 introduced the use of Sex Offender Orders. The following year the Crime and Disorder Act 1998 established these Sex Offender Orders. These are civil orders requiring civil standards of proof but carrying a criminal penalty if breached. Individuals can also be required not to do something, for example visit a certain area or speak to certain people. Section 2 of the Crime (Sentences) Act 1997 (now repealed) extended sentencing powers on the grounds of seriousness, providing for mandatory life imprisonment when a person was convicted for a second time for certain serious violent or sexual offences. Examples include rape or attempted rape and intercourse with a girl under 13.

The continuing concern about the risks posed by people with sexual convictions, and the desire to increase their control and monitoring, resulted in the Sexual Offences Amendment Act 2000, which amended some elements of the Sex Offenders Act 1997. For example, new powers were given to the Crown Court to make orders that would take effect following a person's release from prison (for example not to contact victims).

Further changes were also enacted by the Criminal Justice and Court Services Act 2000, requiring individuals to notify the police or their probation officers of foreign travel. The penalties for non-registration were increased, and additional powers were added requiring people to provide their fingerprints and photographs. These legislative changes have been paralleled by the development of administrative policies to manage dangerous individuals and reduce the risk to the public. "Public Protection Panels" (Maguire et al., 2001, p.v) were initially established between the police and probation services not only to exchange information on people with convictions but also to engage in formalised risk assessments and management planning (Kemshall and Britain, 2001).

Multi Agency Public Protection Arrangements (MAPPA) were extended to include the Prison Service by the 2003 Criminal Justice Act, and defined as "the process through which the police, probation, and prison services work together to manage the risks posed by violent and sexual offenders living in the community in order to protect the public" (Criminal Justice Act, 2003, §§ 325–327B). MAPPA panels determine which of the following levels of risk the people they evaluate pose: level one (low/medium risk

supervised by a single agency); level two (more complex or higher-risk cases with local inter-agency risk management); and level three (high-risk cases managed directly by MAPPA) (College of Policing, 2017). The agreed MAPPA level for an individual leaving prison can have a significant impact on several aspects of his rehabilitation, ranging from where he might live, whether he is subject to GPS tracking or polygraph testing, how much surveillance he will be subject to and whom he may have contact with. These restrictions may have a direct impact on the likelihood of his successful rehabilitation.

The Crime and Disorder Act 1998 had continued what Kemshall and Britain (2001) call the "continued protective theme" (p.8), giving the courts the power to extend licence provisions for up to ten years for people convicted of a sexual offence. The cumulative impact of the legislation has been to identify those responsible for a wide range of sexual offences and also those who demonstrate the potential to offend sexually. Kemshall and Britain (2001) also go on to say that the "community protection model" has been developed in which "legislation prioritises public protection, partly through provisions for mandatory, indeterminate and preventative sentencing" (p.9). This legislation had important implications for the work of the police, who have responsibilities to ensure that people convicted of sexual offences are registered. There is also formal acknowledgement of the co-operation between the police and the Probation Service. They have a requirement to assess the risk of offending an individual poses and to communicate these risks with other relevant agencies when the person is managed in the community.

The continuing concern for the control and management of people convicted of sexual offences is highlighted by McAlinden (2006), who points out that sexual offences were "singled out" for "special consideration" by the Criminal Justice Act (2003), which repealed and replaced the 1997 Act and introduced more stringent notification requirements. It required that anyone convicted of a sexual offence to become automatically subject to notification requirements. The court has no discretion whether an individual should be the subject of these notification requirements, and people have no right of appeal against being made the subject of them. (Someone can of course still appeal the conviction that triggered the notification.) If an individual receives a prison sentence of 30 months or more, including life, he is required to remain subject to notification for an indefinite period.

The Criminal Justice Act 2003 also established the indeterminate sentence of Imprisonment for Public Protection (now repealed). Padfield (2003) observes that the intention was for people subject to this sentence to "remain in custody until it was considered that the risk they present has sufficiently diminished". Henham (2003) also expressed concern and argued that effectively this measure constituted "protective sentencing" (p.1).

This sentence has been very controversial, and although it was repealed in 2012, as of June 2019, 2,315 people sentenced to imprisonment for public protection remained in custody (Ministry of Justice, 2019) of whom 91% are beyond their tariff expiry date, the minimum period that they must spend in custody (Prison Reform Trust, 2019). Many prisoners have found difficulty in demonstrating to the Parole Board that it is no longer necessary for the protection of the public for them to be confined. This was in part because of the requirement for people subject to the sentence to participate in "interventions" to address the reasons for their offending before they could be considered for release, but also the lack of investment in the number and types of programmes to enable people subject to the sentence to do this, resulting in lengthy waiting lists and delays in accessing these offending behaviour programmes. Although more recently there has been a reduction in the number of IPP-sentenced prisoners, a high number of people are still detained and recall rates for those who have been released are comparatively high (Ministry of Justice, 2018b).

The Sexual Offences Act (2003) also established further controls on people convicted of sexual offences. This Act enabled a range of restrictions to be imposed by means of a Sexual Offences Prevention Order (SOPO). An individual can be prohibited from owning a computer or having access to the internet. There may also be restrictions on when the individual should remain at home (for example when children will be travelling to or from school) or other specific curfew conditions.

The Anti-Social Behaviour Crime and Policing Act 2014 repealed and replaced these civil orders with new ones. The Sexual Harm Prevention Orders (SHPOs) enable restrictions to be placed on the behaviour of people with certain sexual (or violent) convictions. A SHPO can either be imposed at court at the same time as it deals with a conviction or imposed at a later date following an application from the police or the National Crime

Agency (House of Commons Library, 2017). The only prohibitions that may be included in a SHPO are those necessary for protecting the public in the UK, or children or vulnerable adults abroad. An order may prevent, for example, an individual from acting as a home tutor to children. The breach of a SHPO without reasonable excuse is a criminal offence with penalties ranging from a fine to five years' imprisonment (Sexual Offences Act, 2003, § 103A).

The behaviour of people who are thought to be at risk of committing a sexual offence can also be controlled, even though they have not actually been convicted of an offence by a court. For example, there is no requirement for an individual to be convicted of a criminal offence for a Sexual Risk Order to be imposed. These Orders can be used to impose prohibitions on an individual who has committed an act of a sexual nature in which there is reasonable cause to believe that it is necessary to protect the public from harm (House of Commons Library, 2017). An example would include restrictions on working with children or restrictions on the use of the internet or certain types of electronic communication.

The Home Office (2018) guidance gives details of the risk assessment either the police or the National Crime Agency should undertake, and that "where appropriate should be carried out with other relevant agencies such as the National Probation Service, Social Services and other child protection agencies" (Sexual Offences Act, 2003, § 122A). It points out, however, that because an SRO may be sought in relation to a person without a previous criminal conviction (unlike the Sexual Harm Prevention Order), consideration may need to be given to using an external independent risk assessor (House of Commons Library, 2017). Significantly, the SRO can only prohibit the subject of the order from doing something (examples include contact with a particular child or visiting a particular place where an individual who is the subject of the Order has previously engaged in sexual contact with a child). The Order cannot compel its subject to undertake counselling or any assessments; participation in these activities would have to be on a voluntary basis. Commentators and lawyers have expressed concern about the "pre-crime" nature of this order, restricting an individual's liberty because of a crime he might commit rather than one he has actually committed (Goold, 2016).

In her article about the balance between managing risk and reintegration of people convicted of sexual offences, McAlinden (2006) quotes Thomas (2003), who says that "calls for the public to have a right of access to the information notified to the police, a so called 'Sarah's Law' have been repeatedly rejected". However, in 2008, due to media and public pressure, the Child Sex Offender Disclosure Scheme was piloted in four police areas in England and Wales (Home Office, 2010). It was then extended to all police areas in 2010. The scheme is referred to as "Sarah's Law" after Sarah Payne, who was abducted and murdered by a man with a previous conviction for abducting and seriously assaulting another child. The scheme has similarities to "Megan's Law" in the United States (California Penal Code, 1996), which requires all states to establish some form of the Child Sex Offender Disclosure scheme. However, the scheme in England and Wales differs from that in the United States, which allows anyone access to an internet-based database of people with a sexual conviction. In England and Wales, an application to the police is required for the disclosure of the information. This will only be permitted if it is thought appropriate and proportionate to do so. The National Association for the Prevention of Cruelty to Children has expressed concern about the effectiveness of the scheme because they maintain that only one in six applications for information are successful because of concerns about vigilantism. It concludes that these concerns significantly reduce its impact (Evans, 2015).

Other initiatives in England and Wales to control people with convictions for sexual offences have included the introduction of polygraph testing as a licence condition and Global Positioning System (GPS) tagging for those with a high risk of reoffending. A study in California of a group of people at high risk of sexual reoffending found that those who received parole supervision and were subject to GPS monitoring were less likely to offend than those only subject to parole supervision (Bulman, 2013). Although GPS tagging in England and Wales has been in operation since the Crime and Disorder Act 1998 (Home Detention Curfew specifically excluded prisoners convicted of sexual offences and where there were instances of domestic violence in someone's background), the use of GPS tagging for high-risk people convicted of sexual offences is a relatively recent innovation (Criminal Justice and Court Services Act, 2000).

A twelve-month pilot project was conducted in Greater Manchester in 2004 to test the technology and the effectiveness of exclusion orders, which were also provided for by

the Act. Although the facility to track high-risk people is still in operation and used by MAPPA panels if it is felt to be appropriate, the widespread use of GPS tracking has been hampered by the cost and reliability of the technology (National Audit Office, 2017). More recently, GPS technology has become more reliable and has begun to be used more widely (Mayor of London, 2018).

The increase in, and some would say disproportionate use of, this technology for people with sexual convictions potentially has an impact on the perception of the individual's dangerousness, particularly as the rates of reoffending of this group are comparably low (Ministry of Justice, 2013).

Polygraph testing has been a feature of parole supervision in many US states since the late 1990s and early 2000s and it is estimated that at that time, polygraphy was incorporated as part of parole and probation agencies in 35 states (Grubin, 2008). In England, legislation was passed in in 2007 enabling a national trial by the Probation Service. Polygraph testing is said to have two main aims: to enhance treatment and to improve supervision (Grubin, 2008). Supporters of polygraph testing argue that it assists in monitoring behaviour, is a deterrent to reoffending and aids the detection of further offences. However, critics question the validity, usefulness and ethics of its operation (The British Psychological Society, 2004). In neither the United States nor England and Wales can polygraph evidence be utilised as the sole piece of evidence to convict someone of a sexual offence because of the limitations of the accuracy of the test and the need for a criminal case to satisfy the "beyond reasonable doubt" burden of proof.

A mandatory polygraph pilot began in the East and West Midlands of England in 2009 for people convicted of a sexual offence receiving a sentence of 12 months or more. The pilot had three aims, "to examine the implementation and delivery of the polygraph pilot in the supervision of sexual offenders, to evaluate the impact of the polygraph on clinically significant disclosures and to determine whether the polygraph is a cost-effective means of improving the management of sex offenders in the community" (Gannon et al., 2012).

This study found that "polygraph testing has increased the chances that a sexual offender under supervision in the community will reveal information relevant to their

management, supervision, treatment, or risk assessment." (p.iii) and, "the polygraph is a suitable tool for eliciting clinically significant disclosures for all types of sexual offender" (p.iii). However, there is still the possibility that the polygraph could be inaccurate and therefore not a completely reliable indicator of an individual's truthfulness. An analysis in by the American Psychological Association (2004) concluded that "there is no evidence that any pattern of physiological reaction is unique to deception" and "there is little evidence that polygraph tests can accurately detect lies" (p.1).

Nevertheless, this pilot was considered a success, and consequently polygraph testing was extended nationally for those with a high risk of reoffending (as indicated by the risk assessment tool RM2000) in October 2014.

Research in the United States (Levenson and Tewksbury, 2009; Vásquez et al., 2007; Zevitz, 2006; Prescott and Rockoff, 2011), and to a lesser extent in England and Wales, has questioned the effectiveness of this multitude of restrictions on a person convicted of sexual offences returning to the community, particularly if the aim is to reduce reoffending and reconviction and therefore risk to the public. Scholars (for example Redlich, 2002) have questioned whether "community notification" (Megan's Law) and residence restrictions have an impact on the protection of children from sexual predators. In the United States, the Adam Walsh Sex Offender Registration and Notification Act (2006) allowed for the creation of the national internet-based searchable database for the public. (The Child Sex Offender Disclosure Scheme in England only applies to people who formally request information about someone with access to a child and it is disclosed confidentially.)

Tewksbury and Levenson (2007) maintain that restrictions and requirement to register and reside outside "protected zones" (schools, day care centres, public playgrounds and swimming pools, libraries and school bus stops) are fundamentally flawed for three reasons: firstly, media attention of sexual crimes gives a false impression of the scale of sexual crime and that reoffending rates are high; secondly, recidivism rates differ based on offence type, but are generally much lower than for people with non-sexual convictions; and thirdly, laws restricting where people convicted of sexual offences may live have been inspired by crimes committed by perpetrators who were strangers to

their victims, when in reality the majority of victims are known to the perpetrator. Research in both North America and the United Kingdom consistently finds that children and young people are much more likely to be victimised by trusted caretakers and relatives than predatory strangers. For example, Radford et al. (2011) found that 90% of children who were abused were victims of someone they knew. The implication is therefore that most of this legislation and its associated restrictions does not significantly reduce the likelihood of the majority of sexual violence or abuse of children and young people.

Tewksbury and Levenson (2007) go on to comment that in addition, the restrictions of the legislation "lead to instability, transience and hopelessness, and therefore contradict decades of criminological research identifying factors associated with successful reintegration. Sex offenders with positive support systems are less likely to reoffend than those who lack support" (p.56).

Research question 4, "What is the impact of licence conditions and statutory restrictions of participants' resettlement plans and goals?", is analysed and answered in this thesis. The impact of these legislative and administrative controls on the experiences of people leaving prison, and the implications for their successful rehabilitation and opportunity to lead productive is considered. There is little published research exploring this difficult and challenging period for a person with convictions for sexual offences. Some studies have considered some aspects of the transition from a custodial sentence when returning to the community. Challenges such as employment, accommodation or licence restrictions are explored in a number of studies across a number of jurisdictions (Maguire and Nolan, 2012; Brown et al., 2007). However, this research is novel in that it provides those experiencing this transition with a voice: it is holistic and "bottom-up", rather than academic and "top-down". As a result, it provides a better understanding of the opportunities, hopes and challenges facing people with sexual convictions leaving prison.

1.4 Summary

This chapter has examined the legislative and administrative background to the focus of the thesis, in particular the range of challenges and potential restrictions facing someone leaving prison with a sexual conviction. Chapter 2 moves on to consider the

established literature in three specific areas: the impact of a period of imprisonment on an individual, the factors and issues affecting their rehabilitation and desistance from further offending, and how the risk of sexual offending is assessed and managed.

Chapter 2: Literature Review

"Offenders are people like us and if we start relating to them in ways that reflect this attitude correctional outcomes may well improve and reoffending rates drop." (Laws and Ward, 2011, p.283)

Scholars such as Hart (1998) have concluded that a review of the literature concerning a particular subject is important, mainly because of the need to understand the main theories of the subject and how they have been applied and developed, as well as the main criticisms of the particular area of work. This literature review aims to explore and examine the literature applicable to the subject areas of this thesis. It is divided into three main sections. The first section explores the literature regarding prison life and the impact of the experiences of imprisonment on an individual and their well-being. It also considers the impact of imprisonment on family members. The second section explores the concepts of desistance and rehabilitation and considers how these ideas have been applied to people convicted of sexual offences. It also explores the factors that influence an individual's choice, agency, or ability to cease offending and to successfully reintegrate back into the community. The third section looks at how risk assessment, risk prediction and risk management processes have developed in this area and how these processes influence the way in which people are perceived and managed. It also examines how these areas of work have developed and the impact they have on the rehabilitation of individuals. These particular elements were selected as they have a direct relationship to the research questions, specifically research questions 3, 4 and 5 and therefore to the focus of this thesis. Put simply, this chapter critically examines the literature regarding what prison life is like for prisoners and how their return to prison might be avoided in future.

2.1 Prison Life

There have been many academic studies examining the impact of a period of imprisonment on an individual. For example, Goffman (1961, p.25) describes the entry to a prison institution as a "civil death", and entry to the institution involves being subjected to a series of social and psychological attacks that undermine the sense of self:

> "The recruit … comes into the establishment with a conception of himself made possible by certain stable social arrangements in his home world. He is immediately stripped of the support provided by these arrangements … and he begins a series of abasements, degradations, humiliations and profanations of self." (p.23)

Sykes' (1958) celebrated study *The Society of Captives* emphasised the psychological rather than the physical pains of imprisonment. He particularly stressed that the loss of liberty, the deprivation of autonomy and the frustration of sexual desire could be just as damaging as physical mistreatment:

> "Such attacks … are less easily seen than a sadistic beating, a pair of shackles on the floor, or the caged man on a treadmill, but the destruction of the psyche is no less fearful than bodily affliction." (p.64)

Sykes argued that attacks on the prisoner's ego and sense of self were intrinsic to incarceration and may be "the acceptable or unavoidable implications of imprisonment" (p.64).

Some accounts of imprisonment in England and Wales in subsequent decades suggested that informal action by staff and failures of management had meant that little had changed in the life of the prisoner. Fitzgerald (1977) and McDermott and King (1988) suggested that physical and material conditions were both indecent and dehumanising. In many establishments, prisoners were housed in dirty and overcrowded cells for very long periods (Stern, 1989) without in-cell sanitation. Showers and clean clothing were provided irregularly, often less than once a week (Caird, 1974). Healthcare services were poor, and psychotropic drugs were widely used as a means of control (Cohen and Taylor, 1978).

More recently, Crewe (2011a) developed this work, describing how the "psychological consistency of imprisonment" (p.513) has changed, particularly for people serving indeterminate sentences, and how the psychological assessment processes determine both the present and future lives of prisoners. Crewe (2011a) also asserts that staff are not as controlling but require prisoners to take responsibility for their behaviour, which he asserts means that "prisoners are on the edge, less because they are fearful of staff

than because they themselves might 'cock up' their situation" (p.519). Crewe is also critical of the management of prisoners and the "responsibilisation" process (p.519). He comments:

> "Prisoners are asked to recognise the benefits of risk assessment processes, to feel empowered by sentence plans almost regardless of their input. Although prisoners do not resent genuine opportunities for growth, some amount of discomfort almost always accompanies personal development." (p.520)

Jewkes (2013) debates the impact of the loss of liberty within the prison environment. She argues that the prisoners' movements are restricted and that they often spend the majority of their time in cells and often in close proximity to other prisoners.

Bosworth (2012), Crewe (2011b) and Liebling (2014) also explore these issues in both immigration detention centres and prisons. How prisoners deal with this loss of control or agency is explored by Goffman in his broader study of the facets of the total institution.

Goffman (1961) offers four possible explanations of how prisoners adapt to their environments. The first is "colonisation", whereby the prisoner minimises contact with the outside world, preferring to make as full and comfortable a life as possible within the institution. The second is "situational withdrawal", that is, the curtailment of association with other prisoners and people outside the prison. Cohen and Taylor (1972), in their study of life-sentenced prisoners, found evidence that people cut off all contact with the outside world to minimise their suffering. Goffman's third category is "intransigence", which involves setting a lower limit to attacks on one's self, below which the prisoner will resort to retaliation or non-compliance. He argues that this may be interpreted as the way the prisoner maintains a degree of self-esteem and independence or agency. The final category identified by Goffman is "conversion", where the prisoner comes to reject his own values and adopt those of the staff, becoming a model prisoner. Some scholars have argued that this loss of control is the very basis of imprisonment. Jewkes (2013), for example, argues that the loss of liberty is central to the act of punishment. She cites Foucault (1977), Ignatieff (1983) and

Garland (1990) among those who have provided a theory of this idea. An analysis of the literature on the nature and extent of institutionalisation across a range of disciplines is undertaken by Jones and Fowles (1984). Their analysis of the literature explores research in institutions for the mentally ill, people with learning disabilities, old peoples' homes and prisons. These institutions have different roles and functions, but they analyse the range of theories on the subject beginning with Goffman (1961), Foucault (1961) and Szasz (1961), moving to the ideas of Barton (1959), Townsend (1962) and Morris and Morris (1963) and then on to Cohen and Taylor (1972) and King and Elliot (1977). These definitions and analyses are often critical of institutions and almost always perceive them as dehumanising experiences.

Haney (2002) defines institutionalisation as: "The process by which inmates are shaped and transformed by the institutional environments in which they live … the incorporation of the norms of prison life into one's habits of thinking feeling and acting." (p.80). He also goes on to comment that the longer someone is incarcerated, the more significant the institutionalisation. He comments: "When most people first enter prison of course they find that being forced to adapt to an often harsh, rigid institutional regime, deprived of privacy and liberty and subject to a diminished and stigmatised status, and extremely sparse material conditions is stressful, unpleasant and difficult" (p.80).

The Chief Inspector of Prisons in 1999 commented that people become more institutionalised if they have to spend hours of enforced idleness. He said, "There is nothing worse for the mental well-being of those who find it difficult to cope with life in prison than being idle." (Her Majesty's Chief Inspector of Prisons, 1999).

The deprivation of responsibilities associated with a period of imprisonment has been linked to infantilisation. Prisoners depend on staff to meet their most basic needs. Goffman (1961) argued that prison life deprives people of control over their lives, and consequently compromises their capacity to make decisions for themselves. Haney (2002) comments: "Persons gradually become more accustomed to the restrictions institutional life imposes, becoming increasingly 'natural', second nature and to a degree internalised." (p.80).

Nurse et al. (2003) carried out a study of prisoners on remand and concluded that long periods of isolation with little mental stimulus contributed to "poor mental health and led to intense feelings of anger frustration and anxiety" (p.1). This is an area of particular concern, as prisoners are known to have higher rates of suicide and self-harm (HM Prison & Probation Service, 2019b) and a higher prevalence of severe mental health problems than the general population (Office for National Statistics, 1998). Nurse et al. (2003) also concluded that the key factor that influenced the well-being of prisoners on remand for sexual offences was bullying by other prisoners. The impact of a sentence of imprisonment on an individual's well-being is well established, and this, combined with the impact of a period of imprisonment for a sexual offence and its associated stigma, compounds the negative impact on a person's well-being

2.1.1 Concepts of community and citizenship

There have been many academic studies on the concept of community. For example, Gusfield (1975), in a study in the United States, identified two major uses of the term. The first is a territorial and geographical definition: a neighbourhood, town or city. The second is relational, concerned with the quality of the character of human relationships without reference to location.

Chavis (1983) considered the benefits of a sense of community for both human and neighbourhood development. McMillan and Chavis (1986) established four criteria for the definition and theory of a sense of community (p.9). First, membership: the feeling of belonging or sharing a sense of "personal relatedness". The second is influence: the sense of mattering, of making a difference to a group. The third is reinforcement: integration and fulfilment of needs. Finally, shared emotional connection: the commitment and belief that members have shared and will share history, common places, time together and similar experiences.

Bachrach and Zautra (1985), in their exploration of the concept of community, devised a seven-item measure to define and establish a sense of community: feeling at home in the community; interest in what goes on in the community; satisfaction with the community; agreement with the values and beliefs of the community; an attachment to the community; a feeling of belonging; and a feeling of being an important part of the community. Although all of this research does not specifically relate to prison

communities, McMillan and Chavis (1986) argue that these theoretical frameworks can be applied elsewhere. Doolittle and MacDonald (1978) had previously, in their work in non-prison community settings, developed a scale to explore communicative behaviours and attitudes at the community or neighbourhood level of social organisation, and they used Tropman's (1969) work as a basis to build on. He had previously identified the critical dimension of community structure (Tropman, 1969, p.215). They argued that there were five factors: informal interaction (with neighbours); safety (having a good place to live); pro-urbanism (privacy and anonymity); neighbouring preferences (preference for frequent neighbour interaction); and localism (a desire to participate in neighbourhood affairs).

Glynn (1981) discussed the psychological sense of community. He found the strongest predictors of an actual sense of community were (a) the expected length of community residency, and (b) satisfaction with the community and the number of neighbours one could identify by their first name. Glynn (1981) also found a positive relationship between a sense of community and the ability to function competently in the community. He comments: "The strongest predictors of a psychological sense of community appear to be the number of additional years one expects to live in a community and the number of neighbours one can identify by first name" (p.804). Day et al. (2012) suggest in their study that the definitions of prison culture and prison climate are used interchangeably. A positive prison climate can be characterised as being supportive, offering a safe environment and providing opportunities for personal growth and development (van der Helm et al., 2011).

Blagden et al. (2016) maintain that the key component of any prison climate or culture is prisoner–staff relationships, and their research explored this element in the same prison where this research took place. They cite Rogers (1951), who emphasises the importance of genuineness in relationships and how this can promote personal growth and development in individuals.

The World Health Organisation (2014) indicates the importance of the contribution of an individual to the community as critical to mental well-being.

> "A state of well-being in which every individual realises his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully and is able to make a contribution to her or his community … Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity."

Brown et al. (1986) consider the importance of social support and self-esteem in the development of depression. They concluded that life events played a major role in the development of poor mental well-being. However, they also concluded that low self-esteem and a lack of support at the time of the life crisis was a critical factor in whether serious mental health problems developed.

Hopkin et al. (2018) conducted a systematic review of interventions for people transitioning from prison to the community with mental illness. They concluded that the transition period was critical for targeting support and interventions. However, the role of the support of the community in this period was not considered. This consideration of community now leads into the citizenship-based debates below.

2.1.2 Citizenship

Westheimer and Kahne (2004) identify three different definitions of the concept of a "good citizen": the personally responsible citizen (who acts responsibly in his community); the participatory citizen (who is an active member of community organisations and improvement efforts); and the justice-oriented citizen (who critically assesses social, political and economic structures to see beyond surface causes).

Edgar et al. (2011), in their study of active citizenship and volunteering in prisons, outlined five different types of citizenship roles: peer support schemes, community support schemes, restorative justice programmes, democratic participation and arts and media projects (p.5).

Perrin and Blagden (2014) analysed the benefits and impact of the prison Listeners, a Samaritans-supported peer support scheme in place to help reduce suicide in prisons. They spoke of the benefits of this scheme in supporting desistance and the reform of individuals. They found that "prisoners who adopt Listener roles experience profound

internal changes and shifts in self-identity and gain meaning and purpose from prison" (p.902).

The suggestion that prisoners benefit from helping others is also examined by Boothby (2011), who considered the impact of the prison "Insiders" scheme. She found that Insiders developed a sense of accomplishment, a positive self-image and enhanced self-confidence. She concluded that peer support programmes are an important resource within the prison system and that they contribute to an individual's rehabilitation. Edgar et al. (2011) also explore the positive contribution of these peer support programmes in promoting "citizenship" both inside and outside of prison: "Wider society gains from active citizenship schemes which help prisoners to engage more with people and the world around them, to reintegrate into the community when they leave custody and to desist from offending." (Edgar et al., 2011, p.7).

Perrin and Blagden (2014) argue that these peer support schemes and the replacement or development of citizenship links in with concepts of redemption. The idea of giving back is also highlighted by Farrall, Bottoms and Shapland (2010), who describe a process whereby people who have committed offences make a decision to try to desist, and as a consequence they feel better about themselves. Perrin and Blagden (2014) discuss one of the interviews they conducted for their study with "Steve" who describes how he felt about himself before his participation in the prison Listener scheme. Steve says:

> "If you're out through life causing destruction and distress to people and yourself, you can quite quickly fill your bank up with negative ways of thinking and negative thoughts ... It's like having a big tub of dirty water, that's negative. And then someone gives you a positive drip, and eventually, with more drips, the water gets less murky, overflows, and then it's just nice and clean … the listening scheme was a big big drip." (p.908)

2.2 Desistance and rehabilitation

There is a considerable amount of peer-reviewed academic literature on the subject of desistance. Desistance is the long-term abstinence from criminal behaviour. It has been described as both an event and a process (Burnett and Maruna, 2006). This section also

explores the established evidence concerning the transition of an individual from prison to the community. The overlap between factors influencing an individual's desistance from crime and his successful rehabilitation is considerable, and this is the reason for combining these two themes. There are several terms used in the literature for the transition of someone from a custodial institution to the community, such as rehabilitation, resettlement and re-entry. This thesis uses the generic term "rehabilitation", as it is arguably the term most commonly used and best understood by practitioners in the criminal justice system in England and Wales. Rehabilitation also has a positive future focus as it implies a forward-thinking progression, or a "restoration of the person's reputation and full citizenship" (Maruna, 2011, p.103).

Burke et al. (2018) consider the various forms of personal, social, moral and legal rehabilitation of people after they leave prison and return to the community. They argue that:

> "Correctional rehabilitation … is concerned with effecting positive change in individuals. As such it is the model most commonly associated with treatment programmes or other forms of offence- or offender-focused intervention. At its heart is the notion that many offenders can change for the better, given the right support."

Raynor and Robinson (2009) discuss rehabilitation and reform. They note that "rehabilitating offenders contributes to the general good" (p.8) and "offenders need communities, and communities need rehabilitated offenders" (p.14).

Much of the criminological literature in recent years has concentrated on the idea of desistance, defined by Shover (1996) as "the voluntary termination of serious criminal participation" (p.121) and Farrall and Bowling (1999) as the "moment a criminal career ends" (p.254). However, some commentators, such as Laws and Ward (2011) have argued that desistance is not an isolated event but a process "replete with lapses and relapse and recoveries by which an individual turns away from criminality and becomes reintegrated in the community" (p.4).

Many scholars (for example Maruna (2001), McNeill (2006), Bushway et al. (2001)) have focused heavily on the factors that, they argue, influence an individual's desistance from

crime. Stable and supportive family relationships, employment, accommodation and personal choice have been a feature of these studies. Over time, there have been many and various explanations as to why people stop committing certain types of crime, such as acquisitive or violent crime. As far back as 1940, Glueck and Glueck (1940) argued that a young offender "ages out" of crime; as they become more mature, crime and thrill-seeking becomes less desirable. Other scholars have argued that people desist from crime when they are "fixed" by therapy or rehabilitation programmes (Andrews and Bonta, 1998). Sampson and Laub (1993) suggest that people desist from crime because of social bonds or informal social control. Social bonds provide people with a stake in conformity, and a reason for a legitimate, offending-free lifestyle. Conversely, the same theory predicts that those individuals who lack these bonds are more likely to stay involved in criminal and delinquent behaviour because they have the least to lose from social sanctions and ostracism (Warr, 1998). Maruna (2001) also cites Burnett (1992) as proposing "an ingenious six-fold typology of ex-offenders, converts, non-starters, avoiders, hedonists, survivors and earners" (p.43) as an analysis of why people do or do not commit crime. This, then, is a complex picture in the literature on the subject, but how to use these insights remains debatable.

Although the difficulties facing ex-prisoners after their release have been consistently and extensively documented for over 100 years (Booth, 1903; Glueck and Glueck, 1940; Hagell et al., 1995), the methods and techniques for successful rehabilitation have not improved significantly over this period in England and Wales. Reoffending rates remain consistently high, between 45% and 59% for acquisitive, violent or drug-related crime (Ministry of Justice, April 2010-March 2014), although those convicted of sexual offences have much lower reoffending rates than those convicted of other offences (2.2% after two years, National Offender Management Service, 2016).

In a study of a group of people with convictions in Liverpool (the Liverpool Desistance Study), Maruna (2001) examined what factors assisted people to desist from crime. His study concentrated on people convicted of violent and acquisitive crimes, street crime and drug sales. His view was that these crimes were "of most concern to the criminologist" (p.20). From his study, he concluded that there were three fundamental differences between those people who remained criminally active and those who had desisted from crime. The desisters had "an establishment of the core beliefs that

characterise the person's true self, an optimistic perception of personal control over one's destiny, and the desire to be productive and give something back to society" (Maruna, 2001, p.88). More recent work on the importance of peer support projects in prison has supported this view and shown that "giving something back" is important in improving self-esteem and self-worth (Perrin and Blagden, 2014, p.911).

This is an interesting position, as Maruna (2001) highlighted the importance of prioritising the rehabilitation of people leaving prison. He concluded in his study of people with convictions in Liverpool that "how to improve the process of ex-offender re-entry or reintegration will be among the most important issues facing the country over the next few decades" (p.17). Despite this view, data shows that recall and reconviction rates have showed no improvement over the past decade (Ministry of Justice, April 2010-March 2014), and the prison population in England and Wales is predicted to continue to rise (Ministry of Justice, 2016).

Offering a potential solution to this problem, Maruna et al. (2003) argue that both psychological and criminological evidence should be drawn upon to develop a strengths-based rather than a needs-based or risk-based approach to supporting an individual. They suggest that such an approach would enhance compliance with parole conditions and encourage ex-prisoners to achieve what Bazemore (1999a) refers to as "earned redemption". They also argue that the focus should be on the positive ways a person might "make good" to their communities. Bottoms (1995) argues that this approach would assist in the rehabilitation of people returning to the community, that it "should drive us to a recognition of the need for offender management agencies to re-engage with community education and community involvement and to seek ways and means at a local level and at a national level to challenge popular punitiveness" (p.37). The people studied in this thesis did not always have social ties and social support and have difficulty in obtaining employment. But a key factor not considered in these desistance studies is the specific motivation for sexual crime. In particular, they do not look at the impact of sexual preference and sexual gratification as a motivator for sexual crime, and therefore what else needs to be in place to help to effectively support desistance for people with sexual convictions.

Almost all the research on the factors influencing desistance (McNeill, 2006; Weaver, 2015) has concentrated on what Maruna (2001) calls the offences of "most concern to the criminologist" (p.21). But, until recently, there has been little research focusing on desistance and sexual offending, and little consideration of which factors are similar or different between these offence groups. The questions of whether the needs of the individual with convictions for a sexual offence are different from those of people who have committed other categories of crime, or whether the release restrictions imposed on him have an impact on the process of desistance and his successful rehabilitation, have not been effectively explored. When considering issues of desistance with a wide variety of people with sexual convictions, Laws and Ward (2011) argue that "most sex offenders are people like us" (p.281) and that "desistance is not an isolated event but a process replete with lapses, relapses and recoveries by which an individual turns away from criminality and becomes reintegrated in the community". A longitudinal research study in Canada by Hanson et al. (2018) found that people who had desisted from sexual offending for over ten years had negligible rates of reoffending and that they were no more likely to commit a sexual offence than someone who had no previous convictions for a sexual offence. They show how encouraging "naturally occurring" (p.50) desistance processes and directly addressing barriers to community rehabilitation can make treatment for sexual offending more effective and long lasting. They argue that the "science of sex offender treatment needs to be broader, more flexible and open to conversations with other disciplines" (p.viii). They also say that their theory attempts to create "a bridge" between criminology, psychology and correctional practice, and that the separation of people with convictions for sexual offences from the mainstream criminological literature is erroneous. As Laws and Ward (2011) comment, "all of us have some capacity for loathsome acts" (p.233).

The nature and extent of sexually harmful behaviour across a much wider part of the community than is currently recognised is hinted at by Laws and Ward (2011), who assert that: "deviant sexual activity is a considerably broader problem than is currently recognised" (p.4). This is perhaps a strong argument for more preventative approaches, rather than concentrating treatment programmes and scrutiny on those people who are already part of the criminal justice system. Beier et al. (2015) examine this issue in their research in Germany. They consider the treatment of people who have not yet offended

but have a sexual interest in children, in order to prevent offending and the creation of victims in the first place. Other organisations in the United Kingdom, such as the Safer Living Foundation and the Lucy Faithfull Foundation, are also beginning to explore how to prevent people committing sexual offences and creating victims, rather than waiting for a crime to be committed before suitable treatment can be accessed. Blagden et al. (2018), for example, explore the factors around a sexual interest in children and how therapists can help people to sexually self-regulate. An evaluation of the Stop it Now helpline in 2014 concluded that "feedback regarding the service was overwhelmingly positive" (Brown et al., 2014, p.5). Given the positive outcomes from the approaches of the German Dunkelfeld project (Beier et al., 2015) and of those in the UK, prevention is clearly an area for future development.

Göbbels et al. (2012) consider what they call an "integrated theory of desistance from sex offending" in an attempt to advance our understanding of the desistance process for this group of people. They describe their theory in four phases: decisive momentum (initial desistance); rehabilitation (promoting desistance); re-entry (maintaining desistance); and normalcy (successful maintenance of desistance over a long period of time). They maintain that "our analysis of existing theory and research on offender desistance reveals an absence of a comprehensive psychological and social account of the whole desistance process" (p.453). They go on to describe their theory in detail. In the first phase, "decisive momentum", they quote Laub and Sampson (2001) and their examples of "turning points" such as marriage, work and military service that promote desistance. They argue, in addition, that the person must have the necessary "cognitive and emotional capacities" to benefit from desistance opportunities. This is a particularly important factor when dealing with people who may have some learning disabilities or challenges, or a personality disorder or mental illness. Burns (2015) and Thomas-Peter (2006) also consider this problem. Thomas-Peter comments, "With 70% of prisoners suffering from two or more kinds of psychological problems, there may be many for whom the treatment offered is just unsuitable. It may be that this explains why many fail to take up or take advantage of therapeutic opportunities" (p.44).

This is an interesting consideration for the potential development of future treatment programmes for people with convictions for sexual offences. In particular, it suggests a need to take a holistic, treatment-centred approach to enable an individual to fulfil their

potential and to enable them to take advantage of a range of opportunities offered to them, and not simply specific therapy-based treatment approaches.

Andrews and Bonta (1998) were among the first to explore the theoretical basis on which treatment programmes are based. Andrews et al. (2011) also examine the risk-need-responsivity (RNR) model. This is the basis in which the established cognitive-behavioural programmes in the criminal justice system in England and Wales are rooted. Andrews and Bonta (1998) comment, "All human beings have similar aspirations and needs in their lives, which motivate them to seek a range of primary goods" (p.4).

Laws and Ward (2011) define primary goods as "states of mind, personal characteristics, activities or experiences that are sought after for their own sake and are likely to increase psychological well-being if achieved" (p.457). They argue that these ideas form the basis of how people can be assisted to desist from offending and inform the development of treatment programmes and additional support mechanisms. These are important ideas to consider when developing support programmes for people leaving prison, and they highlight how important it is for this support to continue beyond their initial release. As a consequence, this has implications for policy and practice improvements in the criminal justice system in England and Wales.

Göbbels, et al. (2012) highlight one of the key points about successful rehabilitation, or "re-entry" as they define it, saying it is "a longer-term process that begins well before release and carries on afterwards" (p.460). This point has significant implications for both practitioners and policymakers when planning the transition from prison to the community. The importance of adequately preparing people for their eventual release and beyond is also considered by Morris (2010), who comments on the investment in cognitive-behavioural programmes in prisons in England and Wales in recent years, saying that "the simplest idea of cognitive programmes opens up prisoners to the idea of having choices, to the idea of making decisions on how they react to things" (p.218). This is a key point, but it is also important to consider how real choices and opportunities are made available to people and how to help them to capitalise on them.

A positive method of supporting this group of people in their rehabilitation is described by Ward and Gannon (2006) as the "Good Lives Model". They describe it as "an example

of a strengths-based approach to the study of human behaviour: it focuses on promoting human welfare and instilling strengths in individuals rather than simply emphasising psychological deficits. The GLM is concerned with the enhancement of offenders' capabilities in order to attain primary human goods, and by doing so reduce their chances of committing crime against the community when they are released from prison" (p.79). Again, this idea assumes that people will be provided with the opportunities to utilise these skills.

Ward and Maruna (2007) also consider the concept of the "good life" and quote Aristotle in their definition as "a combination of pleasure and virtue" (p.109). They also quote a study by Scollon and King (2004), which found that members of the public saw the good life as involving two distinct dimensions: personal happiness and finding meaning in life. They go on to argue that this model is an important basis for supporting people to live meaningful, constructive and ultimately happy lives so that they can "desist from further criminal actions and or become symptom free, for individuals to desist from offending they should be given the knowledge, skills opportunities and resources to live a 'good life' which takes account of their particular preferences, interests, and values. In short, treatment should provide them with the chance to be better people with better lives" (p.111). The focus on creating an environment to enable an individual to develop the skills to live a good life is arguably the key for public safety and an individual's well-being.

This link between the management of risk and the effective rehabilitation of a person with sexual convictions is explored by Ward and Maruna (2007), who consider that "there is a direct relationship between goods promotion and risk management in rehabilitation work" (p.108). They also argue that the promotion of specific goods or goals is likely automatically to eliminate or modify commonly targeted risk factors (criminogenic needs) (p.108).

Laws and Ward (2011) agree that "at the heart of GLM is that correctional reintegration and rehabilitation should be based on the concept of practical reasoning" (p.176). They comment that any intervention to support desistance should be something that adds to an individual's repertoire of personal functioning, rather than an activity that simply removes a problem, and that "holistic" treatment is based on the idea that the best way

to reduce risk is to help individuals to lead more personally fulfilling lives. They go on to argue that the GLM has a "natural resonance between desistance theory and GLM because of overlapping theoretical ideas and a broad way of conceptualising the relationship between human beings and their social world" (p.203).

Laws and Ward (2011) also explore the impact of psychological interventions in the desistance process. They argue that the major goal is to "teach sex offenders the skills to change the way they think, feel and act and to use this knowledge to avoid or escape future high-risk situations" (p.99). They also say that "desistance theories and rehabilitation theories address different but overlapping phenomena, offending and its related problems such as impulsivity, substance misuse, cognitive distortions, social alienation, unemployment and dysfunctional relationships" (p.204).

These are important factors to consider when taking into account what services and support need to be in place to help a person with convictions for sexual offences when leaving prison. The overlap of desistance ideas with psychological interventions and theory is analysed by a number of authors (Serin and Lloyd, 2009; Porporino, 2010). They integrate the psychological and social features of desistance and maintain that the GLM and the need to include both "internal and situational features" must be addressed when considering someone's chances of successful desistance from offending, and therefore successful rehabilitation in the community. Ward and Maruna (2007) also discuss this point and highlight an important factor to be considered when reviewing these issues: "Self-change necessarily involves motivation to change and requires the client to buy in to change, even if there is no moral obligation for correctional practitioners to respect client autonomy and choice, rehabilitative success still requires it" (p.119). This is an interesting point when considering the importance of the quality of the relationship between an individual and prison staff whilst he is in prison, and his Offender Manager and supervising police officer upon release from prison. The quality of the relationship between an Offender Manager (probation officer) in supporting desistance is also highlighted by McNeill (2006) and Weaver (2015).

Ward and Maruna (2007) remind us that "the fact that they have committed harmful actions does not suggest that they are intrinsically bad or destructive individuals. It is only the rarest individuals whose motives are purely psychopathic and sadistic" (p.125).

These are important points when considering rehabilitation planning and community integration. The link between the motivation to change and successful rehabilitation is considered in some detail by Ward and Maruna (2007). They recognise that there are limitations to their research as there are "very few studies on the topic available" and they see their proposals as the "first step toward more in-depth studies into protective factors for sexual offending and their potential value for risk assessment and treatment of sexually violent offenders" (p.129).

They argue that "those who work in sexual offending treatment programmes have shown extensive interest in the Good Lives Model of offender rehabilitation". However, risk assessment still uses a predominantly deficit-focused approach and they suggest that the assessment of people with convictions for sexual offences should incorporate the idea of "protective factors" as a "matter of urgency" (p.138).

The following sections of this chapter explore these protective factors in more detail.

2.2.1 Employment and desistance

A link between work and rehabilitation has been assumed throughout the past century (Gee and Elder, 1986). In more recent times the role of education in the reform of individuals has become a key feature of government plans to reform and rehabilitate (Crone, 2016). According to Simon (1993), "Wherever you look in the development of modernist penality you will find labor. Exhort the offenders with religious tracts, but make them work … Educate them as citizens, but make them work. Treat their pathological features, but make them work." (p.39). It is often more difficult for people with a criminal history to gain employment when they leave prison (Visher et al., 2011). This can be for a number of reasons: they may have a poor employment history, substance misuse problems, poor educational attainment or in some cases have become de-skilled by the very nature of being imprisoned. This is particularly true of people who have been involved in highly skilled occupations prior to their incarceration (Mears et al., 2013). Despite employment being the consistent theme to support desistance from further offending, finding suitable employment can be a significant challenge to people leaving prison with a criminal conviction (Heinrich, 2000; Harris and Keller, 2005). This has significant implications for the development of policy and demonstrates the need

for proactive engagement with employers to improve the employment prospects of people with convictions.

Over time, a number of initiatives in prisons have attempted to provide people with skills to improve their employability upon leaving prison. However, Morris (2010) comments that "there is no empirical evidence that teaching someone a trade such as plastering or bricklaying while in prison reduces that person's involvement in crime at the end of his or her sentence." Indeed, Morris goes on to say that most policy linking work with desistance is based on "intuition" (p.218). Despite this, employment remains a key component of government policy in reducing reoffending. (Ministry of Justice, 2013). This is a potentially simplistic analysis for several reasons: some people convicted of sexual offences have offended in the course of their work, or at least whilst in employment; some people do not have the intellectual ability or mental stability to maintain regular employment; and some people are too ill or old to work and yet still go on to reoffend.

A study by Savolainen (2009) in Finland also tested the impact of work and family on criminal desistance and found that despite a considerably more generous welfare state in Finland than in the US (or the UK), "the transition from joblessness to work proved to be the strongest theoretical predictor of criminal desistance" and "all else equal, getting a job is associated with a 40 per cent reduction in the rate of recidivism" (p.301).

These factors are perhaps the reason that governments and policymakers continue to see work as a solution to reducing reoffending. It is important therefore not to simply provide people with convictions with the necessary support and guidance, but also to offer incentives and support to employers to employ this group.

2.2.2 Desistance and accommodation

Some scholars argue that a more significant factor in people's successful rehabilitation upon release from custody is the provision of stable accommodation. Allender et al. (2005) quoted in Maguire and Nolan (2012) states that "it is absolutely clear that appropriate housing is the single most important factor in preventing reoffending" (p.146). Temporary or non-existent housing appears to be a significant problem, even before a prison sentence is served. In 2002, a report by the Social Exclusion Unit (2002)

concluded that only two thirds of those entering prison did so from permanent housing. Raynor (2004) also highlights the importance of stable accommodation. If a person is primarily concerned with where he is to live, other factors such as having a job or learning new skills will be secondary to the need to find a place to stay. Until recently, it was necessary for a person leaving prison to have a permanent address to be able to register with a GP in order that any health concerns could be addressed. However, this was reviewed in November 2015 (NHS England, 2015) in order to attempt to address the perceived inequalities that the requirement to find permanent, stable accommodation presented.

Thomas-Peter (2006) also comments on how stable accommodation has an impact on an individual's well-being in his analysis of the effectiveness of psychological treatment programmes. "The needs of offenders and the process of changing them … unstable accommodation is identified as being significant in reconviction" (p.41). He also provides a more pragmatic view of the idea of desistance and rehabilitation. "The offenders who survive longest in the community will be those who have multiple interventions to address criminogenic needs, including practical support in respect of accommodation, education and employment, rather than single focused interventions" (p.40).

The importance of a stable, safe base on which a person can rebuild his life and self-esteem seems an obvious point as it is difficult to imagine how a person can focus on other aspects of his rehabilitation if he does not have shelter or a safe and consistent place to live.

A study by Willis and Grace (2008) also showed that people who have sexually offended against children were more likely to reoffend if accommodation, employment and social support had not been adequately planned prior to their release. They concluded that their release meant that there was a direct role for criminal justice agencies in helping someone to desist: "If poor release planning is a risk factor for recidivism, correctional staff and relevant community agencies may be in a position to reduce reoffending through more effective reintegration of offenders into the community" (p.494).

The importance of the provision of stable accommodation for ex-prisoners with a conviction for a sexual offence is also explored by Mills and Grimshaw (2012). They

found in their study that “upon leaving prison those interviewed had few housing options available to them” (p.8) and Kemshall (2007) also commented in her study that housing people with sexual offence convictions is “notoriously difficult” (p.271). Maguire and Nolan (2012) also observe that accommodation services for ex-prisoners are “challenging”. Often, the high levels of surveillance of people convicted of sexual offences, with observation, curfew and residence restrictions, limits the availability of accommodation. For example, conditions may prevent or restrict a person’s residence in areas where there may be vulnerable populations such as near schools and playgrounds, or if accommodation is in close proximity to where their past victims live.

The level of “enhanced supervision” provided by Approved Premises (formerly known as probation hostels) is seen as the “benchmark” for the management of people with sexual offence convictions, and the majority of people released from prison who are assessed as being a high risk of reoffending will initially be released to such accommodation. The supervisory features include relatively high levels of contact between staff and residents, partnerships with other agencies such as the police and security measures such as CCTV (Criminal Justice Joint Inspection, 2008). However, Kemshall (2007) acknowledges that “the probation hostel is not ideally placed to promote effective resettlement” (p.273) and there are also concerns about the lack of “move-on” accommodation from Approved Premises (Criminal Justice Joint Inspection, 2008).

A study on housing advice and provision by Gojkovic, et al. (2012) highlights the difficulties facing people accessing social housing upon release from a prison sentence as they are not a priority group for local authority housing providers and other social landlords. The rise in street homelessness (Ministry of Housing, Communities & Local Government, 2018), including among people subject to notification requirements or MAPPA restrictions, is a cause for concern and potentially for public safety. However, Madoc-Jones et al. (2019) offer a potential solution to this problem. They comment that “resettlement activity might be improved if it was better incentivised and facilitated inside the prison wall” (p.1). This issue will be considered in Chapter 6 of this thesis. In summary, the literature makes the clear link between the availability of accommodation and desistance.

2.2.3 Desistance, family relationships and social support

The importance of strong family relationships and the support of a partner is extensively examined by scholars when considering the factors that influence an individual's desistance from crime. For example, Souza et al. (2013) examined the expectations of life after prison by a group of prisoners and their (ex-)partners with the hope of examining factors which might "play a vital role in reducing reoffending" (p.306). Thirty-nine participants from eight prisons in the East of England were interviewed four months before release from a prison sentence (between six months and six years in duration). They specifically required that participants had a female partner and at least one (step)child. People with sexual and domestic violence index offences were excluded from the sample group. They then interviewed the ex-prisoners and their (ex-)partners six months after release. They concluded that a "realistic view" is important when one is at risk of adversity, but on the other hand, a "positive mindset" has been associated with active coping and positive outcomes (e.g. desistance). They also noted the "importance of a holistic family perspective in release and resettlement planning" (p.306). These are interesting findings, considering that people convicted of sexual offences can often be estranged from their families, either due to the nature of their offences or because crimes have been committed within the family, and there are, as a result, restrictions in place preventing or restricting family contact. However, it is difficult to draw conclusions from this particular study as people with sexual convictions were explicitly excluded from it.

Forrest and Hay (2011), in their longitudinal study, considered that transitions such as marriage enable people to develop increased self-control, and that this has a direct impact on their desistance from crime because "long-term consequences exceed short-term gains" (p.488). Laub and Sampson (2001) also explore this idea in their analysis applying social control theory. They maintain that desistance is more probable among those who are highly attached to their spouses. Interestingly, a study by Bhandari (2018) found that this did not necessarily apply to women with convictions. However, the importance of marriage and/or intimate personal relationships on the desistance journey has implications for people convicted of sexual offences, particularly when they have offended in the family and personal relationships have, in consequence, broken down. Licence conditions upon release from prison may also prevent or regulate

relationships with women who have children, or if offences were focused on adult women, criminal justice agencies may be obliged for public protection purposes to disclose previous offending to new partners (Ministry of Justice, 2012, Section 10).

Codd (2007) acknowledges the importance of the family in the resettlement process, and Naser and Visher (2006) explore the experience of imprisonment on family members in a study in the United States. McHale and Winder (2017) examine the shame, embarrassment and grief experienced by family members of people convicted of sexual offences. These factors may have an impact on whether family relationships can be relied on to reduce social isolation.

A recurring theme in both desistance and the rehabilitation of people leaving prison is the importance of social and community support. This is examined by Mills and Grimshaw (2012) in their study of people convicted of sexual offences living in a Christian charity hostel. They concluded that "feelings of isolation, loneliness and of being 'cut off' from both meaningful friendships and a sense of community … were considered universal descriptions of those with a conviction for a sexual offence by those with experience of working with this group" (p.38). These are some of the important features considered throughout this thesis.

A number of scholars highlight the important factors associated with successful resettlement, including maintaining family links, dealing with accommodation matters, ensuring people have adequate physical healthcare, supplying employment assistance and providing education or training opportunities when they leave prison (Travis, 2005; Petersilia, 2003). However, Brown et al. (2007) conclude in their research that "sex offenders experience more barriers, or higher hurdles to gaining employment than the majority of offenders" (p.22). They argue that there is a "tension in the legislative and policy approach to sex offenders such as sex offender registration and a range of preventative orders appearing to have resulted in higher levels of restriction placed on sex offenders, and declining levels of confidence in public protection systems" (p.33). Tewksbury (2005), Tewksbury and Lees (2006), Tewksbury and Connor (2012) and Brown (2017) argue that relatively little is understood about the challenges faced by family members who maintain social contact with people with sexual convictions.

Brown (2017) carried out interviews with people visiting their family members in a prison holding people with sexual convictions. She found that the degree of the impact on family members of their loved one's conviction was dependent upon a number of factors. These were: the nature of the pre-conviction familial relationship (wife, brother, mother, etc.); financial dependence; and personal economic status (whether the family member was retired, in employment, independently wealthy, etc.).

In Brown's study, 50% of the people she interviewed stated that maintaining contact with their family member whilst he was in prison had a negative impact on them financially, largely because of the cost of the journey to the prison.

Real financial hardship is often reported to be a consequence of incarceration (Arditti, 2012). However, the same may not apply to the families of people with sexual convictions because arguably they are drawn from a broader social demographic and in general tend to be older, and this may mean that there is a higher percentage who are financially stable. Brown (2017) explores the impact of a family member's conviction for a sexual offence in her study interviewing visitors to an English prison holding people with sexual convictions. She highlights the social and financial impact, but also quotes Tewksbury and Levenson (2009) in an earlier study in the United States, which identified families as "innocent victims" as a result of the isolation/fear, shame and embarrassment experienced by family members of people subject to sex offender registration.

Brown (2017) also explored what impact the period of imprisonment of their family member had had on their housing and employment situation. She found that those family members who lived in a different area of the country from where the offence took place or where the person with the conviction lived prior to their imprisonment were less likely to feel its impact in a negative way.

The substantial overlap between factors that influence and support desistance and the reintegration and resettlement of people following their release from prison is also commented on by Visher and Travis (2003) in a US study. They express concern that much of the research on prisoners' lives after release from prison "focuses solely on recidivism and ignores the reality that recidivism is directly affected by post-prison

reintegration and adjustment which in turn depends on four sets of factors: personal and situational characteristics including the individual's social environment of peers, family, community and state policies" (p.1). The problem is further debated by Laws and Ward (2011). They argue that "the aim of rehabilitation is to assist offenders to re-enter society and ultimately to become productive and accepted citizens rather than be regarded as predators by members of the general community" (p.232).

Clearly, the perception of dangerousness of people with sexual convictions is a significant challenge for communities to welcome them back from a period of imprisonment, whether or not this perception is justified.

Mills and Grimshaw (2012) also examine the importance of social support, social and community acceptance in contributing to a person's successful rehabilitation. They quote one of their participants from their study: "I think a lot of men who have a conviction for a sexual offence are very sad. They don't have lots of friends … I always think they carry around with them so much shame which makes it harder for them" (p.39).

Mills and Grimshaw (2012) also remark on the challenges that people with sexual convictions have in making new relationships. The legislative and licence restrictions preventing contact with others they had met in prison or at the hostel (as they were also people convicted of sexual offences) meant that people in their study were doubly disadvantaged. They comment: "as well as the inaccessibility of previous relationships, the process of developing new relationships was typically fraught for those with convictions for a serious sexual offence" (p.39).

The development of "protective factors" to help the transition back into the community and the desistance process is explored by de Vries Robbé et al. (2015). They suggest that protective factors should be developed and supported when considering how to help a person convicted of sexual offences to return successfully to the community. They explain that "a protective factor should encompass social, interpersonal and environmental factors as well as psychological and behavioural features" (p.18).

De Ruiter and Nicholls (2011) also highlight the importance of protective factors in their study with mental health patients. They describe it as a "new frontier" in forensic mental

health and argue that we need to consider these issues further to "increase our knowledge of risk management", which in turn would aid the planning of support processes for patients (and prisoners) leaving institutions (p.19). De Vries Robbé et al. (2015) go on to outline their proposals to assist the desistance process for people convicted of sexual offences. They propose that there are a number of "protective domains". These are: healthy sexual interests; capacity for emotional intimacy; constructive social and professional support network; goal-directed living; good problem solving; engaged in employment or constructive leisure activities; and hopeful, optimistic and motivated attitude to desistance (Table 2, p.27 in their paper).

Paradoxically, as Mills and Grimshaw (2012) point out, some of the factors that act as protection against reoffending are often restricted as a result of public protection policies and procedures, licence and order conditions (p.41). For example, licence conditions preventing the individual from joining community groups or churches or from participating in voluntary activities can often be imposed for safeguarding and public protection reasons.

The importance of social support for reducing emotional difficulties as well as helping the individual to comply with his public protection requirements is highlighted by Wilson et al. (2009) in a paper evaluating the findings of the Circles of Support and Accountability projects in Canada. They highlight CoSA's target group as "individuals who seem most likely to fail, due to the lack of prosocial support in the community" (p.7) and they outline the objective of CoSA "to substantially reduce the risk of future sexual victimisation of community members by assisting and supporting released individuals in their task of integrating with the community and leading responsible, productive and accountable lives".

The CoSA projects utilise volunteers from the community who are trained to act as "concerned friends or surrogate family members". Armstrong et al. (2008) also comment that Circles are aimed at providing a sense of community for individuals who it is believed would otherwise be isolated and socially marginalised. Bazemore (1999b) considers the importance of restorative justice approaches in supporting the rehabilitative process.

De Vries Robbé et al. (2015) contribute to the debate, commenting on the importance of providing manufactured community and social support for people with convictions leaving prison. They argue that "'artificial' (or coached) protective factors … effectively compensate for the absence of 'organically' occurring protective factors" (p.19). The examples they use are, "structured problem-solving skills or learned ways of expressing feelings assertively" (p.20).

They also suggest that selective serotonin reuptake inhibitors (SSRIs) or anti-libidinal medications could "be considered to be prosthetic protective factors if they have the effect of reducing the intensity of sexual drive or enhancing sexual self-control" (p.20). Winder et al. (2014) and Lievesley et al. (2014) also consider the potential benefits of anti-libidinal medication in their studies of people at high risk of reoffending and the therapists who work with them. De Vries Robbé et al. (2015) develop the debate further by quoting Laub and Sampson (2001) and argue that rather than asking what works, desistance studies should ask how change works, and seek to identify those factors that support an individual to maintain desistance.

In summary, this section has explored the importance of social and community support to the desistance process of an individual. The presence of this support, either established or manufactured artificially, is an important protective factor and a crucial element in their safe reintegration in the community.

2.2.4 Desistance and relationships with professionals

The importance of the role of criminal justice agencies in supporting an individual's successful rehabilitation is considered by Petersilia (2003). She concludes in her study of prisoners released from imprisonment in the US that "in the real world the transition from prison to the community is difficult and uncertain because most offenders are not supported by criminal justice agencies" (p.10).

This theme is also considered by Göbbels et al. (2012). They observe that "re-entry is an extremely stressful process for all ex-offenders, however, because sex offenders tend to evoke high levels of fear in the community, they face greater challenges such as dealing with the consequences of being placed on the sex offender register and/or being subject to restrictions on where they live" (p.459). They also state that "anecdotal evidence

suggests that some sex offenders prefer to stay in prison than be released" (p.260). This is an interesting point and is considered in Chapter 5 of this thesis.

The role and impact of professionals in supporting individuals to desist from crime is considered by McNeill (2006), who outlines the role of the probation officer in supporting desistance. He quotes Rex (1999): "probationers' commitments to desist appeared to be generated by the personal and professional commitment shown by their probation officers whose reasonableness, fairness and encouragement seemed to engender a sense of personal loyalty and accountability".

This theme is developed further by McNeill (2006), who comments that "professional relationships have a pivotal role to play in effective interventions" (p.49), and "desistance-supporting interventions need to respect and foster agency and reflexivity. They need to be based on legitimate and respectful relationships, they need to focus on social capital (opportunities) and they need to exploit strengths as well as addressing risks and needs" (p.52).

These issues form part of the primary research questions of this thesis when analysing the impact of the role the Offender Manager has in the successful rehabilitation of the person leaving prison and returning to the community, in particular, research questions 3–6: how an individual can be best assisted not to re-offend, the impact of licence conditions and statutory restrictions on resettlement plans and goals, what support is provided to help people leaving prison and whether ex-prisoners think that their transition could have been done differently and more usefully.

Laws and Ward (2011) also examine the importance of the relationship between the criminal justice professional and the convicted individual in supporting his desistance and rehabilitation. They express concern about how the role of the parole officer (Offender Manager) has changed over time and question how this change has impacted on the support process for a person convicted of sexual offences leaving prison. "Historically, the parole officer was seen as a sort of social worker, a friend who could provide counselling, assist with housing and job searches. Parole officers have become more control and surveillance oriented" (p.122). Although Laws and Ward are considering their position from a US perspective, this position is also relevant to the role

of the probation officer in England and Wales. Until 2002, probation officers were required to have a social work qualification to practise. However, this is no longer the case, and probation officers are now required to have a degree and to complete a period of additional training, and achieve a Professional Qualification in Probation, rather than have a specific social work focus to their work (HM Prison & Probation Service, 2019c).

Willis and Grace (2008), in a US study, consider the impact of professional relationships on a prisoner's successful rehabilitation. They comment, "if poor release planning is a risk factor for recidivism, correctional staff and relevant community agencies may be in a position to reduce reoffending through more effective reintegration of offenders in the community" (p.494). This is a key point to consider when looking at both the importance of the relationship between the Offender Manager and the person they are managing, and the Offender Manager's motivation and training for their role. It also has implications for the recruitment, training and development of prison staff to help people in prison prepare for their eventual release.

The need for social support for people convicted of sexual offences upon release from prison is considered to be critical in assisting both desistance and rehabilitation. De Vries Robbé et al. (2015) established in their study that a "constructive social and professional support network" was an important factor in reducing the risk of reoffending. Willis and Grace (2008), in their study of people convicted of sexual offences against children, also concluded that "the most critical components of re-entry planning were accommodation, social support, idiosyncratic risk, employment, good lives model, secondary goods and an assessment of motivation" (p.222).

The literature indicates that the relationship between the ex-prisoner and their Offender Manager is an important part of the desistance journey – this key area is explored in this thesis.

2.2.5 Desistance, optimism and agency

For Maruna (2001), it is the transformation of self – the generation of a new self-identity – that is the key to people with convictions adopting prosocial lives and "making good". Laws and Ward (2011) also acknowledge that "people are products of their past as well as being open to the future" (p.224), and these are important factors to bear in mind

when criminal justice agencies and others are helping individuals plan for their return to the community.

This optimism and future-focused approach toward rehabilitation and resettlement are also reflected by Farmer et al. (2015), who conclude from their review of research findings in studies of people convicted of sexual offences, “perhaps the most important conclusion is the contention that probation practice should focus more on helping sex offenders move forward rather than continuously re-examining past offences” and, indeed, research on people desisting from sexual offending found that “nearly all contained substantial evidence that the participant had a clear sense of their future lives”. They go on to argue that “they did not portray their desistance as ‘growing up’ or becoming more mature, desistance was portrayed as self-initiated or a rational choice about the pros and cons of what they were doing” (p.17).

Thinking positively about the future is recognised as an influential factor in both desistance and successful rehabilitation according to McAlinden (2009) and van Ginneken (2015), who both look at the role of “hope” as a key ingredient to success for people leaving prison. Van Ginneken utilises “Snyder’s Hope Theory” (Snyder, 2002) and defines “hope” as “more than just a wish for a good future”. She goes on to say that hope among prisoners who were doing well consisted of three components: goal-oriented thoughts, pathways to achievements and agency thoughts. She also discusses optimism (positive expectations including confidence that goals can be obtained) and cites Carver et al. (2009), who says that “optimism appears to protect one from distress” (p.12). She gives the example of two participants in her study who were convicted of sexual offences who were “lonely and had little hope for a good life after release” (p.12).

De Vries Robbé et al. (2015) also consider the factors that support or assist desistance from sexual offending and conclude that “criminological research into desistance indicates that an ex-offender’s social situation is an important factor associated with desistance” (p.10). They also explain the importance of “protective factors” in supporting a person convicted of sexual offences in their desistance journey (p.18).

Maruna (2001) maintains that at “the heart of a successful transition is a personal decision to change”. Whilst this is clearly the case, there also needs to be appropriate

support for the decision to change. As Maslow (1943) acknowledges in his classic study of human motivation, physiological requirements need to be met, beginning with a sense of safety and a sense of belonging, building self-esteem and respect for others, before self-actualisation or realising potential can be achieved.

In this section, thus far, this thesis has explored the published literature regarding the social factors that influence an individual's desistance from crime, and how these factors influence their plans for rehabilitation in the community upon release from prison. It has also examined the psychological and social relationship issues that impact on the successful transition of a person from prison to the community. However, this thesis aims to explore the gaps in the extant literature and develops the ideas further to consider the experiences of people convicted of sexual offences leaving prison and returning to the community. In the next section the role of risk assessment, risk prediction and risk management is explored, and how these factors affect someone's management and transfer to the community.

2.3 Risk assessment, risk prediction and risk management

The assessment and management of a person's likelihood of reoffending has held the key to the development of suitable release plans and influences the restrictions placed on an individual once he is released from prison. This section therefore considers the literature around these factors. So, how do all these factors influence the desistance process and how do they impact on a person's release and resettlement plans? Phillips and Lindsay (2011) carried out a study in the US of people leaving prison. They looked at the factors that influenced reoffending and "coping strategies" for dealing with the return to the community (although their study did not exclusively focus on people with sexual convictions). They concluded that "the predominant coping strategy for dealing with re-entry barriers is avoidance. There is a defined process experienced by participants, which is initial optimism, followed by craving substances, facing practical barriers, and/or feeling overwhelmed. This eventually results in avoidance of managing problems and emotions and substance abuse relapse, which culminates in recidivism" (p.136).

Whilst there are similarities between the experiences of people with sexual convictions being released into the community.in the United States and England and Wales, there

are also a number of different issues. These include the notification arrangements in the US and the more extensive use of licence restrictions. However, this is an important perspective and links in with other studies about the preparation of people leaving prison for release. For example, Offender Managers need to consider the scale of the issues and the extent of the anxieties facing the person preparing for their release. They may then be in a position to help them to safely manage these emotions.

These studies are influential. The impact of policy development on the reform of the correctional services in England and Wales, for example the impact of the Transforming Rehabilitation policy on services for people upon release from prison, is critical to this point. This policy has created a National Probation Service (NPS). Previously, probation services were delivered by local Probation Trusts. Services for those who are deemed to be a low or medium risk of causing harm were outsourced to 21 Community Rehabilitation Companies (CRCs) (Ministry of Justice, 2013), with the NPS retaining responsibility for those who present a high or very high risk of harm. Some academics have questioned the evidence base for this change in policy; for example, McNeill (2013) suggests that the policy is not about what is best for rehabilitation or resettlement or even crime reduction, it is really about "disestablishing probation" (p.83). Further, the National Audit Office (2016) in its review of the implementation of the policy expressed concern about the effectiveness of the policy, due the inadequacy of the data held by both the CRCs and NPS (p.7). A further review of the effectiveness of the CRCs was published by the Public Accounts Committee (2018) and, as a result, contracts with private sector providers were terminated early and a review of the policy initiated.

Discussion about the nature and definition of risk has been debated by scholars. Parton (1996) suggested that "risk has traditionally been a neutral term meaning the chance of gain or the chance of loss" (p.99). Increasingly, however; risk has become associated with notions of hazard, danger or harm (Douglas, 1992), and in the criminal justice system, with the "uncertain prediction about future behaviour, with a chance that the future outcome of the behaviour will be harmful or negative". Kemshall (1996) argues that a risk assessment can be defined as a "probability calculation that a harmful behaviour or event will occur and involves an assessment about the frequency of the behaviour or event, its impact and who will it affect" (p.11).

Risk and prediction of future offending is a key element of the development of policy and practice over recent years, none more so than the desire and need to predict sexual offending (or reoffending). This ambition has been a significant concern for much of the last thirty years in both North America and in England and Wales. A considerable amount of time, effort and resource has been exercised in an attempt to establish reliable predictors of sexual offending (Hanson and Bussière, 1998; Laws and Osborn, 1983; Beech et al., 2003). This is critical in an area where the consequences may "affect public protection and the reduction of harm to potential victims" (Carson, 1996, p.6) and where "practitioners and agencies may be exposed to public accountability, legal liability and media scrutiny" (Monahan, 1993, p.245).

Longitudinal studies indicate that the actual sexual recidivism rate is lower than the commonly held belief, at only 10% to 15% after five years (Hanson and Bussière, 1998; Harris and Hanson, 2004). The overall reoffending rates for people convicted of sexual offences is lower than for people convicted of other kinds of offences (Beck and Shipley, 1989; Hanson and Harris, 2000). In addition, not all people convicted of sexual offences are equally likely to reoffend. Those people with "sexually motivated interests, and antisocial attitudes and orientation, are likely to be highest risk of sexual reoffending" (National Offender Management Service, 2016).

There has been considerable disagreement over the years amongst researchers and practitioners about the best way to assess the risk of reoffending. However, there is some agreement that structured approaches to assessing risk are more accurate than unstructured clinical opinion (Hanson and Morton-Bourgon, 2009).

The nature of risk factors has been discussed by Andrews and Bonta (1998) using the terms "dynamic" and "static" risk factors. They define static risk factors as those that are relatively fixed aspects of people's histories, such as age and the extent of previous offending – factors that cannot be changed by any intervention. Although static risk factors may change (convictions may increase in number and a person will inevitably age) they are not considered suitable targets for attention or intervention. In contrast, they use the term "dynamic risk factor" to describe psychological or behavioural features of the person that raise their risk of reoffending that are potentially changeable, such as distorted attitudes or deviant sexual interests. These dynamic risks are also

called “criminogenic needs”. These are important issues when considering how to ensure that release plans for people leaving prison are focused on factors that can achieve a change in behaviour, and how to best support the person as an individual, all of which supports the aim of preventing more victims.

Hanson and Harris (2000) further divided dynamic risk factors into stable risk factors (relatively enduring problems, such as alcoholism and personality disorders) and acute risk factors (rapidly changing features that signal the timing of reoffending, such as intoxication or emotional disturbance). Bonta (1996) explored the history of risk assessment and identified three generations of risk assessment processes. The first of these was unstructured professional opinion, and the second was risk assessment that involved explicit structural approaches combining static, historical risk factors to an overall risk score. These ideas have influenced how risk prediction tools for people convicted of sexual offences have developed. The most commonly used risk tools for people with sexual convictions are Static-99 in the US and Canada (Hanson and Thornton, 2000) and Risk Matrix 2000 in England and Wales (Thornton et al., 2003).

Second-generation tools are considered to be empirically more accurate than unstructured professional opinion, Hanson and Morton-Bourgon (2009) argue that they do little to inform those who treat and monitor people with sexual convictions about the areas on which their interventions should focus. Third-generation tools are empirically validated actuarial measures that contain criminogenic needs (Bonta, 1996) and their focus has been until recently on general offences. The risk prediction tools STABLE-2007 and ACUTE-2007 (Hanson et al., 2007) (used mainly in the US, Canada and some parts of Europe) were developed to address this deficit, together with the Structured Assessment of Risk and Need, or SARN (Webster et al., 2007) and the Active Risk Management Tool (McNaughton Nicholls and Webster, 2014) in England and Wales. ARMS is a structured assessment process utilised initially by the Probation Service to assess dynamic risk factors known to be associated with sexual offending. The ARMS system focuses on seven key risk factors: opportunity, offence-related sexual interests, sexual preoccupation, emotional congruence with children, hostile orientation to others, poor self-management and antisocial influences. When using ARMS, the assessor also discusses protective factors. These are: a prosocial network, a

commitment to desist, an intimate relationship, employment/being busy and citizenship/giving something back to the community.

The SARN (Appendix L) is sometimes utilised by psychology staff in England and Wales following a prisoner's participation in an offending behaviour treatment programme. The assessment determines his progress and identifies what other interventions are necessary to assist him to help to address the causes of his offending. One example of the risk factors explored by the SARN is sexual preoccupation (an abnormally intense interest in sex that dominates psychological functioning). People demonstrating sexual preoccupation would substantially overlap with those described as having sexual compulsions, sexual addiction, and hyper-sexuality (Kafka and Hennen, 2003). When exploring a person's sexual preference for prepubescent or pubescent children, Hanson and Morton-Bourgon's meta-analysis (2009) predicted significant levels of sexual recidivism for these groups, together with those with a preference for sexualised violence (this is defined as an interest in sadism or coercive sex). Mann, Hanson and Thornton (2010), however, argue that "many of the risk factors empirically supported are also to be found in the prediction literature for general criminal behaviour (e.g. impulsivity, poor problem solving, hostility, unstable relationships). There are some factors, however, that are likely to be uniquely associated with sexual recidivism (e.g. sexual preferences for children, for violence, multiple paraphilias, and emotional congruence with children)" (p.195).

Until 2019, HMPPS – previously the National Offender Management Service – and the police forces in England and Wales used Risk Matrix 2000 as their risk prediction tool (National Offender Management Service, 2016), but following research into its effectiveness, the OASys Sexual Predictor (OSP) was introduced in 2020. Both tools divide people convicted of sexual offences into "Low, Medium, High and Very High risk of reoffending". RM2000 has been criticised for over-weighting non-contact offences such as exhibitionism (Helmus et al., 2013). OSP corrects this problem by being designed only to predict contact offences. Risk factors will have an impact on both recommendations for interventions whilst a person is in custody, and the plans for his release. The report concludes, "overall, it is clear that rates of sexual reoffending for convicted sex offenders are very low compared to other types of offender" (National Offender Management Service, 2016).

The same report also assesses the "key psychological features that motivate sexual offending". It concludes that there are four main groups. Firstly, there are "sexually motivated offenders. These offences are primarily motivated by sexual interests that are markedly different to those of the general population and the desire to commit offences in accordance with those interests". The second group have what is termed "antisocial motivation committed by people who have a general antisocial or hostile orientation, and a propensity to anger or grievance, they may commit a variety of criminal offences where they see an opportunity but do not otherwise have deviant sexual interests". The third group has "combined sexual and antisocial motivation". This group has both features of the previous groups and is "likely to be the highest risk of sexual reoffending and as such will be a priority group for interventions and services". The fourth group is considered to have neither a sexual nor antisocial motivation. The people in this group usually prefer normal sexual relationships with consenting adults. However, in certain circumstances "they are capable of being aroused to children or to rape, for example when they begin a sexual relationship with a minor as a substitute for intimacy with an adult partner, their main sexual interests are not markedly different to the general population, they are also capable of non-abusive and age appropriate sexual relationships" (National Offender Management Service, 2016, p.10).

"Interventions" in both the community and in prison settings are dominated by "programmes". These are cognitive-behaviourally based programmes designed and delivered to assist someone to understand his motivation for offending and to provide him with skills to make appropriate prosocial choices, and therefore reduce his risk of reoffending. Although the dominance of programmes has been criticised by a number of commentators (Towl and Crighton, 2016; Dennis et al., 2012) and criticism of their effectiveness commented on by Mews et al. (2017), investment in cognitive treatment programmes, particularly for people convicted of sexual offences, remains a significant feature of criminal justice policy in England and Wales.

As Lambie and Stewart (2012) observe, "it is widely accepted that for most sexual offenders, a treatment programme to reintegrate them into the community after incarceration is necessary". This assumption has caused lengthy waiting lists and delays in releasing people convicted of sexual offences, particularly if they are serving an indeterminate sentence (The Parole Board, 2015, p.11) or are considered to have

significant treatment need. (Ministry of Justice Freedom of Information request, May 2013.)

In both the fields of psychiatry and psychology there is an understanding that development of treatment programmes is useful to help people understand that they have "choices" in decisions they make (Morris, 2010). Lambie and Stewart (2012) also cite a study by the Association for the Treatment of Sexual Abusers (ATSA), a North American research and practitioner alliance, that treatment reduced sexual recidivism (10% in the treatment group compared with 17% in the comparison group) and general recidivism (32% in the treatment participants compared with 51% in the comparison group). However, the debate about the reliance on programmes to treat people convicted of sexual offences and therefore to prevent their reoffending is by no means conclusive. Early outcomes for specialist treatment programmes for adults with sexual convictions reported mixed success (Marshall et al., 1991) and a Cochrane review of early studies also suggested some ambiguity about the success of treatment programmes (Dennis et al., 2012). In fact, this review concluded that the implementation of treatment for those with sexual convictions has "proceeded with little apparent regard for the caveats surrounding the evidence base" (p.1) and more worryingly they concluded that current approaches could result in "the continued use of ineffective and potentially harmful interventions producing a false sense of security from the misplaced belief that 'treated' individuals are at reduced risk of reoffending" (p.1).

Confidence in two of the established offending behaviour programmes for people with sexual convictions in England and Wales was further undermined by a meta-analysis by Mews et al. (2017) who found limited evidence of the effectiveness of the "Core" and "Extended" treatment programmes in England and Wales in reducing reoffending rates, although the nature and reliability of this research had its critics. Such criticism largely concerned the differences in delivery at the HMPS sites, the changes in the programmes over time and the reliance on quantitative measures rather than a combination of both quantitative and qualitative data.

Other recent studies, however, have generally found strong evidence for the effectiveness of cognitive-based interventions across the world. A meta-analysis by

Alexander (1999) reviewed 11,000 people in 79 treatment studies and found an overall recidivism rate of 14.5% for those people who had received treatment, compared with a 26% rate for those who had not. Another meta-analysis by Schmucker and Lösel (2008) examined 69 studies, including more than 22,000 people. They reviewed studies of both people who had received treatment and those who had not and compared the outcomes. They found that treatments designed specifically for people convicted of sexual offences were significantly more effective at reducing recidivism rates. However, a study by Turner et al. (2000) concluded that a number of elements were needed for a successful outcome. These were: group treatment, individual therapy, community support and close working relationships between probation officers, courts, therapists and convicted individuals. More recently, a meta-analysis by Gannon et al. (2019) found that the input of a psychologist in treatment programmes was the key factor in the success of a treatment programme in reducing risk and recidivism.

As a result of the Mews et al. (2017) study, the core and extended treatment programmes in England and Wales were replaced by two new programmes, Horizon and Kaizen. These programmes had been in development for some time, but this research also emphasised the importance of a combination of individual and groupwork for the best likely outcomes. These findings were also supported in a study by Schmucker and Lösel (2017) who found the following "moderators of success" for successful interventions: individual and groupwork, the involvement of a psychologist, adherence to risk, need and responsivity principles, offence-related sexual interest and extensive discharge planning.

Non-completion of treatment has consistently been shown to be associated with higher rates of recidivism. A review of 16 studies demonstrated that that drop-outs from community treatment were more likely to offend than those in prison-based or in-patient-based programmes. Average drop-out rates for community treatments were much higher than for institutional treatments: 45.5% and 15% respectively (McMurran and Theodosi, 2007). Despite these drop-out rates, community-based programmes have demonstrated better outcomes than prison-based programmes in reducing recidivism in those convicted of child sexual offences (Alexander, 1999; Schmucker and Lösel, 2008), although these studies acknowledge that prison-based programmes tend to work with people at a higher risk of offending.

This section has analysed the evidence surrounding the assessment of risk of reoffending and the effectiveness of the tools utilised in the treatment and risk management of people convicted of sexual offences in the criminal justice system. The application of these risk assessments, risk management and risk prediction tools have a direct impact on the experiences of people leaving prison and returning to the community, as they influence the restrictions that are put in place and therefore the nature of the transition from prison to the community. A key research question of this thesis is: "How can this group be best assisted not to reoffend?". The literature on the factors affecting reoffending and the risk assessment process and consequent licence conditions affected the research questions and the design of the study for this thesis. For example, what are the experiences of people convicted of sexual offences when they leave prison, how can they be best assisted to not to reoffend and what is the impact of licence conditions on an individual's successful resettlement. Chapter 3 will explore the reasons for the choice of the research method, the research questions and the selection process for the participants.

Chapter 3: Research Design and Practice

This chapter outlines the research process, including details of both how the participants and the qualitative research method were selected. It also explains the research process and notes the author's reflections and observations on the interviews with the participants.

3.1 Table of participants

The table below summarises the interviews undertaken with people convicted of sexual offences, and this acts as a basis for the discussions in the chapter.

Name (not real)	Offences	Prison sentence	Age at time of interview	Programme participation	Interview in person?
Alan	Indecent photographs of children × 4	3 years, 4 months	28	Y	✓
Bob	Sexual assault of a child × 5	27 months	64	N	✓
Charlie	Rape of a female child under 13 × 6; sexual assault of a female child under 13 × 3	12 years	62	Y	✓
Dean	Rape of a female over 16 × 3; sexual assault of a female × 2; cause a female to engage in sexual activity without consent (no penetration) × 1	8 years	30	Y	✓
Eric	Rape × 1; attempt to commit rape × 1; assault occasioning actual bodily harm × 1	IPP (approximately 10 years served)	32	Y	✓
Frank	Making indecent photographs of children × 21; distributing indecent photographs of children × 2	2 years	53	N	✓
Geoff	Indecent assault × 6 (child)	3 years, 6 months	50	Y	✓
Harry	Inciting a male child under 16 to engage in sexual activity; meeting a child under 16 following sexual grooming	3 years, 9 months	49	Y	✓

Table 3.1 – Table of participants

In addition, eight Offender Managers were interviewed, two by telephone and the remainder in person. To avoid any inadvertent identification, each Offender Manager is given a number and is not directly linked to a participant. They are referred to as OM.1 to OM.8 below.

3.2 Study design

Bryman (2004) lists five main features of qualitative research (pp.279-284):

1) Seeing through the eyes of people being studied;
2) Description and importance of context;
3) Emphasis on the process;
4) Flexibility and limited structure;
5) Concepts and theory grounded in the data.

These features are critical to this thesis. The key emphasis is on seeing through the eyes of the people included in the study. However, it is also important to examine the context in which the participants, who are people convicted of sexual crimes, find themselves. In this case, the period before their release into the community having served a prison sentence for a sexual offence and the period after their release back into the community. The fieldwork is exploratory and comparatively unstructured. The process of the transition from prison to the community was a key component of the study design and it was therefore important for interviews to take place prior to the release from prison to establish what the prison participants expected when they returned to the community having served a sentence for a sexual conviction. The follow-up interview was intended to establish whether these expectations had been realised. There was a degree of flexibility planned for the fieldwork, for example, flexibility with the length and timing of interviews. The overall number of participants was also planned to be flexible dependent upon the number of people volunteering to participate within the planned timescales.

3.3 Primary research questions

The following study questions were considered:

1) What are the expectations of people prior to leaving prison with a sexual conviction?
2) How do these compare to the reality of life in the community?
3) How can this group be best assisted not to reoffend?
4) What is the impact of licence conditions and statutory restrictions on their resettlement plans and goals?
5) What support is provided to people leaving prison?

6) Do ex-prisoners think that their transition could have been done differently and more usefully?

The aims of this thesis are fourfold:

1) To highlight areas in policy and practice suitable for improvement;
2) To produce recommendations for change;
3) To note potential areas for future research, practice and development;
4) To contribute to bridging the gap in academic literature regarding the transition of people with sexual convictions from prison to the community.

As Chapter 2 of this thesis outlines, there has been a significant amount of research on the impact of a period of imprisonment on an individual and a substantial focus on factors influencing desistance from crime. More recently, there have been more limited studies exploring factors specifically influencing desistance from sexual offending. There is a greater body of knowledge on risk prediction and risk management in sexual offending. However, there is little research exploring the experiences of people leaving prison and returning to the community with a sexual conviction and how their experiences could influence the knowledge base, policy and practice in the areas of desistance, risk prediction and risk management. This thesis addresses that gap.

3.4 Study methodology overview

This study explores how the experiences and effective management of people convicted of sexual offences and transitioning to the community could be developed and improved. The focus is on the legal, administrative and social restrictions that surround people with sexual criminal convictions leaving one prison, HMP Whatton, and returning to a number of different areas across the country.

For this thesis, semi-structured interviews were conducted with self-selecting prisoners both before and after their release from prison, and also with the Offender Managers responsible for their supervision. All the participants voluntarily agreed to participate and received no financial reward for doing so.

3.5 Underpinning methodology

This study adopts an inductive approach to drawing conclusions from empirical research. To clarify, an inductive approach indicates research observations and findings

that lead to the generation of a theory, whereas a deductive approach commences with a theory and a hypothesis that are subsequently tested and either rejected or accepted.

However, this simple contrast between inductive and deductive theory does not account for the differing approaches to what is a theoretical continuum. Inductive reasoning (Gioia et al., 2012) alludes to a logical process in which specific instances or situations are observed or analysed to establish general principles. In this process, multiple statements are believed to provide strong evidence of the nature of the conclusion. An inductive approach begins by collecting the data that is relevant to the topic of interest. Once the data has been collected, the researcher looks for patterns or analyses the data. They then move to a more general set of propositions about those experiences. Bryman (2004) for example discusses the work of Layder et al. (1991) to explain a deductive research approach that does not follow the conventional process of deduction. A deductive research approach usually takes six sequential steps (Bryman, 2004, p.9):

1) Theory
2) Hypothesis
3) Data collection
4) Findings
5) Hypothesis confirmed or rejected
6) Revision of theory

Bryman (2004) notes how Layder et al. (1991) do not adhere to this form of deduction as "the relevance of the data for a theory may become apparent after the data have been collected" (p.9). It is therefore helpful to highlight the complexities of research strategies and their underpinning methodologies. It is also important to remember that methodological concepts cannot be placed in distinct theoretical boxes and considered separately from other thoughts and ideas. In terms of underpinning methodology, this thesis encompasses an inductive approach because the data obtained from the fieldwork has led to the generation of suggestions for policy and practice.

Before the work for this thesis officially commenced, the author's interest in the subject was discussed with a number of academic researchers, and practitioners in the National Offender Management Service (now HMPPS). In particular, details of how best to involve the voices of the subjects in the research, and as a consequence the most appropriate

method to utilise with this objective in mind, were debated. A number of people who were consulted were members of the National Research Committee, a group of people who consider research applications for HMPPS, and who would subsequently consider and approve any research request. It was, therefore, important to consider their views and preferences in order for the researcher to have any realistic chance of ethical approval, and therefore of achieving the research objectives.

When the purpose of and scope of the proposed thesis was outlined, they suggested that a qualitative method using semi-structured interviews was most likely to receive ethical approval. They also suggested utilising grounded theory, repertory grids, interpretative phenomenological analysis, thematic analysis, or life story interviews as possible research methods and possible ways to explore and examine the data. These discussions, and an exploration of the relevant literature on qualitative research methods, influenced the eventual approach. The specific research methods relevant to this type of research and the merits and limitations of these different qualitative research methods were explored prior to the submission of the ethics proposal to the NOMS Ethics Committee.

3.6 Qualitative method and analysis

It was important for the researcher to explore the background and implications of various qualitative research methods in order to form a view about how the study was to be structured and planned. The nature, role and history of qualitative research was also studied (Grbich, 1999; Blackstone, 2012; Husserl, 2012; Hammersley, 2013), and comparisons were made between quantitative and qualitative research methods.

Criticisms of qualitative research in general are largely concerned with its scientific adequacy. For example, Sandelowski (1986) states that: “Qualitative research methods are frequently viewed as failing to achieve or to make explicit the rules for achieving reliability, validity and objectivity, the criteria for the adequacy of rigor in scientific research” (p.28). She observes, however, that there are many widely divergent research methods incorporated into the overarching term of qualitative methods. These include grounded theory, phenomenology, ethnomethodology, feminist methods and historical and philosophical enquiry.

Each of these has its own rules concerning aims, evidence, inference and verification. Although there are common elements among these different methods, as Sandelowski (1986) observes, “there is sufficient diversity to make a single set of criteria of rigor inadequate” (p.29). There is also an acceptance that qualitative research is more artistic than scientific in its approach (Eisner, 1981). More critical still is Labuschagne (2003), who comments that: “For many scientists used to doing quantitative studies the whole concept of qualitative research is unclear, almost foreign or airy fairy, not real research” (quoted in Braun and Clarke, 2006, p.95). It is acknowledged, however, that some standardisation of language, rules and procedures for obtaining and analysing data and for ensuring the replicability and validity of the findings, as well as standardisation of the presentation of results, is necessary in qualitative research methods. Sandelowski (1986) observed that “every human experience is viewed as unique, and the truth is viewed as relative” (p.29). She does, however, highlight some potential pitfalls in qualitative research, observing that “a major threat to the value of a qualitative study is the closeness of the investigator–subject relationship, and the threat of ‘going native’, or becoming so enmeshed with subjects that investigators have difficulty in separating their own experiences from their subjects” (p.30).

This observation has important implications for this research, which takes place in the researcher’s workplace and where the researcher has considerable prior knowledge about the concerns of prospective participants. This issue is also discussed by Sandelowski (1986), who says that “the researcher in qualitative enquiry is more likely to have direct access to the subject’s experience but may also be unable to maintain a distance from those experiences, required to describe them in a meaningful way” (p.31).

These are important factors to be considered in the design of any qualitative study, but particularly those using semi-structured interviews. These key points were taken into account in the design of the research study.

The sample sizes in qualitative research are typically small. It was important to consider how many people would be interviewed when the initial research proposal was generated, and when completing the subsequent ethics application form. Sample sizes are small in qualitative research because of the large volume of verbal data that needs to be analysed, and because qualitative research tends to emphasise intensive and

prolonged contact with the participants. As Denzin (1978) comments, “samples in qualitative data are not representative in the quantitative sense, but any participant is considered to represent that group. Anyone’s experience represents a slice of the world” (p.134). This is very much in contrast to quantitative research, which relies on replication of testing and regularity. Qualitative research emphasises the uniqueness of situations.

Morgan (1983) notes that the investigator is a significant factor in qualitative research, commenting that “its findings are at least as much a reflection of the investigator as of the phenomenon studied” (p.34). This is a particularly important point in view of the dual role of the author as both the governor of the prison and the researcher, and the impact that this observation potentially had on the research planning and process.

Sandelowski (1986) sets out a blueprint for how to achieve good quality research, and in the process, outlines the importance of rigour in qualitative research. She argues, “the researcher leaves a clear decision trail from its beginning to its end, so that any reader can follow the progression of events in the study and understand their logic” (p.34). She also quotes Bogdan and Taylor (1975) to explain how auditability of a study can be achieved by providing an explanation of:

1) How the researcher became interested in the subject matter of the study;
2) How the researcher views the thing studied;
3) The specific purpose of the study;
4) How subjects come to be included in the study;
5) The impact that the subject and the researcher had on each other;
6) How the data was collected;
7) How long the data collection lasted;
8) The nature of the setting;
9) How the data was reduced or transferred for analysis, interpretation and presentation;
10) How various elements of the data were weighted;
11) How the inclusiveness and exclusiveness of the categories developed to contain the applicability of the data (p.35).

The key research questions were in mind when each of the relevant qualitative methods was considered. For example, how could the experiences of people leaving prison with a sexual conviction be best analysed and how could this group be best assisted not to

offend? Each method was examined in detail to consider its appropriateness as a research method for this particular study. First, grounded theory was considered. This was established as a qualitative research method in the 1960s by Glaser and Strauss (1967). Whist most writing on sociological methods at the time had been concerned with how accurate facts can be obtained and how theory can as a result be rigorously tested, Glaser and Strauss (1967) discuss how the discovery of theory from data systematically obtained and analysed in social research can be furthered. They outline the defining components of grounded theory, specifically:

- Simultaneous involvement in data collection and analysis;
- Constructing analytical codes and categories from data, not from preconceived, logically deduced hypothesis;
- Using the constant comparative method, which involves making comparisons during each stage of the analysis;
- Advancing theory development during each step of the data collection and analysis.

They also recommend completing any literature review after an independent analysis of the comparative method.

Grounded theory has been examined by many scholars over subsequent years. According to Charmaz (2006), grounded theory "marries two contrasting and competing traditions in sociology, Columbia University Positivism, and Chicago School Pragmatism and field research" (p.9). Charmaz then explains her point in more detail, saying that grounded theory is "an abstract theoretical understanding of the studied experience" (p.9). She also highlights concerns in the 1960s about the perceived lack of intellectual rigour when considering the application of qualitative methods to social research, commenting that "quantitative researchers of the 1960s saw qualitative research as impressionistic, anecdotal, unsystematic and biased" (p.5). But she also describes the principles of how to utilise grounded theory to mitigate these concerns, observing that "grounded theorists collect data to develop theoretical analyses from the beginning of a project. We try to learn what occurs in the research settings we join and what our research participants' lives are like." (p.2).

Charmaz (2006) also explains some of the practicalities of the research method. She says of the participants, “we study how they explain their statements and actions, and ask what analytic sense we can make of them”, and that “grounded theorists start with data, we construct these data through our observations, interactions and materials” (p.3). She also gives advice to the grounded theory researcher when she comments, “grounded theorists stop and write whenever ideas occur to them” (p.10), and, “interviewers use in-depth interviews to explore, not to interrogate” (p.29).

Whilst in many ways grounded theory offers the opportunity to explore the experiences of the participants, the author felt it appropriate to explore other possible methods in more depth, as both the role and the professional knowledge/background of the researcher makes this method potentially problematic. One of the other research methods suggested for further exploration by academic and practitioner colleagues was the use of repertory grids. This method is largely used in psychological studies and is part of Kelly’s (1991, originally published in 1955) methodological technique, personal construct theory. One of the main aims of using repertory grids is to make underlying patterns of an individual’s thinking more apparent and this is said to have clear benefits for research and clinical/forensic practice (Leach et al., 2010). Horley (2008) demonstrates, based on peer-reviewed academic evidence, that there has been a limited amount of personal construct work applied in forensic settings, and observes that this is surprising, as the approach is said to be a useful aid in identifying, exploring and formulating issues relevant to a person’s offending behaviour and idiosyncratic beliefs.

According to Kelly (1991), a fundamental aspect of personal construct psychology is that a person’s processes are psychologically channelled by the way s/he anticipates events. This means that the person is active in their construing and operates through a structured network of pathways. This is known as the person’s personal construct system (Houston, 1998). Kelly (1991) regards construing as placing an interpretation on something, and considers that people make sense of their social worlds by forming hypotheses and putting them to the test. Horley (2008) argues that people are like scientists, in that they want to describe, explain and predict events and anticipate the future. Blagden et al. (2012) set out the benefits of utilising repertory grids. They argue that this method gives the researcher both qualitative and quantitative information.

They also point out that the process may help to minimise bias because it is difficult for the participant to see through and makes faking more challenging. The indirectness of the method also allows for more fundamental positions to be uncovered.

Jankowicz (2005), in a basic guide to this research method, sets out the four component parts of the repertory grid: topic, elements, constructs and ratings, and the aims, which are to elicit constructs from the individual that make sense to them and have meaning to a particular context or experience. This method appeared to focus more on a participant's thinking and motivation, and although it has shown some positive outcomes with the particular group of people featured in this investigation, the researcher considered that it had a greater emphasis on clinical issues than was required for this particular study.

Another possible method for the analysis of the research data was thematic analysis. This is a widely used qualitative method and was another possible option to consider in the planning stage of the research.

According to Braun and Clarke (2006), "thematic analysis is a poorly demarcated and rarely acknowledged yet widely used qualitative analytical method" (p.77). They argue that thematic analysis should be seen as a foundational method for qualitative analysis, and that it provides core skills that are useful for conducting many other forms of qualitative analysis. They argue that qualitative analytic methods can be divided into two camps. First, those tied to or originating from a particular or epistemological position. The examples they cite include conversation analysis, (Hutchby and Wooffitt, 1998) and interpretative phenomenological analysis (IPA) (Smith and Osborn, 2008). Second, methods that are essentially independent from theory and epistemology, and can be applied across a range or theoretical and epistemological approaches. Braun and Clarke (2006) suggest that "through its theoretical freedom, the thematic analysis provides a flexible and useful research tool, which can potentially provide a rich, detailed yet complex account of data" (p.78). They go on to explain that "thematic analysis is a method for identifying analysing and reporting patterns (themes) within data" (p.78).

Braun and Clarke (2006) observe that thematic analysis is not often specifically mentioned at all, and they argue that it is important to clarify the processes and practice

of the method. They also consider the "giving voice" approach to qualitative research, stating that this approach "involves carving out unacknowledged pieces of narrative evidence that we select, edit and deploy to border our arguments" (p.80).

Braun and Clarke (2006) are critical of the use of grounded theory in some qualitative research. They maintain that the procedures for coding data are very like thematic analysis. However, they suggest that thematic analysis is much more "accessible" as it "reports experiences, meanings and the reality of participants" (p.81). There is also a view that it can be a contextualist method, for as Willig (1999) acknowledges, the ways in which individuals make meaning of their experiences has an effect on the broader social impact of those meanings. Braun and Clarke (2006) comment that thematic analysis involves a number of choices and questions that need to be explicitly considered and discussed. They argue that "these questions should be considered before the data collection begins" (p.82).

Themes and data are examined in thematic analysis in one of two primary ways: an inductive way (e.g. Frith and Gleeson, 2004) or a deductive way (Hayes, 1997). In the inductive approach, the themes identified may bear little relation to the specific questions asked of the participants. The inductive approach is therefore, as Braun and Clarke (2006) remark, "a process of coding the data without trying to fit it in to a pre-existing coding frame" (p.83). The theoretical analysis is driven by the researcher's theoretical knowledge, and "this form of thematic analysis tends to provide a less rich description of the data overall, and a more detailed analysis of some aspect of the data" (p.84). They sum up their analysis of this particular method as involving "searching across the data set – be that a number of interviews or focus groups or a range of texts – to find repeated patterns of meaning" (p.86).

Life story analysis was another potential method explored at the outset. Life story analysis is defined by McAdams (2015), who writes, "the stories we construct to make sense of our lives are fundamentally about our struggle to reconcile who we imagine we were, are and might be in our heads and bodies with who we were, are and might be in the social contexts of family, community, the workplace" (p.243).

McAdams (1985) formulated a life-story model of identity. He contended that "people living in modern societies begin, in late adolescence and young adulthood, to construe their lives as evolving stories that integrate the reconstructed past and the anticipated future in order to provide life with some semblance of unity and purpose" (p.243). Habermas and Bluck (2000) suggest that the life stories method functions to make lives make sense by helping to organise many different roles and features of the individual life into a whole, by offering explanations of how people believe they have come to be who they are. McAdams (2015) observes that "no single theory or research paradigm integrates all the work being done on life narratives. Still, certain broad themes emerge again and again in the scholarly literature on the narrative study of lives" (p.243). He also comments that "many studies address how people make sense of suffering and setbacks in life and how these redemptive narratives of the self contribute to psychological health and well-being" (p.258).

Life story analysis was not utilised for this thesis as the research was primarily focused on a specific period in the lives of the people with sexual convictions rather than the reasons that they committed a sexual offence or the circumstances of their lives as a whole.

Another popular research method, particularly in psychologically focused research, is IPA. For example, IPA is used by Brocki and Wearden (2006) in their paper on health psychology. They comment:

> "Interpretative phenomenological analysis has been developed as a distinctive approach to conducting qualitative research, offering a theoretical foundation and a detailed procedural guide … the approach has its origins in phenomenology and interactionism, which hold that human beings are not passive perceivers of an objective reality, but rather they come to interpret the world by formulating their own biographical stories that make sense to them." (p.88)

IPA is phenomenological in that it is concerned with individuals' subjective reports rather than the formulation of objective accounts (e.g. Flowers, Hart and Marriott, 1999) and it acknowledges that research is a dynamic process (Smith, 1996). Whilst the

researcher attempts to access "the participant's personal world" (p.218) as much as is possible, IPA acknowledges that "access depends on and is complicated by the researchers own conceptions [which are] required to make sense of that other personal world through a process of interpretative activity" (p.218).

Brocki and Wearden (2006) acknowledge that one of the limitations of this method is that "interpretations are bounded by participants' abilities to articulate their thoughts and experiences and the researcher's ability to reflect and analyse" (p.88).

The original intention was to use IPA as the preferred analysis method for this study, and this was the method proposed in the original application for ethical approval to NOMS and the University of Nottingham, because, as Reid, Flowers, and Larkin (2005), outline, "participants are recruited because of their expertise in the phenomenon being explored" (p.20). In addition, IPA examines how participants can make sense of their significant personal and social life experiences (Smith and Osborn, 2008) and its central concern is with the subjective experiences of the individuals (Eatough and Smith, 2006).

IPA is described as a hermeneutic method: the analyst interprets the participant's account by deploying conceptual psychological language to generate insights into the phenomenon in question. It aims to move beyond simply describing or restating a participant's account in order to produce a more abstract theoretical knowledge and understanding of the topic. It aims to arrive at the core nature of what the subject perceives in the flow of his day-to-day consciousness. The process concentrates on the subject's inner life and makes a reflexive line from outward objects in order to examine how they are perceived inwardly (Smith, 2004). Houston and Mullan-Jensen (2012), refer to this as "a process of linking the perceiver with what is being perceived" (p.269). IPA is also an idiographic method: it is concerned with individual and unique experiences rather than a nomothetic approach concentrating on causal explanations of social phenomena.

Houston and Mullan-Jensen (2012) outline the approach in detail:

> "Once a sample has been identified, an unstructured or semi-structured interview schedule is applied flexibly … a detailed verbatim transcript of the interview is systematically analysed, searching for themes in the first

> instance, followed by an attempt to make connections between them and to arrive at a set of master themes for each individual transcript. The process moves systematically from a descriptive to an increasingly interpretative analysis. An audit trail linking verbatim extracts with identified themes helps to ensure that the research is trustworthy." (p.269)

It is said that IPA has developed from two main theoretical traditions: phenomenology and hermeneutics. Phenomenology is a descriptive study based on philosophical traditions (Husserl, 1965). Husserl's view is that conceptions that are not directly related to the focus of the enquiry are set aside in order to obtain a systematic study. Hermeneutics, on the other hand, combines a theory and a method of interpreting human behaviour. Houston and Mullan-Jensen (2012) summarise this position by suggesting: "The hermeneutic inquirer endeavours to empathise with the actors being studied or the authors of a text, but in a manner that takes into account the world view of the society in which they are situated" (p.269).

Smith and Osborn (2008) cite the influences of the philosophers Heidegger and Gadamer to support the development and the drawing together of phenomenological and interpretative traditions. They explain that the researcher moves through a cycle starting with an awareness of one's own preconceptions and engaging with the participant's meanings before returning to a potentially altered set of concepts.

Smith and Osborn (2008) and Storey (2007) offer guidance into how thorough analysis can be achieved by detailed reading and rereading of the transcripts of semi-structured interviews in order to facilitate and understand the experiences of the people in a particular study. Transcripts produced as part of the interview process are repeatedly scrutinised to produce notes of possible subordinate themes, which can then be clustered together in the overall analysis. Once the themes are identified, the researcher begins the process of linking together the subordinate themes into superordinate themes (Smith and Osborn, 2008).

Biggerstaff and Thompson (2008) go on to detail the approach in their discussion of the method when applied to their experiences of healthcare research:

> "The interviewer has developed a prompt sheet with a few main themes for discussion with the participants. This interview schedule is merely the basis for a conversation. It is not intended to be a prescriptive view and certainly not limiting in the sense of overriding the expressed interests of the participant." (p.217)

Smith et al. (1999) clearly set out the objectives of this approach: "it is concerned with an individual's personal perception or account of a subject or event as an attempt to produce an objective statement of the object or event itself" (p.218).

Potter and Wetherell (1987) outline the processes for discourse analysis, and Smith and Osborn (2008) demonstrate that IPA is distinct from discourse analysis and that whilst it shares a focus, on the importance of language and quantitative analysis, they argue that discourse analysis regards verbal reports as behaviours in their own right, and this is the focus of the analysis. Smith et al. (1999) conclude that IPA is concerned instead with understanding what a respondent thinks or believes about the topic under discussion.

Braun and Clarke (2006) argue that a researcher should choose "a method that is appropriate to the research question rather than fall victim to 'methodolatry', where a researcher is committed to the method rather than the topic/content or research questions" (p.97). These insights give a clearer understanding of the advantages and disadvantages of any research method.

As a result of these considerations, thematic analysis was chosen as the preferred analysis approach. This is in part because, as Braun et al. (2014) observe, "thematic analysis can be used to address most types of qualitative research, ranging from questions about individual lived experience through to those about social construction and meaning". The focus of the primary research questions for both the ex-prisoners and the Offender Managers is to explore the actual lived experience of the transition from prison to the community of people convicted of sexual offences and how the law and established practice affects their well-being and therefore their successful resettlement.

Semi-structured interviews were chosen as the preferred method of method of data collection for this thesis. Barriball and While (1994) summarise the advantages of using

semi-structured interviews over other data collection methods. They argue that this method has “the potential to overcome poor response rates, is well suited to the exploration of attitudes, values, beliefs and motives, and it provides the opportunity to evaluate the respondent’s answers by observing the non-verbal answers” (p.329). Kuter and Yilmaz (2001) also comment on the benefits of using semi-structured interviews to gather the data, arguing that they are “among the most challenging and rewarding forms of measurement. They require personal sensitivity and adaptability to stay within the bounds of the interview”. They also go on to comment that they are “flexible and participatory since they require both the interviewer and the participant to join an interactive conversation”. Benney and Hughes (1956) outline the context of interviews by commenting, “Every conversation has its own balance of revelation and concealment of thoughts and intentions: only under unusual circumstances is talk so completely expository that every word can be taken at face value.” (p.137). In addition, Hughes and Sharrock (2007) comment that interviews are “governed by the properties of interpersonal relationships between people who do not know each other” (p.99). Toch (1971) outlines the responsibilities of the interviewer: “at best we are supplicants and at worst, invaders demanding booty of captive audiences” (p.500).

The key aim of this research at the outset was to review the experience of the transition from prison to the community from the subjects’ perspectives. There is little published research on this topic, and it was hoped that this method could assist in providing the more usually socially excluded participant with a voice and influence policy and practice on the subject.

3.7 Ethical approval

Once the research design and practice were finalised, an application for ethical approval was made to the National Research Committee of the National Offender Management Service (now HMPPS) using the research application form. It was not necessary for the more detailed Integrated Research Application System process to be followed, because as the researcher was an employee of the National Offender Management Service, the slightly simpler process was sufficient for the committee’s needs.

The British Psychological Society Code of Human Research Ethics (2014) sets out the parameters for human research. They state that “researchers should respect the rights

and dignity of participants in their research and the legitimate interests of stakeholders such as funders, institutions, sponsors and society at large" (p.4). The policies and practice of the National Research Committee at NOMS reflects these guidelines.

Ethical approval from NOMS was sought before applying for the approval of the University of Nottingham School of Law Ethics Committee. There were two reasons for this. Firstly, NOMS approval was potentially harder to obtain, and secondly, NOMS approval was critical to whether the research was permitted to take place at all. The NOMS Ethics Committee needs to consider whether the research is of benefit to the organisation and not unduly burdensome on the operational activity of the prison (although the governor of each institution where the research takes place has the ultimate say on the timing and practicality of the research taking place as they are responsible for the operational management of the individual prison). The Ethics Committee will also have oversight of all the other pieces of research in process, thereby potentially reducing duplication.

In order for the NOMS Ethics Committee to approve a research request it must have the "potential to increase the effectiveness of services in either the short or the long term" (Appendix A). In particular, at the time of the application these priorities were "delivering the orders or sentences of the Court, establishing positive, safe, secure and decent environments for managing and delivering offender services, reducing reoffending and protecting the public" (Appendix A). Approval by the NOMS Ethics Committee depends upon the relevant research being of "significant benefit to NOMS policy/business/helping to maximise the use of limited resources" (Appendix A). In addition, the demands on staff and resources must be "manageable and proportionate" and the "project must avoid duplicating or confusing other current research studies". Approval also depends on the consideration of "data protection and security issues" (Appendix A). Although these criteria are restrictive, the need to ensure that scare resources are utilised effectively is clearly a key motivation for NOMS (now HMPPS).

The advice on completing the ethical approval process outlines the factors that will be considered by the Ethics Committee: "a good research proposal should have clear links with NOMS business priorities" and prospective researchers should "state the value that the results will provide". The guidance emphasises that that the research should be of

"significant benefit to NOMS, strengthening its operational policy/delivery evidence base; present a resumé of previous research and explain how the proposed study develops this; set out a logical and robust methodology; and the limitations of the research and how any methodological risks will be mitigated and how any data protection/security issues will be mitigated" (Appendix A).

The original NOMS ethics form was completed and submitted by the end of December 2015 to be considered by the January 2016 Ethics Committee. Copies of successful previous ethics applications were obtained and scrutinised to maximise the likelihood of approval, and draft forms were amended accordingly. The consent forms, information leaflets about the study for the participants and draft interview schedules were provided as annexes to the application.

Due to the role of the researcher as the governor of the prison where the prospective participants were housed, there was a requirement to address the potential conflict of interest, as the researcher has control and power over the people involved. This dual role inevitably impacted on the nature of the research. As McDowell (1992) noted, "we must recognise and take account of our own position, as well as that of our research participants, and write this into our research practice" (quoted in Throne, 2012, p.56). This dual role may have influences on participants' motivations to participate in the study, and indeed may have influenced the responses provided in the interviews. A number of safeguards were put in place to mitigate the potential impact of this issue. For example, a process utilising third parties (the prison's Offender Management Unit staff) as intermediaries was adopted, so that the researcher would not initially have any direct contact with prospective participants. It was explained that direct contact would only take place once the participant had opted in by consenting to personal interview.

There has been a considerable amount of academic research on the ethics of qualitative studies, much of it focusing on patients in health settings (Munhall, 1988; Berg, 2001; Kaiser, 2009). But as Haverkamp (2005) comments, the trustworthiness of the researcher in the eyes of the potential or actual participant is a critical feature of qualitative research. The researcher was acutely aware of this point, as the prison is a close-knit environment and any perception of a lack of trust in the research or

researcher had the potential to have an impact on the both the viability of the research and the researcher's continuing professional role.

Confidentiality is a key ethical consideration in the commission of any research of this kind (The British Psychological Society, 2009). An assurance of confidentiality can encourage the disclosure of detailed information by the participant, which will in turn enhance knowledge of the subject under investigation (Cowburn, 2005). However, there is a potential consequence of collecting such detailed information from people with experience of the criminal justice system. In the course of the study, they may reveal incriminating or stigmatising information relating to either themselves or to a third party. In such cases a researcher has a moral, professional and legal duty to report the information to the authorities (Cowburn, 2005). An example of this was the case of Rik Scarce, a PhD sociology student in the US, who was imprisoned for 159 days for failing to pass on sensitive data collected in the course of his research (Scarce, 1995). Cowburn (2005) suggests that unguarded disclosures may be particularly likely in semi-structured interviews where the rapport built between the participant and the researcher may temporarily hinder the participant's caution. It is therefore of great importance to ensure that the participant is aware of the boundaries of the researcher's confidentiality, both prior to and throughout the duration of the interviews. This is particularly significant in the context of the author's dual role as prison governor and researcher, as her professional responsibilities remain throughout the process and also once the research has been concluded.

The research ethics form also included details about how data would be stored on a password-protected digital recording device, and how recordings would be transcribed and retained. This is clearly a safeguard to protect both the individual participant and the organisation from any breach of the Data Protection Act (1998), updated by the GDPR in 2018. (This legislation provides a method for individuals to control personal information about themselves and outlines the responsibilities of organisations to protect personal data, and the potential sanctions if they do not do so).

As the researcher is a security-cleared employee and keyholder of the institution where the initial part of the research took place, demands on staff time were minimal and interviews with Offender Managers in the community were not expected to exceed

three hours. In practice, interviews with Offender Managers were much shorter, between 35 and 55 minutes.

A risk assessment was prepared and included in the ethical approval application, detailing the risks associated with the researcher interviewing people with sexual convictions both inside and outside the prison. This risk assessment covered issues such as the venue for the interviews (usually the prison interview rooms on the wings, or interview rooms in the Approved Premises or probation offices), travelling to the interviews (which in the case of the follow-up meetings were often some considerable distance from the prison), and the transportation of data and recording equipment (again, for data protection purposes).

The National Research Committee wrote back on 28 January 2016 with a request for further information. There were five points raised in this correspondence. Clarification on the sample size was required. It asked how "objectivity" of the study could be maintained, in view of the dual researcher/governor role. There was no specific detail about what the research committee meant by objectivity in this context.

There is, however, debate amongst academics about subjectivism and objectivism in social research processes. Ratner (2002), for example, discusses how "the researcher is encouraged to reflect on the values and objectives he brings to his research and how these affect the research project" (p.1). Hammersley (2004), in his discussions of the word "objectivity", suggests that the word has "come to be interpreted by some social scientists as referring to a fiction and is treated by most commentators with a great deal of caution or avoided altogether" (p.25). He goes on to explain his position: "part of the problem is that 'objective' and 'subjective' can be interpreted in a variety of ways" (p.25). He also suggests that some scholars (Daston and Galison, 2007) have maintained that the meanings of subjectivity and objectivity have reversed over time (p.25).

Clearly, this is a particular issue in this research, in part because of the author's prior knowledge of the subject matter and conscious effort to reflect and consider the data in an objective fashion rather than reflecting on prior knowledge or experience.

The committee also asked for an explanation of how many Offender Managers would be interviewed, in addition to details about why access to the NOMS files or records was

required and whether the interview schedule would be piloted or tested in the first instance. Finally, a question was raised about how the research data would be transported, stored and destroyed.

Responses to these points were outlined in a letter to the National Research Committee on 1 February 2016. It explained that the sample size would be a maximum of ten prisoners, who would be interviewed both inside the prison and again three months after their return to the community. Only the Offender Managers of the prisoners who had consented to be part of the research would be interviewed, and that objectivity and conflicts of interest would be avoided by both the University supervision process and by consultation with two independent people not connected to the research but familiar with both the prison environment and quality research. (Professor Belinda Winder from Nottingham Trent University and Dr Jamie Bennet, Governor of HMP Grendon, had been consulted previously to ensure that they were content to undertake this role.) The Research Committee's concerns about the researcher's access to NOMS files and records were met by clarifying that the initial interviews were to take place within the last month of the prisoner's sentence, when the precise details of his release accommodation or address may not have been known. (Often, release addresses are made available only a few days before release.) It was explained therefore that it was important that this information was available in order that contact could be re-established with the participant following his release into the community. The query about the testing of the interview schedule was explained. The prison has a prisoner research focus group which meets monthly. It was explained that the questions, content, and length of interview would be adjusted in light of feedback from the group. Clarification was also provided about the intention to store the data on the NOMS server, and any communication with participants would be via an HMPS email account or by telephone from the prison, not from a personal mobile phone. The NOMS research committee was satisfied with these responses and ethical approval was granted on 28 February 2016.

An application was then made to the University of Nottingham School of Law Research Ethics Committee explaining that the National Offender Management Service had approved the research. The University has a requirement that "research involving human participants (either through interview or questionnaire) and the use of

confidential, personal or sensitive data, must be submitted for approval by the School's Research Ethics Committee, as must any research that is likely to give rise to the risk of harm/potential conflict of interest". The University of Nottingham School of Law Ethics committee approved the research on 28 March 2016.

3.8 Participant selection

The Prison has a number of established service user consultative and focus groups. These groups identify problems and issues that are of concern to the prisoners, and they also provide the opportunity for the prison management to consult prisoners when a change in local policy or routine is planned. Focus groups are also used when any change in national policy or the law relating to prisoners is initiated. A service user group is also used by researchers working in the prison to discuss existing research projects and propose new ones. The group consists of around six prisoners with a range of sexual offences and a range of sentence lengths, including those serving indeterminate sentences, and participation in the group is voluntary.

A meeting was arranged with the research group to discuss the best possible way of recruiting suitable participants for this research. The ethical and practical implications of the researcher's role as the prison's governor were also discussed with the group. They made a number of observations and suggestions, which were taken into account and incorporated into the planning process. These included ensuring that participants were made aware of the research aims and ensuring that it would be made clear that participants would not be disadvantaged by any information provided. Discussion also took place with the group about the merits of utilising the two main communication tools between prisoners and management in the prison. The prison has an in-house radio station that is run and managed by prisoners. There is also a prison magazine, published quarterly, which is also prisoner-led and managed. The content and topics included in both the magazine and the radio broadcasts are monitored and, if necessary, edited by staff.

There was some cynicism among some members of the research group, who suggested that neither of these methods of communication was used by prisoners, or that they were considered to be propaganda, pro-prison media outlets. However, others suggested that these methods would be a useful way of alerting prospective participants

to the project. In the end, the group proposed that the purpose and objectives of the research should be published on each of the wings of the prison on a poster and further background information provided to prospective participants via a recorded interview on the prison radio station and an article in the prison magazine. The service user group was helpful but sceptical that it was possible to reach the desired audience. They suggested that Offender Supervisors should be briefed about the scope and nature of the project in order that they could discuss the possibility of participation with eligible prisoners. As a result of these suggestions, a meeting was arranged with the Offender Supervisors to discuss the project.

Each prisoner at the site has an Offender Supervisor. They are managed by the prison's Offender Management Unit. Each Offender Supervisor has a background either as a qualified probation officer or as a uniformed member of staff who has chosen to specialise in this area of work. The nature and scope of the project was presented by email to the head of the Offender Management Unit and the Senior Probation Officer responsible for the probation staff in the prison. A meeting then took place with the Offender Supervisors to explain the nature and scope of the research and to answer any questions or queries the staff had. A number of the Offender Supervisors at the meeting expressed an interest and agreed to speak to those prisoners who were due for release within the proposed interview timescales to make them aware of the project.

A list of prisoners due for discharge over a four-month period in the summer of 2016 was obtained from the prison's database (P-NOMIS). The prison discharges around 200 prisoners per year directly into the community. This is a comparatively small number, because the prison holds predominately longer-term prisoners. Therefore, the pool of potential participants was small and, as the intention was to carry out the research during the summer period, the overall number of prospective participants was small. Many of the people leaving the prison transfer to open (Category D) conditions as a result of parole board directions rather than the end of their sentence, and they would therefore not be eligible for the research as it would not be possible to carry out follow-up interviews within the planned timescales. These factors clearly had an impact on the nature of the sample, in that predominantly determinately sentenced prisoners serving shorter periods in custody and released during a specific timescale were eligible. However, this did not, in fact, have a significant impact on the eventual outcome, as the

people who volunteered to participate had both long- and shorter-term sentences. It was also possible to include an indeterminately sentenced prisoner.

A meeting with the prison radio co-ordinator was arranged and a time for the interview was planned. The interview took place and was broadcast (after checking) on the prison radio channel and repeated over three weekends. (Appendix M contains a transcript of the audio interview.) A follow-up interview was also arranged so that prisoners were informed of the outcome of the research. This was planned for Christmas 2019.

An article for the prison magazine was also prepared and published (Appendix C). The prison magazine is distributed to all prisoners, and copies are provided to the prisoner visitor centre, so information about the research was also available to people visiting the prison and to prisoners' friends and family members. Visitors to the prison also include professionals such as solicitors, probation staff and social workers.

Posters were created, copied and put up on each of the prison's wings. Prisoners were asked to apply to their Offender Supervisor if they were interested in being involved in the research study. The reason for this approach was to help allay any concerns about the author's dual role as researcher and governor and the potential ethical issues associated with this. For example, some participants may expect or require special treatment or advantage by volunteering to participate in a piece of research undertaken by the governor of the prison in which they were incarcerated. In addition, those prisoners who refused to participate might be concerned that they would suffer some detriment as a result of their refusal. It was made clear that this would not occur.

The Offender Supervisor then forwarded the expression of interest by email to the researcher, who checked the eligibility of the prospective participant. A number of people who applied had several years of their sentence to serve before they would be considered for release, and two were awaiting transfer to open prisons and would therefore not be eligible for the study as it would not be possible to complete the follow-up interview within the planned timescale. People who transfer to open prisons often have significant periods of their sentence left to serve before they will be considered for release. It was important to confirm the release date of the prisoner, as several applied on the assumption that they would be released on parole. However, they were

contacted by the researcher and advised to reapply once they had been advised of a definite release date. This is because although a recommendation may have been made that a prisoner should be released on parole, the Parole Board may not agree to this and may instead recommend that a prisoner should transfer to an open prison prior to his eventual release into the community, or indeed simply remain in a closed prison because the Parole Board considers that the individual's risk has not sufficiently diminished and they may be required to carry out further offence-focused work.

If a prisoner was eligible for the research (i.e. was within three months of his release date), arrangements were made to interview him. The researcher wrote a letter to the prisoner arranging a suitable time and asking him to inform the wing staff if the time was not convenient or if he no longer wanted to participate. This gave the prisoner another opportunity to opt out of the process, again providing safeguards against the ethical issues associated with the dual role.

The researcher then met the participant in an office on the wing where he was resident. The prisoner again had the opportunity to decline a meeting and participation in the project at this point. There are thirteen wings in the prison, and the offices varied in type and size dependent upon the wing design. However, on all occasions, staff were made aware of the researcher's presence on the wing and the safety protocols were followed. These include siting near the general alarm bell, ensuring that there is an unencumbered egress from the office and informing staff of the singleton nature of the interview. At the beginning of the interview, the prisoner was given a copy of the consent form and an information leaflet. (Appendices D and F). The consent form and the participant information sheet were read to the participant to be sure that he understood the purpose of the research, how the information obtained would be used and how the data gathered would be stored. It was also important at this stage to be sure that the participant was content for a follow-up meeting to take place post-release and for the researcher to interview his Offender Manager.

The interview then proceeded in line with the interview schedule agreed with the National Offender Management Service Ethics Committee (Appendix E). Interviews were recorded on a password-protected digital recording device and subsequently downloaded and transcribed in the prison. Data was stored on the NOMS server. Hard

copies of the transcripts were printed off to assist in the analysis of the data. These were made confidential and stored securely. They have now been securely destroyed.

Participants were then contacted by letter approximately three months after their release. They were written to at their discharge address to arrange the follow-up interview. They were asked to contact the researcher by letter or by telephone at the prison to confirm that they still wished to participate, and that they were available at the time and date offered. This offered the participants another opportunity to opt out, if they chose to do so. All the participants who were interviewed in the prison agreed to, and arranged, follow-up meetings for the second interview. Because the prison is a national resource and takes prisoners from across the country, follow-up interviews took place across a wide geographical area. This included a number of towns and cities in the north of England and a number in the south, as well as those in areas closer to the prison. All of the follow-up interviews with ex-prisoners took place in person and either in probation Approved Premises, the probation office or in other, risk-assessed areas. Again, these interviews were digitally recorded and transcribed and stored on the NOMS server. Unusually for research of this nature, all of the participants who were interviewed in the prison were re-interviewed in the community after their release from prison. It was expected that there would be a proportion of people who would drop out of the research upon their release from prison, and yet none chose to do so; there was not a problem with attrition.

Interviews with the participants' Offender Managers took place either in person or by telephone, dependant on their availability. The majority of these interviews took place in person, but two were completed by telephone. The nature of the research was explained, and consent forms and information sheets were either handed to the interviewee in person or emailed to them in advance of the meeting.

A decision was made not to specifically identify Offender Managers with the participant they supervised in order to reduce the possibility that the participant could be identified in the thesis. It was crucial to ensure that participants could not inadvertently be identified. Anonymity and confidentiality of participants was paramount.

3.9 Pre-release interviews

Pre-release interviews took place in some cases a few days before the release of some participants, and up to a month before their release for others. The time varied dependent upon when consent to interview was obtained by the researcher, and the availability of both the researcher and the participant to meet. Each participant had spent a significant amount of time in prison generally, on average four years, and specifically in the prison where the research took place. However, in the main, the participants had spent extended periods at HMP Whatton before their discharge. This varied between seven years and eight months.

Interviews took place in the wing offices of the prison or other interview rooms in the prison dependant on which areas were available at the time of the interview. As a member of staff, the researcher had easy access to all parts of the prison, and the flexibility to change and move interviews if necessary. Each of the interviews was around 60 minutes long, and each one was recorded on a password-protected digital recording device and subsequently transcribed. The participant information sheet and consent form were reviewed and completed pre-interview, reminding the participant that participation in the research would not have any negative or positive effect on their life in prison or their sentence.

The interviews were very relaxed and intentionally non-hierarchical to allow each participant to drive the conversation, and the interview schedule was fluid according to the needs and direction of the interviewee. Nine questions framed the structure of the interviews. These were:

1) “Tell me about your life before you came to prison.” (Prompts: employment, family life, home area, successful?)
2) “Tell me about your release plans.” (Prompts: accommodation, job, licence restrictions, family/partner contact.)
3) “What are you looking forward to when you get out?” (Prompts: hobbies, friends, activities.)
4) “How do you think that you will manage when you leave prison?” (Prompts: money, prospects, accommodation, looking after self, loneliness, isolation.)
5) “Tell me about your Offender Manager.” (Prompts: relationship good? number of contacts, supportive, helpful?)

6) “How do you see your future?” (Prompts: job, career, family, relationships, return to prison, reoffend?)
7) “What was prison like for you?” (Prompts: conditions, loss of home, career, family/friends.)
8) “How well prepared do you feel for release?” (Prompts: significant contributions from prison staff, family, friends, Offender Manager, employer.)
9) “How could things be improved for people leaving prison?” (Prompts: systems, time, money, accommodation.)

Prompts were only used if the discussion stalled. This interview framework aimed to provide the opportunity to explore the overall aims of the thesis.

3.10 Post-release follow-up interviews

The post-release follow-up interviews took place between three and four months following each participant’s release from prison. Interviews took place in either probation Approved Premises or the probation office, whichever was convenient for both parties. This varied depending on the availability of both the researcher and the participant. No specific questions were highlighted for the follow-up interviews, but again they were relaxed, and an opening question: “How are you getting on?” began the interview. Further personalised questions referring back to the pre-release interview were also used, with the key aim to enable the participants to tell their own story in their own way. Interviews lasted up to ninety minutes, with some participants very anxious to talk and to share a range of their experiences. Again, each interview was recorded on a password-protected digital recording device and transcribed. Transcripts were anonymised immediately after the transcription and kept in secure file storage. These data will remain secure and protected until seven years after the final publication from this study.

3.11 Offender Manager interviews

Interviews with Offender Managers took place mostly in person but on two occasions over the telephone, due to problems with the availability of interviewees and time. Again, the intention was to allow the participant to drive the interview and for them to talk about what they thought was important about their client’s release plans. The

interview schedule was adapted depending on how the discussion developed. The following framework questions were utilised:

1) "Tell me about your role as an Offender Manager." (Prompts: how long in post, motivation for doing the job, experience.)
2) "What factors did you take into account when drawing up a release plan?" (Prompts: risk to children, domestic violence, Approved Premises, home area, employability, family, friends, circles of support.)
3) "How well do you know the participant?" (Prompts: how long, visits in prison, before prison, discussions with prison staff.)
4) "How likely is it do you think that the offender will stay out of trouble?" (Prompts: risk of reoffending, RM2000, OASys.)
5) "How much contact do you have/think you will have with the offender?" (Prompts: too little, too much?).
6) "How well do you think he was prepared for release?" (Prompts: offending behaviour work in prison, qualifications/work in prison, contribution of employer, family and friends.)
7) "How could things be improved for people leaving prison?" (Prompts: systems, time, money, accommodation, employment.)

Again, the prompts were only used if the interviewee had omitted their opinions on key subjects. All of the same ethical practices were adhered to for the Offender Managers, replicating the research ethics processes employed for the other participants.

Attrition was not a problem for this research. Zero participants left the study, therefore the views and experiences of all the participants who initially volunteered to participate in the research were captured. The names of the participants have been changed to protect their identity. The participants were not ethnically diverse, so the alternative names reflect this white British cohort.

3.12 Volume of data collected

A total of 24 interviews were conducted, made up of 16 interviews with prisoners pre- and post-release, and eight interviews with Offender Managers. The transcriptions were analysed and coded using thematic analysis (Braun et al., 2014). At the outset of the research, and in the original research outline, the intention was to use IPA as the preferred research method. Upon reflection, when the data was collected and the interviews transcribed, this method did not appear to meet the objectives of the study,

and so the data was instead analysed using thematic analysis. Research findings were analysed, and six key themes were created. Chapter 4 of this thesis provides a description of the emergent themes from the research, and Chapter 5 an analysis of the findings.

3.13 Reflections on the research

The process, and the opportunity to speak to people about their experiences of imprisonment and their plans for and experiences of release, provided many interesting challenges to the researcher. Jewkes (2014) debates the challenges facing the prison researcher in some detail. In particular, she argues that although the researcher analyses and discusses the respondent's experiences of imprisonment, they are often "silent on their own agency, identity management, and socialisation and survival strategies" (p.387). She goes on to comment that "if such reflections are present at all, they make a slightly apologetic appearance in an appendix" (p.387). This section of the thesis aims to explore how the background, motivation and emotion of the researcher uniquely impacts on the data and the subsequent analysis of the subject matter.

It can be argued that emotions, feelings and subjective experiences fulfil a number of important functions in qualitative studies. Crewe (2014), for example, comments that emotions, feelings and subjective experiences are responsible for a number of roles and functions: "They shape our research interests and decisions, and their documentation therefore illuminates the shape and findings of our studies" (p.393). Souhami (2013) goes further in her ethnographical research with the police, arguing that feeling discomfort and pain as a researcher is a means of demonstrating that the research is ethically sound, authentic and trustworthy. Jewkes (2014) considers the conflicts facing a prison researcher in interviewing prisoners:

> "while ambivalence about the *prison* is pretty much a given in criminology, and emotions such as anger, hostility, and disgust at the *system* are often evident, similar feelings … about the *prisoner* are rarely voiced. When we experience fear, intimidation, or repugnance toward our respondents, there is an unwritten professional code that we remain silent on the matter. To confess to responding to inmates negatively risks alienating our peers, 'stitching up' our subjects, appearing to be

> politically and ideologically positioned on the 'wrong side,' or publicly acknowledging 'failure'" (p.389)

Clearly, there are differences between the challenges facing the author of this thesis and those facing other prison researchers, not least because the environment where the prison element of the research took place is the researcher's normal working environment, and the researcher did not have the benefit (?) of leaving the environment when the research was complete. Bosworth et al. (2005) comment on the challenges facing prison researchers: "It is difficult, without serving a sentence oneself, to learn what prison is like, because neither the government nor the academy produce many studies of daily prison life" (p.259). But clearly the researcher did have real lived experience of prison life and therefore a novel input to the research.

In addition, many of the challenges facing more a traditional prison researcher were not an issue. For example, a number of scholars comment on how it can be difficult to actually participate in prison life because of the process of obtaining permission and access, and the need to collaborate to speak to potential respondents (Reiter, 2014; Rowe, 2014). Others cite the experiences of "convict criminology" – studies by people who have served prison sentences and subsequently become researchers (Earle, 2014).

It could be argued that this thesis offers a unique perspective to this field of research as the researcher is not a visitor to the prison but part of the workforce, and someone required to continue working in the environment after its conclusion. In addition, the researcher is not an ex-prisoner, nor a prison officer, but a senior manager, and so offers a different and novel perspective on the prison world.

The researcher was in regular contact with prisoners, and conversations often took place with many different prisoners inside HMP Whatton, where the research took place. However, the researcher had not previously had the opportunity to speak to people in any depth after they had been released. When they are released from prison, contact between staff and ex-prisoners is expressly prohibited unless authorised, by Prison Service Order 1215 (HM Prison Service, 2003).

The length and depth of interviews was also a unique element to the experience of the researcher. As part of the role as governor of the prison, the researcher often needed

to speak to prisoners about a range of subjects, but the majority of contact was inevitably focused on a specific subject. Other contact was often more superficial conversation or was in response to specific queries about events in the prison or queries on specific policies and procedures, either in the prison or about the wider criminal justice system. Liebling and Arnold (2012) comments on the importance of "lived experience" in prison research and of authentic dialogue. She quotes Buber (1937/2010): "that peoples can no longer carry on authentic dialogue with one another is not only the most acute symptom of the pathology of our time, it is also that which urgently makes a demand of us" (in Kramer, 2003, p.viii).

The key element of the qualitative nature of the research was that participants were allowed to talk and to present their own thoughts and perspectives on their experiences. Bosworth et al. (2005), in a research study in the United States working with both academic researchers and four prisoners, raised a number of questions about conducting this type of research in prison:

> "How do the people who are interviewed in ethnographies or other pieces of research choose what to say, when to agree to participate, and what to leave out of their stories? What is it like to be consulted about prison life? Is it empowering or disheartening? Is it an emotional experience similar to the that of the researcher, is it an escape … a way to open a dialogue, to learn to grow, to reach out, to rehabilitate?" (p.250)

Although it was planned for there to be a number of key elements to be considered as part of the interview process, there was no specific structure, thus allowing participants to consider and talk about issues that were specific and pertinent to them. Bosworth et al. (2005) consider the importance of building trust and a rapport with participants. This element of the research process is both interesting and important, as the experience provided the researcher with a different perspective from the usual perception and experiences of the prison. Because the research participants had the freedom to speak about the issues that were important for them, they often provided insights and perspectives that the researcher had not previously considered.

During the interview process itself, the researcher, who has significant experience over many years as a practitioner, was very much in professional mode, being aware of the surroundings and personal safety and ensuring that the environment and the participant were comfortable and relaxed – in effect, organising and managing the process. However, when the interviews were transcribed and subsequently analysed, the emotional and practical impact of the participant's experiences of being sent to prison and the true journey that the individual had experienced were significant and evident. When reading and analysing the transcripts, the researcher often felt sad and emotional about the suffering and the anxiety experienced by some of those interviewed. Liebling (2001) considers the issue of "taking sides" (p.472) in research, and the implications for both the researcher and those who are researched. She argues that "the capacity to feel, relate, and become 'involved' is a key part of the overall research task. Research is after all an act of human engagement … researchers have to be affectively present as well as physically present in a social situation. Some turmoil is productive" (p.474).

There were also some practical considerations. Particularly, how the participants would relate to and engage with the researcher, as, with the exception of one participant (Charlie), there had been no prior contact between the researcher and the participants. In preparing for the pre-release interviews, there were no concerns about the personal safety of the researcher, as the prison environment was familiar. Interviews took place where convenient for the participant and therefore in several areas of the prison, in interview rooms on A, B, and C wings. Wing staff were made aware of the presence of the researcher in the interview rooms, and in any case, there were general alarm points available in the event of an emergency. This is the emergency response system that links to the prison central control room and to all staff with prison-issue radios.

Safety concerns aside, the researcher had little idea before the initial meeting how she would be received and whether the interview would be productive. The researcher had only been introduced to the participants via the prison Offender Management Unit and, with the exception of Charlie, had not discussed the outline plan or purpose of the research. At the beginning of the interview, the first task was to ensure that each participant understood the nature and implications of their consent to be involved in the research. A different approach and style were necessary for at least two of the participants as they both had had limited intellectual ability. This required an adjustment

to the language used, providing opportunities for the participants to check understanding and offering breaks if concentration appeared to be waning, as per the advice of Hocken (2014).

Eric was the first participant to be interviewed, and he was within two days of his release from an Indeterminate Sentence for Public Protection. He was being released directly from the prison where the research took place. This was an unusual decision, as the Parole Board usually requires that a person serving an indeterminate sentence should spend some time in an open prison before being released into the community. However, Eric was very keen to participate and was particularly interested in the follow-up interview. It seemed that he wanted to maintain some contact with his life in the prison after he had left, and this was perhaps a way of achieving this. Patenaude (2004) quotes Patton (1990), who considers some of the potential reasons for a participant's desire to maintain contact following the conclusion of the research. In particular:

> "Evaluators should strive to neither overestimate nor to underestimate their effects, but to take seriously their responsibility to describe and study what those effects are." (p.474).

There were some practical difficulties with the recording equipment, which caused some anxiety for the researcher as it was unclear whether the interview had been recorded or not. Potentially, there would not be sufficient time to re-record the interview, and this could also inconvenience or unsettle Eric at a critical time before his release. In the event, the recording device worked, but a more modern digital recording device was borrowed for all subsequent interviews. This removed any anxiety about the adequacy of the equipment.

All of the pre-release interviews were completed without incident. It was interesting that prison staff members were keen to talk about the aims of the research and were interested in the motivation of the researcher for undertaking the PhD. They also asked about the expected completion date. Many were encouraging and supportive of the aims of the research. This was a pleasant surprise. This experience differs from that of some researchers, who have commented that their research was viewed with suspicion by prison staff. Liebling (2001), for example, comments on the suspicion and concern by

prison staff when she was conducting research in a high-security prison, and Patenaude (2004) argues that there is an need to establish a rapport with both the participants of the research and the staff of the institution.

Post-release interviews were more complex to arrange and were all in unfamiliar environments to the researcher, as they took place in probation Approved Premises or probation offices some distance from the prison. It was important for safety and security reasons that the participants did not have the personal mobile phone number of the researcher, but this obviously made contact potentially more challenging. In addition, the participants may not have wanted to participate in the follow-up interviews, as they were no longer part of the prison community. They may have wished to move on with their lives and to put the experience of prison behind them. There was therefore an element of anxiety for the researcher about whether the participants would want to continue to be involved in the process.

Contact with the participants post-release was initially made by letter, having first alerted the staff at the Approved Premises or the Offender Manager by HMPS email. It was important to confirm the identity and credibility of the researcher to fellow professionals in order to gain access to the participant and staff at the probation offices or Approved Premises. This was more straightforward than expected, probably as a result of this method of communication. It was easy for probation staff to identify the researcher from the central HMPS database. Initial meetings with all the participants, including the Offender Managers, were established by email in the first instance. Details of the nature of the research and the consent form and information leaflet was emailed to the Offender Managers in advance of these meetings. As the post-release participants did not have access to email, contact was made with staff at the Approved Premises or with the Offender Manager by telephone the day before the scheduled meeting to confirm the meeting time and to confirm whether the interviewee was still happy to participate. The opportunity to refuse further participation was again made clear.

It was important to confirm that participants were still interested in participating, as the researcher needed to take time off work to conduct the interviews and some venues were a significant distance from the prison. Some were within a two-hour drive, and so took place towards the end of the working day. Others required significant journeys to

the south coast of England, Kent or to London. All of these journeys required significant planning, and although it was possible to combine some interviews with other activities (for example, the interviews in London were scheduled around work meetings), others required a whole day to be set aside in order for the interview to take place.

Although the timescales for the re-interviews were not rigid, it was important to try and conduct the interviews within three months of the participant's release from prison, as this timescale was a key element of the original proposal.

The researcher had not visited any of the Approved Premises or the probation offices before. It was interesting to see how each individual office/Approved Premises differed, but also to see their similarities. Of particular note was the security of the buildings, the protocols for visitors and the staff culture. Most of the probation offices were centrally located in the towns or cities into which the participant was discharged, but some of the Approved Premises were in more remote locations. As a result, some of the participants (Frank, for example) found the cost and inconvenience of the location challenging.

The security system in each of the probation buildings was uniform, but the safety procedures differed. In one probation office, the researcher was given a key to the interview room door, in another a panic alarm and a telephone, and in one interview, Approved Premises staff insisted on accompanying the participant (with his consent) throughout the interview.

CCTV was widespread, and staff, particularly those in the Approved Premises, were keen to tell the researcher about how the participant was progressing and about his challenges and triumphs since his discharge from prison. Approved Premises staff were predominantly male, and whether their approach to the researcher and the study were influenced by either the role, status or gender of the researcher is not known. However, Jewkes (2014) argues for further reflection on matters of gender in prison research, in particular noting that "the experience of being a female researcher in a man's prison or a male researcher in a women's prison still brings with it a set of dynamics that I would expect to be worthy of a great deal more comment" (p.68).

On reflection, it is difficult to know whether both the responses and the co-operation with staff would have been different if the gender, age, role and status of the researcher had been different.

What follows is a short case summary of the profiles of the participants.

3.13.1 Charlie

During the pre-release interview, Charlie was clearly anxious about his release, but he was keen to talk and was pleased to be involved in a part of the research. He seemed to value the social contact and the opportunity to maintain some form of association with the prison after his release. This was emphasised at the follow-up meeting in the community at the Approved Premises. Prior to the meeting, the researcher had contacted the staff beforehand by telephone to clarify whether Charlie was still content to be interviewed. The member of staff responded saying that "he has been looking forward to the meeting all week". It was sad that this research was such an important part of Charlie's post-release experience, and this was an indication of how isolated his experience of release was. Charlie was positive and optimistic about his life outside prison, but also realistic, for example about what the future held for him. Despite having a number of desires and ambitions, he did seem very passive and resigned to the control of others and the restrictions on his liberty as a result of his conviction.

The researcher felt an element of concern for Charlie once the interviews were concluded, mainly as a result of his vulnerability and isolation, but also because of his limited skills to successfully adapt to a new life after a relatively positive experience of imprisonment. However, further contact between the researcher and Charlie was neither appropriate nor desirable as the researcher needed to remain within the both the established ethical boundaries of the research and her ongoing professional position (as a prison governor, ongoing contact with ex-prisoners is not permitted). However, subsequent discussions with Charlie's Offender Manager confirmed that he was working well with him and that plans were in place to reduce Charlie's isolation and vulnerability.

3.13.2 Alan

Alan was very enthusiastic and confident during the pre-release interview. This was a little surprising as the researcher had not previously come into contact with him. He was

keen to speak about his life before prison, his relationship with his family and his self-image, specifically his sexuality as a homosexual, which was clearly a key issue for him. He explained that he had come to terms with his sexuality and gained confidence in prison because people had accepted him for who he was.

When the follow-up interview was set up, Alan contacted the prison to point out that his address had changed from his original release address and that any correspondence should be addressed to the new one. The post-release interview took place in the probation office following the researcher's interview with Alan's Offender Manager. Alan arrived by bicycle, was clearly well, and remained positive and optimistic about his future. He explained that key features of his optimism were his happiness with his accommodation, close to where his sister was living, and his retrieval of his possessions from storage. He had also acquired a cat. He had spoken with great affection about his relationship with his previous cat which had been re-homed whilst he was in prison. He saw the new cat in a very positive light and commented that it was good to have someone to come home to. This was an interesting use of language and appeared to indicate Alan's need for company and his attachment needs. Alan had experienced some significant problems in finding suitable employment following his release because of the hostility of some employers toward his conviction, and his licence conditions. For example, he had restrictions on his internet access and working with members of the public.

Following the conclusion of the interviews, the researcher reflected on how fortunate Alan was to have a positive and caring Offender Manager to support his transition back to the community, and despite the setbacks in respect to his attempts to obtain employment, how positive and optimistic he remained.

3.13.3 Dean

During the pre-release meeting, Dean was very positive and seemed to perceive the meeting as an extension of the therapy he had received in the prison. This potentially posed an ethical dilemma, as clearly the research interview should not be seen as a cathartic process. However, by simply listening, the researcher apparently filled a void for him. Dean was keen to explain the circumstances in which he had committed the offence, the impact of his imprisonment on his family (his father is a retired police officer

and his brother is in the armed forces), the impact of his imprisonment on the local community and the subsequent impact on his family. He had also begun to think about the future, and how he was to re-establish himself back into the community, to get a job, a home and a relationship. Dean was reflective on the success of his brother and how he hoped to have the kind of life he had, with a partner and children. Dean spoke about how much he had got out of the offending behaviour programmes, and how the quality of his life had improved since he had been taking the anti-libidinal medication. He also commented on his depression and how this had impacted on him. He said that he found it difficult to live up to his father's achievements but saw the post-programme review (which was attended by his parents) following his completion of the offending behaviour programme as a useful opportunity to explain to his family why he had offended.

The post-release interview with Dean was originally arranged to be in the probation office following the researcher's interview with Dean's Offender Manager. This needed to be rearranged because Dean had found employment and the meeting time clashed with his work commitments. Dean's licence conditions had been varied, as he had become inebriated in a pub and disclosed his conviction to the barmaid. His licence conditions were changed by his Offender Manager to require him to reside at an Approved Premises (he had previously been allowed to live with this parents), so arrangements were made to interview him there. However, he asked if the meeting could be arranged to take place at his parents' house as he said he often went there for his evening meal, so this was arranged with appropriate safeguards in place.

Dean was very thoughtful in the post-release interview. He commented that in some ways the return to the community was much easier than he expected, for example the attitudes of his family and the familiarity of his home area, but in other ways it was harder. Dean had changed his name in prison, and he was still adjusting to his new identity. He also reflected on his loneliness and isolation, as his friends had moved on with their lives and he had not yet had the opportunity to make new friends. He felt that his licence restrictions and the requirement to live in the hostel indirectly increased his isolation, particularly when invited to activities outside his workplace by his work colleagues. As he had been employed by an agency, he had not been required to disclose

his offence to his work colleagues. As a result, Dean felt that he was leading a double life.

Again, Dean seemed to gain some value from the research interview and commented that it was helpful to speak to someone who knew that he had been in prison and committed a sexual offence and that he did not need to feel fearful about talking about it.

Although the researcher was aware that this interview was the final contact with Dean, this felt unsatisfactory; having established a rapport and a positive relationship with him, it seemed premature to terminate the contact, particularly as Dean was clearly in need of further support. However, there was no role for the researcher to continue to meet Dean and, as already mentioned, meetings with ex-prisoners are not allowed unless authorised.

3.13.4 Eric

Eric was keen to please and eager to participate in the research process. Eric had spent ten years in prison and seemed a little unrealistic about what the future held. For example, he significantly underestimated the difficulties in adjusting to life outside following such a long period in prison and the problems he may encounter in re-establishing himself in work or in his own accommodation. Eric had generally had a positive experience of prison and had been at HMP Whatton for eight years. He had got on well with staff, completed offending behaviour programmes, held responsible roles and had been directed to be released directly to the community (to Approved Premises) by the Parole Board as a result of his good progress (he was eight years over tariff from an IPP sentence). He was little shocked but pleased that he was returning back to his home area. Eric's father had died whilst he was in prison, and at the time of his release and the interview, he was still in the grieving process.

Eric asked if the post-release interview could be rearranged because he was concerned about the death of his aunt. It was rearranged, and Eric described how he was collected from the prison by his family and how he had found freedom a shock. He had only been outside the confines of the prison twice in the ten years he had spent in prison: once to transfer from one prison to another, and the second time to attend the funeral of his

father. On both of these occasions he had been accompanied by prison or contract escort staff. Eric talked at length about how he felt that he was having a breakdown with all the things he had to consider on release. His aunt had died, and he had found this a huge shock. His licence restrictions, drug and alcohol testing, difficulties in finding work and accommodation and managing money had all been challenging. Although Eric was at pains to describe how he did not want to return to prison, he clearly missed his relationships with a number of staff members, asking after them by name. He concluded that he missed the routine and his role in the prison. Although Eric had been offered a job with his old employer prior to his release, he confided that this had not amounted to a great deal (he was working voluntarily sixteen hours per week). He was concerned that technology had overtaken him whilst he was in prison as he did not have the IT skills to compete for many of the jobs he had undertaken prior to his imprisonment.

However, Eric still had aspirations for his own home, a family and a job. At the conclusion of the interview process, the researcher felt concerned for Eric because of his vulnerabilities and his difficulties in coping with the world outside of prison. However, the researcher confirmed that both the Approved Premises staff and Eric's Offender Manager were aware of his vulnerabilities.

3.13.5 Harry

Harry had never been in prison before – indeed, he only committed his first criminal offence in middle age. Despite this, Harry appeared in the pre-release interview to have coped well with imprisonment and the impact of his conviction. He saw the whole experience as a new chapter in his life and the opportunity to get out of a rut and to make a fresh start upon his release. Harry had spent all of his life living in a small village with his parents, and in the pre-release interview he reflected on the isolation and loneliness of his existence prior to his offending. He also commented on how being sent to prison had allowed him to feel confident about his sexuality and how he had recognised that the lack of an intimate partner throughout most of his adult life had had a negative impact upon him. Harry saw prison as a largely positive experience and commented that if he had not been caught and sent to prison, he did not know what could have happened. He was proactively planning and looking forward to his release

and was positive and optimistic about finding work (he had been in employment continuously since leaving school).

Harry was initially released to Approved Premises but had already moved on to independent accommodation by the time the post-release interview took place. Harry again reflected on the reasons for his offending and had taken the opportunity to explain to his parents the reasons he had found himself in this situation. Although his parents were supportive, Harry had taken the decision to move away some distance from them and to become truly independent of them. Harry spoke of the challenges of finding suitable employment and having sufficient money to live on. He also spoke of the frustrations of his licence conditions, commenting that "they are someone else's view of my risk". He also commented that he was aware of the potential risks he posed to others, and as a result of his experiences in prison had learned techniques to manage them.

Harry was very philosophical about his future prospects and his expectations seemed realistic and pragmatic. He was making good progress, and the researcher felt positive and optimistic about his future at the end of the final research interview.

3.13.6 Frank

A problem with communication in the prison meant that the researcher was not aware of Frank's desire to participate in the research until the last minute. As a result, the interview did not take place as planned. However, Frank wrote a letter to the researcher at the prison outlining his experiences immediately following his release. He spoke of poor preparation and poor planning for his release, and his feelings of isolation and thoughts of self-harm. This information was passed on to both the hostel staff and to his Offender Manager. The researcher called Frank (he had left a mobile phone number) upon receipt of the letter because of concern for his safety and well-being. Some time was spent talking to him and talking through some plans and objectives to help him think about the future and to have some hope that life outside prison would improve. These objectives were around job seeking, finding suitable accommodation and using leisure time in a constructive fashion. The researcher made several subsequent calls over a period of weeks to check on Frank's welfare and to ensure that he was safe. Although this was not the role of the researcher, it was felt the appropriate course of action. The

post-release interview took place in person within the three-month timescale for the planned research interview.

Frank was very keen to talk during the meeting and seemed to see it as some kind of therapy. Again, although Frank may have seen the interview as cathartic, providing an opportunity for a therapeutic intervention was not the role of the researcher and potentially had ethical challenges. However, Frank used the opportunity to articulate how difficult he was finding the reintegration process.

Although he still saw his wife, he did not live with her and found the hostel accommodation, living with "criminals", very challenging. He said that he did everything possible to spend most of his day out of the hostel as much as possible. However, because of the hostel's location, and because of Frank's lack of transport (and money), he had to walk three miles into the city to see his Offender Manager, the doctor, or to any activities such as job searches or meetings with the accommodation provider at the council. Overall, the contact with Frank was concerning, not least because of his vulnerabilities, but also because of the challenges and responsibilities of the researcher as a professional practitioner (and a human being) and the potential conflict with the role of an impartial researcher. It was difficult to maintain objectivity when clearly Frank was in need of help and support. The researcher spoke to Frank's Offender Manager to ensure that referrals were made to the relevant agencies to provide support to him, and also maintained contact with Frank by telephone for several weeks after the meeting until he had achieved a level of stability (he had moved from the hostel into a bedsit and said that he felt a little more positive about the future).

The researcher's interactions with Frank were very emotionally draining, and his vulnerabilities in respect of his potential for self-harm were very anxiety-provoking, particularly as the researcher would have few opportunities to provide practical or emotional support to Frank in the future, so the final contact was a difficult one. However, the researcher ensured that both Frank's Offender Manager and the Approved Premises staff were aware of his vulnerabilities and emotional state.

3.13.7 Bob

Whilst he was in prison, Bob had suffered a stroke. His speech, language and mobility were affected. This made the interview more time-consuming, and Bob required more prompts and assistance from the researcher to remind him of specific words and to offer suggestions to select from when he struggled to complete a sentence. The stroke, however, had not had an impact on Bob's ability to recall events or on his ability to express his shame and embarrassment about the impact of his imprisonment on his two dependent teenage children.

Bob was tearful during the interview and it was clear that he had found the both the actual separation from his sons and the manner in which he had "deserted" them particularly upsetting. (Bob had gone to Court expecting a non-custodial sentence and had not made arrangements for the care of his children and had not had the opportunity to speak to them when he first arrived in prison). Bob had a friend who had supported him throughout his sentence, and he hoped to continue this relationship and re-build the relationship with his children when he was released. However, due to their age and the nature of his offending, he was not permitted to live with them until they were both over the age of 18.

The post-release interview took place in the Approved Premises to which Bob had been discharged. His case worker had asked whether it would be possible for him to sit in on the meeting as he said that Bob often "became confused". The room Bob was living in was specially adapted for his mobility problems, he was much more relaxed, and his health had improved since our previous meeting in the prison. Bob still had some difficulty with words at times, but he was clear about what had happened since he had left prison and also about his plans to move into adapted independent living accommodation when he left the Approved Premises. There was perhaps a desire on behalf of the case worker to find out a little more about the nature of the research and Bob's role in it. The final interview was a generally a positive one and the researcher felt optimistic that Bob would be able to successfully resettle back into the community and eventually establish contact with his children when they reached the age of 18.

3.13.8 Geoff

Geoff was due return to his home to live with his wife on release from prison. During the pre-release interview, his biggest concern was that he expected that he would need to move home because there had been a significant amount of local media interest in his case. As a result, he expected that some members of the community would be hostile about his return. He was anxious about his own safety and that of his wife if he were to remain living in the house.

Geoff was philosophical about his experiences in prison, saying that his experiences in the armed forces were sometimes much worse than those in prison. He did comment, however, how frightening it was at first being surrounded by "criminals". Geoff maintained his innocence but confided that he had considered pleading guilty to reduce the sentence he would serve (a guilty plea can usually reduce a sentence by one third). He said in the interview that he had decided not to do this because his fifteen-year-old grandson had pleaded with him not to. This was an interesting comment in view of the research surrounding the reasons that people deny their involvement in sexual offences. For example, Blagden et al. (2014) explore the motivation for a person with a conviction for a sexual offence maintaining their innocence despite a finding of guilt by the courts. The shame and embarrassment of the conviction and the opportunity to maintain relationships with family members who continue to provide support are often crucial in this process.

During the post-release interview, Geoff described an incident at the local pub when he was asked to leave by the barman, which had unsettled him. He also described an incident in which pictures of him from the local newspaper had been copied and stuck to lampposts on the estate where he lived. The police had intervened and reprimanded the person responsible. But on the whole, Geoff had settled back to life in his community, living with his wife in much the same way as he had done prior to his imprisonment. He had also been on holiday and, although he was restricted in his contact with some of his grandchildren, he was positive and making the best of his situation and no longer planned to move home. During the final interview, it was encouraging to see that Geoff had overcome his concerns about the reactions of the local community to his conviction and his return home. However, the researcher did

have some concerns about Geoff's minimisation of the impact of his conviction and licence conditions on his relationships with his children and grandchildren. The researcher discussed these concerns with Geoff's Offender Manager, who was aware of these issues and was working with Geoff about this.

3.13.9 Offender Managers

The majority of the interviews with the Offender Managers took place in person, usually either before or after an interview with their clients. This meant a reduced amount of travel for the researcher and that probation offices could be easily utilised for the researcher's interviews with the participants. However, on two occasions, interviews took place by telephone due the availability of the Offender Managers and/or the distance from the Prison.

The majority of the Offender Managers had been working in the role for a number of years and although some had little experience or training in working with people with sexual convictions, others had worked in programme delivery with this group and others had specialised in this area of work for some time. All except one Offender Manager had had contact with their client prior to release from prison, although the nature of this varied. One Offender Manager had, for example, been in Court when her client was sentenced ten years previously and had visited him in prison and attended his Parole hearings. Another Offender Manager had taken over his case two weeks before his release and had not met him prior to his arrival at the probation office on the day of his discharge. This case was not unusual as since the early 1990s there has been a move away from the one-to-one relationship between a practitioner and a convicted individual. This move is a fundamental change from a relational casework model to a "case management" model. Robinson (2005), for example, argues that "the power to make decisions about the shape of offender supervision has moved further up the managerial hierarchy, notions of effectiveness have become confused. In short, what works at the level of aggregate offender management does not necessarily work for offenders or indeed the practitioners responsible for supervising them" (p.307).

At the time of the research interviews, the Probation Service had undergone a significant reorganisation. Transforming Rehabilitation had resulted in the division and part privatisation of the Probation Service, dividing people between high, medium and low

risk of reoffending. Community Rehabilitation Companies were established to manage low- and medium-risk people and the National Probation Service (NPS) retained those at high risk of reoffending. The group retained by the NPS included all people convicted of sexual offences, and therefore all of the participants in the research.

There was still a considerable degree of uncertainty about the future of the Probation Service at the time of the interviews, and concern about the impact of the change process at the time the research took place. A number of probation staff had been moved into areas of work that they were previously less familiar with, caseloads were high, and some had little time to visit people in prison prior to their release because of distance and time. Some of the Offender Managers, particularly those who had been in post for some years, when asked prior to the commencement of the interview if they preferred to be called Offender Managers or probation officers, some opted for the latter because they explained that they had trained and qualified as a probation officer. Others did not express an opinion.

It was encouraging to see that despite significant organisational change and personal uncertainty for their future, all of the Offender Managers were determined to provide a good service for their clients. Almost universally, they described the challenging environment for people returning from prison to the community with a conviction for a sexual offence in terms of accessing services, accommodation, obtaining employment and community attitudes.

This chapter has outlined the design of the research, a description of the research methods considered and an explanation of why the eventual research method was chosen. It also explains the process for the research approval and the interview process. Chapter 4 will record what emerged from the research.

Chapter 4: Description of Emergent Themes

This chapter records what has emerged from the empirical research that was conducted as the key component of this thesis. The chapter is organised so that each of the emergent themes is examined across all three elements of the interview process. Clearly, the positionality of the researcher may have had an impact on the responses of the participants, and as such, the emergent themes should not be generalised to all people leaving prison with a sexual conviction. The pre-release stage examines hopes, plans and expectations prior to an individual participant's return to the community. The post-release interviews explore the lived experiences of the same participants up to three months after their release. The experiences of the Offender Managers of each participant regarding the practical and emotional challenges facing their clients as they return to the community are explored alongside the experiences of the participants. This inclusion is intentional, as it permits the participant narratives to be supported by the confirming narratives of the Offender Managers.

The six key themes that emerged from the preliminary classification of the data are:

- Perspectives on prison life
- Family relationships
- Employment and purposeful activities
- Stigma and challenges
- Accommodation and home
- Hope and future planning

This chapter explores each theme in detail and gives a description of the data. A detailed discussion and critical analysis of the themes takes place in Chapter 5. This chapter describes these themes with relevant quotations from the participants illustrating the themes identified.

4.1 Key theme: Perspectives on prison life

This theme emerged from the data, and the impact that the period of imprisonment had on their lives. It was a dominant feature of the research.

4.1.1 Perspectives on prison life: Pre-release

The participants had different experiences. A number of participants reflected on how they felt when they were first sent to prison during both the pre- and post-release interviews. All of them had spent time in at least one other prison before their transfer to HMP Whatton. As the prison is a national centre for the treatment of people with sexual convictions, people are sent there from all over the country. Inevitably their experiences varied, but most of the participants had very little or no prior experience of prison, and they had been, for the most part, in prison for an extended period (up to ten years). Despite this, at the time when they were planning for their return to the community, their memories of their first experiences of prison were still vivid and a source of comment and reflection.

One participant commented about the impact that being sent to prison had on him:

> "When you come in, it's like the bottom of your world has gone from under your feet." (Frank)

Dean also spoke of the challenge of his first experiences of prison, and described how he felt about the experience:

> "When I first came into prison, I was overwhelmed by it. I struggled with how I was going to do four years in prison."

In addition, Geoff reflected on how he was frightened by his first experience of prison, commenting that:

> "I'd never seen a prison before, I'd never seen a court before. It scared me to death. My army career stood me in good stead, wouldn't say I cried, but it is frightening being surrounded by all these prisoners."

This is an interesting reflection, about both the alien environment and culture, but also perhaps the challenges facing people with convictions for a sexual offence in an environment that is often extremely hostile and sometimes dangerous for a person with these types of offences.

Another participant observed simply:

> "Prison was a shock to the system." (Bob)

He reflected that he was not able to function or make contact with family members outside for two weeks because he felt traumatised by the whole experience. This particular participant had not expected to receive a custodial sentence, and had two dependent children, so he was fearful about how the children were coping and surviving without him. He went on to say:

> "Prison has been very difficult for me being away from my boys." (Bob)

One participant reflected on his views of being a prisoner, but also in a prison exclusively for people with sexual convictions. He observed:

> "I am not ashamed of being here, but it is not like living in the real world." (Geoff)

This comment also suggests some insight into what life would be/is like in the community. It also demonstrates that thoughts about the wider community are not suspended or abandoned whilst a person is in prison. Geoff seems to indicate from his comment that prison offers some protection from what he expects life to be like as a person with a sexual conviction upon his release from prison. This point is considered in more detail in Chapter 5.

Dean had spent some time on a vulnerable prisoner wing in a local prison prior to his transfer to the prison where the research took place:

> "I didn't like the people I was locked up with. I struggled to find common ground with a lot of them. I was quite negative about most aspects of prison life. I was worried about the next step."

Dean also observed that the time he had spent in another prison had been "corrosive", and although he was positive about his experiences in the specialist prison, he said that he thought that he would have benefited from a speedier transfer from the original prison. He observed:

> "I kind of see it as being in your early days in Prison, you are kind of thrown into this kind of mire or filth, for want of a better word, you are

> surrounded by people with such negative influences. It is harder to wash the negative feelings from you mind."

Many participants reflected on this and saw this part of their prison experience as a positive. For example, one participant stated:

> "Prison has helped me. It has made me happier." (Alan)

And another:

> "Prison has been good. Many good things have come out of this. If I had to say thank you to anybody it would be prison. It is a strange thing to say but what could have happened if I'd kept on the way I was. Who knows?" (Harry)

Overall, participants also reflected on what they felt like before they came to prison and how prison had helped them, such as offering them the opportunity to reflect on their lives and giving them support and advice to help plan a better future. One participant, for example, felt that he was doing the same things before he went to prison, going to work, going to the pub, living in the same place, and he saw prison as a positive to challenge this repetitive and entrenched way of life:

> "Prison was a kick up the back side, I was stuck in a rut." (Geoff)

Charlie also reflected that the experience of a prison sentence had been a positive in his life and he had grown in confidence as a result of the experience. He commented that:

> "I was scared stiff of meeting authority at the time. I wouldn't sit here and talk to you! That's the thing that working in the prison has definitely done for me. Prison has been good for me. It has brought me out of my shell, and I am able to converse with people at a higher authority than I am."

Bob spoke of his lack of confidence and difficulties in meeting people as a result:

> "I'd go dry mouthed and I can't talk very well."

Charlie reflected on how his loneliness was the background to his offending:

> "I am never ever going to offend again because I am a new person. I am not that person anymore, I am not a lonely person. I could speak to children whereas, an adult I wasn't too sure about."

Eric also reflected on his low self-esteem as one of the reasons for his offending:

> "I was young and naïve when I came to prison, I had very low self-esteem."

Other participants commented on other social aspects of prison, and the impact of meeting and speaking to others in similar circumstances. Participants commented on how their self-esteem and confidence had improved as a result of their prison experiences. Harry, for example, specifically commented:

> "I had low self-esteem. In prison, my confidence has grown."

Another commented how his confidence in his sexuality had grown:

> "Being in prison has helped me. I am gay and prison has given me more confidence. It was difficult being here, but they don't care if you are or not. That helped me quite a lot." (Alan)

He went on to say:

> "I feel so much more normal in here. I never thought I'd say that prison has helped me, actually it's helped me a lot. It has made me a more social person. It has made me much happier." (Alan)

Others mentioned that the opportunities available to them had helped them to "give something back", to in some way, at least in their minds, compensate for the harm that that they had done to their victims or to others:

> "By doing the charity work I have put something back. One of the highlights of being in prison has been being a member of OPAL [a group for older prisoners run by Age UK staff and volunteers] and going round to see my friends on A8 and their faces light up when we walk in the room." (Charlie)

Frank commented on his work in a project to raise awareness of autism in the prison and how this had improved his self-worth:

> "The work we did in Whatton about Autism Week… if there was anything I could do to a higher level, maybe I could do that to make it easier for somebody with autistic traits to pick up and cope with coming into prison which is a daunting thing."

Alan spoke of his sexuality and how he had spoken to others about their struggles coming to terms with their homosexuality:

> "I have helped other people in prison."

Overall, participants appreciated the trust that they had been afforded in prison and appreciated the significance to them of being part of a wider community:

> "There are so many opportunities in prison. I am proud of what I have achieved, I am doing something constructive, I have made use of the opportunities available." (Eric)

> "When we get the red shirts [used to identify peer supporters for people with social care needs], it's like a badge and you are really proud to get that shirt. You have worked damned hard to get that shirt and you fiercely guard it. It is nice to know that you have got a bit of trust." (Charlie)

One key theme was the positive aspects of the prison experience. For example, Harry reflected on the positive elements of the experience of imprisonment preventing him from continuing his destructive behaviour and thinking:

> "It is like having a kick up the backside, basically, 'what do you think that you are doing?' You think about where your life is going." (Harry)

A number of the participants in the research narrated the more positive aspects that the period of imprisonment had had on their lives. For example, in the pre-release interviews, Charlie, Eric, Harry and Bob all spoke of how the experience of prison had improved their confidence and feelings of self-worth.

Charlie was also very positive about his involvement in the prison peer support schemes. (This involves being issued with a t-shirt with the name of the project on it.)

Eric also was enthusiastic about his experiences in prison:

> "There are so many opportunities in prison. I am proud of what I have achieved. I am going out a better person."

Alan, Harry, Bob and Dean also all commented that they saw the time in prison as a positive for them because of the differing opportunities that the experience had given them to develop as a person.

Dean also reflected on what his life was like and how he felt about himself before he came to prison:

> "I do feel 200% better than when I came to prison. I have a much more responsible attitude these days. There are certain things that I have done in prison, job roles I have filled, programmes I have completed, that have given me a better understanding of the contribution I can make. I have learnt new activities to replace unhealthy ones."

Geoff made a surprising comment during the interview:

> "I have been treated like a human being."

This is interesting, as this quotation suggests the participants' expectations were that this would not have been the case.

The majority of the participants had disclosed that they had participated in the prison's cognitively based offending behaviour programmes. These programmes are designed to help participants explore the reasons for their offending, to learn skills to help them identify times when they may be at risk of committing offences and to provide them with strategies for managing their risk. Mann et al. (2010) and Willis (2015) explore the expectations of these programmes. They also help participants to plan for the future, utilising the skills and knowledge that they have learned. A number of the participants spoke positively about their experiences, saying:

"The courses[1] teach you about yourself." (Charlie).

"SOTP[2] was a positive for me." (Dean)

"Programmes gave me a different perspective. I appreciate the value of programmes." (Alan)

"I have a more responsible attitude now. I have to thank the staff in the group and psychology. I am leaving prison positively, a bit nervous but happy." (Eric)

"I have fixed the fuse that had blown. It is good to face up to what you have done." (Geoff)

Participants also suggested that programmes need to be scheduled earlier in their sentence because of the impact of the culture of prison on them, because leaving programmes until later in the sentence:

"leaves people to absorb all the negativity" (Dean), and:

"Programmes need to be earlier because of the culture." (Alan)

Others expressed concern that some of their fellow prisoners were not able to access programmes before they were released from prison:

"People are getting out without doing the work they need to do." (Eric)

Some participants expressed the importance of this time to reflect because:

"It helps you to identify risky situations." (Eric)

Geoff commented:

"The programmes encourage self-improvement to be better."

Clearly, the participants had taken the opportunity to reflect on both their lives before their imprisonment and their experiences in prison. They had spoken positively about

[1]Frequently, "courses", "programmes" and "group" are used interchangeably.
[2]SOTP is the Sex Offender Treatment Programme.

the impact of the offending behaviour programmes and also the impact of being a part of the prison community. These issues are critically discussed with references to the relevant literature in Chapter 5 of this thesis.

4.1.2 Perspectives on prison life: Post-release

During the post-release interviews, participants spoke of the challenges they had experienced upon their return to the community, but also continued to review the time spent in prison. For example, Alan commented that:

> "Prison was the opportunity to reflect."

But others commented on how they felt ill-prepared for the transition from prison to the community:

> "You are not really prepared for how difficult it is going to be, I felt like I was having a breakdown, with everything that's going on. It's a lot bigger in the outside world than it is when you are behind those bars, it got a bit too much for me at one stage, if I said it had been easy, I'd be lying." (Eric)

And Frank said:

> "The preparation, the disclosure meetings and resettlement work, I think it would be fair to say that you are still not really prepared for how difficult it is when you come out. It is a hell of a lot tougher than I thought it was going to be."

Some participants felt the impact of their prison sentence and the implications that their offence had for their mental well-being more acutely when they got out of prison. Frank was articulate about his feelings on his return to the community:

> "It is just one unbelievable rollercoaster. It's like one minute, I am ok, then it's tears for nothing." (Frank)

He went on to say:

> "I am just waiting for someone just to pick me up and put me somewhere and say there you go, there is your life. Off you go with it. Just let me

> rebuild it and be some sort of success, which I was before. Because I was proud of what I was and what I had achieved in my life," (Frank)

Eric had spent ten years in prison before he was released, and he described how overwhelmed he felt by his return to the community:

> "It felt like I was having a breakdown, with everything that is going on. I've got appointments, I have got deaths in the family. My main priority is trying to sort my life out, so the important things are moving from here [the hostel], finding my own place, having a steady job, a good income and I'll probably slowly adapt."

Clearly, Eric had benefited from the structured environment of prison and found the experience of his return to the community distressing and chaotic.

Charlie expressed his frustration about the impact that his offence and conviction had had on his well-being and feelings of self-worth:

> "You're paying for it for the rest of your life, because nobody lets you forget. It's a constant, it's like you've been branded." (Charlie)

Charlie also commented about how he had difficulty in adjusting to life outside prison:

> "When you're in prison you've got a set routine. When you come out it takes a long time to realise that I don't have to do that now. You've gotta think a lot for yourself, you're definitely encouraged to work on your own."

Bob spoke of the impact of his return to the community:

> "The space was scary, and you don't have doors that are locked, and being in prison for so long you meet so many guys and eventually you trust them, then you come to another place. It is hard to settle. At the beginning I felt a little vulnerable."

Dean commented on the lack of routine when he was released, but did not necessarily see this as a negative:

> "The sudden lack of routine was quite a bit of surprise to me. I think that sometimes it was a bit unusual for me to feel that I could go out and do this and I could go somewhere and do that."

During his post-release interview, Frank described how he felt very fearful and isolated about his return to the community:

> "I am terrified, and I don't leave my room unless I am going for me evening meal."

A number of participants were concerned about how they were not able to access the information in sufficient time to enable them to plan and prepare adequately for release:

> "You need early information." (Bob), and:

> "Everything is last minute." (Charlie)

The return to the community was challenging for the majority of the participants. They felt that they were inadequately prepared for what life in the community meant and many felt isolated and alone. There was also a concern that information about what they would face on release was inadequate, and this did not enable them to plan and prepare for what life outside prison would involve.

4.1.3 Perspectives on prison life: Offender Managers

The Offender Managers' views on the participants' perspectives of the impact of prison were also interesting, and largely reflected the views of the participants. One participant commented about the criminal justice system's failure to adequately prepare both the participants and also other people they supervised for release:

> "He was not as well prepared for release as he could have been." (OM.2)

Another commented more generally about the people they supervised who had spent significant periods in prison:

> "Institutionalisation has a serious effect on a person." (OM.6)

But other participants acknowledged the benefits of prison for some people and the impact that the lack of structure of life back in the community had on some of the participants:

"He misses the routine of prison." (OM.4)

One Offender Manager acknowledged the opportunity that prison had given the participant to reflect on his life and the reasons why he had found himself in prison:

"Prison allowed him time to think." (OM.8)

Another Offender Manager observed of the participant:

"He saw prison as a positive." (OM.5)

The main point that emerged from the research with the Offender Managers was that the structure and routine of the prison was helpful for the people they supervised. They considered that overall, prison had been a positive experience, allowing people the opportunity to reflect and to plan for the future. A detailed analysis of the implications of the experience and impact of a period of imprisonment are considered in Chapter 5.

4.2 Key theme: Family relationships

Positive family relationships are important and, as discussed in Chapter 2 (2.2.3) of this thesis, are a key not only to the desistance process, but also to the risk assessment and risk management of people convicted of sexual offences. As discussed, positive family relationships are a key protective factor against further offending.

4.2.1 Family relationships: Pre-release

Participants took the opportunity in the pre-release interviews to reflect on why they had committed the offences that had led them to be sent to prison. Family, relationships, social isolation and loneliness were consistent themes. Some participants showed some insight, such as their social isolation or lack of intimate relationships, as the causes of their offending:

"I had no-one to talk to." (Charlie)

"I was lonely." (Alan)

For example, Alan commented on how he felt about his existence prior to the commission of the offence:

> "Some nights I'd sit there, and I'd just be feeling that low that I didn't know what to do, if you know what I mean so it wasn't very good, it wasn't very good at all."

Harry also spoke of his loneliness and the impact that this had had on him, and he said this was the cause of his offending:

> "There was a couple of nights when I had even cried myself to sleep because of the rut I was in and the place I was, not having an intimate partner was the core to my offending. I needed to meet different people."

Others had similar views:

> "I need someone to listen and to take an interest in me to help me sort out the warning signs. It was the first time I had been on my own." (Geoff)

> "I was wary of getting to know people." (Dean)

Some participants reflected on relationship problems they had, and the impact that this had had on their lives. Parental relationships and attachment issues featured for a number of the participants:

> "My mother was a matriarch and my father never told us he loved us. I have been dominated by women all my life." (Charlie)

> "My parents may have done things differently." (Harry)

> "I felt quite inadequate with him [his father] as a role model, but quite an absent figure, and it made our relationship difficult and I never felt able to live up to him or what he wanted from me. I don't think that I was a good son." (Dean)

Others talked of the impact of, or lack of, intimate relationships, often using quasi-psychological language, potentially because of language that the participants picked up from participation in programmes:

> "The breakup of the relationship really hurt." (Harry)

> "Not having an intimate relationship was the cause of my offending." (Alan)

> "I grew restless in the relationship and I had misgivings about it, and this led to a whole spiral of inadequate feelings, and I offended." (Dean)

Alan also reflected on the impact of his conviction on his relationships with his friends:

> "Two friends at home have rejected me."

Others showed some insight and appreciation of the impact their imprisonment had on their family and personal relationships. Bob, for example, as the primary carer for his children, was acutely aware of the impact his behaviour, conviction and subsequent period of imprisonment had had on his family:

> "The solicitor said my sentence would be suspended but it wasn't. It was Friday morning and I said [to the children] I'll see you this afternoon and I never saw them or even talked to them on the phone."

> "It is a terrible thing that has bought shame on me, and my family. The whole experience has upset them." (Dean)

Bob also remarked about the effect that his experience of the criminal justice system had had on his determination not to return to prison in the future:

> "No, it could never be that I could return to prison. I have done more damage to my two boys than their mum ever did [she had left home leaving the children with their father] not because of the offence, but to have abandoned them in that way, no parent should ever leave their kids just like that outside. I put myself in the position for it to happen and I should never have done it."

Bob narrated of how he could not see the purpose of life outside prison without his family to go back to:

> "Without the people outside, there would be no point in going home. If I lost my boys that would be job finished. They have been there since day one. They have fully supported me and that means a lot."

Harry spoke of the impact his prison sentence had had on his relationship with his family:

> "it's like a car crash and makes you appreciate people more and appreciate their existence."

Overall, participants indicated the need to communicate more effectively with family members as a result of the conviction and subsequent imprisonment:

> "I lost my dad to cancer whilst I was here [pre-release interview]. I wanted [the chance] to show him how much I had changed and how far I have come." (Eric)

> "I mean they have been so supportive, my parents, so helpful, yeah brilliant I couldn't have wished for a better set of parents really, but then again I might not have been here if they had said, 'What is happening with you?', they might have helped me set up my own house, which might have put me on a different path." (Harry)

> "I think that the whole process of being convicted and having them visit me and being on programmes [the Core and the Healthy Sex Programme], I have been very candid with both my father and my mother about it all. They have liaised with the rest of my family, and with it being widely publicised, I think that it has brought me closer to them, strangely enough. To look at it another way it has brought shame on me and my family. I suppose I expect my family to take me back as I would do for them, but I am still very, very, very grateful that they are willing to do that." (Dean)

> "My family need to know why it happened." (Harry)

> "It has helped us to establish better communication. I think that it has brought me closer to them, strangely." (Dean)

Overall, participants acknowledged their appreciation of continued family support despite the impact of their behaviour on the family:

> "Without my family, there is no point in going home." (Bob)

> "My son visits me; my wife visits me every month." (Geoff)

> "My relationship with my brother was always good. He found my lack of ambition and my behaviour frustrating. I am very, very, very, grateful to my family I have a good relationship with my brother." (Dean)

> "I have a son, daughter, two stepsons and grandchildren, I am proud of my family's achievements." (Geoff)

The importance of positive family relationships was clear during the research interviews. The appreciation of family members who had continued to provide support despite often both practical and emotional challenges was evident. Participants' experiences of people they knew in prison who did not have this same level of support heightened this appreciation.

4.2.2 Family relationships: Post-release

Participants commented on how they appreciated the support of their families throughout the period of imprisonment. But in many ways, the role and importance of family support in the post-release period, and indeed the importance of the role of the family in supporting the desistance process, were even more critical. Participants again spoke of the importance of the support of their family. For example, Dean commented:

> "Family is important."

And some participants expressed their appreciation of their family, if they had maintained contact, and how this had helped them:

> "My family and all my friends have supported me big time. You need great, good support because there are times when you are really down." (Bob)

Geoff was very appreciative that his wife had continued to support him whilst he was in prison:

> "My wife came to see me every month without fail."

Charlie also responded when asked in the post-release interview if he had had contact with his brothers and sisters:

> "No, it just hasn't come about."

Alan, however, was appreciative that his sister was prepared to support him:

> "I'm lucky I've not got to go to probation premises. I can go to my sister's which is lucky, but I am going to get a place quite quickly because I don't want to be a burden on my sister."

But he did express his concern about his lack of support from his parents:

> "My dad hasn't visited me yet because he said, 'I don't want to'." (Alan)

Charlie also spoke of the difficulties his offence had caused in his relationships with his family:

> "My sister supports me. She doesn't support what I have done. My other sister doesn't want to know me. It hurts a little but it's no problem. My son said he wanted to contact me but then it transpired that their mother turned round and said you can contact your father if you want to but if you do it will really upset me, so they agreed not to talk to us."

Following their release from prison, a number of the participants with sexual convictions commented on the impact that their licence restrictions (examples of the standard licence conditions and additional discretionary ones are contained in Appendices J and K) and the notification requirements had had on their relationships with their families. Geoff, for example, said:

> "My son, the youngest grandchild, is 15. The social services went round to see him and said that I can as long as I don't stay overnight. But the police said to me 'look, once the boys are 16 they make up their own minds whether they want to see you or not'."

Bob felt the impact of his conviction and subsequent restrictions on his family relationships:

> "I need my children, my kids, near me but when we are forced apart. They drive a wedge because they won't let you get back together."

Frank also experienced the reality of the impact of his conviction on his family life and his relationship with his partner and children:

> "My life before prison was very much family based. I am very much family orientated, my wife has stood by me throughout this, but she is having to play both courts, if you like because the kids have turned round and said that they want nothing to do with me."

Charlie was not able to maintain meaningful contact with even his extended family:

> "I can have contact with my niece, I can speak to her, I can send her cards and everything else, but I must not ask her about the children or anything."

They also reflected on how they considered themselves fortunate to have supportive family, and reflected that others were not in this position:

> "I have family and friends around me everywhere but for a lot of people life is rough." (Alan)

Bob observed:

> "Some guys, they don't have anyone to walk out the door to. You know when we were inside, we think it is hard, it's not. It is three times harder, whoever, whether they are grownups or kids. On the outside they are doing more of a sentence than we are."

This is an important observation, as most of the participants in the research did have at least one family member who maintained contact with them throughout their sentence. However, there are a number of people who have either committed offences within the family or who have been in prison for an extensive period and as a result have either lost contact with their families (or family members have little or no interest in re-establishing contact), or as a result of licence restrictions preventing family contact.

Others expressed concern about the lack of contact from their children:

> "My daughter hasn't phoned." (Geoff)

Frank described the difficulties in maintaining his relationship with his wife because of her (grown up) children's rejection of him:

> "My wife stood by me right through this but she, it is difficult, the kids have said they want nothing to do with me, as much as she loves me and cares for me, she will drop me like a stone for the sake of the children."

The extent of a mother's bond with her child is well documented and is considered in Chapter 5 of this thesis.

Dean said that he expected that he could return to "normal" and, when he returned to the community, he did not expect to be as isolated as he was. He said of his experience:

> "I suppose to have hoped to come back and reintegrate and everything would be normal. I did feel isolated, I felt I should have had people round me, because I suppose in prison you've got other prisoners, staff, telephones."

Eric expressed concern about how the dynamics of his relationship with his family had changed during his time in prison (Eric had been in prison for ten years):

> "I just can't wait to move on [from the hostel] to be honest, it will give me some bonding time with my family, like tonight I am at my mum's, so I am trying to build a relationship up. There is always a relationship, but it is the time that has elapsed."

Dean spoke of his isolation even though he had members of his family and friends around him:

> "It is not like I'm lonely as such, but I guess that it is easy not to properly feel a member of society. It is quite difficult to make brand new proper friendships once you have left prison."

Frank commented on his social isolation on his return to the community:

> "As much as I hated it, I would rather be stitching sandbags and stuff. At least I was doing something and there were people around I could talk to. Whereas, now I am trailing around. I am on my own. There is nobody I can just turn round and talk to. It is just silence."

Bob was concerned that he was restricted in whom he could have a relationship with, and the nature of his offences meant that he would have to disclose the details of what he had done to any prospective new friends or partners:

> "I can't go out and meet somebody to have a relationship with. They have put a blue light over your head, and it has to be lit all the time."

Dean expressed his anxiety about developing new relationships, particularly because of the requirement to disclose his sexual conviction to a prospective partner:

> "I just want a bit of clarity on to what degree I am supposed to be friendly with someone, whether I am with a work colleague or someone I have simply met at a bus stop, or someone I have seen in the pub a few times, I don't know it is a difficult and vague situation and one easy to fall foul of I think."

Charlie also commented that he was apprehensive about establishing new relationships:

> "I am apprehensive about disclosure. If I set up a relationship and I am talking to the person and we are getting on fine and then, 'oh by the way, I am a sex offender', I am worried I would have to tell people."

Dean acknowledged the precarious nature of his relationships with other people and the need to be cautious about what information was disclosed to prospective new friends because of the risks of rejection or isolation:

> "I do have friends in the workplace but it's being very careful what you say to people. You know people ask you what you are doing at the weekend, and would you like to come over for a party, and you've got to play the grumpy old man bit, no, no, I'm just going to stay in or make up some other excuse. I think that it is quite difficult at work not to present yourself as not a little bit weird and insular, because it is quite hard to be completely open with everybody."

Therefore, the key finding in this area is that relationships with family members and others are crucial for the successful transition to the community. However, there are significant challenges for people with a sexual conviction in developing new relationships.

4.2.3 Family relationships: Offender Managers

During the interviews, the Offender Managers were aware of the impact of both the conviction for a sexual offence and the sentence of imprisonment on family members, and their ability to support the participants as a consequence. One commented:

> "The family have problems with the shame and the embarrassment." (OM.5)

Another Offender Manager also expressed concern about their client's social isolation and the impact that the breakdown of his relationship had had on him:

> "Social isolation was one of the key issues. When the offences were disclosed, he was promptly divorced, the house sold, and he was initially penniless." (OM.3)

This is an interesting conflation by the Offender Manager: breakdown of a relationship, divorce and the end of a sexual/social relationship.

However, one Offender Manager was less positive about his client's wider family relationships:

> "He and his partner do not appear to have a large circle of friends and access and contact with children is quite minimal." (OM.7)

Another Offender Manager also commented on the shame felt by wider family members when assessments were made by the local authority about their circumstances when making safeguarding decisions:

> "The shame will be brought on other family members or community members when social services have an assessment." (OM.3)

One Offender Manager also highlighted the pressures faced by family members from the community where the offence had taken place:

> "His mother was elderly, because of fears for her safety, the mother declined for the offender to stay with her." (OM.6)

The Offender Managers were aware of the challenges and conflicts facing family members of people convicted of sexual offences and the potential practical and emotional difficulties that these posed for them.

4.3 Key theme: Employment and purposeful activities

The importance of employment or purposeful activity is a key element of the desistance literature, as examined in Chapter 2 of this thesis. However, as the majority of the research participants were in employment at the time of their offending, the role of employment potentially has a different focus: structure, relief of boredom and improved self-esteem, for example. These particular points are discussed in more detail in Chapter 5.

4.3.1 Employment and purposeful activities: Pre-release

One of the most apparent features during the research was the challenge facing people in the study leaving prison with sexual convictions in finding suitable employment or purposeful activity. All the participants in the study had worked throughout their lives, although two had significant health problems during their imprisonment that continued

upon release and prevented them from working. However, their licence restrictions had a significant impact on their ability to find positive ways to safely spend their time. The structure, self-esteem and financial benefits associated with employment were highlighted in both the pre- and post-release interviews, but these were emphasised to a greater extent when the participants were released back into the community.

Harry reflected on his experiences with a company he had been working with whilst he was on bail before he was sent to prison, and showed some insight about what finding employment would be like after his release from prison:

> "One of the companies I worked for found out that I was coming to prison and they just turned round and said they don't want me on their sites anymore. It was more a case of their protection, they don't really want me on their sites. If someone found out they could say, 'there is a sex offender in their employment'. I understand where they are coming from, but it doesn't make finding employment easy."

Frank also reflected on the importance of his career in his life:

> "My career has always been where I aimed to progress and to get on, dare I say until losing my job. I was dismissed because of my offence. I was devastated because I loved my job."

Frank highlighted the importance of his employment on his well-being:

> "I want to get back to that stage where I feel good about myself and doing something positive."

Many of the participants intended to return to the previous employers to ask for a job. They were optimistic about their prospects. Dean, for example, said that:

> "There has never been a problem at work."

He thought that because his work was quite specialised, he would find a role with either his previous employer or one of its competitors.

Alan also did not expect any difficulty in finding employment when he returned to the community. He acknowledged the importance of a job and structure for him but insisted:

> "I am sure I can find work, there are quite a few things I can turn my hand to."

Geoff was also confident, commenting:

> "My Army career will stand me in good stead."

Harry was also optimistic about his job prospects:

> "I have been employed all my life."

However, the reality of gaining employment post-release with a conviction for a sexual offence and associated licence restrictions became apparent in the post-release interviews, and the impact of this was difficult for some of the participants to come to terms with. This key finding is novel. The value of work is widely recognised, but the impact that licence and public protection restrictions have on the ability of an individual to find meaningful work is not acknowledged or mitigated. These issues are discussed in detail in Chapter 5 and recommendations for policy and practice are detailed in Chapter 6.

4.3.2 Employment and purposeful activities: Post-release

Frank felt the impact of joblessness particularly acutely:

> "I am tearful, and I don't leave the room [of the hostel] unless I am going for my evening meal. I have come out with no money or housing benefit, PPU [Public Protection Unit] are still to discuss the types of work I can do so I am unable to look for any employment to help fund myself."

Dean described what happened when his offences were "discovered" by his employer. Dean had been working for an agency, but they had not disclosed his offences to the employer. When they found out, they dismissed him:

> "I lost my job, I had only been there three days, I felt it was quite cruel to let me go after three days. He was telling me that he didn't want me working in the place because of my disclosure."

Alan also outlined his difficulties in finding work because of his convictions for a sexual offence:

> "The National Careers Service gave me a paper, you think, brilliant, I can rely on these people. I managed to get through to somebody and they said we have work in construction. Then they said, 'What's your criminal conviction?' I told them and they said 'Oh no we can't do anything for you. Bye.' That was literally it and they put the phone down. I am thinking did they just do that? They say they don't treat anybody as a second-class citizen. I am thinking well you just have. I understand it is a criminal conviction, but this could destroy people. They'd be thinking, 'How am I ever going to get a job?'"

Eric had been promised a job by a family friend prior to his release, but this did not materialise when he returned to the community:

> "I haven't got a full-time job, I'm part-time but its more unpaid work, it's like learning a trade, because obviously it was a long time that I spent inside and a lot of things have changed out here. Everything is online and when it comes to actually logging on…"

Harry was also troubled by the difficulties in finding work:

> "The job searching side of things, from a sex offender point of view is quite limited. You say, 'oh that job looks good', and someone will say, 'you can't do that', and even when they explain their reasons you think, well that could be managed, but basically they just don't want to take the risk so you just end up looking for warehouse work, which for quite a few people is well below their brain grade."

Alan also spoke of the difficulties he had had in obtaining work despite his best efforts:

> "I have had absolutely nothing yet. I have applied for all sorts of different things, the job centre they are trying to help me. They know about my conviction. It's obviously difficult to work around that to find something actually suitable for me. They found me a job and said if I didn't go for it I would be sanctioned. So, I said, 'Can I stop you there for a moment, I do have restrictions. I can't do the job, it is against the law for me to do the job.' It would have been an alright job, salary was good but legally I can't do it."

Dean did find another job after losing his first one, working for another agency, but felt concerned that the agency had not done their job correctly and as a consequence he felt vulnerable:

> "I wasn't even permitted to finish completing the application form, which didn't have a box for a criminal record on it. It is difficult sometimes feeling that you are leading a double life. But I had no choice. It is either that or no work. Just being asked about disclosing you'd be turned down time after time."

Frank was reflective about the importance of work in supporting his transition back to life in the community:

> "I'm just wanting to get some sort of normality back. I could be doing so much more with my time and my life. I just want to feel normal again… Getting up and going to work."

Harry narrated the problems of not having work and keeping himself busy with little money:

> "Time does drag because you are just waiting for the next appointment basically, it is not as if you can go to the pub or anything like that because you don't get that much money, so not having a TV it does mean that you have to find other ways to keep yourself-occupied. You just learn to do your own thing and to keep yourself out of trouble."

Dean did eventually get a job through an agency and he expressed a desire to develop this role into a career in the future, but expressed concerns that this might involve further scrutiny of his criminal convictions:

> "I'd like to develop my job into a career if I can. I am hopeful that if I transfer from agency to employment with the company that won't involve any further delving into you know, can you fill in another form with a criminal record box on it."

A number of the participants spoke of their frustrations in not being able to obtain satisfactory employment and in particular the restrictions that were placed on them:

> "I think that other people find restrictions harder to work with, if they are someone else's they see all the challenges instead of saying, 'ok these are the challenges how can we work with them'." (Harry)

Charlie spoke of the difficulties in obtaining and keeping employment because of the restrictions of MAPPA and licence restrictions:

> "You can only have jobs that the probation will let you have. I can see why they are doing it but sometimes they go overboard. They seem to be stopping people getting jobs." (Charlie)

Although Charlie was registered as someone who was not fit enough for work (he had had two strokes during his time in prison), he had hoped to continue with the voluntary work he had started whilst he was in prison:

> "I miss OPAL [the support group for older prisoners run by Age UK in the prison] it was a big part of my life. A [the organiser of the prison group] gave me a letter for the local Age UK concern but I haven't heard anything back."

Although Charlie had the support of the Age UK worker in the prison, he seemed to lack confidence on his own in the community to follow up the recommendation made from inside the prison. Charlie went on to comment more generally about the challenges other people faced in obtaining employment. He observed:

> "I mean I was lucky here because I have got no curfew, I can go out after seven o'clock in the morning and I don't have to be back until 11 o'clock at night, some of 'em [other people living in the hostel] have got four or five curfews in the day so can understand it would be a problem trying to find a job."

4.3.3 Employment and purposeful activities: Offender Managers

An Offender Manager summarised the situation for people with sexual convictions leaving prison trying to gain employment:

> "There is a stigma attached to the conviction, the stakes will be stacked against them, and even sort of factory jobs will be difficult to secure. The frustration, the aggravation, the upset, the rejection after a time becomes… I can see it wearing on the individuals." (OM.1)

Another Offender Manager also outlined the problems that people with sexual convictions faced in finding work:

> "In my experience, employment generally is difficult. I would say that a lot of my offenders struggle with employment, those who are lucky might get a job after 18-24 months and then there is an issue about the type of work. In terms of sex offenders, I would say that it's basically a no-go area to get proper employment. I don't know of any organisation that has taken on a sex offender. Basically, I can't see him getting a job anytime soon, for him to declare his offence at interview or on an application form, it is highly unlikely that someone would employ him." (OM.6)

One Offender Manager also outlined some of the concerns and frustrations about the job search for people with sexual convictions leaving prison:

> "They come out and they are struggling to get a job and that's what gets people down, they don't have a routine. I don't think he knew how hard it would be to get a job. He's literally applying for everything and anything and either he doesn't hear or gets through to certain stages and he has to disclose his actual convictions and it's no thank you." (OM.8)

An Offender Manager also expressed their concern about the impact of a sexual conviction on his client's job prospects:

> "He probably knows at the back of his mind that he hasn't much of a chance of any type of employment when he discloses." (OM.6)

This view was echoed by another Offender Manager, who also remarked on the impact of the conviction for a sexual offence had on his client's difficulties in being given the opportunity of a job:

> "There is a specialist agency for helping people with previous convictions to find employment, he decided to give them a call, after they'd been told about his convictions they pretty much said to him, 'Oh we find it difficult for you offenders basically we are not going to support you, bye.' We did a bit of work around that because I know how that knocked him." (OM.1)

The key finding that the people with sexual convictions have difficulty obtaining suitable employment or purposeful activity was underlined by the Offender Managers. All recognised that the requirement to disclose an offence to a prospective employer impacted on their ability to find suitable employment, and on the occasions when participants did find work they often felt anxious about the consequences of their work colleagues discovering their conviction.

4.4 Key theme: Stigma and challenges

Although there has been a great deal written on the stigma of having a conviction (Goffman, 1963; Clear et al., 2001; Hirschfield and Piquero, 2010; Moore et al., 2013), a growing number of scholars, particularly in the United States, have commented not only on the particular impact of the stigma of a sexual offence and how it affects an individual's employment and housing prospects, but also the impact of social marginalisation (Tewksbury and Lees, 2006; Farkas and Miller, 2007; Schiavone and Jeglic, 2008; Tewksbury, 2012). In England and Wales, research into this phenomenon is more limited, and there is still less from the viewpoint of the individual affected. The impact of the stigma of a criminal conviction is important in the context of a wider debate but also featured in the experiences of participants in both pre- and post-release interviews.

4.4.1 Stigma and challenges: Pre-release

Participants in the pre-release interviews spoke of their plans for, and feelings about, their impending release. In particular, they spoke of the impact of their conviction for a sexual offence on their future life:

> "I am overwhelmed by release and apprehensive about the future. It's funny, the nearer I get to the time of my release, the more anxiety I have. I go dry-mouthed and I can't talk very well." (Bob)

Geoff was anxious about the impact of returning to the area where people knew about the offence, and he was contemplating the need to move home:

> "I will need to move house, my photo was in the paper, I am frightened that someone will daub 'paedophile' on the wall."

Others worried that the number of restrictions on their liberty would impact on their ability to successfully reintegrate back into society:

> "It is a prison outside without the bars and stuff." (Frank)

> "You will have restrictions for the rest of your life. They will probably say that I can't go near a school." (Charlie)

Others expressed concern that they had not been informed of what restrictions would be in place and as a consequence felt that they could not anticipate what the future would hold:

> "I am not clear on my release plans." (Frank)

Some participants reflected directly on the stigma and being labelled a person with convictions for a sexual offence:

> "You have restrictions for the rest of your life. You have an identity as a sex offender." (Charlie)

> "Licence conditions are restrictive." (Dean)

> "Your offence is dragged up again and again." (Harry)

4.4.2 Stigma and challenges: Post-release

Although the participants were aware of the potential stigma of their release into the community with a conviction for a sexual offence whilst they were still in prison, the practical impact of this became more apparent once they were released into the community. Charlie commented:

> "You are not punished once; you are punished for the rest of your life. You made a mistake and no-one lets you forget that mistake, you are constantly reminded because you have to disclose every five minutes. It's a constant. It is like you have been branded."

For example, Charlie expected that he would be treated badly when he was released from prison but this was not his experience:

> "I was struggling with my bags on the train, people I didn't know were coming up and saying, 'Can I give you a hand?' It's so nice because I am thinking I am a sex offender have I got a label and then suddenly you know that you haven't got a label."

Harry commented about the frustrations and "box ticking" of some aspects of the restrictions he faced:

> "My probation officer said there is a footpath near a school, don't go there. I hadn't even thought of going there. I can see where they are coming from because they're saying I might be seen down there staring at teenagers. I could stand in a shopping arcade and stare at teenagers if I wanted to. They have to tick a box because they are protecting their job."

Frank expressed his frustrations about the impact of the stigma of the label of "sex offender":

> "I can fully understand why people reoffend to enable them to get sent back inside. I know that it is much harder for the sex offender due to the limits and restrictions that are in place, but I have never felt as worthless or found life as pointless as I currently do."

The stigma of the impact of the sexual conviction on an individual's return to the community was evident from this research. The impact of this stigma affected all aspects of the participant's life and his anxieties about both the scrutiny of him and the impact on his well-being and self-esteem were evident.

4.4.3 Stigma and challenges: Offender Managers

Offender Managers were well aware of the impact of the stigma of people leaving prison with sexual convictions. For example, one commented:

> "If someone is a registered sex offender it is almost the worst offence someone can commit." (OM.5)

Others commented about their observations on the stigma of the people they supervised returning to the community and mentioned some of the events that the people they supervised had experienced:

> "There was an incident in the pub, when he was identified [for his sexual conviction] and asked to leave." (OM.2)

Another Offender Manager commented on the reaction of one of the participants' neighbours to his conviction:

> "His neighbours put up posters on the lampposts saying he was a paedophile with a photo." (OM.7)

One Offender Manager explained that his restrictions had significant impact on his lifestyle:

> "He has got non-contact with victims and an exclusion zone requested by the victims and no camera phone." (OM.4)

> "We are going to a support agency for gay males. They do one-to-one. Because of his conviction, he can't do any of the groups at the moment. We are going to do disclosure of the offence and also disclosure of restrictions, so that the agency are able to manage his Sex Offender Prevention Order." (OM.1).

Another Offender Manager commented on the cumulative impact on a person with licence restrictions following a conviction for a sexual offence:

> "The frustration, the aggravation, the upset, the rejection, time after time, becomes… I can see how it is wearing for the individuals." (OM.6)

The Offender Managers were acutely aware of the environment facing a person convicted of a sexual offence when attempting to re-establish themselves in the community after their release from prison. The acknowledgement of the effect that this stigma and associated challenges had on their clients is a key finding of this research.

4.5 Key theme: Accommodation and home

Finding a suitable, safe place to live is vital for many people leaving prison and returning to the community. As discussed in Chapter 2, the desistance literature suggests that accommodation is a key element in the support of a person on this journey.

4.5.1 Accommodation and home: Pre-release

The majority of the participants in the study were assessed as high risk of reoffending. This group of people with sexual or violent offences leaving prison are prioritised for places in probation Approved Premises (APs, or "hostels") in order to manage the risk to the public but also to provide support for the transition from prison to the community. Approved Premises are staffed 24 hours a day, and often each resident will have a licence condition to reside at the AP, and they can have additional licence conditions such as a curfew or frequent alcohol or drug testing. The licence conditions may also include exclusion zones and conditions preventing contact with victims or children under the age of 18. Some may also be required to take a polygraph test. The AP is intended to be a short-term measure, and people are expected to find more permanent accommodation, usually after the first three months of residence. All but two of the participants in the study were expecting to be released to Approved Premises accommodation. One was returning to his own home and another to a rented flat in the same block as his sister.

One of the participants commented on the prospect of fending for himself, even though he was due to move to Approved Premises:

> "I am a bit apprehensive about it because of the last five/six years we have been in prison, we've had no worries about where our food is coming from, we've had no bills to pay and when you are out of prison, it's like a comfort blanket has been taken away from you and you are on your own." (Charlie)

Bob was fearful about the licence restrictions of living in a hostel:

> "I have never been released from prison, but it is frightening to think that they can just bring you straight back in."

Alan thought that there might be a problem with accommodation when he got out, and spoke about losing his council flat when he came into prison:

> "I miss my flat. I still say home, even though It's not, but I still see it as home, but it's obviously not now because a lady lives there now. I know I can't do anything about it but it's a shame because I enjoyed living there, I mean it was a nice place."

Alan went on to talk about how accommodation was the biggest priority for him, particularly as he was not one of the participants who was being released into Approved Premises:

> "My housing is more priority than anything."

A key finding from this study is that people leaving prison felt that the most important factor in re-establishing their lives in the community was a suitable home: a safe, secure base on which to re-build their lives.

4.5.2 Accommodation and home: Post-release

The reality of life living in the Approved Premises and moving on to more permanent accommodation was difficult for some of the participants. Harry commented:

> "They did say not to speak to the residents outside the hostel. To be honest you don't really want to associate with people on the outside anyway, because you want to move on with your own life."

Bob spoke of his vulnerability as a person with a sexual conviction in the Approved Premises:

> "There was unpleasantness in here, I felt a little vulnerable."

Charlie also spoke of the difficulties his conviction had caused him:

> "We've had a couple of instances where people have tried and sort of made it awkward for us being sex offenders, but staff jumped on it and said, 'you don't discuss what other people are in for'."

Bob also spoke about how vulnerable he felt in the Approved Premises:

> "The space was scary, and you don't have doors that are locked, and being in prison for so long you meet so many guys and you eventually get to trust them, then you come to another place, it is hard to settle at the beginning. I felt a little vulnerable."

Frank also said he was worried about his safety:

> "The hostel where I am is a mixed hostel [for people with sexual convictions as well as housing people with convictions for other offences] and if I am being honest due to the nature of my convictions along with being an ex-policeman I am terrified, and I don't leave the room unless I am going for my evening meal."

Bob went on to talk about his prospects for social housing as a person with mobility issues:

> "I have been matched to several houses but somewhere there was a mix-up and the houses I have been offered haven't been suitable for wheelchairs."

Bob also spoke of the eviction notice he had received from the Approved Premises. People are only guaranteed a place in Approved Premises for up to 12 weeks, after which the local authority are required to consider them for housing. The local authority has priority groups, and people with disabilities or subject to MAPPA restrictions are

prioritised if they are homeless. Therefore, the eviction notice potentially prioritised him for social housing:

> "The notice to quit tells the council that I'm homeless, and with support by the probation it moves me up the list."

The problems of obtaining local authority housing were highlighted during the interview with Charlie:

> "I've got the choice of a place in 'C', but not until February [three months after the eviction notice]."

Charlie had spent most of his life in "D" (a town several miles away in the same county) and was eligible for a property there because of this. However, because of his licence conditions he was not able to reside in "D". Eric also commented on the difficulties of moving on from the Approved Premises into local authority housing:

> "This isn't my borough, my borough is 'T'. You have to be somewhere for six months before they can put you on the housing list. Which I think is a bit of a pain in the bum."

Eric spoke about his desire for his own accommodation rather than living in the Approved Premises:

> "It's not a permanent place but it keeps a roof over my head. I just can't wait to move on to be quite honest."

The feelings of dislocation following release are highlighted by Dean:

> "Sometimes I think I want to go home, then I remember I don't really have a home, I have to get on and find my own place. So many things in life depend on having your own place, like having a relationship, or when you want to play your own music depend on having your own place."

Frank also wanted to have his own home:

> "I just want that thing of having my own flat, so that I can just turn round and think, right this is my home now."

Charlie and Frank highlighted the problems for people with sexual convictions even after they had found somewhere to live. Charlie observed:

> "Every time you see a flat or anything else you have to notify the probation and the police who will go and have a look."

Frank said of difficulties he had had with finding a new home:

> "I'd had the offer of a bedsit, but I had to turn it down because of the issues around my son being so close to the house."

Eric needed to move from the hostel to live with his mum as there was no possibility of him obtaining local authority housing:

> "Eventually, I'll be moved on from here to go and live with my mum, but that's on a temporary basis. My name's already on the housing list, so if a job comes up and I get a good income then I'll be able to move out of my mum's and live independently."

Dean, who had also returned to live with his parents, was also keen to re-establish his independence:

> "I want my independence again; I don't feel like I am in my parents' way but I would like them to have their home back."

Harry spoke positively about his move from the Approved Premises and how he saw this as a progressive move:

> "I got moved into supported housing. It's a step forward from the hostel because you have so much more independence. It is pretty good that way."

Alan was able to obtain a rental property because his father had given him a deposit, but this initially did not go smoothly:

> "It was literally seven days after I got out, I got my flat. It was nice of my dad to help me out with the bond. Initially I went to my sister's, that was where I was being released to that was number 71, now I'm number 67

only two doors down. I went out thinking this property is fine to live in, and then the probation officer and the police lady came round and said, 'You can't live here.' I'm like, why? They says because we've done the social, you know the checks and I'm thinking, 'Oh my God what do I do?'"

However, Alan was able to subsequently find somewhere to live that was suitable, and he had made the property feel like home:

"It feels like home now because I got my things back, they were stored at my grandparents. I've got another cat. I've adopted him five weeks ago. It just makes it feel better you know, having somebody there." (Alan)

4.5.3 Accommodation and home: Offender Managers

Interviews with Offender Managers took place across a wide range of areas of the country, but there was a consistent theme about the difficulties of finding suitable accommodation for people with sexual convictions leaving prison. One Offender Manager stated:

"He's almost being held at the Approved Premises when he doesn't need to be there necessarily. But yeah we are still waiting for accommodation to come up." (OM.2)

Another Offender Manager also commented:

"Accommodation for anybody coming out of prison, it's incredibly difficult. We've got Approved Premises which are there for predominantly high- and very high-risk individuals, but the spaces are limited." (OM.5)

The naïvety of the people without previous convictions about the challenges of finding suitable accommodation on release from prison because of how they are seen by accommodation providers was commented on by one OM:

"I think that people who haven't had contact with the criminal justice system think that accommodation will be provided for them. Single men are bottom of the ladder when it comes to accommodation." (OM.6)

Another Offender Manager also expressed concern about finding suitable accommodation for him when he moves on from the Approved Premises:

> "It's difficult at the moment finding any form of accommodation. If he decides not to go to his mum's, I would have to find him somewhere else, but I have had to explain to him that it would be like going into shared accommodation, like going back to prison." (OM.5)

This Offender Manager went on to express her concern about the lack of accommodation for some of her other clients:

> "The accommodation situation is horrendous. Some of the high-risk cases come out and they don't have anywhere to go. We just rely on them reporting in, as and when they are meant to, but it is very, very difficult, very difficult indeed. You hear people say, nobody would really know if I was missing because I don't really see many people anyway." (OM.5)

One Offender Manager talked about the reluctance of the police officers responsible for managing people subject to notification requirements to approve accommodation options for people with sexual convictions:

> "The MOSOVO unit [a specialist unit in the police working with and visiting people subject to notification requirements] would generally not approve a lot of accommodation that sex offenders are coming out to, because of children in the area. But with trying to manage X in society, there is children everywhere, so I know he is not allowed contact with under 18s, but we thought it [was] better than going to a council hostel which is full of drug users, alcohol users and homeless people, because he is not that type of person. At the end of the day he's served his sentence and he needs to live in the community." (OM.1)

The problems associated with police approval for housing people with sexual convictions was also highlighted by another Offender Manager:

> "It is difficult with sex offenders because we can't make decisions without liaising with the police and public protection unit." (OM.6)

One Offender Manager spoke with some frustration and feeling about the problem of finding suitable housing for people with sexual convictions:

> "Having a sexual conviction imposes restrictions on people that they may not be aware of or have great difficulty overcoming. Accommodation: The police for example take a strong view of accommodation issues. If they feel that the location of the accommodation in an area that would expose the victims to risk of harm. They do not take into account the limitations that a person with a sexual conviction has, and as a consequence has a mountain to climb to get their foot in the door, to get a rent deposit, to get a place, to start over." (OM.5)

The impact of adverse media reaction in finding suitable accommodation for people with a sexual conviction was highlighted by an Offender Manager when there was adverse publicity in the local media about the offence:

> "Because this case has local media coverage, his mother declined for him to stay with her. She said it is not safe for you to come to my property." (OM.6)

The OM went on to comment about the impact that these accommodation problems had on the participant's mental well-being after his release from prison:

> "I think that he has a mental illness, it could be anxiety, stress and possibly depression because of what has happened to him. But I think that when he gets his own flat or bedsit in a desirable location, I think he will be a bit content." (OM.6)

Regarding the housing situation for the majority of the people he was responsible for leaving prison, he concluded:

> "We need more properly supported housing stock, not independent. I think people struggle with getting a bond or references." (OM.6)

The frustrations of working with the local authority when finding suitable housing for people with sexual convictions were articulated by one OM:

> "Local Authorities run scared of persons with sexual convictions. I'm not saying people should fudge the issue of risk assessment, but each individual's risk is different in different circumstances, and you can't paint everyone with a broad brush." (OM.3)

The problem was further commented on by an Offender Manager who also reflected on the difficulties in finding suitable accommodation for people coming out of prison:

> "Accommodation for anybody coming out of prison, it's incredibly difficult. We get the Approved Premises which are there for predominantly high- and very high-risk individuals, but spaces are limited. Other than reporting to the council as homeless, often they are classed as intentionally homeless if someone has offended and been sent to prison. In an ideal world accommodation is the key." (OM.5)

A key finding of this research is the importance of accommodation, but also the opportunity to establish a home. All of the participants had some form of accommodation to go to on release, but this was for the most part temporary or unstable and in some cases the participants felt unsafe. OMs expressed concerns about the assumptions of local authorities, the police and other housing providers about the stigma of a sexual conviction and the impact that this had on finding people with sexual convictions a home.

4.6 Key theme: Hope and future planning

There is a growing body of knowledge about the importance of hope for a person's well-being. As the desistance literature outlined in Chapter 2 indicates, people need both the desire and the circumstances to change their behaviour. Hope for a better future, and planning to achieve this, was a key motive to which participants consistently alluded and is a key finding of this research.

4.6.1 Hope and future planning: Pre-release

The participants, despite their anxieties and the uncertainties of their impending release into the community, were in general optimistic and hopeful about the future:

> "I am looking forward. I think most people get out the other side a better person I have just got to go out and embrace the world and see what is what." (Harry)

> "I'm looking forward to quite simple things, to wide open spaces and seeing the countryside again, being able to walk somewhere on my own, just being in the house on my own. I look forward to seeing my friends, the ones I have still got. I would like to explore camping and hiking." (Dean)

> "I am a very sociable person, I have to go out and embrace the world, I am going to my sister's, I am very, very, happy and lucky. Prison has helped me. I used to call myself a hermit crab, I don't feel like that anymore, I really don't. It has made me happier." (Alan)

> "I need to be part of society again. I want to run my own business. I want to get qualifications, I want my own place, be around my family. I hope to exceed and stay out there I want to move on with my life in the best way I can. I am leaving prison positively, a bit nervous, but I am happy." (Eric)

Bob spoke of his enthusiasm for his return back to the community:

> "I'm all excited about going. It's only been a year but you are not sure what you are going out to, but my family's fine. My family are supportive, and my friends are all there. I have fixed the fuse that had blown and now they are going to throw me back out now."

Harry also spoke of his desire to resume control over his life and the freedom he expected on this release:

> "I am going to reintegrate myself one step at a time. I am looking forward to getting some control of that freedom back. I think with the fact that there are no fences, it means I can walk in a straight line as long as I want."

Eric was very positive about his experiences of prison and he too was optimistic about his future in his pre-release interview:

> "I have to thank the staff in the group, and psychology, and I will have to thank myself because I listened, if you chose to listen I think that you will succeed. I don't think that you should ever give up hope. I am leaving prison positively, a bit nervous but happy."

Harry and Charlie also spoke of both their anxieties and their optimism about the future beyond prison in their pre-release interviews:

> "Every day that you get closer to your actual day of release there are little anxieties that appear and then disappear when you start thinking about different things, but yeah I am looking forward to it." (Harry)

> "I am looking forward to the future now. Once I can get those niggly thoughts like having to fend for myself, pay bills, you know once I have got all that measured. I will be fine." (Charlie)

Having the chance to taste foods that were not available in prison was a common theme during the pre-release interviews. Harry, Charlie and Frank all spoke with enthusiasm for tasting favourite foods again.

The participants' views in the post-release interviews were a little more tempered by the reality of life beyond prison. Dean, for example, commented:

> "It has been a tough few months, police wise, probation wise. I am hoping that just the initial stages of my licence and that you know give it time and maybe the sex offender requirements are not too onerous."

Alan was positive and reflective about his experience on his return to the community:

> "It's going slow, but I am quite happy with that, because you know inside it was going very, very, quickly, and now it is going quite slowly, but I am quite liking it because obviously you can get things done. In the long term my plan is to get a job, then it will be the rest from there. I've got the flat, I've got a nice neighbour. I've got my stability really."

Harry was also reflective about his position and that of the other people around him:

> "There are people in the hostels who get irritated and angry about their own situation, but if they just sat back a second and thought hang on a sec, you know I am out of prison I can go out the door whenever I want. That is such bonus."

Bob also remained optimistic about his future:

> "My plans are to have my own place to put things back together."

Charlie also spoke of his hopes and optimism for the future:

> "I am looking forward to starting my new life … I am hoping that I can find myself a nice little flat or a nice place to live. I would like a little dog. I love gardening and I might be able to go into the old people's homes and play dominos as a friend with the old lads."

Harry said:

> "I was going to the same local pub and seeing the same people, you are not giving yourself a chance so because of that I am planning a few adult groups such as walking groups, hobby groups something like that, meeting different people, getting back out there and getting back into society, and you know just making myself part of society again."

Dean said that he was looking forward to simple things upon his release:

> "I am looking forward to quite simple things. I am looking forward to wide open spaces and seeing the countryside again. Just being able to walk somewhere on my own, just being in the house on my own… I look forward to my independence."

Alan was very enthusiastic and positive about his plans for release:

> "I'd like to go into car mechanics, I am very energetic, I'll be sorting myself out and getting everything, you know, in place where I can start living next to normal again. Prison has helped me. It has made me happier."

Others spoke of their plans for new activities or hobbies:

> "I want to do quite a lot of walking." (Harry)

> "My hobby is cycling. I am very energetic, and I plan to be out on my pushbike, and a cat is an important part of my life, I will get a new one." (Alan)

> "I want to build up my friends and my social life." (Dean)

> "I like a quiet life, reading, watching TV and gardening. I've got some money, so I have agreed with my wife that we are just going to go and enjoy it." (Geoff)

Others also had plans for self-improvement to ensure that they did not return to prison:

> "It was vital for me to take these unhealthy sexual thoughts and put them to the side, to concentrate and to make myself well again, rather than be caught up in that cycle of of returning to these thoughts every night. I need to demonstrate change." (Dean)

> "I need to prove to others that I have changed." (Frank)

> "I need to take personal responsibility for myself." (Harry)

> "I want to be happy, living clean, functioning in the real world without crutches like alcohol, drugs or any dangerous behaviour." (Dean)

During the interviews, one of the participants also felt the need to point out his remorse for what he had done:

> "I made up all these excuses, 'oh if this hadn't happened, if I wasn't unemployed'. The course made me face up to it. I am sorry for what I have done." (Charlie)

Another participant acknowledged the impact of his behaviour on his victims, commenting that:

> "I can say sorry, sorry, sorry. It has already happened, and I don't think that sorry is a strong enough word. She's got to live with that for the rest of her life. I've hurt her and most of her family because of one stupid night. Sorry is not enough." (Eric)

Some participants talked about freedom as something they looked forward to upon release from prison, and sometimes these were practical issues:

> "I want to run my own business. I want to get qualifications. I want my own place." (Eric)

> "I'd like to go into car mechanics." (Alan)

But others had less tangible aspirations:

> "I am going to reintegrate myself one step at a time. I am looking forward to getting some control of that freedom back." (Harry)

Bob, Frank and Alan also spoke about their desire for freedom and control when asked what they looked forward to:

> "Independence" (Bob)

> "Getting control" (Frank)

> "Freedom" (Alan)

Surprisingly, food featured heavily in response to the question, "What are you most looking forward to on release?" Harry said that he would like:

> "A fried egg sandwich" (Harry)

Geoff said:

> "An all-day breakfast" (Geoff)

Charlie was looking forward to:

> "Proper milk on my cereal" (Charlie)

This is perhaps an indication of the lack of choice and agency of living in an institution and the desire to retrieve some control in one's life. Inevitably, institutions require routine and conformity to operate safely and efficiently, so there is little opportunity for individuality and flexibility.

Overall, participants were keen to articulate that they had changed for the better. Some said that this was the result of the prison-based offending behaviour programmes, and some because they had the opportunity to reflect on their lives and think about their priorities and what they most valued. Despite the challenges and experiences of imprisonment, they viewed their experiences as life-changing but positive: something that gave them a base upon which to build their future lives.

4.6.2 Hope and future planning: Post-release

Despite the challenges and frustrations of a number of aspects of their lives following their return to the community from prison, most of the participants remained positive and optimistic about the future. Charlie spoke of his experiences when he first left prison, and how being treated well by members of the public had made him feel:

> "I was struggling with my bags on the train, people I didn't know were coming up and saying, 'Can I give you a hand?' It's so nice because you are thinking to yourself, 'I'm a sex offender, I have got a label', and then suddenly, you know, I haven't got a label."

Alan spoke of the impact of the change of pace between prison and life in the community in a positive way:

> "It's going slow, but I am quite happy with that, because, you know, inside it was going very, very quickly, and now it's going quite slowly, but I am liking it because obviously you can get things done."

Eric was aware of the feelings of space and freedom when he first came out of prison:

> "When I first came out, I went to my sister's and dropped off all my stuff, and she goes 'What you gonna do now?', and I said I got to go to probation. And she said, 'Do you want a cab?', and I said I'm walking. I wanted to feel the air, I wanted to feel free."

Harry spoke of his positive mindset and how he was planning to manage the times when he might be at risk of reoffending:

> "Moving forward you really have to go off on your own and manage your own risk areas. Speak to people about your risk areas and get their feedback."

Alan commented:

> "You can't be constantly passive, you can't just let the world push you about, as long as you understand what is happening around you, there is no need to panic."

Charlie outlined his plans to reduce his social isolation by volunteering to be part of a Circles of Support and Accountability programme:

> "I have been accepted for a Circle, but it will be in C [the next town] when I move."

Harry also commented about the challenges of developing new relationships:

> "Having to make new friends. It is not going to be difficult it's just where to put the disclosure bit in, I am going to have to play that by ear."

A number of the participants spoke of the prospect of recall to prison, but all felt that people who were recalled only had themselves to blame:

> "People get recalled because they have been stupid, because all of a sudden they say, 'Oh I'll take a bit of that', or, 'I'll try a bit of that'." (Harry)

Charlie also spoke about the people he knew from the Approved Premises who had been recalled whilst he was living there:

> "Whilst I have been here, we've had one, two, three, four, recalls. To me it's so silly to be recalled after you have done all the hard work going through your prison sentence keeping your nose clean, and then just throwing it all away. Anyway, it seems silly."

Alan spoke of the methods he had used to prevent himself from reoffending, thereby avoiding a return to prison:

> "I don't really worry much about recall because I've put more barriers in the way of myself on purpose. I told the police about the websites I'd been on before I got put inside, and since I've been out, they've been to my house and spoke to me about it. It is a deterrent for myself because then I know the police know about these websites."

Frank acknowledged the frustrations in returning to the community, but had hopes and aspirations to build up again what he had lost by offending and by being in prison:

> "I am just waiting for someone to just pick me up and put me somewhere and say, there you go, here is your life, off you go with it. Just let me re-build it and try and be some sort of success, which I was before. Because I was proud of what I was and what I had achieved in my life."

Harry was also positive about the future but recognised that he needed to adjust to the restrictions on his freedom:

> "It's a new start, which we all need. I am an optimist. There are some bits where, well, I have got to adjust my thinking, because I can't do whatever I want to do, or go wherever I want to go, because of risks to the public or vice-versa."

Dean spoke of his need for independence away from the support of his parents:

> "I want my independence again, I hope to be able to afford a bedsit somewhere, a studio flat."

Alan also spoke of the importance of stability in his life and how that had had an impact on his well-being:

> "In the long term, my plan is to get a job, then it will be the rest from there, I've got the flat, I've got a nice neighbour. I've got my stability really. These days I don't really care what people think of me. If I really

thought about it, I wouldn't like it. But why would I need to? It's their thoughts, their feelings, it's not mine."

Geoff was the only one of the participants who had returned to his own home and largely to the life he had before prison:

"To be honest I haven't got a care in the world. It's like I haven't been away. It's just as simple as that."

Bob was also positive about the future. Although he was still living in the Approved Premises and awaiting the allocation of local authority accommodation, he had resumed contact with family and friends:

"My sister comes here, she picks me up sometimes, and now I've got used to the bus. I catch the bus to 'B', where my son works, and meet him for lunch sometimes. My friend, Jeff, comes here and we go out for days while its quiet, or to his house. He has a shed and tools and we do stuff in there."

The key finding from this research is that overall, despite the frustrations and challenges of life in the community having served a prison sentence for a sexual offence, the participants felt that they had learnt a great deal about themselves and others and saw their release as an opportunity to appreciate the positive elements of their lives and to move forward in a hopeful frame of mind.

4.6.3 Hope and future planning: Offender Managers

The majority of the Offender Managers were optimistic about the participants' future plans. For example, One Offender Manager said:

"I don't think that he will offend again, I hope he doesn't. He knows what is appropriate and what's inappropriate. He is still keeping his diaries and things like that, he is letting me see. Yeah I don't think he will because he has done some really good work." (OM.8)

Another Offender Manager also felt hopeful about his client and his future:

> "I am confident that he can remain out of trouble. He has a good awareness of his warning signs and his risk factors. He speaks about how prison has allowed him thinking time into his offending behaviour. He presents as a motivated individual. He is a clever, intelligent young man who's capable, so it's more a case of you advise." (OM.1)

One spoke of the change that they had seen in their client and was positive about his future:

> "He is doing very well, there don't seem to be any issues around him at the moment, I know he doesn't want to go back to prison, he knows his triggers, which is good. I have seen a massive change in him. I have seen him grow up into a man, from being in prison from the age of 17." (OM.5)

One Offender Manager spoke of the importance of a supportive family and friends for one participant:

> "He has a really good support network, and they've all stood by him and they're all aware of his offences. I think he will do really well." (OM.5)

Although one participant was very socially isolated, his Offender Manager talked positively about his future too:

> "I think he will go out of his way to avoid victimising other children in the future. I've got high hopes for him personally. The Circles representative has interviewed him for a Circles project, and that will help with his social isolation." (OM.3)

This chapter has established the key themes from the research, and Chapter 5 will explore and analyse these themes further.

Chapter 5: Critical Analysis of the Themes

The research questions established at the outset of this study sought to explore the expectations of people leaving prison with a sexual conviction and how these compared with their lives in the community after release, how the individuals could be best assisted not to reoffend and the impact of licence and statutory restrictions on their resettlement plans and goals. The research questions were also designed to explore what support was provided to prevent reoffending and how the ex-prisoners thought that their transition could be better handled.

This chapter will analyse the six themes highlighted during the research: perspectives on prison life; family relationships; employment and purposeful activities; stigma and challenges; accommodation and home; and hope and future planning. The themes are broken down into sub-themes and explored in more detail with reference to salient academic literature on the particular theme. Each theme is critically analysed in turn. The novel implications of this research for policy and practice are discussed separately in Chapter 6.

5.1 Key theme: Perspectives on prison life

5.1.1 Community vs institutionalisation

The nature of prison life presents different challenges, benefits and conflicts for prisoners. For example, the difficulties of separation from family and the loss of freedom and agency can be a significant challenge, but the predictability of the routine and relative safety and predictability of the prison environment can be seen as a benefit according to this thesis's data. Scholars such as Goffman (1961) and, more recently, van Marle (2007), both discussed more fully in Chapter 2 (2.1), have observed the negative features of institutionalised existence.

The positive impacts of both the prison sentence and life in the institution, however, are recurrent themes in both the pre-release interviews and those conducted with participants after release from prison. This is a significant and novel finding from this research and is contrary to many of the established writings on the subject. Some Offender Managers also commented on the positive experiences of the period of imprisonment for those for whom they were responsible. Offender Manager

participants reported improvements in their clients' well-being and self-worth as a result of their experience in the prison where the research took place.

As discussed in Chapter 2 (2.1), studies of life in prisons other than the one where the research took place (Bonta and Gendreau, 1990; Adams, 1992; Crewe et al., 2013) indicate the opposite effects. Some participants in this study remarked that they had been able to be open about their sexuality for the first time (referring to their homosexuality and not to illegal sexual desires or acts) as a result of their time in prison. The prison was seen as a positive and supportive community, and a number of the people interviewed expressed feelings of a sense of belonging to the institution and valued being part of a community.

The power, influence and impact of the community is considered by a number of scholars across a range of disciplines, as discussed in Chapter 2 (2.1.1). In addition, Clinton (1996) considers the role of the wider community in bringing up children. In psychiatric institutions and prisons, the role of therapeutic communities, enabling environments or rehabilitative cultures in helping and supporting change and rehabilitation is examined (Rapoport, 2013; Blagden et al., 2016). However, the impact of release often revealed difficulties for an individual's adjustment to life back in the wider community.

Chapter 2 (2.1.1) considered the concepts of the nature and importance of community. Gusfield (1975) and Chavis and McMillan (1986), for example, outline the concept of community. The data from the present study suggests that, by the McMillan and Chavis (1986), definition, the research participants who were convicted of a sexual offence felt that they were very much part of a community whilst resident at HMP Whatton, but not necessarily so when they were released into the real world.

The data from this research supports the concept of a psychological sense of community as defined by Tropman (1969) and Glynn (1981). Most of the people with sexual convictions interviewed were long-standing residents at HMP Whatton and had a number of friends and associates in the prison.

Within this study, the research participants' involvement in a range of activities in the prison is also indicative of their involvement in the prison as a community. Charlie's work

with the older prisoners' group and Alan's skills in helping people come to terms with their sexuality are examples of both their adaptation to life in the prison and its sense of community.

The people with sexual convictions interviewed as part of the research highlighted significant differences between their experiences of HMP Whatton, the prison where the research took place, and other prisons that they had been to where they did not necessarily experience the same sense of community. Many of the sending prisons do not necessarily focus on assisting the prisoner to examine the causes of their offending and to actively plan strategies to prevent further offending in the future. HMP Whatton, the site where the research took place, aims to ensure that prisoners have time to reflect and consider the reasons for their offending. For example, the mission statement of the prison is "prevent another victim". The prison aims to help prisoners to plan to manage situations where they might be at risk of committing offences again in the future.

"Therapeutic Communities" (TCs) are defined by the Consortium for Therapeutic Communities (2013) as "structured [and] psychologically informed environments – they are places where the social relationships, structure of the day and different activities together are all deliberately designed to help people's health and well-being" (p.1).

Although HMP Whatton was not officially defined as a TC, there are similarities between the role and purpose of the prison where the research was conducted and that of a TC. A great deal of the literature on TCs highlights the context and environment and discusses the impact this has on the ability of prisoners to construct positive identities (Miller et al., 2006). Shefer (2010) has commented that TCs improve the quality of life for people in prison. Blagden, et al. (2016) speak of the "rehabilitative culture" of the prison where both their, and this, research took place and they explain the parallels between a TC and HMP Whatton: "The prison has a clear defined purpose, has a clear set of specific goals that are centred on reducing recidivism. The prison fosters change and provides constructive outlets for prisoners." (p.391). Although their research was primarily focused on how the prison environment supports the offence-specific offending behaviour programmes and subsequent rehabilitation, they also suggest that the prison is a community as defined by both Gusfield (1975) and McMillan and Chavis (1986).

Some of the responses of the participants in this research support the conclusion that they experienced the prison as a community and valued their part in it. As outlined in Chapter 4 (4.6.1), Alan, Charlie, Eric, Dean and Harry were all very positive about how the therapeutic programmes they had undertaken at the prison had helped them, but also about being part of the community and contributing to it.

Both Frank's and Charlie's comments about their contribution to the charitable work of the prison also support the idea of community. Alan also reflected on his contribution to the wider prison community, and Eric's views on his constructive use of time and also on his sense of belonging reflected on the prison's ethos. The data from the participants in this research is potentially in conflict with some established studies. However, the impact of a period of imprisonment is acknowledged to be almost always difficult. Imprisonment creates habits of thinking and acting that can be dysfunctional in periods of post-prison adjustment. As Haney (2002) remarks: "Not everyone who is incarcerated is disabled or psychologically harmed by it, but few people are completely unchanged or unscathed by the experience." (p.79).

However, there are also potential downsides to these positive experiences of imprisonment, particularly if these experiences are not extended, developed and reinforced when a person is released back into the community outside the prison. This lack of continued support and the effects of institutionalisation can have a negative impact on the person when they return. A number of the research participants commented that life after release was difficult and challenging and that they did not feel especially well supported in the transition.

From both the researcher's personal knowledge of the prison where the research took place and published research studies that have featured the prison, it is clear that the prison tries to address these challenges, where possible, by allowing prisoners some control and choice over their day-to-day lives and helping people to plan for life outside. However, the nature of the prison environment, with its security and movement restrictions, confinement in prison cells overnight, inability to change the routine and the need to comply with what can often seem to be petty rules, means that inevitably the impact of the period of imprisonment involves some elements of institutionalisation, however progressive the institution.

All of the participants in the research had been employed and came from non-criminal and prosocial family backgrounds, and this arguably meant that imprisonment had a greater impact on them, because of the unfamiliarity with the people they had to interact with in prison, the conditions and impact of the containment. It is worth remembering that the majority of the participants did not live previously in deprived areas or have any history of criminal activity prior to their imprisonment. As described in Chapter 4, Dean and Geoff particularly commented on the impact that the experience of prison had had on them.

As discussed in Chapter 2 (2.1), Haney (2002) has highlighted that people become accustomed to their environment, and it is certainly the case that the experiences of the participants in the study in the post-release period found reintegration more difficult to manage both practically and emotionally. For example, Eric clearly felt the impact of his long period of imprisonment (almost ten years) when he returned to the community when he commented that he felt overwhelmed by the range and nature of what was expected of him.

Haney (2002) offers some advice to policymakers and those running penal institutions to try and mitigate the impact of the effects of prison so that people are more able to settle back to life in the community upon their release:

> "Prisons that give inmates opportunities to exercise pockets of autonomy and personal initiative must be created, the less like a prison the more like the free world the better." (p.87)

This research indicates the role that prisons like HMP Whatton have in providing a constructive, supportive environment for the people they imprison, helping them to address the causes of their offending but also helping to prepare them for life in the community. A key challenge indicated by this study is to continue this positive approach to resettlement into the community. Prisons like HMP Whatton can provide positive experiences for those they imprison, but these findings need to be acknowledged and utilised by both the Probation Service and the police. This work needs to be built on if people are to be managed safely and effectively after their release into the community.

Challenges to policy and practice based on the experiences of the participants in this study are considered in Chapter 6.

5.1.2 The negative effects of the prison on mental well-being

> "I knew that it would be much harder for sex offenders due to the limits and restrictions that are in place, but I have never felt as worthless, or found life as pointless as I do now." (Frank, post-release interview)

The negative impact of the experience of imprisonment and the subsequent return to the community on emotional and mental health are recurring themes throughout the research interviews, and these issues are discussed in Chapter 2 (2.1). The World Health Organisation defines mental health as:

> "A positive sense of well-being … which enables us to survive pain, disappointment and sadness. It requires an underlying belief in our own and others' dignity and worth." (World Health Organization, 1999, p.5)

This is an important definition when considering the research questions, and, therefore, the aims of the thesis. This point suggests that greater thought, resources and practitioner awareness would result in better outcomes for people in the transition window. The experiences of the research participants have the potential to have a direct impact on policy and practice.

As outlined in section 4.4.2, Frank, Eric and Charlie commented on the negative effects of prison on their mental well-being, both in prison and on their return to the community.

These are particularly important observations when considering some of the factors that are influential in an individual committing sexual offences in the first instance and their likelihood of reoffending. Chapter 2 (2.3) of this thesis reviewed the risk, needs and responsivity research, which underpins both the risk assessment tools in operation across the US, Canada and Western Europe and the programmes that have been devised to help people with convictions for sexual offences not to offend again.

The importance of adequately preparing people for release from prison is widely acknowledged, and indeed international standards require that "from the beginning of

a prisoner's sentence, consideration shall be given to his or her future after release" (United Nations, 2016, Rule 107).

These Rules also suggest that in order to adequately prepare for a person's successful reintegration into the community, "it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organised in the same prison or another appropriate institution, or by release on trial under some kind of supervision" (United Nations, 2016, Rule 87).

Participants in the research commented that they did not feel well prepared for their release. If they had had the opportunity to experience some form of temporary release form the prison in advance of their final release date, this would undoubtedly have provided them with the opportunities to research housing and employment options and simply to become reacquainted with the pace of life in the community. However, release on temporary licence or supervised access to the community for people convicted of sexual offences has been curtailed in recent years following some high-profile cases of reoffending. This research indicates that this policy should be revisited. This point is considered further in Chapter 6.

5.1.3 Loss of control and agency

As discussed in Chapter 2 (2.2.5), the experience of being sentenced to a period of imprisonment inevitably leads a person to lose control over many aspects of his or her life. For example, even the most basic decisions are taken away from people when they start a prison sentence, not least the power to make a wide range of choices and decisions. Prisoners lose agency over their own life choices. This loss of control continues for many people with sexual convictions when they are released back into the community because of the impact of licence restrictions, notification requirements and in some instances restrictive MAPPA requirements.

Harry, in his pre-release interview, spoke of the impact the period of imprisonment had had on him and what he was looking forward to upon his release:

> "I am looking forward to getting some control of that freedom back. I mean you get a bit going from Cat B to Cat C but there are still those fences round." (Harry)

The implications and importance of control and agency were considered by Rodin and Langer (1977) in their study in a nursing home for elderly residents. They found that both health and mortality rates improved by offering residents more personal choice over daily events.

There are, however, few studies on the impact of the loss of control and choice experienced by people subject to the range of potential public protection arrangements available to the police and probation authorities when people considered to be at risk of reoffending return to the community. The data from this study highlight the impact of these restrictions on both choice and liberty. Dean, for example, commented:

> "The polygraph test is in mid-November and the moving out of the hostel can be speeded up if I am willing to wear a tag." (Dean)

The desistance research explored in Chapter 2 (2.2.5) of this thesis highlights the importance of personal agency in assisting a person in their desistance process. But the process of imprisonment and release with restrictive licence conditions takes away many of an individual's choices and therefore agency and control over their lives and destiny both in prison and potentially beyond. Whilst it is understandable that public protection agencies are cautious and risk averse when dealing with people with sexual convictions, the evidence from this study and the desistance research suggests that this approach may be counterproductive in the longer term if an individual is to learn to manage and control his own responses to risk. The implications for policy and practice of this are considered in Chapter 6.

5.1.4 Loss of status and role as a citizen

> "There cannot be a single absolute excellence of the good citizen and the good man. But the good man is also called in virtue of a single absolute excellence. It is thus clear that it is possible to be a good citizen without possessing the excellence that is the quality of a good man." (Aristotle, quoted by Develin, 1973. p.71)

> "The first requisite of a good citizen … is that he should be able and willing to pull his weight." (Theodore Roosevelt, 1902)

For many of the participants in the research, the loss of status as a free member of the community and the impact of their conviction for a sexual offence had a significant impact on their ability to be a good citizen by these definitions. All of the participants had previously been responsible members of society; only two of the participants had previous experiences of the criminal justice system, and in one case (Geoff) this was many years before, when he was a teenager. The loss of this status had an impact on their general well-being but also on how they felt in relation to their role as a citizen.

Whilst, ironically, the experiences articulated by the participants seemed to offer them the opportunity to be citizens whilst they were in the prison, there were a number of obstacles preventing them from being proactive citizens upon their return to the community, not least the number and type of restrictions, either specific or implied, preventing their involvement in community organisations or activities. This point has significant implications for the development of future policy and practice.

The prison where the research took place encourages prisoners to be active citizens and provides opportunities to participate in all the types of programmes outlined by Edgar et al. (2011). However, the participants found that there were challenges to be faced when they returned to the community in their desire to become active citizens in the wider world. Frank, for example, considered himself to be a responsible member of the community prior to his imprisonment, performing voluntary work and contributing positively to the community. He also said in his post-release interview that he appreciated the opportunity to contribute whilst he was in prison. He commented on the voluntary work he had done during an event to raise awareness about autism in the prison (section 4.1.1) and how this experience had contributed to his self-worth and resettlement plans.

However, the reality of his change in role dawned on him when he returned back to the community.

> "It really grates me that nobody mentions the good I have done, nobody knows anything about it and it has all been a waste of time." (Frank)

Charlie had worked in prison as a peer supporter in the Social Care Advocates scheme, a scheme by which more able-bodied prisoners are able to help provide practical support to other prisoners with social care needs, and working with the project run by Age UK that supports older people in prison (OPAL). In his pre-release interview, Charlie mentioned that he hoped to continue his voluntary work with the elderly on his release, but despite references from the Age UK worker in the prison, Charlie found that it was difficult to be accepted on a similar project when he returned to the community. In his post-release interview, he said:

> "'A' [the Age UK worker] gave me a letter for the local Age Concern, but I haven't heard back from them. I miss OPAL, it was a big part of my life." (Charlie)

As discussed in Chapter 2 (2.1.2), Farrall, Bottoms and Shapland (2010), Perrin and Blagden (2014) and Edgar et al. (2011) highlight the importance that giving something back has for people who have committed offences and how this assists them in taking the decision to desist. Research question 4, "What is the impact of licence and statutory restrictions on an individual's resettlement plans and goals?", is particularly relevant. The idea that the person has some choice (agency about whether he or she continues to commit offences) is explored in Chapter 2 of this thesis, and the implications for policy practice and the law are discussed in Chapter 6.

5.1.5 Reflections on reasons for offending/life before prison

The experience of imprisonment offered all the participants the opportunity to reflect on their life before prison and the reasons for their offending. As many of the participants had completed at least one offending behaviour programme in the prison prior to release, it is reasonable to expect that they had some insight into the causes of their offending. Research question 2 asks how individuals can be assisted not to reoffend, and much of the research identified in Chapter 2 (2.2) explores more generic crime. However, Mann and Hollin (2007) explored the reasons that people convicted of both adult rape and sexual offences against children give for their conduct prior to participating in treatment programmes and found that there were a number of categories cited by the participants as the reasons for their offending. For people convicted of offences against children, the dominant motivation was sexual pleasure

followed by intimacy seeking. The dominant motivation cited by people convicted of offences against adults was grievance and impulsivity followed by sexual motivation. Some of these conclusions contradict previous studies about the motivation of people who sexually offend. For example, Ward and Keenan (1999) and Phelan (1995) in their studies of people who had committed sexual offences against children, found that the dominant motivation was sexual gratification, but studies by Hartley (2001) and Ward and Keenan (1999) found that intimacy was the dominant factor. Mann and Hollin (2007) found that a larger number of people with convictions against children, rather than those with offences against adults, saw the reason for their offending as an attempt to alleviate negative emotional states such as stress or anxiety. Groth (1978), however, found that anger was one of the two primary drives behind offences of rape against adults. Scully and Marolla (1984) describe a group whose motivation was "revenge and punishment", and Darke (1990) describe a wish to humiliate and degrade as the biggest motivation for people convicted of offences against adults.

Ward and Siegert (2002) argue in their theory of sexual offending that distorted thinking, or "cognitive schema" (p.333), has its origins in in cognitive psychology, plays a part in sexual offending. There are, however, a range of explanations why someone may sexually offend: a structure that contains attitudes, beliefs about the self and the world. Beck (1964) suggests other factors are influential, and these include intimacy deficits or emotional dysregulation.

The lack of an intimate partner or a dissatisfaction with one's life, as well as isolation and loneliness, are highlighted as causal factors by a number of the participants in the research. Alan, Harry, Dean and Bob all explained their offences in this way. Cortoni and Marshall (2001), in a study based in a prison in Canada, explored the idea that people with sexual convictions used sexual activities both consensual and non-consensual to cope with stressful and problematic situations. They concluded that: "Using sex as a coping strategy appears the characteristic of many sexual offenders. Both the rapists and the child molesters in the study reported a greater use of sexual activities than did violent offenders when in a difficult, stressful or upsetting situation." (p.34).

This observation reflects a key issue that is often ignored or disregarded in desistance studies on factors influencing convictions for sexual offences and is perhaps a useful

component in assisting people to develop alternative skills to deal with difficult situations, rather than to resort to sexual activity (and potentially therefore reoffending). It is also, therefore, worth considering how policymakers and practitioners can help people at risk of sexually reoffending to find alternative methods of dealing with stressful or upsetting situations.

5.2 Key theme: Family relationships

> "Relationships are fundamentally important if people are to change."
> (Farmer, 2017, p.4)

The importance of family support in successful rehabilitation is widely acknowledged by scholars exploring factors influencing desistance. Maruna (2001), Hairston (2003), Bushway (2006), Mills and Codd (2008), de Vries Robbé et al. (2015) and Farmer (2017) all highlight the importance of positive family relationships to provide people with the best opportunities to resettle back into the community. This is a key issue explored by research questions 3 and 5.

A criminal conviction followed by a period of imprisonment has a significant detrimental impact on a person's family regardless of the offence, as discussed in Chapter 2 (2.2.3). The problems experienced by family members if the conviction is for a sexual offence are more acute. For example, there may be restrictions on a family member of a person with a sexual conviction regarding where they may live and work and whom they can have contact with. They may need to comply with these restrictions if they wish to maintain contact with the individual. The impact of a participant's conviction and their subsequent prison sentence on family relationships was a consistent and recurrent theme throughout this research. Given that there is significant evidence that highlights the importance of supportive and meaningful family relationships in support of a person in their distance journey (Maruna, 2001; Laub and Sampson, 2001; Maruna et al., 2003; Forrest and Hay, 2011; Souza et al., 2013), it is perhaps not surprising that the participants in the research acutely felt the impact that their conduct had had on those closest to them.

As outlined in Chapter 4 (4.2), Eric, Harry and Dean all spoke about the impact that their behaviour and experiences of prison had had on them and on their parents, and Bob

clearly felt the impact that that his behaviour had already had on his children. Much research concentrates on the impact of attachment on the development of relationships between mothers and their children. For example, Feldman et al. (1999), comment that there is a neurobiological basis underlying the formation of maternal bonds. Attachment theory was established in the 1950s (Bowlby, 1958), other studies (Umberson, 1992) have examined the relationships between adult children and their parents. She comments that "the quality of intergenerational relationships appears to be influenced by the structural circumstances of parents and adult children – especially as defined by divorced status, gender and age" (p.664).

The importance of family support and individuals' appreciation of contact with family members was a consistent theme. If family members had maintained contact, participants were extremely grateful, and those that had little or no contact with family members understood the impact that their conviction had had on family relationships and the reasons for the relationship breakdown. From this research it is clear that both practitioners and policymakers must focus on developing and maintaining family contact between people convicted of sexual offences and their families when it is safe and appropriate to do so.

5.2.1 Impact of a sexual conviction on family members

The impact of a conviction for a sexual offence on family members is considered by a number of commentators; as discussed in Chapter 2 (2.2.3), Brown (2017) explored the impact a period of imprisonment had on family members, in particular their housing and employment situation. The current study highlighted the impact on the careers of the partners of people with sexual convictions who worked with children or in the education sector, ultimately resulting in the loss of their employment. Frank's mother did not feel able to offer him accommodation upon release from prison because of the negative reaction of the community to his conviction and her fears for her safety, and Geoff's wife was unable to see her grandchildren in her own home if Geoff was present.

The importance of positive family relationships was clear during the research interviews. The appreciation of family members who had continued to provide support despite both practical and emotional challenges was evident. Participants' knowledge of people with

sexual convictions who did not have this level of support from their family heightened their appreciation of their own family.

The Disclosure and Barring Scheme (DBS), which replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA), requires that people who live in the same household as people with a conviction for a sexual offence against a child are disqualified from working in some jobs with children up to the age of eight. This is termed "disqualification by association".

Brown (2017) observes that:

> "Those who had supportive colleagues or who remained silent about their predicament seemed better able to cope. It is clear that when the identity of a sex offender enters the public sphere, often after media attention, or informal networking within communities, their family's identities are often revealed. This can mean that the processes of segregation, classification and exclusion that society imparts upon those surrounding sex crimes can begin." (p.38)

This may explain the evidence that many people serving prison sentences for sexual convictions do not receive visits from family members whilst they are in prison, and they have little or no contact with them on release. Charlie, for example, had no contact with his ex-wife, children or siblings whilst he was in prison and only limited contact with one of his sisters when he was released back into the community. There could be a range of other reasons for this reaction from family members. For example, the offences may have been against a family member, resulting in visiting restrictions for the purposes of safeguarding (Farmer, 2017). In addition, family members may be reluctant or unable to support a relative who has committed a sexual offence. McHale and Winder (2017) studied the impact on family members who continued to support someone after they had been convicted of a sexual offence. Research participants in their study expressed their grief in coming to terms with their family member having committed a sexual offence. They also found that: "Due to the stigma surrounding the 'sex offender' label, relatives had difficulties sharing their emotional difficulties (re their relative) with

others, feeling embarrassed, ashamed and isolated." (p.2). Research questions 3 and 5 consider these issues.

The experiences of participants in this research reflect this position, and there are a number of practical and policy changes in both institutions and the wider community that could help to reduce the impact of a sexual offence on family members. These include, where possible, helping family members to understand the reasons for the offending and involving family members in decision making, risk management and release planning.

The implications for practice and policy of sound family relationships are considered in Chapter 6 of this thesis.

5.2.2 Social isolation

> "Social isolation refers to living without companionship, social support or social connectedness. It is the absence of significant others someone interrelates with, trusts and turns to in time of crisis." (Hawthorne, 2006, p.521)

Many studies consider the impact of social isolation on the health outcomes of the elderly (Thompson and Heller, 1990; Dickens et al., 2011; Nicholson, 2012). Victor et al. (2000) discuss social isolation in broader terms and the concept of quality of life, which they define as "independence, control, and social and cognitive competence" and "life satisfaction or social well-being" (p.407).

Many of the research participants, both the Offender Managers and the people with sexual convictions, spoke of the impact that social isolation had had before the offence had been committed. Some also spoke about how isolated they felt when they returned to the community. Social isolation and loneliness are acknowledged to be significant causal factors in a person committing a sexual offence in the first place, as discussed in the literature review in Chapter 2 of this thesis.

A definition of loneliness is provided by Peplau and Perlman (1982) as the "dissatisfaction with the discrepancy between desired and actual social relationships" (p.126).

A lack of confidence in social situations was also cited as a reason for social isolation by some research participants (Bob, Charlie and Eric, for example). A close analysis of these descriptions is contained in sections 4.2.1 and 4.2.2.

Uchino (2006) considers the wider impact of social isolation on an individual's overall well-being aside from as a potential causal factor in sexual offending: "Being socially connected is not only influential for psychological and emotional well-being but it also has a significant positive influence in physical well-being." (p.389).

As the follow-up interviews were up to three months after release from prison, it is difficult to conclude from the data that there was an impact on the physical well-being of the participants of this study due to social isolation, but the impact on participants' overall well-being was evident. Dean, for example, commented on his return to the community from prison and how he had not anticipated how isolated he would feel:

> "I suppose I hoped to come back and reintegrate, and everything would be normal. I did feel isolated, I felt that I should have more people round me because I suppose in prison you've got other prisoners, staff and telephones." (Dean)

Charlie accepted that he needed extra support in the community following his release from prison, and although it hadn't yet started, he was looking forward to being part of a Circle of Support and Accountability. This is a project that uses volunteers to support people with sexual convictions who present a high risk of reoffending and are socially isolated. Such projects are also described by Wilson and Picheca (2005), Wilson et al. (2009) and Thomas et al. (2014).

Holt-Lunstad et al. (2015), in a meta-analysis of the impact of social isolation on mortality, provided a useful definition of social isolation:

> "Living alone, having few social network ties and having infrequent social contact are all markers of social isolation." (p.227)

Research questions 3 and 5 focused on how an individual can be assisted not to reoffend and what support is provided for people leaving prison with a sexual conviction. The experiences of Dean, Charlie and Harry and their concerns about making friends or

developing relationships was a key factor in this research. The link between well-being and desistance is an important factor when considering the development of policy and practice in respect of people with sexual convictions leaving prison and returning to the community. The implications of these issues are considered in Chapter 6.

5.2.3 Families and social capital

> "Whereas economic capital is in people's bank accounts and human capital is inside their heads, social capital inheres the structure of their relationships. To possess social capital, a person must be related to others and it is those others, not himself who are the actual source of his or her advantage." (Portes, 1998, p.5)

> "The term 'social capital' is sometimes used to describe the network and quality of relationships that provide the emotional and practical support that individuals … need in order to function effectively; and families are important in this regard." (Prison Reform Trust, 2015, p.3)

Much of the research on desistance, as outlined in Chapter 2 of this thesis, recognises the importance of family relationships in assisting people who commit crime to develop new identities for themselves. Some of the challenges facing the participants of the research relate to family breakdown or pressure placed on family relationships as a result of their offending. Consequently, some of the benefits of the social capital are not available to them. Charlie, for example, had divorced from his wife and was isolated from his family as a result of his offending. Geoff spoke of the lack of contact from his children after his release from prison. Harry and Dean repeatedly expressed their appreciation of the support they had received from their parents and how grateful they were for this support. Although their research is not related to offending and family relationships, Edwards et al. (2003) reflect on the breakdown of traditional family relationships in society more widely and the impact that this has had. They quote Beck and Beck-Gernsheim's (1995, 2002) individualisation thesis suggesting that "radicalised modernity" has replaced the old predictabilities and certainties of industrialised society, bringing with it new risks and opportunities. They argue that family relationships are more conditional and "characterised by risk and fragility rather than rules and rituals,

individuals are caught in a paradox, as love and intimacy become ever more central, but ever more difficult to secure and maintain." (Edwards et al., 2003, p.1457).

A number of the participants narrated how hard the transition from prison to the community was for people who did not have support from their families.

The impact of a conviction for a sexual offence has implications beyond the individual, and his ability to develop social capital outside the sphere of the family is potentially undermined by the public protection restrictions and conditions in place for his release, according to this thesis' data.

These problems can potentially be mitigated at least in part by the creation of monitored and supervised support schemes, such as Circles of Support and Accountability (CoSA) projects, which provide an alternative opportunity to develop and establish social capital. Much of the research into the effectiveness of these projects concentrates specifically on recidivism rates, for example Bates et al. (2007). The only randomised controlled trial, by Duwe (2013), also focused on re-arrest but concluded that people with convictions for sexual offences who were supported by a Circle of Support and Accountability were less likely to reoffend than those who did not have access to a Circle. Clarke et al. (2017) and a study by Kitson-Boyce et al. (2018) outline the importance of psycho-social outcomes generally for CoSA participants, and specifically a sense of belonging for the participants in their study. When describing the benefits of a Circle, one participant says that the feeling of not being alone is an important feature of his happiness and well-being.

Although there is some evidence of the success of the CoSA model in supporting people with sexual convictions who have returned to the community to reduce their isolation, there are problems with utilising this process, not least the cost, the availability of suitable volunteers and the restrictions on the model to target only those who are considered to be a high risk of reoffending.

The importance of providing an alternative source of social capital has implications for policy and practice, and these are discussed in more detail in Chapter 6.

5.3 Key theme: Employment and purposeful activities

The employment of people returning to the community from a prison sentence has been a key tenet of government policy in England and Wales, designed in recent years to reduce crime and criminality (House of Commons Work and Pensions Committee, 2017). The Chartered Institute of Personnel and Development (2010), however, found that 19% of employers said that they were likely to exclude people with convictions from the recruitment process. A study by Brown et al. (2007) found that this increased to 50% for people convicted of a sexual offence. Rolfe (2001) suggested that the unwillingness of employers to employ people with sexual convictions was often determined by the moral code of the employer, but Brown et al. (2007) found that employers were more concerned about the practical issues surrounding the safety of other staff. Research by the charity Working Links (2010) found that many employers believed that they could not employ people with convictions for legal or insurance reasons. This confusion is an understandable concern, as employers have a legal responsibility to ensure the safety of their employees. The 1974 Health and Safety at Work Act, Part I, requires employers to secure the "health, safety and welfare of persons at work", and places a duty on them "to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees." (Health and Safety at Work Act, 1974).

Employers may be concerned that other employees may be at risk of harm from people with sexual convictions. However, not all people with sexual convictions pose the same level of risk, and although it may be unwise for some to be placed in certain workplaces, the majority will not pose a risk to the health, safety and welfare of work colleagues, as research into risk factors and likelihood of reoffending shows. Chapter 2 has more detail and outlines the differing levels of risk and how these levels are derived.

Research question 4 explores the impact of licence and statutory restrictions on people with sexual convictions. There are significant restrictions on the number of jobs available for people with sexual convictions, due to legislation, MAPPA and licence conditions. This, combined with employer reluctance to employ people who have a conviction for a sexual offence, significantly limits opportunities for people leaving prison to experience the positive benefits of employment both on their mental well-being and financial security. The findings in this study support the extant literature. Despite the fact that

Alan, Dean, Frank, Eric and Harry all had skills, a good employment history and were strongly motivated, they found that employers were reluctant to consider them for jobs within their organisations.

5.3.1 Work and well-being

> "Work involves the application of physical or mental effort, skills knowledge or other personal resources, usually the involvement of commitment over time, and has connotations of effort and a need to labour or exert oneself." (Warr (1987), quoted by Waddell and Burton, (2006, p.4))

> "Well-being is the subjective state of being healthy, happy, contented comfortable and satisfied with one's quality of life. It includes physical, material, social and emotional ('happiness') and development & activity dimensions." (Waddell and Burton, 2006, p.4)

The benefits of work and purposeful activities for the broader community are widely acknowledged. Waddell and Burton (2006), in their meta-analysis of the benefits of work, concluded that "work meets important psychosocial needs in societies where employment is the norm", and "work is central to an individual identity, social roles and social status" (p.vii).

The benefits of the role and impact of work in supporting the desistance journey for people with convictions for offences other than sexual offences is discussed in Chapter 2 of this thesis. However, the difficulties experienced by the participants in the research in obtaining suitable or in some cases any employment despite their motivation and previous employment history, skills and qualifications are pronounced.

The importance of the role of work in increasing life satisfaction was recognised by the Ministry of Justice (2013). This report acknowledged the role of work in encouraging desistance, and also acknowledged that "engagement in meaningful activity increases life satisfaction" (p.9).

The participants in the study recognised the importance of employment on their well-being, and Eric realised the impact that a long period of imprisonment had had on his

work skills after his release from prison. He had been promised a job by his previous employer on release but found that after ten years in prison he was not prepared for the world of work.

Charlie spoke of the difficulties in obtaining and keeping employment because of the restrictions of MAPPA and licence conditions:

> "You can only have jobs that the probation will let you have. I can see why they are doing it but sometimes they go overboard. They seem to be stopping people getting jobs." (Charlie)

A number of the Offender Managers interviewed in the research reiterated how difficult obtaining employment was for people with sexual convictions.

Helliwell and Huang (2010), in their studies in Canada, highlight the importance of non-financial aspects of the workplace, something they define as "workplace trust". Robinson (1996) defined trust as a person's "expectations, assumptions or beliefs about the likelihood that another's future actions will be beneficial, favourable or at least not detrimental to one's interests" (p.576).

Charlie, for example, highlighted the importance of his role in the prison as a peer supporter to the elderly in his comment that "it is nice to be trusted".

Lewis and Weigert (1985) and Fine and Holyfield (1996) also comment on the importance of trust. For example, Fine and Holyfield observe: "There is a world of cultural meanings, emotional responses, and social relations, one not only thinks trust but one feels trust." (p.25).

There are a number of job roles that are restricted for people who are subject to notification requirements. These are: working as a teacher or for a children's nursery, in airports or for airlines, in banks or financial institutions, in the health and social care sector, in licenced premises, in roles subject to security industry licencing, taxi licencing and joining the armed forces (Nacro, 2018).

Brown et al. (2007) argue that "the introduction of the menu of preventative orders introduced to provide a greater level of public protection, has it can be argued increased

the barriers to employment experienced by sex offenders" (p.33). They also argue that "there has to be a balance between assessing and managing the risk presented by the offender … There is a political need for sex offenders to be seen to be controlled and this contributes to the acceptance of increasingly exclusionary and punitive strategies, which result in the barriers to employment becoming more firmly entrenched." (p.34).

Kramer (1999), however, helpfully summarises the root of the issue surrounding the employment of people with sexual convictions in his study about the nature of trust and distrust in organisations: "Individuals' judgements about others' trustworthiness are anchored, at least in part, on their a priori expectations about others' behaviour." (p.576). The experiences of the participants support this view, as they experienced issues of mistrust not only from prospective employers, but also Offender Managers and police officers in accessing their suitability for employment. The implications for policy and practice of this issue are considered in Chapter 6.

5.3.2 Unemployment and impact on health and well-being

As outlined in Chapter 2, desistance literature has outlined the importance of employment in reducing reoffending. However, the role of employment potentially has a different focus, for example structure, relief of boredom and improved self-esteem. As discussed in Chapter 4, Dean, Frank and Harry all felt the impact of unemployment on their well-being.

The impact of unemployment on physical and mental health is widely acknowledged. Waddell and Burton (2006), in their meta-analysis of the research into the impact of unemployment, found that there is a "strong positive link" (p.11) between unemployment and increased rates of overall mortality from cardiovascular disease, lung cancer and suicide, poor physical health, poor general health, poor mental health and psychological well-being and higher medical consultation. They also concluded that the impact of unemployment could be modified by socio-economic status, gender, family status, age, education and social capital (p.12). This is particularly relevant when considering the impact of a period of imprisonment of the participants and the challenges they faced in obtaining suitable employment upon their release.

A large percentage of the wider prison population are unemployed when they are released from prison. Only 27% of people leaving prison said that they had a job to go to (Ministry of Justice, 2015). This clearly has wider implications for both the criminal justice system and for the economy as a whole.

Economists have emphasised the income and consumption consequences of unemployment (Browning and Crossley, 1999; Bentolila and Ichino, 2000), while other research has considered the mental and emotional challenges of unemployment, for example Argyle (1999) Darity and Goldsmith (1996) and Frey and Stutzer (2002). There are, however, fewer studies examining the impact of unemployment on an individual's well-being. Ahn et al. (2004) did consider this issue in their study across a number of European countries, and concluded that "unemployment has negative psychological consequences, including loss of identity and loss of self-esteem" (p.1).

Certainly, Frank and Harry felt this acutely. In particular, Frank felt that his success and self-esteem were tied up in his previous career, which he was no longer able to continue. Harry had had interesting and challenging roles prior to his imprisonment, which he saw as a measure of both his success and his identity.

Gallie (1999) found that the social isolation that is often a consequence of unemployment is also detrimental to the well-being of the unemployed. It is also worth reflecting that many of the participants cited social isolation as the cause of their offending. Frank narrated his feelings of isolation and loneliness upon his release from prison, so much so that he commented that he would have preferred to be back in prison fulfilling boring and monotonous tasks but surrounded by others. The lack of employment opportunities may have more wide-reaching consequences. Ahn et al. (2004) also considered the impact of social isolation on an individual's well-being in their study and considered that "social relation helps to ease the pain and stress from unemployment" (p.12). This lack of opportunity to associate with other people because of the restrictions associated with licence conditions and MAPPA, as narrated by Harry and Charlie, together with an absence of opportunity for meaningful employment, is an added burden of a return to the community.

Ahn et al. (2004) also consider the differential impact of unemployment on people who enjoy work. They argue that "people choose or do things in order to be happier" (p.4). They suggest, for example, that people who value money are more likely to do things to be richer, and people who enjoy working are more likely to be employed than those who do not, and therefore the effect of involuntary unemployment has a greater impact on the well-being of this group. Frank, Dean, Charlie, Harry and Geoff had all commented how work was an important part of their lives and how they enjoyed work. Therefore, the licence and MAPPA restrictions in place had a differential impact on their well-being when compared to others who do not place the same value on work or enjoy it as much.

Clark and Oswald (2002) also considered the substantial negative effects of unemployment on well-being in their longitudinal study of the wider population. The long-term impacts of unemployment on people with sexual convictions have yet to be considered, but in view of the short-term effects apparent in this study, this topic would merit further scrutiny.

The challenges of finding acceptable employment for people with sexual convictions need to be addressed, because employment can assist in helping to improve a person's well-being and therefore is likely to assist in reducing the risk of repeated offending. This study has indicated that efforts need to be made to ensure that employers are made aware of both the opportunities and risks of employing people with sexual convictions and should consider people on an individual basis for employment opportunities. The implications for policy and practice are discussed in more detail in Chapter 6.

5.3.3 Voluntary activities' impact on well-being: Atonement?

> "Atonement is both a goal and a process. As a goal, atonement seeks the reconciliation of the wrongdoer and the victim, and the reintegration of the wrongdoer back into good standing as a member of the community." (Garvey, 2003, p.304)

> "For the perfect removal of guilt, then the wrongdoer must make atonement for his wrong act." (Swinburne, 1989, p.12)

> "It would be nice if I could get something good out of bad, maybe I could work for the Safer Living Foundation. I want to put things right… to help other people to get their mind set right." (Frank)

Although the idea of atonement has, for the most part, a religious and biblical component and is considered to be a central part of theology, atonement as a secular concept can be defined as making amends for wrong or injury. Cousineau (2011) argued that atonement is closely associated with forgiveness, reconciliation, sorrow, remorse, repentance reparation and guilt. Some criminological scholars (Bazemore, 1999a; Irwin, 2010; Mair and Burke, 2013) discuss the concept of redemption and the role that this has in the desistance process. These are interesting concepts in the context of the research participants' views about how they were perceived by the wider community, and how they saw the voluntary activities they had undertaken in prison as a way of making amends for their conduct. The analysis of these data indicates the importance of providing opportunities, both inside and outside prison, to aid the atonement process. It is the responsibility of both policymakers and professionals to facilitate these opportunities.

Charlie, Alan and Frank were anxious to involve themselves in voluntary activities both inside and outside of the prison, not only as a way of spending time, but also to improve their self-worth. Frank had volunteered with the Autism Accreditation programme in the prison, and Charlie had been a volunteer with the Age UK team providing activities and support to older people in the prison. Mellor et al. (2009) explore the value of volunteering in the wider community and consider two specific elements: "personal and neighbourhood well-being" (p.146). The concept of personal well-being is defined in their study as: "people's own views of their well-being and involves both cognitive and affective components" (p.146). They found that the volunteer had higher personal well-being than those people who did not volunteer in their community. They also found that volunteers were more extroverted, less neurotic, more optimistic and had a greater perceived control than non-volunteers. They do, however, point out that this relationship is a complex one, because "individuals with higher levels of well-being are more likely to engage in volunteer work than those with lower levels of well-being" (p.145).

Other participants in the research had expressed the desire to help others but had not felt able to do so for a variety of reasons. Both Dean and Alan, for example, regretted that they had not trained as "Listeners" (a group of Samaritans-trained peer supporters helping people who are a risk of suicide or self-harm in prison), as they felt the need to offer support to others and to help them through the process of imprisonment.

Interestingly, Alan had also given information to the police about how to access websites hosting images of child sexual exploitation, to not only help him not to reoffend (because he could more be easily detected) but also to help the police to detect others.

The desire of prisoners in the prison where the research took place to engage in voluntary activities and to raise funds for charity by sponsored events is also an interesting phenomenon, and is perhaps the result of a desire to somehow re-establish their role as a member of the wider community and therefore atone in some way for their wrongdoing.

Offering people with sexual convictions who are leaving prison the opportunity to safely give something back to the community to "atone" for their wrongdoing has implications for policy and practice. These will be considered in more detail in Chapter 6.

5.4 Key theme: Stigma and challenges

The impact the stigma of a sexual conviction has on the research participants' lives and the challenges associated with this are a recurrent theme throughout the research. The term stigma refers to any persistent trait of an individual or group which evokes negative or punitive responses (Susman, 1994, p.16).

Tewksbury (2012) comments specifically about the impact of stigma on people with sexual convictions:

> "Knowing that sex offenders are stigmatised is not a new or major finding, as the existing literature clearly shows that registered sex offenders are marginalised, experience a range of collateral consequences of their convictions and registration, and report experiencing informal social control efforts and negative reactions from others in the community." (p.610)

The impact of a period of imprisonment on a person's status and the associated stigma has long been established. For example, Sykes (1958, p.65) characterises imprisonment as "a deliberate moral rejection of the criminal by the free community". Goffman (1961) states that this rejection by the community amounts to profound stigmatisation. Mathiesen (1965, p.73) suggests that the majority of prisoners feel that they belong at the "very bottom floor" of society, and Jewkes (2013) argues that descriptions of prisons as the "garbage cans of society" (p.4) can be found throughout criminological literature. Ericson et al. (1987) go further and more profoundly argue that that any form of deviant behaviour marks the outer edges of society and gives an inner strength to its core.

A detailed description of the components of stigma are described by Link and Phelan (2001). They say that there are five components: labelling, stereotyping, separation, status loss and discrimination. Labelling is the recognition of differences and the social importance of those differences. They describe stereotyping as the assignment of negative attributes to socially salient differences. Stereotypical differences are described as differences that matter and are also deemed by others to be undesirable. They say that separation occurs when the reactions of others to these differences lead to a pronounced sense of "otherness". Finally, status loss and discrimination occur when stigma interferes with an individual's ability to participate fully in the social and economic life of his/her community.

Tewksbury (2012) argues, in his study of people serving sentences for sexual convictions in the United States, that it is important to understand what the impact of being "socially devalued" has on a person, socially, psychologically and emotionally. He suggests that "an understanding of how the socially stigmatised receive, process and interpret messages about their socially undesirable marginal social status" offers both theoretical and practical benefits, which "can advance understandings of how formal and informal responses to deviants and criminals can effectively and ineffectively achieve social control" (p.606).

Goffman (1963) previously argued that a person's social identity is constructed by how they are perceived and responded to by others. This is particularly important as the label of sex offender is a particularly toxic one. Tewksbury and Levenson (2009), Tewksbury and Mustaine (2009) and Lacombe (2008) all consider the impact and consequences,

intended and unintended, of the sex offender label. They argue that the label has wide-ranging consequences, impacting on employment, housing, travel, immigration status, etc., in short, that "sex offenders are publicly labelled as deviants and individuals that should be avoided, closely monitored and strictly controlled." (Tewksbury, 2012, p.607).

Whilst much of this research relates to the United States, where the laws controlling the behaviour and movement of people with sexual convictions are more restrictive than those in England and Wales (Chapter 1 of this thesis outlines the legal and administrative restrictions in place in England and Wales), some of the consequences identified in the US can arguably be applied in England and Wales (Plotnikoff and Woolfson, 2000), and these issues are reflected in the experiences of the study participants in Chapter 4.

The implications that this labelling has on the likelihood of an individual's chances of successful resettlement back into the community and his desistance from future offending are of significant concern, and these considerations will be discussed in more detail in Chapter 6.

5.4.1 Impact of notification requirements

The notification requirements for people convicted of sexual offences, sometimes known as the sex offender register, were introduced in 1997, and the Violent and Sex Offender Register (ViSOR) database was established over time from 2003 to 2008. Anyone convicted of a sexual offence is required to tell the police a number of personal details such as their name (and aliases), their date and place of birth, their address and if they are living with a child under the age of 18. They are also required to inform the police within three days if any of these details change. This includes if the person subject to registration obtains a new debit or credit card. Even if none of these details change, the person subject to registration must report to the police once every twelve months. The police public protection team will visit the person subject to registration at home to check that they are living there. They can visit at any time. They may also decide to tell others about the convictions of the person who is subject to registration. The decision to provide information to others about an individual's convictions will be as a result of their risk of harm to the public generally or to specific individuals. For example, if a person has a conviction for a sexual offence against a child and a neighbour in the same building has a child, they may be told about the offence. If a person has a conviction for

rape against an adult, the police may decide to tell anyone living the household about the offence if they consider anyone to be at risk. The police may also decide to tell the employer of a person who is subject to notification requirements about their convictions if they believe there to be a high risk to others.

Frank commented that he did not feel particularly well prepared for what he faced when he returned to the community even though he had attended the meetings in prison to discuss the issue of disclosure:

> "The disclosure meetings and the resettlement work, DWP, and I don't think… I think it would be fair to say that you are still not really prepared for how difficult it is going to be when you get out." (Frank)

The importance of employment and stable accommodation and family ties in the desistance process is outlined in Chapter 2 (2.2.1, 2.2.2 and 2.2.3). Some scholars, particularly in the United States and Australia, argue that the policies intended to reduce recidivism, such as sex offender registration, could actually increase the likelihood that a person with a sexual conviction will reoffend, because sex offender registration undermines factors associated with desistance such as the formulation of social bonds (de Vries Robbé et al., 2015; Farmer et al., 2015; Levenson and Hern, 2007). These studies largely consider housing and employment restrictions, the requirement for people to with sexual convictions to live away from their families and how restrictions on residency can severely restrict the availability of suitable housing. However, some researchers have also considered the negative psychological consequences that can impact on the internal change processes necessary for desistance. Winters et al. (2017), for example, argue that: "The fact that sex offenders are the modern-day pariahs, undoubtedly interferes with feelings of self-efficacy and their ability to form and maintain prosocial relationships." (p.205). They go on to argue that: *"*While the goal of these laws is to prevent sex crimes, there is little or no data that these formal social controls reduce recidivism and result in desistance.*"* (p.205).

One Offender Manager reflected on the impact of being subject to notification requirements on the people he supervised:

> "The frustration, the aggravation, the upset, the rejection, time after time, becomes, I can see how it is wearing on the individuals." (OM.8)

This insight from this particular Offender Manager summarises the thoughts of many of the research participants. The constant reinforcement of the restrictions of registration without any clear evidence of the benefits of the process are a consistent theme.

Although there is clearly a role and purpose for the registration and control of people convicted of sexual offences to ensure that people who have been a risk to the public are monitored and their whereabouts known, the blanket, indiscriminate approach to registration inevitably means that people who are not sexual predators and who are at low risk of reoffending are often subject to a similar level of scrutiny as those whose lifestyle, behaviour and other risk factors are of greater concern. This problem clearly dilutes the effectiveness of the registration process and has resource implications for the police service. The implications for policy and practice and the impact of this generic approach are considered in Chapter 6.

5.4.2 Implications of disclosure of a sexual conviction

> **"**Having a sexual conviction imposes restrictions on people that they may or may not be aware of, or have great difficulty overcoming." (OM)

> "For the public if you hear that someone is a registered sex offender it's almost, almost the worst offence someone can commit, and in their mind it is probably your predatory sex offender that's dragged someone into a bush on a dark night walking home from the pub." (OM.2)

The legal and public protection restrictions are considered in detail in Chapter 1 of this thesis, and examples of standard and additional possible licence conditions are contained in Appendices J and K. The details of the notification requirements under the Sexual Offences Act (2003) Part 2 are contained in Appendix O. These restrictions require people with convictions for sexual offences to give the police a range of information about themselves, but perhaps more significant is the requirement of Offender Managers to disclose details of their conviction in the course of developing personal relationships. This has a substantial impact on people's sense of control and agency about their future.

Offender Managers consistently commented on the impact that both the conviction and the subsequent licence conditions had on the people they supervised. For example, one Offender Manager commented that the impact of the restrictions amounted to:

> "A very basic level of survival." (OM.3)

Another Offender Manager acknowledged the impact that a prison sentence for a sexual offence had had on his client and his well-being:

> "They have gone into prison and they have come out, and they are struggling to get a job and that's what gets people down. They don't have a routine, they are on their own because sometimes family don't want to know them, they are struggling to make friends, if they get a partner they have to come in and speak to us and disclose stuff." (OM.4)

Licence restrictions and notification requirements had an impact on a number of aspects of the research participants' lives. For example, Harry, Dean and Frank all had far greater challenges in finding employment because of the restrictions placed on them when they returned to the community.

One Offender Manager observed:

> "I think that he is disappointed that he is struggling to find a job, he is literally applying for everything and either he doesn't hear or he gets through to certain stages and he has to disclose his actual convictions and it's 'no thank you'." (OM.1)

Charlie commented about the impact that his licence restrictions had had on him:

> "I've no problems with my licence restrictions, the only trouble I am finding is I asked for one church, they said, 'No, no, no, we can't.' Because of the licence restrictions I am not allowed to be in contact with children under the age of sixteen."

Safeguarding procedures in church communities have developed significantly over recent years, in part as a result of high-profile cases of sexual abuse by church leaders and members of the church community. As a result, restrictions on the numbers of

people convicted of sexual offences in church communities and restrictions on which services people with sexual convictions can attend have been introduced. In Charlie's case, being a member of the church had been a significant support to him whilst he was in prison. It was a significant blow for him that there was a reluctance to accept him, as he had hoped to seek the support of the church and to practise his faith upon his return to the community.

An Offender Manager also outlined the problems of obtaining appropriate support for people once they were returned to the community as a result of the licence restrictions placed upon them. Alan had previously found a great deal of help and support available to him in prison about his sexuality. However, this was restricted when he was released.

Frank expressed his exasperation about his licence conditions:

> "As much as I want to work, I still can't be with people now, I don't know what I can and can't do. So I can't even look, I just find it so frustrating."

Some of the participants expressed concern about what would happen to them if they failed to comply with the restrictions placed on them. Charlie, for example, commented about the people he had witnessed being recalled to prison whilst he was in the Approved Premises:

> "Whilst I have been here, we have had, one two, three, four recalls. To me it's silly to be recalled after you have done all the hard work going through your prison sentence keeping your nose clean, and just throwing it all away it seems silly."

An Offender Manager thought, however, that the people she was responsible for did not have a realistic view of the likelihood of recall:

> "A lot of people think that they will get recalled instantly and then sent back to prison and we don't want them out, and we want them in prison, which is silly." (OM.7)

It is not surprising that some participants (and other people on licence) are concerned about the prospect of a recall to prison. Digard (2010), for example, highlights the

increase in the numbers of people who have been returned to prison. He suggests that this is as a result of a change in enforcement practice rather than a change in the behaviour of people on licence, although some of the participants (Charlie and Alan) suggested that it was the behaviour of their peers that resulted in their recall rather than the risk aversion of a law-enforcement professional (4.6.2). Padfield and Maruna (2006) also suggest that a greater use of surveillance technology and an increased inter-agency sharing of intelligence is implicated in the recall numbers. Fletcher (2003), however, suggests that the numbers of people recalled to prison have been influenced by the "cultivation of a risk averse, operationally constrained workforce" (p.38). Digard (2010) suggests that the impact of the increase in the number of recalls on the lives of those affected is rarely considered, and that this is particularly true of people convicted of sexual offences, "whose accounts are frequently denied credence and whose rights are often considered relative to those of their victims" (p.45).

Whist it is clear that the need to protect victims is paramount, a more relevant and tailored application of notification requirements may arguably have more meaningful impact on both desistance and the well-being of people convicted of sexual offences in the longer term. Proposals to manage these conflicts are explored more fully in Chapter 6.

5.5 Key theme: Accommodation and home

Much of the desistance research, as discussed in Chapter 2 of this thesis, recognises the importance of stable accommodation in helping people with criminal convictions to rebuild their lives and to desist from offending. The idea that people need the opportunity to make a home rather than simply being provided with shelter, however, is a novel one. People considered to be a high risk of reoffending and dangerous to the public are prioritised for probation Approved Premises (hostels) upon their release from prison (National Offender Management Service, 2014). However, throughout this research, the importance of the idea of finding a stable, safe place to live with personal space and personal effects, a home, rather than simply accommodation, recurs. "Home is often described as a haven or a refuge. It is depicted as a place and/or space where people can retreat and relax, this is founded on several related ideas, the most obvious among them the distinction between public and private, and the inside and outside

world" (Mallett, 2004, p.71). Case (1996) comments on the wider importance of home in establishing independence and control of one's life, commenting: "Control and independence are qualities afforded to many through their homes" (p.2).

Participants in the research clearly felt the need for their own space and their own belongings in addition to somewhere safe to live following their release from prison. Whilst Maslow (1943), in his "hierarchy of needs", outlines shelter as one of the key physiological elements of human motivation, his model also outlines other elements such as safety, belonging and self-esteem that need to be present before a person achieves self-actualisation or self-fulfilment. The Offender Managers in the research consistently raised the challenge of finding suitable accommodation, one of the very basic elements of this hierarchy of needs, for people when they left prison, let alone the benefits and needs of people for a permanent home.

Some of the participants were able to use their own funds to secure or maintain a home. Alan's father, for example, had given him the deposit for a flat, and Geoff was returning to the marital home. Even then, however, the Offender Managers explained that these options were not without their challenges.

The majority of the people with sexual convictions who are considered to be a high risk of reoffending were required as part of their licence conditions to live in probation Approved Premises for a period of at least three months before transferring to other accommodation. The problems and issues associated with the requirement for people to live in Approved Premises are discussed in Chapter 2 of this thesis. Some of the Offender Managers in this research also spoke of the limitations of this option for the people they managed. For example, one Offender Manager expressed concern about the short-term nature of the Approved Premises placement:

> "I think that sometimes when they go to Approved Premises it can almost be assumed that 'right, they have accommodation to be released' but obviously an Approved Premise is a three-month maximum. It isn't a long time to find something in that period of time." (OM.2)

A number of the participants found life in a hostel difficult. They found the lack of privacy, concerns about safety and fears about the other residents particularly concerning.

Overall, the participants spoke of their desire to find a home of their own and the importance this had on their well-being and ability to start their life again. Bob and Dean also saw having their own home as a central point in beginning their lives again following their release from prison.

Many of the participants, both people with sexual convictions and the Offender Managers, articulated their frustration about the difficulties in finding any kind of suitable accommodation because of the short supply of any kind of housing and also the additional restrictions they faced because of licence conditions or MAPPA restrictions:

> "Finding somewhere to live is very, very, very, very, very, difficult because you can go to the letting agencies and as soon as they find out that you have been in prison they don't want to know. You get the standard we'll let you know, and you know that you are not going to hear anything." (Charlie)

Establishing a long-term, secure, safe home, where people can feel safe and surround themselves with their belongings is a key factor in ensuring a person's well-being, and therefore it is likely that it has a significant impact on desistance from offending. The implications of this issue for policy and practice are considered in Chapter 6.

5.6 Key theme: Hope and future planning

The research participants, in both the pre-release and post-release interviews, were optimistic about their future plans.

5.6.1 "Everyone has a right to hope" (European Court of Human Rights: Vinter v UK, 2013)

Prison whole-life tariffs, life tariffs and life without parole sentences are critiqued by scholars, often in accordance with the prohibition on inhuman or degrading treatment and punishment. For example, van Zyl Smit et al. (2014) debate the right to hope entitlement for prisoners based on this judgement, which emphasised that "all prisoners

need to be able to retain some hope for a better future in which they can again become full members of society" (p.66). They quote Judge Power-Forde in the case of Vinter vs UK, a decision of the grand chamber of the European Court of Human Rights:

> "Hope is an important and constitutive aspect of the human person. Those who commit the most abhorrent and egregious of acts and who inflict untold suffering upon others, nevertheless retain their fundamental humanity and carry within themselves the capacity to change. Long and deserved though their prison sentences may be, they retain the right to hope that, someday, they may have atoned for the wrongs which they have committed. They ought not to be deprived entirely of such hope." (p.66)

The importance of hope for a better future and positive plans for the future without a return to offending or imprisonment were key themes emanating from the research. Despite the feelings of nervousness, frustration and anxiety at times during both the pre-release interviews and when the research participants returned to the community, all were keen to develop new lives for themselves.

Snyder et al. (1996) define hope as "a cognitive set comprising agency (belief in one's capacity to initiate and sustain actions) and pathways (belief in one's capacity to generate routes to reach goals)" (p.321). Arguably, the participants' positive experiences during their imprisonment had provided them with the confidence and self-belief to be hopeful for the future.

Morse and Doberneck (1995), in their healthcare study, argue that the facts that influence the development of hope and the experiences of hoping are not clearly understood. They argue that "hope-related philosophical insights, psychological scales and the findings from nursing and other health-related research continue to inadequately describe the complex nature of hope". But it could be argued that experiences of the participants of the rehabilitative climate of HMP Whatton fostered and encouraged hope.

Luthans et al. (2004) also discuss the issue of hope and describe it as psychological capital, which is "going beyond human and social capital". They expand the idea of

psychological capital further, describing it as having four psychological resources: hope, efficacy, resilience and optimism. They go on to define these ideas in more detail, suggesting that: hope is a mature motivational state with two basic elements, successful feeling of agency (or goal-oriented determination) and pathways (or proactively planning to achieve these goals intact); self-efficacy is people's confidence in their ability to achieve a specific goal in a specific situation; optimism reinforces efficacy and hope; and resilience is a way of coping with adversity or stress.

The findings in this research support this position. The importance of building and enhancing confidence, self-esteem and self-worth, and creating a safe, stable environment with opportunities to use time effectively and meaningfully is key to developing hope and optimism.

There is a range of psychological research on the spiritual, emotional and existential features of hope. Snyder (1989) and Snyder et al. (1991), for example, maintain that hope has two interrelated elements: pathways and agency cognitions. Pathways thinking is the perceived capacity to generate successful routes to one's desired goals, and agency thinking is the perceived motivation to initiate and sustain movement towards these goals (Snyder, 2002).

Morse and Doberneck (1995), in their studies of patients with health problems, describe the concept:

> "Hope is a response to a threat that results in the setting of a desired goal: the awareness of the cost of not achieving the goal; planning to make the goal a reality, the assessment, selection, and use of all internal and external resources and supports that will assist in achieving the goal and the re-evaluation and revision of the plan while enduring, working and striving to research the desired goal." (p.279)

Despite the challenges that they faced before release and after their return to the community, many of the people with sexual convictions who took part in the research were positive and optimistic about the future. A number of the research participants in the pre-release interviews expressed their hopes for the future. Bob, for example, spoke of the excitement of his impending release in his re-release interview. Charlie, Harry,

Dean, Alan and Eric all spoke of their plans for starting again and developing new interests when they left prison in their pre-release interviews.

This is an interesting perspective. The opportunities that the experience of prison had on the participants should help to guide policy and practice and influence both release planning and management of people with sexual convictions on their release.

Eric summed up his thoughts on his plans for release:

> "I want my own business. I want to get qualifications. I want my own place, be around my family. I want a family of my own. I don't think that you should ever give up hope. There is always hope."

This positive mindset is explored by scholars researching the effects of serious physical ill-health on patients. Rideout and Montemuro (1986), for example, found that "patients who are more hopeful in life maintain their involvement in life regardless of the physical limitations imposed by their heart failure. Nursing interventions must continue to include the enhancement of hope for the future and active participation with others." (p.1).

Proactive ways of supporting feelings of hope and helping people to plan for the future are a key factor in helping people with a sexual conviction to resume life in the community after a period of imprisonment. The implications for this idea on policy and practice will be considered in Chapter 6.

5.6.2 Optimism for the future

> "Humans are very good at adapting. They might kick a bit of a fuss to start with, but they get used to ideas eventually. I have to go out and embrace the world and see what is what." (Harry, pre-release interview)

Bailey et al. (2007) argue that although there is a close relationship between hope and optimism, they are not the same thing: "Hope is conceptually different from the closely related construct of optimism" (p.169).

The research participants, in both the pre-release and post-release interviews, were optimistic about their future plans (4.6.1 and 4.6.2). Porporino (2010) highlighted the

importance of a sense of optimism and positivity in assisting people not to reoffend. Farmer et al. (2015), in their research into why people desisted from sexual offending, also saw future planning as a critical factor in desistance from sexual offending.

The freedom from the physical restrictions of imprisonment was commented on by a number of the participants in their pre-release interviews in a positive and optimistic way. Harry, Eric and Charlie all spoke of their plans in a positive and optimistic way (4.6.1).

The importance of hope and optimism for the future was key in this research. Although there were a number of practical and emotional challenges facing the people leaving prison with a sexual conviction, most were hopeful about the future, particularly about their ability to rebuild their lives and about their confidence not to reoffend, not to return to prison or simply to be a better person. Undoubtedly, their experiences in prison focused on therapy and rehabilitation, and the majority of those interviewed saw prison as a positive experience. This may have been because of the type of prison in which they were imprisoned was therapeutically orientated, or it may simply be that the participants took the opportunity to take stock, to reflect and to see the consequences of their behaviour on themselves and others. The negative impact of imprisonment is widely explored in this thesis and elsewhere, but prison as a positive is less widely acknowledged or understood.

Whilst the responses of the research participants were largely positive, it is important to remember that Whatton is a specialist prison focusing on treatment and support for people with sexual convictions. The conclusions of this study may not necessarily be generalised elsewhere in the prison system. Similarly, the dual role of the researcher may also have had an impact on the responses provided by the participants.

There are important implications for the development of practice and policy from this research, to capitalise on the optimism and hope of people returning to the community following a conviction for a sexual offence and providing them with sufficient support and encouragement to successfully and safely rebuild their lives. Chapter 6 will explore these issues in more detail.

Chapter 6: Implications for MoJ, HMPPS and Home Office Policy and Practice

This chapter reflects on the key findings and analysis and considers the implications for both policymakers and practitioners in deciding how best to effectively manage and support a person with sexual convictions leaving prison. Whilst it is important to take into account the need to manage an individual's risk to the public, it is also crucial to provide him with appropriate support and opportunities to live a meaningful life, which will in turn aid both desistance and the risk management process. Undoubtedly, there are many legal, political social and cultural factors which influence this process, as discussed in previous chapters. It is also important to note the limitations of this research, which concentrates on the experiences of a small number of self-selecting people leaving a prison specialising in treatment for people convicted of sexual offences.

6.1 Perspectives on prison life

Inadequate planning and preparation of the person who was due to be released, and the implications of this for his successful transition to the community, are consistent features of the experiences of the research participants (for example Bob and Charlie in sections 4.1.1 and 4.1.2). Participants told of plans being last minute and often felt that they had little time to plan or consider how they would prepare for and manage this transition. Questions were also raised about the implications of their licence restrictions and the impact of the notification requirements. The opportunity to examine this in more detail is something that both policymakers and practitioners should consider. An earlier introduction to these issues in release planning would be welcome, as a number of participants in this study highlighted (4.1.2). Explaining the notification requirements and the potential consequences of non-compliance in more detail could help people to plan more effectively, and potentially reduce the likelihood of non-compliance with licence conditions or even recall.

Prisons releasing people convicted of sexual offences could provide more comprehensive and interactive preparation for release programmes, allowing people to consider the key issues in the period prior to their release. These could take place up to six months in advance of the release date. They could explore the implications of notification requirements and when and how to disclose the sexual convictions to

prospective partners, friends and employers. The circumstances of disclosure and the opportunity to practise how this might take place could also assist in developing the confidence of the person prior to his release. This would be particularly useful in supporting the work undertaken in prisons by programmes teams but would also be of practical benefit where prisoners are released from prison without having participated in offending behaviour programmes.

There are often operational and organisational reasons for the comparatively short notice of a person being notified of their allocation to an Approved Premises place for his release. The availability of places in Approved Premises is limited, and reserved for people with sexual and/or violent convictions who are considered to be a high risk of serious harm to the public (Reeves, 2013). The growth in the number of people in prison serving sentences for sexual convictions (Ministry of Justice, 2018c) has placed more pressure on the provision of Approved Premises, and the expansion of appropriate supported housing should be a priority for the Ministry of Justice. People with disabilities and social care needs, as evidenced by the experiences of the participants, are particularly disadvantaged by this shortfall and these issues need to be addressed if the transition from prison to the community is to be successfully managed.

A major restructuring of the Probation Service (Transforming Rehabilitation) had taken place at the time of the research interviews, and the shortage of qualified and experienced staff was evident. The Offender Managers interviewed expressed concern about their workloads and the high numbers of people with sexual convictions they were managing who were considered to be a high risk of reoffending (OM.6, OM.7 and OM.5 in sections 4.1.3 and 4.6.3).

As the workload of the Offender Managers interviewed was significant, this had an impact on their ability to plan and prepare for the release of people in a timely fashion. (OM.6). The importance of the role of the Offender Manager in successful rehabilitation was considered in Chapter 2. The recruitment and retention of additional Offender Managers, therefore, should be a priority for HMPPS in order to ensure that adequate release planning takes place.

There are a number of implications for policy and practice highlighted in this research regarding how practical improvements could be made to aid an individual's transition from prison to the community.

The development of IT skills and/or access to the internet is a significant problem to be overcome for people leaving prison with a sexual conviction (Charlie and Eric in section 4.3.2). Although this potentially may be unpalatable for the general public, it is vital that people with sexual convictions leaving prison are appropriately prepared for their eventual release to the community. This is mainly because a number of critical services, such as applications for Universal Credit and appointments at GP surgeries, are almost exclusively online. The development of prisoners' IT skills prior to leaving prison, and the extension of the Universal Credit pilot enabling people to apply for benefits prior to their discharge from prison, would help to ensure that people are better able to deal with the challenges of access to benefits and are not left waiting for money for extended periods after leaving prison.

Licence restrictions preventing access to the internet or ownership of a smartphone with the ability to take or download photographs and video or to stream to or from the internet are also potentially problematic for people leaving prison with a sexual conviction. Whilst access to the internet may be permitted in a public place, the reduction in the number of libraries has affected the number of places where even this is possible. In any case, for security reasons, internet access to bank and credit card accounts is not recommended in public places. Whilst in prison, advice and support on how to negotiate these challenges needs to be provided, together with a realistic appraisal of the consequences of non-compliance.

In addition, this may be the first time (or the first time in a considerable period) that they have needed to carry out practical housekeeping skills for themselves. Often, they will have been cared for by either parents or partners. Particularly for a person who has served a long prison sentence, the development of knowledge and the opportunity to practise laundry, cookery and menu-planning skills on a limited income would be a useful service and something that could be provided in prisons prior to a person's release. This clearly has some resource implications, as although prisons provide catering and laundry facilities on an industrial scale, small-scale facilities that are

comparable to those in domestic households would enable people who are due to be released to practise their skills and to prepare for their reintegration. As the majority of people with sexual convictions who are considered to be a high risk of serious harm will be moving to Approved Premises from prison, this is perhaps something that could be continued there to improve confidence and independence.

The opportunity to shop in the community and to develop menu-planning skills on a limited budget is also important if people are to be able to practise budgeting, particularly if an individual is likely to be receiving benefits upon release. This, however, has both policy and political implications, as prisons will need to be allowed to release risk-assessed prisoners on temporary licence. Release on temporary licence (ROTL) from prison is permitted under certain circumstances under Rule 9 of The Prison Rules (1999). At the time of this research, this facility is not permitted from closed prisons holding people with sexual convictions (this provision was curtailed following the high-profile case of a person with a serious offence of violence who reoffended whilst on licence in 2014). This change was made despite the evidence that the vast majority of releases from prison on temporary licence are completed successfully and without incident (HMIP, 2014). It would seem appropriate in these circumstances to prioritise the release of people with sexual convictions on temporary licence prior to their eventual release so that they can be supported in their release planning by both prison staff and community-based Offender Managers.

Again, for long-term prisoners the impact of a release into the community after serving a long prison sentence is even more pronounced, and therefore the opportunity for this transition to be staged or initially safely supervised by prison staff is critical. This staged approach would enable people to self-monitor and to manage their own risks in a safe, controlled way. For example, the exposure to adults and children outside the controlled, secure environment of a prison will offer people more detailed insight into how they should manage and plan their safe return into the community.

This gradual, staged process, together with the opportunity to develop practical survival skills, would help mitigate the detrimental impact of institutionalisation and assist in preparing for eventual independence. As discussed in Chapter 2 (2.1) and confirmed by the findings in Chapter 5 (5.4), the provision of opportunities to demonstrate personal

initiative and autonomy in order to allow personal agency assists in the desistance process.

The opportunity to reinforce the thinking skills learnt in prison is also important if the individual is to successfully reintegrate and to re-establish his life without reoffending or recall to prison. The knowledge base of the Offender Managers in the community about the offending behaviour programmes in operation in prisons varied in this research (3.13.9). Increasing the knowledge base and skills of Offender Managers is critical in order that they are better able to reinforce and remind people of the messages and the skills learnt in the prison-based programmes. This will ensure that the messages given to the person in transition are consistent and best practice about the effectiveness of programmes is enhanced.

As a significant proportion of people with sexual convictions, particularly those serving very long or indeterminate sentences, are not released directly into the community from closed establishments, there are strong arguments that better and sustainable links between open prisons and treatment centres for people with sexual convictions should be developed. Examples of this could be: the development of joint training programmes; advice from clinical staff who have worked with people in treatment sites prior to their transfer on behaviour and risk management; virtual tours of open prisons to be shown in treatment sites so that people can familiarise themselves prior to transfer; and developing consistent policies in both treatment sites and open prisons so that people are familiar with the rules and restrictions prior to their move. This will enable the services provided in open prisons to reflect the risks and needs of the population and assist in the reinforcement of the learning from offending behaviour programmes.

6.2 Family relationships

The maintenance of family relationships (where possible) is an important factor in the successful transition of the person with a sexual conviction back into the community, but the well-being of family members who are dealing with the impact on their lives of the conviction on both family dynamics and the local community also need to be considered. As discussed in Chapter 2 (2.2.3), extant research suggests that family members experience both stigma and grief as a consequence of their relationship with a person with convictions for a sexual offence. This is supported by the findings of this

thesis. For example, some family members of participants (Charlie, Geoff and Frank, 4.2.2) had found that it was difficult to continue their relationships following the family member's conviction and imprisonment for a sexual offence. Both policymakers and individual prisons need to consider how to manage and support family members through the process. Whilst it may not be possible for family links to be maintained in some circumstances (because of domestic violence or child protection issues, for example), both policy and practice should aim to support this in all other cases. Prisons should ensure that, where possible, family members are welcomed, kept informed and involved in the decision-making processes about their loved one, but also encouraged to ask questions and given answers about the rationale for decision making, including decisions on licence and child contact restrictions.

If family members are able to visit prisons, then the opportunity should be taken to involve them in the life of the prison, for example in family days or in case management meetings, so that they are reassured about the well-being of their loved one and are able to develop an understanding of the reasons for the offence being committed. They then can develop an insight into the risk factors associated with reoffending and can therefore be encouraged to provide guidance and insight when necessary in order to support the desistance process.

As demonstrated by the experiences of Harry Dean, Eric and Frank (4.2.2), support for family members should continue when someone is released back into the community. This may be in the form of support groups or simply by an individual offering advice on both the practical and emotional impact of dealing with the implications of licence restrictions and notification requirements.

Where no family support is available, the provision of alternative support structures is important to try and replicate the advantages of family support in order to attempt to reduce social isolation. As discussed in Chapter 2 (2.2.3), mentoring programmes or Circles of Support and Accountability (CoSA) projects can be a useful addition to the support network of a person with a sexual conviction re-establishing himself into the community. Church and community groups can also help to fill this gap by providing alternative sources of social capital. However, the person leaving prison needs to be given realistic and practical guidance on the safeguarding policies of those institutions

and how to ensure that the understandable public protection restrictions can be safely managed.

Whilst the responsibility for being part of the community outside of prison rests with the individual, there are also wider implications for policy and practice of this ambition. Community groups themselves should be encouraged to see people convicted of sexual offences as individuals and not a homogeneous group. Risk assessments and risk management should be proportionate to the risk the person actually poses rather than a range of blanket and indiscriminate restrictions. Offender Managers must also encourage appropriate involvement in community groups and policymakers should encourage informed and individualised risk management rather than a blanket policy of risk avoidance in order that the benefits of the community supporting desistance can be realised.

6.3 Employment and purposeful activities

The value of work and the impact of unemployment on a person's well-being are analysed in Chapter 5 (5.3.1). The challenges of finding suitable employment or voluntary activities are outlined from the personal experiences of the research participants interviewed as part of this thesis in Chapter 4 (4.3.2), and could be summarised as Offender Manager concerns about risk of contact with the public, employer reticence to employ people with sexual convictions and community groups concerned about reputational risks or safeguarding issues. Given that work is also an important feature of the desistance process (this is discussed in 2.2.1), it is crucial that this particular issue is tackled. Whilst it is important that individuals are offered assistance with gaining employment, such as CV writing or interview skills, it is also important to educate, engage with and support employers to employ people with sexual convictions – again, to provide employers with a more informed, balanced position of the risks posed by an individual by looking at them as individual people rather than a homogeneous group. The concepts of trust and mistrust in the workplace are discussed in Chapter 5 (5.3). Employers should be encouraged to develop their trust in individuals in an informed and supported way.

A Ministry of Justice initiative in 2018 focused on promoting a number of employers, such as Pret a Manger, Halfords and Balfour Beatty, who had prioritised the employment

of people with convictions with the aim to encourage more employers to consider the option of the employment of this group of people. However, there has been little focus on the employment of people with sexual convictions (Ministry of Justice, 2018d).

In times of high levels of unemployment across the wider population, it is perhaps easier to understand employer reluctance to employ people with sexual convictions. However, when there are apparent skill shortages across a range of sectors, it is perhaps more surprising that employers are unwilling to take on people with sexual convictions, particularly when the reoffending rates of this group are so low. There is perhaps a role for the voluntary sector to take the lead, and for central and local government to offer advice, support or incentives to take on and to safely manage this group of people. In addition, the education of voluntary sector and community-based organisations to safely open up their services to people convicted of sexual offences upon release from prison should be a priority. If necessary, organisations should be encouraged to develop appropriate risk planning and advised on how to manage different restrictions and requirements. These voluntary activities offer the opportunity to support the desire of individuals to atone for their wrongdoing and to "give something back", an idea discussed in Chapter 5 (5.3.3). This thesis argues that it is vital that people are given the opportunity to participate in voluntary and community groups to enable them to achieve this goal.

6.4 Stigma and challenges

The impact of the stigma of a sexual conviction on both an individual and his family is analysed in Chapter 5 (5.4), and the provision of generic licence conditions (Appendix J) for this group arguably adds to the challenges facing a person in the transition from prison to the community, if not the stigma. The legal and administrative framework for the management and control of people with sexual convictions was considered in Chapter 1 (1.3). The rigid and inflexible application of generic licence conditions described there is not effective in reducing the risk of reoffending or in assisting an individual's successful resettlement and arguably does little to reduce reoffending. Although generic licence conditions are organisationally easier to administer, they do not have particular utility when dealing with the risks posed by individual people. A more individualised approach to both risk and risk management is likely to be more effective

in achieving the desired outcome of controlling and monitoring an individual during his licence period. By linking in to risks identified by the prison-based offending behaviour programmes and an individual's self-identified risk, the licence conditions are more likely to achieve their objectives.

The label "sex offender" is almost certainly the cause of a significant amount of stigma, as discussed in Chapter 5 (5.4). Criminal justice organisations and others need to move away from this negative shorthand, and labelling someone forever does not encourage them to see themselves as something other than that label. A proactive policy change with direction from the centre, supported and reinforced in official documents, policies and legislation, would encourage this. If a person's desire is to be something different in the future from what they were in the past, they should be encouraged and supported to do so, and not to forever be defined by probably the worst thing that they have ever done.

6.5 Accommodation and home

The importance of the provision of accommodation in the desistance process is well established, and this is discussed in Chapter 2 (2.2.2). The development and importance of a person having the opportunity to establish a home, a personal space, surrounded by their personal items and having agency and control over this space, is not something that has previously been considered by the desistance literature. Whilst the majority of people with a sexual conviction with a high risk of sexual reoffending are provided with a short-term placement in Approved Premises of at least twelve weeks after they have left prison, lower-risk people are not necessarily automatically provided with any accommodation. Although they must still inform the police of their whereabouts as part of the notification requirements, they often do not have the necessary financial backing to fund their own accommodation and they often have significant difficulty in obtaining accommodation in the private rental sector because of their sexual conviction, as evidenced by the participants in this research.

Single men are often not considered a priority group for social housing. If no family support is available, they are therefore potentially homeless. Night shelters, bed and breakfast accommodation or rough sleeping are often the only options available to them. Therefore, this thesis argues that supported housing should be made available for

isolated people with sexual convictions, which would reduce the risk posed to the public and also improve the well-being of the individual concerned.

Even after the initial period in Approved Premises, the accommodation arrangements for people with sexual convictions are often transitory and insecure. This insecurity potentially has an impact on a person's risk of reoffending. The importance of the creation of a home rather than simply the provision of accommodation, as analysed in Chapter 5 (5.5), where people can re-establish themselves in a safe place with their belongings and items with which they have a strong attachment, is crucial to their well-being and therefore their successful resettlement.

Clearly, this has implications for both government policy and also the provision of an adequate supply of suitable social housing. The link between safe housing and the re-establishment of an individual as part of a wider community is also a critical point. Although Approved Premises are a useful starting point for people when they leave prison, they are not a solution to the problem of the provision of safe, decent, secure housing and more investment in suitable housing stock is required to ensure that this provision is sufficient. In addition, appropriate individualised risk assessments need to be factored into the process rather than a generic, one-size-fits-all approach to the management of this group of people. This will require a change in policy and better communication between agencies in the management process.

6.6 Hope and future planning

Encouraging hope and planning for the future overlaps with a number of these identified themes. How policymakers and practitioners working with people with sexual convictions can help both the well-being of the individual and also the desistance process is a critical issue for future planning. As discussed in Chapter 5 (5.6.1), everyone has the right to hope. As a result, conditions legal, administrative and practical need to be put in place to ensure that people with convictions for sexual offences have some degree of agency to manage their own risks and, therefore, their own future. Clearly, insight into what these risks are is critical, but so is the need to support people to manage these risks. An example of this is discussed in 4.2.2: Harry's licence restrictions prevented him from going near a secondary school, but as he said he could simply go to a shopping centre if he wanted to look at teenagers; it was a matter for him to manage

his risks. Bob also knew what he needed to do not to be in the same situation that led to his offence and how to self-manage. Professionals cannot always be available to monitor, supervise or oversee an individual. It is vital that an environment in the community is created so that an individual sees and feels the benefits of not reoffending and has sufficient self-worth to manage their own behaviour and risks.

The wider use of anti-libidinal medication to reduce sexual preoccupation, as mentioned in Chapter 2 (2.2.3), is clearly an option for individuals to provide support to reduce the likelihood of sexual reoffending. Research participants had expressed the importance of their optimism and hope for the future as they recognised that the medication not only had the potential to improve their well-being but also to reduce the likelihood of reoffending, thus satisfying the wider public protection aims of the criminal justice agencies. However, in order to be truly effective, an individual must have the choice to participate rather than be compelled to do so, therefore giving them realistic agency over their future plans.

Proactive ways of encouraging hope and optimism in prison and onwards into the community can be promoted by peer support projects, education in prison such as the Open University and vocational or business skills programmes. Prison community activities can be utilised to improve the self-esteem and self-worth of individuals.

It is important to improve and foster a sense of agency and choice in the individual, creating and nurturing a feeling of hope and encouraging positive planning for the future so that he does not want or feel the need to reoffend – in essence, to create a situation where the individual feels that he has a positive sense of self-worth and deserves more for himself and others, rather than to create more victims and to spend more time in prison. Capitalising on this optimism should be a key to the development of future policy and practice.

6.7 Conclusion

The experiences of the participants in this study indicate that the solutions to reduce sexual reoffending and successfully resettle people convicted of sexual offences in the community rests, unpopular and unpalatable as this may seem, not solely with the individual convicted of a sexual offence but with the institutions of the state,

practitioners in the criminal justice system, with employers and with the wider community. Changes to legal practice and public perceptions are critical if the risks people pose to others are to be safely and appropriately managed and people convicted of sexual offences are to be allowed to return to be active and productive citizens. The perception of people convicted of sexual offences as a homogenous group of highly dangerous manipulative and predatory people needs to be challenged and these labels confined to the very small number of people to whom they apply.

The practical suggestions contained in this chapter would undoubtedly help in this ambition; however, fundamentally, a wider understanding that people convicted of sexual offences are “people like us”, often with the same needs desires and personal issues, is a greater challenge.

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Appendices

Appendix A: NOMS Ethical Approval

Dear National Research Committee,

Ref: 2015-395.

'It felt like falling off a cliff.' The transition of sex offenders from custody to the community: effective offender management?

Thank you for your letter of 28th January.

Please see below my responses to your request for more details about my research.

"Please could you provide further information on the sample sizes for the interview with OMU staff?"

It is my intention to interview the Offender Managers for those prisoners who have consented to participate in the research. This will be up to fifteen.

"Bearing in mind your dual Researcher/Governor role please clarify how objectivity will be maintained and the conflicts of interest avoided"

Objectivity issues will be a standard item of the supervision process in addition another independent person either Dr Belinda Winder from SOCAMRU (NTU) or Dr Joanne Bennett Governor of HMP Grendon will be consulted to ensure objectivity is maintained and conflicts of interest avoided. The supervision team and the independent advisors will be consulted. If for example a prisoner (or ex prisoner) discloses behaviour or attitudes that are risky but are not being managed or known about by the Offender Manager.

"*Please could you clarify why access to NOMS files/records is required and how using this data is important for the project?"*

I will be interviewing prisoners within the last month of their sentence, however, a prisoner may not know the precise details of his release accommodation or address until a few days before his release date. I would need access to the NOMS files/records to verify the release address in order that I can contact the participant following his release into the community.

"Will the interview schedule be tested / piloted in the first instance to check the ease of use, coverage of key issues and overall length (monitoring for any respondent fatigue).

HMP Whatton has a prisoner research focus group which meets monthly. I propose to test the interview questions with this group and modify the interview schedule in both contact and length in the light of the feedback.

"How will the research data be transported, stored and destroyed?"

The NRC had concerns about the use of a private email account to transfer the data and would not recommend this takes place.

The research data will be transported password protected digital audio file, then transferred to me Quantum account on the NOMS server any transfer of data to the University of Nottingham will be via my HMPS email account.

Please let me know if you have any further questions.

I look forward to hearing from you.

Yours sincerely,

Lynn Saunders

Governor / Researcher.

APPROVED SUBJECT TO MODIFICATIONS – NOMS RESEARCH

Ref: 2015-395

Title: "It felt like falling off a cliff" The transition of sex offenders from custody to the community: effective offender management?

Dear Lynn,

Further to your application to undertake research across NOMS, the National Research Committee (NRC) is pleased to grant approval in principle for your research. The Committee has requested the following modifications:

- All those assisting with access to staff, offenders and/or existing administrative data need to be made aware that the research is being conducted for an external PhD course. Initial approaches to offenders need to be made by appropriately placed practitioners (to verify their willingness to be contacted).
- Furthermore where the PhD is not sponsored by the MoJ or NOMS, then MoJ logos should not be used on research papers including consent and information sheets. This helps to ensure that participants are aware that this research is being undertaken as part of an independent academic project.
- When using intermediaries to assist with recruitment and administration, consideration should be given to the necessary quality assurance, helping to ensure consistency and adherence to agreed criteria/processes.
- The following should be included in all participation information sheets/consent forms:
    - Participants should be asked for their consent to the use of audio-recording equipment.
    - Participants should be informed that there will be neither advantage nor disadvantage as a result of their decision to participate or not participate in the research.

    - It must be made clear to research participants that they can refuse to answer individual questions or withdraw from the research until a designated point, and that this will not compromise them in any way.
    - Participants should consent to any follow-up contact and the method of this contact.
    - Participants should be informed how their data will be used and for how long it will be held.
- The following should also be included in the participation information sheets/consent forms for offenders:
    - Access to any NOMS records for the participants should be explicitly covered.
    - It needs to be clear that the following information has to be disclosed: behaviour that is against prison rules and can be adjudicated against, illegal acts, and behaviour that is potentially harmful to the research participant (e.g. intention to self-harm or complete suicide) or others.
    - Potential avenues of support should be specified for those who are caused any distress or anxiety.
    - The respondent should be asked to direct any requests for information, complaints and queries through their prison establishment/probation trust. Direct contact details should be removed.
- If any individuals are being approached due to their very specific roles, particular attention should be given to ensuring their anonymity. If anonymity cannot be guaranteed, respondents will need to be fully informed about this prior to providing their consent.
- The interview/questionnaire schedules should be tested/piloted in the first instance to check ease of use, coverage of key issues and overall length (monitoring any respondent fatigue).
- Under the Prison Act (as amended by the Offender Management Act 2007), mobile phones, cameras and sound recording devices are classified as list B items, requiring authorisation from Governing Governors / Directors of Contracted Prisons (or nominated persons) to take them into and use them in prison (PSI 10/2012 Conveyance and Possession of Prohibited Items and Other Related Offences).
- Researchers must store, transfer and handle all personal data securely in line with AI 03/2009 and PSO 9015 Information Assurance and PSO 9010 I.T. Security. This includes data required to identify respondents and to link data sources.
- When using recording devices, the recordings should be treated as potentially disclosive and it is recommended that devices with encryption technology are used. Recordings should be wiped once they have been transcribed and anonymised unless there are clear grounds for keeping them any longer.
- In the final research report, care should be taken to not overstate the potential benefits of the research and the research limitations should be explicitly set out (e.g. samples are not necessarily representative of all sex offenders i.e. the project is looking at a subsample of sex offenders who are leaving custody, the findings may not translate to other establishments/areas).

Before the research can commence you must agree formally by email to the NRC (National.Research@noms.gsi.gov.uk), confirming that you accept the modifications set

out above and will comply with the terms and conditions outlined below and the expectations set out in the NOMS Research Instruction

(https://www.gov.uk/government/organisations/national-offender-management-service/about/research).

Please note that unless the project is commissioned by MoJ/NOMS and signed off by Ministers, the decision to grant access to prison establishments, National Probation Service (NPS) divisions or Community Rehabilitation Company (CRC) areas (and the offenders and practitioners within these establishments/divisions/areas) ultimately lies with the Governing Governor/Director of the establishment or the Deputy Director/Chief Executive of the NPS division/CRC area concerned. If establishments/NPS divisions/CRC areas are to be approached as part of the research, a copy of this letter must be attached to the request to prove that the NRC has approved the study in principle. The decision to grant access to existing data lies with the Information Asset Owners (IAOs) for each data source and the researchers should abide by the data sharing conditions stipulated by each IAO.

Please quote your NRC reference number in all future correspondence.

Yours sincerely,

National Research Committee

National Research Committee - Terms and Conditions

All research

- **Changes to study -** Informing and updating the NRC promptly of any changes made to the planned methodology.
- **Dissemination of research** The researcher should prepare a research summary for NOMS (approximately three pages; maximum of five pages) which (i) summaries the research aims and approach, (ii) highlights the key findings, and (iii) sets out the implications for NOMS decision-makers. It should be submitted to the NRC alongside the NRC project review form (which covers lessons learnt and asks for ratings on key questions). Provision of the research summary and project review form is essential if the research is to be of real use to NOMS. The report should use language that an educated, but not research-trained person, would understand. It should be concise, well organised and self-contained. The conclusions should be impartial and adequately supported by the research findings. Further guidance on the format of the report is available on request.
- **Publications -** The NRC (National.Research@noms.gsi.gov.uk) receiving an electronic copy of any papers submitted for publication based on this research at the time of submission and at least one month in advance of the publication.
- **Data protection** - Researchers must comply with the requirements of the Data Protection Act 1998 and any other applicable legislation. Data protection guidance can be found on the Information Commissioner's Office website: http://ico.org.uk. Researchers should store all data securely and ensure that information is coded in a way that maintains the confidentiality and anonymity of research participants. The researchers should abide by any data sharing conditions stipulated by the relevant data controllers.
- **Research participants -** Consent must be given freely. It will be made clear to participants verbally and in writing that they may withdraw from the research at any point and that this will not have adverse impact on them. If research is undertaken with vulnerable people – such as young offenders, offenders with learning difficulties or those who are vulnerable due to psychological, mental disorder or medical circumstances - then researchers should put special precautions in place to ensure that the participants understand the scope of their research and the role that they are being asked to undertake. Consent will usually be required from a parent or other responsible adult for children to take part in the research.
- **Termination** - NOMS reserves the right to halt research at any time. It will not always be possible to provide an explanation, but NOMS will undertake where possible to provide the research institution/sponsor with a covering statement to clarify that the decision to stop the research does not reflect on their capability or behaviour.

Research requiring access to prison establishments, NPS divisions and/or CRCs

- **Access –** Approval from the Governing Governor/Director of the establishment or the Deputy Director/Chief Executive of the NPS division/CRC area you wish to research in. (Please note that NRC approval does not guarantee access to establishments, NPS divisions or CRC areas; access is at the discretion of the Governing Governor/Director or Deputy Director/Chief Executive and subject to local operational factors and pressures). This is subject to clearance of vetting procedures for each establishment/NPS division/CRC area.
- **Security** – Compliance with all security requirements.
- **Disclosure –** Researchers are under a duty to disclose certain information to prison establishments/probation trusts. This includes behaviour that is against prison rules and can be adjudicated against, undisclosed illegal acts, and behaviour that is potentially harmful to the research participant (e.g. intention to self-harm or complete suicide) or others. Researchers should make research participants aware of this requirement. The Prison Rules can be accessed here and should be reviewed:
  http://www.justice.gov.uk/downloads/offenders/psipso/pso/PSO_0100_the_prison_rules_1999.doc

Appendix B: University of Nottingham Ethical Approval

From: Helen Wade <Helen.Wade@nottingham.ac.uk>
Date: 4 April 2016 at 14:42:39 BST
To: "lynncsaunders@googlemail.com" <lynncsaunders@googlemail.com>
Cc: Dirk Van Zyl Smit <Dirk.Van-Zyl-Smit@nottingham.ac.uk>, Candida Saunders <Candida.Saunders@nottingham.ac.uk>, Helen Wade <Helen.Wade@nottingham.ac.uk>
Subject: REC application

Dear Lynn

This email is to confirm that the School of Law's Research Ethics Committee is aware of and approves the research proposed in your recent application.

Best wishes

Helen

Helen Wade
PA to Head of School
School of Law
The University of Nottingham
Room C78, Law & Social Sciences Building
University Park Campus
Nottingham
NG7 2RD

T: +44 (0) 115 95 15725

From: lynncsaunders@googlemail.com [mailto:lynncsaunders@googlemail.com]
Sent: 27 March 2016 19:22
To: candida.saunders@nottingham.ac.uk; dirk.van-zyl-smit@nottingham.ac.uk; helen.wade@nottingham.ac.uk
Subject: REC application

Hi Candida

Thank you for your advice about my request for ethical approval for my research from the School of Law.

I attach a revised form as you suggested. I have received ethical approval from NOMS and a copy of this is available should you require it.

Thank you for your help, please let me know if you need any further information.

Best wishes

Lynn Saunders

SCHOOL OF LAW RESEARCH ETHICS COMMITTEE

CHECKLIST & APPLICATION FOR APPROVAL

For the avoidance of doubt, research involving human participants (either through interview or questionnaire) and/or the use of confidential, personal or commercially sensitive data must be submitted for approval by the Schools Research Ethics Committee, as must any research that is likely to give rise to the risk of harm/potential conflict of interest.

Name: Lynn Saunders

Please provide a **brief** outline of the aims and objectives of your research (max 200 words):

This proposed research has received ethical approval from the NOMS ethics committee (February 2016).

The number of men convicted of sexual offences in England and Wales has grown over the past two decades. (MoJ 2013). Public concern about this group of offenders has been heightened by celebrity and historic sex abuse prosecutions

One of the National Offender Management Service's key priorities is reducing reoffending and this research hopes to inform this priority, by exploring the experience of people convicted of sexual offences leaving custody, their expectations and hopes for the future. There have been increases in the legal and administrative restrictions, in response to public and political concerns, placed on people convicted of sexual offences, despite this there are few support services available. Recent changes in the role of the probation service (Offender Rehabilitation Act 2014) have further exacerbated this problem. This thesis seeks to analyse and address the current gap in evidence, policy and practice

Please provide the following information and attach a copy of the information sheet and consent form to be given to participants, which includes these details:

(a) the basis on which participants are selected and recruited

Prisoners participating in the research will for the most part be determinate sentence prisoners serving over two years' imprisonment. An introductory letter will be supplied from the prison's Offender Management Unit to prisoners in the last four months of their sentence. The letter will ask for the individuals to contact the researcher by returning the contact letter. The nature and purpose of the research

will be outlined. Once prospective participants have initially opted into consent, a personal interview will take place and a more detailed consent obtained in writing.

(b) the potential for participants to withdraw (and the relevant deadline for withdrawal if applicable)

A "cooling off period" will allow prospective participants to reflect on their willingness to take part. Participants may withdraw their consent at any time.

(c) the procedures used for collecting and storing data

The data will be provided in an anonymised form. The data will be stored in an electronic password protected file with a password being provided in a separate email to my NOMS email account to minimise the risk of data compromise. Should data be transferred to the University, I would follow the same procedures. NOMS procedures require that the data is destroyed rather than retained for 7 years after publication.

(d) the levels of i) participant anonymity & ii) confidentiality

When using a digital recorder, the participant first name will be used at interview, but then a pseudonym will be used for the transcript. Interviewees will be asked to omit identifiers when speaking. Recordings will be transcribed by an external person. A confidentiality agreement will be established. Transcripts will be returned to the researcher and maintained securely by the University in accordance with the requirements of the Data Protection Act 1998.

	Yes	No
Does the study involve participants who are particularly vulnerable or in a dependent position?	X	
Serving prisoners some of whom may have intellectual disabilities or mental health problems		
Does the study involve participants who are unable to give informed consent?		X
Will participants take part in the study without having given their prior written consent?		X
Does the study risk any (real or apparent) conflict of interests - for the researcher, any gatekeepers relied upon for initial access, or the participants?	X	

As the Governor of the prison where the participants are located, participants must be made aware that their treatment in or out of custody will not be affected positively or negatively by their participation

Will the study involve discussion of sensitive topics affecting individual respondents (e.g. sexual activity, drug use, death or illegal activities)?	X	

Possibly due to the nature of the offences

Is the study likely to cause offence, anxiety or harm to participants?		X
Will financial inducements (other than expenses) be offered to participants?		X

No this is not permitted by NOMS regulations

Will the study place the researcher at any risk greater than that encountered in his / her daily life?		X

No but a risk assessment will be completed

Is CRB clearance, or approval from any other Ethics Committee, required?	X	

NOMS ethical approval has been obtained. The researcher is cleared to CTC security level (renewal due 2020)

If you have answered 'yes' to any of the above, please provide the following information below and attach a copy of the information sheet and consent form to be given to the participants.

For example, if you do not intend to secure prior written consent, please explain why and provide information on whether consent will be obtained in any other way. Or if your study involves participants who are particularly vulnerable, please explain the steps that will be taken to minimise the risk of harm and / or of any potential conflict of interests that may arise.

Processes will be put in place to ensure that participants are informed by a third party (Prison Offender Management Unit) and written consent obtained (Information Sheet and consent forms attached) A risk assessment has been completed to ensure the safety of the researcher (attached)

Please remember to attach a copy of your interview protocol / survey to this application.

For completion by Thesis Supervisor

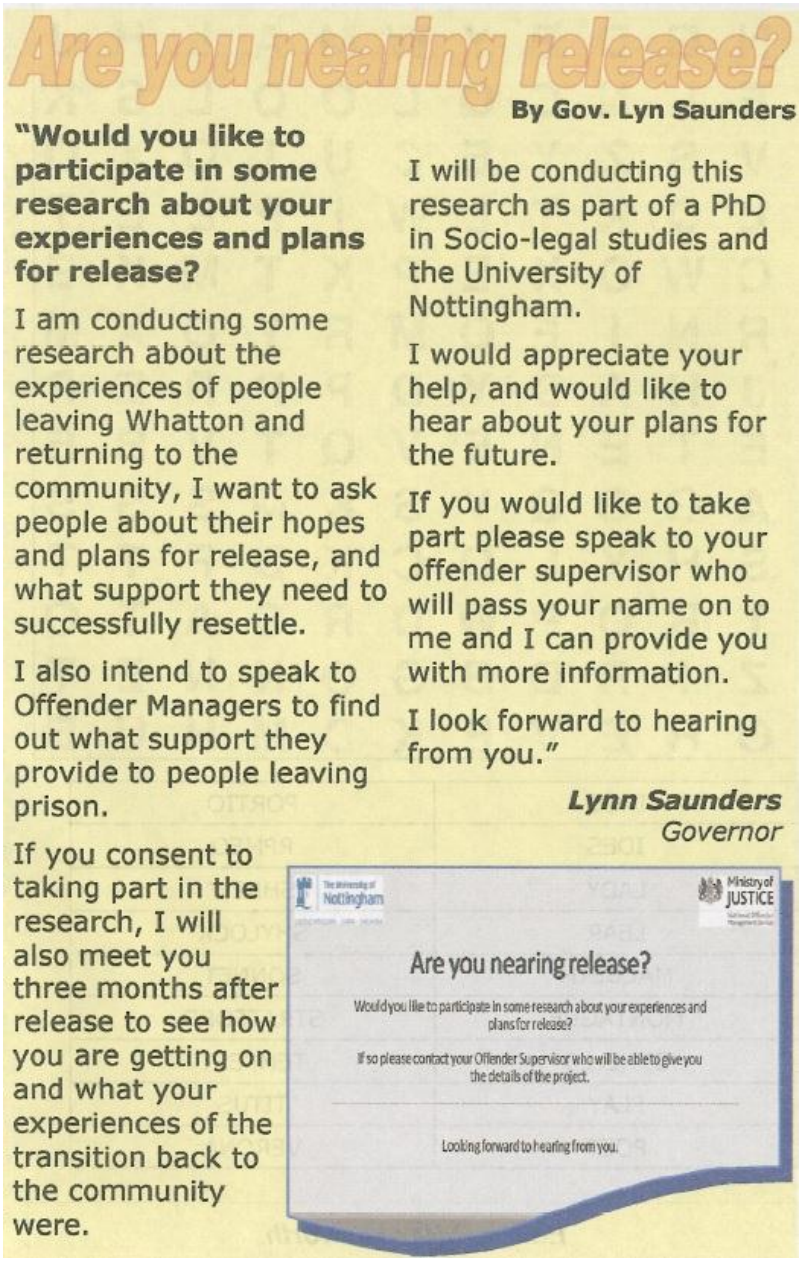
□ There may be ethical issues requiring review by the REC raised in this proposal. This form should be referred to the relevant Research Ethics Officer for further action via Helen Wade [Helen.Wade@nottingham.ac.uk].

Signature ..... Date.....

Print Name .....

Appendix C: Research Publicity Material

Front page of prison magazine



Are you nearing release?

By Gov. Lyn Saunders

"Would you like to participate in some research about your experiences and plans for release?

I am conducting some research about the experiences of people leaving Whatton and returning to the community, I want to ask people about their hopes and plans for release, and what support they need to successfully resettle.

I also intend to speak to Offender Managers to find out what support they provide to people leaving prison.

If you consent to taking part in the research, I will also meet you three months after release to see how you are getting on and what your experiences of the transition back to the community were.

I will be conducting this research as part of a PhD in Socio-legal studies and the University of Nottingham.

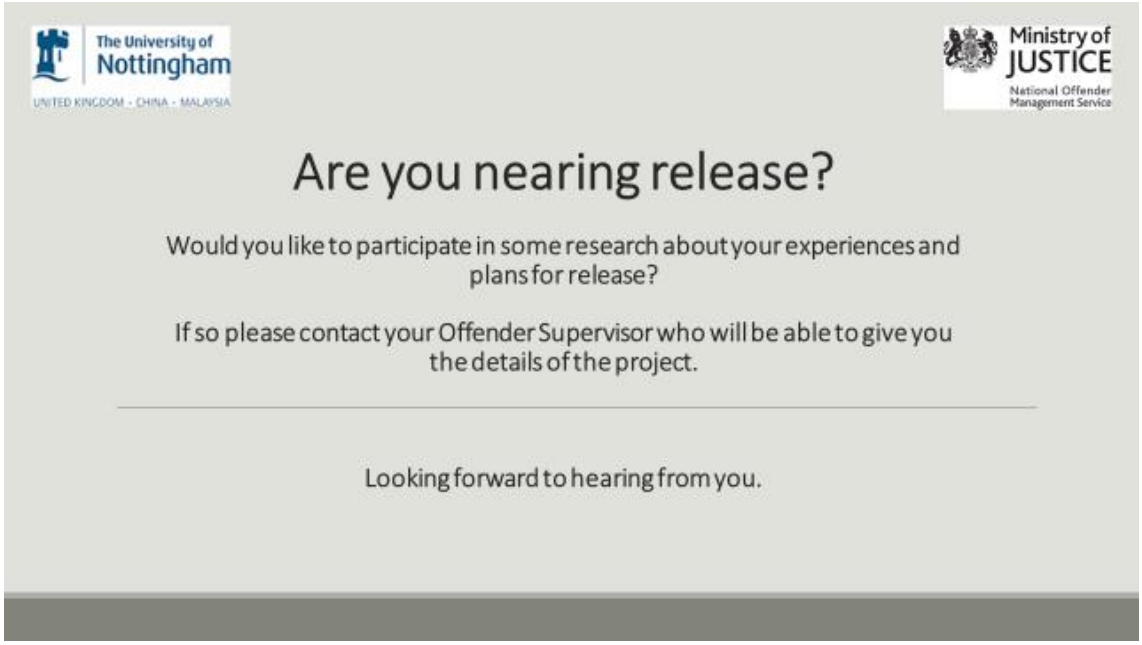
I would appreciate your help, and would like to hear about your plans for the future.

If you would like to take part please speak to your offender supervisor who will pass your name on to me and I can provide you with more information.

I look forward to hearing from you."

Lynn Saunders
Governor

Poster


The University of Nottingham
UNITED KINGDOM · CHINA · MALAYSIA
Ministry of JUSTICE
National Offender Management Service
Are you nearing release?
Would you like to participate in some research about your experiences and plans for release?
If so please contact your Offender Supervisor who will be able to give you the details of the project.
Looking forward to hearing from you.

Appendix D: Participants' Information Leaflet

Information sheet

What is the research about?

You have been asked if you would like to take part in some research. The research is looking at your experience of leaving prison and your plans for release.

I will be looking at what it is like for people leaving prison and resettling in the community. I will also be speaking to offender managers about how they have planned for your release and about how they have decided what your release conditions will be.

The decision to take part in the research is up to you. If you take part in the research you will not receive anything extra and if you do not want to take part, you will not lose anything.

Your decision to take part is up to you and will not affect your chances of getting other treatment at HMP Whatton nor will it have any effect on parole / sentence planning decisions or release arrangements.

What would you be asked to do?

If you take part in the study you will be interviewed up to one month before your release and again about three months after.

The first meeting will take place in a private room at HMP Whatton. It will last about two hours. You will be able to stop the meeting at any time for a break or if you don't want to do it any more.

The meeting will be recorded on a tape machine and then transcribed.

This information is needed to look at a person's experiences of leaving prison, their plans, worries and hopes about getting out.

You will be asked to provide contact details after release so that I can contact you again about three months after you have returned to the community. You will be provided with a mobile telephone to enable us to stay in contact. I will need access information about your licence conditions and release plans so that I can compare your experiences and release restrictions to other people in the survey.

I would also like to ask your agreement to keep your contact details and information. This is because I may want to get in touch with you again in the future to see if you are happy to help me again. You will always be able to tell us that you no longer wish to be involved, and we explain how to do this below.

You do not have to take part

This study is entirely separate from your treatment and management in prison. If you decide not to take part there will be no consequences. Also if you decide at first that you do want to take part but you change your mind later on, there will be no consequences and any information collected on you will simply be destroyed. You can withdraw from the research at any time and it will not affect your sentence progression, the standard of care you receive or your privileges in any way.

If you decide you don't want to take part or if you have a complaint or are unhappy with anything related to this research please contact me (my contact details are at the end of this information sheet).

What happens to the information you give to me?

All information about you will be kept on a database to which only the staff supervising this research at University of Nottingham and I will have access. The supervisors are Professor Dirk Van Zyl Smit and Dr Melanie Jordan.

We will all deal with your information confidentially. That is, we will not tell anyone what your name is. We also won't say anything else that might give away who you are.

What you say in the interviews will be kept private unless:

- You tell me that you want to harm yourself.
- You tell me that someone else is at risk of being harmed.
- You tell me information about an offence that you have not been convicted for (like the name of a victim and when the offence happened).
- You tell me information about plans to escape prison or break prison rules.

If you mention any of these things to me, I will have to pass the information on to prison security, wing staff or the police.

I will write reports and presentations at the end of this study and some of the information I collect will be included in these. I will never mention you by name in these.

I may also need to use some of the information that I have read in your files when I write my report, but your name will never be mentioned. Every effort will be made to ensure you cannot be identified within any reports or presentations.

Can I see the results of the research when it is finished?

Yes. I will make research summaries and reports available to you and I will also offer to write summaries for the Whatton prisoners' newsletter. Also, if you wish I can send you a copy of my report.

Are there any risks to me if I take part in this research?

I don't think that there are any risks to you from taking part in this research.

Are there any benefits to me if I take part in this research?

While there may not be any direct benefits, you might find the meetings interesting and your contribution will be valuable to help improve the way we work with people being released from prison and the help we can offer.

Who is the researcher and how can I make contact?

I am Lynn Saunders and I am the Governor of HMP Whatton. You can contact me via the wing office while you are in prison and by telephone or email when you are released.

If you have a complaint about any aspect of these meetings you can contact Nottingham University.

Appendix E: Interview Schedule: Pre-release Interviews

A qualitative analysis of those people convicted of sexual offences leaving HMP Whatton and returning to the community

Draft Interview Schedules Element 1

For each interview there will be an explanation of the informed consent form and the participants' right to withdraw (and the process by which he could do so) and an explanation of the purpose of the interview. I will also outline at each interview what would happen if they revealed any information about risk to themselves or others or anything that gave me any cause for concern so that they were fully aware of the implications of doing this before commencing each interview (see also information and consent sheet for further information on this).

Below are sample questions that would be put to the participant, but obviously with IPA as a method, ideally I would let him drive the conversation and talk about what was important to him in terms of feelings and experiences about his forthcoming release. Please also note that the interview schedule will be adapted according to the person being interviewed.

Element 1

1. Tell me about your life before you came to prison. (Prompts: employment, family life, home area, successful?)
2. Tell me about your release plans. (Prompts: accommodation, job, licence restrictions, family/partner contact.)
3. What are you looking forward to when you get out? (Prompts: hobbies, friends, activities.)
4. How do you think you will manage when you leave prison? (Prompts: money, prospects, accommodation, looking after self, loneliness, isolation.)
5. Tell me about your offender manager. (Prompts: relationship good? number of contacts, supportive, helpful?)
6. How do you see your future? (Prompts: job, career, family, relationships, return to prison, re-offend?)
7. What was prison like for you? (Prompts: conditions, loss of home, career, family/friends.)
8. How well prepared do you feel for release? (Prompts: significant contributions for prison staff, family, friends, offender manager, employer.)
9. How could things be improved for people leaving prison? (Prompts: systems, time, money, accommodation.)

Appendix F: Consent Form: Non-Offender Manager Participants

Consent form

Participant Number:……..

It has been explained to you that I am looking at how the experiences of people leaving HMP Whatton and returning to the community. I am looking at your hopes and expectations for release and whether you will be returning to your family, whether you have employment and accommodation.

The findings will help me understand what can help people leaving HMP Whatton to return successfully to live in the community.

Please tick below where you agree to consent (please tick):

- I have read the information sheet and understood what I am being asked to do.
- I agree to my information being collected from the meetings and for the analysis to be kept and stored by the research team.
- I agree to my prison and police file information being accessed and stored by the research team (including any future information relating to offences, license breaches etc).
- I agree to the transcripts of my meetings at HMP Whatton being accessed and stored by the researcher.
- I agree to being contacted in the future by the researcher for possible further research.
- I agree for my information to be stored by the researcher for a follow up meeting after release and for possible further research in the future.
- I agree for my information to be stored by the researcher until the research is finished.
- I understand how I can stop taking part in the research.
- I have been given the opportunity to ask questions and feel that these have been answered fully.

Thank you for helping us with this important research.

I have read the above information and ticked the relevant boxes where I consent (agree) to participate:

Signed……..……..
Date……..……
Witnessed by……
Date……..…

The researcher is Lynn Saunders, Governor of HMP Whatton as part of a PhD supervised by Nottingham University. The supervisors of this project Professor Dirk Van Zyl Smit and Dr Melanie Jordan. If you have a question or complaint they can be contacted through the University of Nottingham School of Law.

Experiences of leaving prison research

What is this meeting for?

We are here today to discuss your possible involvement in a piece of research I am conducting about prisoners leaving HMP Whatton to go into the community. I will discuss what this will involve and see whether this is something you are interested in. You may or may not agree to this.

This research forms part of a PhD at the University of Nottingham.

What is the research about?

So that I can understand how to help people leaving HMP Whatton, I need your help to show what your hopes and plans are, where you will be living and whether you have a job or family support.

To do this, I will need to keep a record of your case, which will contain personal data. This is so that research can be carried out and your experiences compared with other people's experience.

I will meet you while you are in prison and again when you are released. I will also speak to your offender manager to find out about their plans for you when you are released.

What are you being asked to do?

I am asking for you to agree to Whatton storing any data in relation to your involvement in this research.

I would also like to ask if you would agree to your contact details being given to me for the follow up meeting and again at some point in the future. If you agree, to this, you can still change your mind later.

All data collected will be stored securely and never passed on in any way as might jeopardise your well-being or safety.

Please tick below if you agree to consent (please tick):

- I understand that any information about my release from HMP Whatton including prison, probation or police file information (e.g. offence information, relapse prevention plans, factors relating to risk); and information I have provided in the suitability assessment will be collected and stored by HMP Whatton for the long term research evaluation of this project

- I understand that the data held about me might be used for research, evaluating the effectiveness of the work both by Lynn Saunders, and also by Nottingham University (the supervising organisation).

- I understand I will not be identifiable in any such research, and data provided directly to Nottingham University will be private (my name will not be on there).

- I have had the opportunity to read and discuss this information.

- I give my consent to personal information being recorded and stored, and used for the purposes listed above.

- I understand that a copy of this consent form will be kept in my research file.

- I agree to my contact information being given to the research team for possible future research

I have read the above information and ticked the boxes where I agree:

Name……..

Signed……..……..
Date……..……

Witnessed by……

Appendix G: Consent Form: Offender Manager Participants

Offender Manager Interview Consent Form

The experiences of those convicted of sexual offences leaving prison research

What is this meeting for?

We are here today to discuss your possible involvement in a piece of research I am conducting about prisoners leaving HMP Whatton and returning to the community.

We will discuss your role as an offender manager and whether this is something you would be interested in.

You may or may not wish to agree to this.

This research will contribute to a PhD at the University of Nottingham.

What is this research about?

So that I can understand how to help people leaving HMP Whatton I will need your help to show how you develop supervision and licence plans, what arrangements you have made for accommodation for the offender, and whether he has employment or education planned for release and the role of his family in his support plan.

To do this I will keep a record of your interview. This is so that I can research offender managers' experiences of the supervision and release planning of people released from HMP Whatton.

What are you being asked to do?

I am asking you to agree to the University of Nottingham storing any data in relation to your involvement in this research.

I would also like to ask if you would agree to giving me your contact details for any follow up research. If you agree you can still change your mind later.

All data collected will be stored securely and never passed on in any way that might jeopardise your well-being.

Please tick ( ) below if you agree to consent

I understand that any information about my supervision and release plans for the prisoners of HMP Whatton including offence information, factors in relation to risk and the information I have provided in my interview will be collected and stored by the University of Nottingham for this PhD.

I understand that data held might be used for research, evaluating the experiences of prisoners leaving HMP Whatton by both Lynn Saunders and the University of Nottingham

I understand I will not be identifiable in any such research and data provided will be private (my name will not be identified).

I have had the opportunity to read and discuss this information.

I give my consent for my personal information to be stored and used for the purposes listed above.

I understand that a copy of this consent form will be kept in my research file.

I agree to my contract information being given to the research team for possible future research.

I have read the above information and ticked the boxes where I agree.

Name: Date:

Signed:

Witnessed by: Date:

Signed:

Appendix H: Information Sheet: Offender Manager Participants

Offender Manager Information Sheet

What is this research about?

This research is a NOMS sponsored project into the experience of people convicted of sexual offences and their transition the community.

You have been asked if you would like to take part in some research. The research is looking at your experiences of managing people convicted of sexual offences leaving prison and planning for their release. I will interview offenders before their release about their plans and expectations. I will be looking at what it is like for people leaving prison. I will be speaking to offender managers about how they plan for the release of the offender they supervise and how they decide on licence conditions. I will then complete a follow up interview with the offenders about three months after their return to the community to see what their actual experience was and how this compares with their expectations.

The decision to take part in the research is voluntary.

What would you be asked to do?

If you take part in the study, you will be asked about your plans for the offender's release.

The meeting will take place in the probation office or any other public venue you consider suitable. I will have seen the offender's prison file and plans for release (as I will have already sought permission to obtain them).

I will only be using this information for this research and this will be destroyed in accordance with the requirements of the Data Protection Act 1998.

The interview with you will take approximately an hour and will be recorded on a Dictaphone and then transcribed.

I would like to ask for your agreement to keep your contact details and information. This is because I may wish to contact you again in the future to see if you are happy to help me again. You will always be able to tell me that you no longer wish to be involved. I will explain how to do this.

What happens to the information you give me?

All the information will be kept on the University of Nottingham's secure server that only I and the research supervisors, Dr Melanie Jordan and Professor Dirk Van Zyl Smit, have access to. We will deal with all your information confidentially and you will not be identified in the research.

Can I see the results of the research when it is complete?

Yes. Research summaries will be made available to you and if you wish I can send you a copy of my report.

Are there any risks to taking part in the research?

I do not think there are any risks to you from taking part in the research.

Are there any benefits to me if I take part in the research?

While there may not be any direct benefits, you might find the meetings interesting and your contribution will be valuable to help improve the way we work with people being released from prison and the help we can offer.

Who are the researchers and how can I contact them?

My name is Lynn Saunders and I am the Governor of Whatton prison. You may contact me via email and by telephone. My email address is lynn.saunders@hmps.gsi.gov.uk and my telephone number is 01949 803300.

If you have any complaint about any aspect of this interview you can contact the Law Department at the University of Nottingham.

Appendix I: Interview Schedule: Offender Managers

A qualitative analysis of people convicted of sexual offences leaving prison

Draft interview schedule Element 2

For each interview there will be an explanation of the informed consent form and the participants' right to withdraw (and the process by which he/she could do so) and an explanation of the interview.

Below are sample questions that would be put to the participant, but obviously with IPA as a method, ideally I would let him/her drive the conversation and talk about what was important the release plans for the offender. Please note that the interview schedule will be adapted according to the person being interviewed.

Element 2

1. Tell me about your role as an offender manager. (Prompts: how long in post, motivation for doing the job, experience.)
2. What factors did you take into account when drawing up release plans? (Prompts: risk to children, domestic violence, approved premises, home area, employability, family, friends, support, circles of support.)
3. How well do you know the offender? (Prompts: how long, visits in prison, before prison, discussions with prison staff.)
4. How likely is it do you think that the offender will stay out of trouble? (Prompts: risk of re-offending, RM2000, OASys.)
5. How much contact do you have/think you will have with the offender? (Prompts: too little, too much?)
6. How well do you think he was prepared for release? (Prompts: work in prison, work in the community, contribution of employer, family and friends)
7. How could things be improved for people leaving prison? (Prompts: systems, time, money, accommodation, employment.

Appendix J: Criminal Justice Act 2003: Release Licence

OFFICIAL SENSITIVE WHEN COMPLETE

LICENCE

Criminal Justice Act 2003

HMP Whatton

01949 803200

Name: «Name» «Surname»

NOMS No: «Number» CRO No: «CRO» Date of Birth: «Date_of_Birth»

Prison No: «LIDS_No» PNCID: «PNCID»

1. Under the provisions of Chapter 6 of the Criminal Justice Act 2003 you are being released on licence. Unless you are subsequently being detained under the Immigration Act 1971 for the purpose of your deportation / removal from the United Kingdom, you will be under the supervision of a nominated officer and must comply with the conditions of this licence. The objectives of this supervision are to (a) protect the public, (b) prevent re-offending and (c) help you to resettle successfully into the community.

2. Your supervision commences on «Discharge_date» and expires on «LED» unless this licence is previously revoked.

3. On release from prison (including, if applicable, any release from detention under the Immigration Act 1971 during the currency of your licence, whether or not leave has been granted for you to remain in the United Kingdom), unless otherwise directed by your supervising officer, you must report without delay to:

   «Report_To»
   «Address11»

   Tel: «Telephone_number»

   At «Time» on «Day» «Date»

4. If on the date your licence commences, you are released to hospital or other suitable care on compassionate grounds under Section 248 of the Criminal Justice Act 2003 or if you are detained under mental health and / or immigration provisions or are subsequently so detained before your licence expires, your supervising

officer will keep in touch with you. Otherwise, you must place yourself under the supervision of whichever officer is nominated for this purpose from time to time.

5. While under supervision you must:

   i. Be of good behaviour and not behave in a way which undermines the purpose of the licence period;

   ii. Not commit any offence;

   iii. Keep in touch with the supervising officer in accordance with instructions given by the supervising officer;

   iv. Receive visits from the supervising officer in accordance with instructions given by the supervising officer;

   v. Reside permanently at an address approved by the supervising officer and obtain the prior permission of the supervising officer for any stay of one or more nights at a different address;

   vi. Not undertake work, or a particular type of work, unless it is approved by the supervising officer and notify the supervising officer in advance of any proposal to undertake work or a particular type of work;

   vii. Not travel outside the United Kingdom, the Channel Islands or the Isle of Man except with the prior permission of your supervising officer or for the purposes of immigration deportation or removal.

   viii. [Additional licence conditions]

6. The Secretary of State may vary or cancel any of the above conditions, in accordance with Section 250(4) of the Criminal Justice Act 2003.

7. If you fail to submit yourself to a recall to custody following either a notification of the revocation of your licence, or remain out of contact with Probation Services for a period of six months, you may be liable to face a further charge of being unlawfully at large following recall under section 255ZA of the Criminal Justice Act 2003. This could result in a fine, a sentence of up to two years' imprisonment, or both.

8. If you fail to comply with any requirement of your supervision (set out in paragraphs 3, 4 and 5 above) or if you otherwise pose a risk to the public, you will be liable to have this licence revoked and be recalled to custody until the date on which your licence would have otherwise ended. If you are sent back to prison and are re-released before the end of your licence, you will still be subject to licensed supervision until the end of your sentence.

9. Your licence expires on «LED».

10. Your sentence expires on «SED».

Signed: Status:

Date:

for the Secretary of State for the Justice Department.

This licence has been given to me and its requirements have been explained.

Name:

Signed:

Date

Appendix K: Criminal Justice Act 2003. Additional Licence Conditions

CATEGORIES		LICENCE CONDITIONS	
1.	Residence at a specific place		There are no additional conditions pre-approved for this category. However bespoke conditions can be requested within this category if necessary on a case by case basis
2.	Restriction of residency.	a.	Not to reside (not even to stay for one night) in the same household as [ANY / ANY FEMALE / ANY MALE] child under the age of [INSERT AGE] without the prior approval of your supervising officer
3.	Making or maintaining contact with a person	a.	Attend all appointments arranged for you with [INSERT NAME], a psychiatrist / psychologist / medical practitioner and co-operate fully with any care or treatment they recommend
		b.	Receive home visits from [INSERT NAME] Mental Health Worker
		c.	Attend [INSERT APPOINTMENT TIME DATE AND ADDRESS], as directed, to address your dependency on, or propensity to misuse, a controlled drug
		d.	Should you return to the UK and Islands before the expiry date of your licence then your licence conditions will be in force and you must report within two working days to your supervising officer
		e.	Not to seek to approach or communicate with [INSERT NAME OF VICTIM AND / OR FAMILY MEMBERS] without the prior approval of your supervising officer and / or [INSERT NAME OF APPROPRIATE SOCIAL SERVICES DEPARTMENT]
		f.	Not to have unsupervised contact with [ANY / ANY FEMALE / ANY MALE] children under the age of [INSERT AGE] without the prior approval of your supervising officer and / or [INSERT NAME OF APPROPRIATE SOCIAL SERVICES DEPARTMENT] except where that contact is inadvertent and not reasonably avoidable in the course of lawful daily life
		g.	Not to contact or associate with [NAMED OFFENDER(S) / NAMED INDIVIDUAL(S)] without the prior approval of your supervising officer
		h.	Not to contact or associate with a known sex offender other than when compelled by attendance at a Treatment Programme or when residing at Approved Premises without the prior approval of your supervising officer
		i.	Not to contact directly or indirectly any person who is a serving or remand prisoner or detained in State custody, without the prior approval of your supervising officer

		j.	Not to associate with any person currently or formerly associated with [NAME OR DESCRIBE SPECIFIC GROUPS OR ORGANISATIONS] without the prior approval of your supervising officer
4.	Participation in, or co-operation with, a programme or set of activities.	a.	To comply with any requirements specified by your supervising officer for the purpose of ensuring that you address your alcohol / drug / sexual / violent / gambling / solvent abuse / anger / debt / prolific / offending behaviour problems at the [NAME OF COURSE / CENTRE]
		b.	Not to undertake work or other organised activity which will involve a person under the age of [INSERT AGE], either on a paid or unpaid basis without the prior approval of your supervising officer
5.	Possession, ownership, control or inspection of specified items or documents.	a.	Not to own or possess more than one mobile phone or SIM card without the prior approval of your supervising officer and to provide your supervising officer with details of that mobile telephone, including the IMEI number and the SIM card that you possess
		b.	Not to own or possess a mobile phone with a photographic function without the prior approval of your supervising officer
		c.	Not to own or use a camera without the prior approval of your supervising officer
		d.	To make any device capable of making or storing digital images (including a camera and a mobile phone with a camera function) available for inspection on request by your supervising officer and/or a police officer
		e.	To surrender your passport(s) to your supervising officer and to notify your supervising officer of any intention to apply for a new passport
		f.	Not to use or access any computer or device which is internet enabled without the prior approval of your supervising officer; and only for the purpose, and only at a public location, as specified by that officer
		g.	Not to delete the usage history on any internet enabled device or computer used and to allow such items to be inspected as required by the police or your supervising officer. Such inspection may include removal of the device for inspection and the installation of monitoring software
6.	Disclosure of information	a.	Provide your supervising officer with details [SUCH AS MAKE, MODEL, COLOUR, REGISTRATION] of any vehicle you own, hire for more than a short journey or have regular use of, prior to any journey taking place

		b.	Notify your supervising officer of any developing intimate relationships with [WOMEN / MEN / WOMEN OR MEN]
		c.	Notify your supervising officer of any developing personal relationships, whether intimate or not, with any person you know or believe to be resident in a household containing children under the age of 18. This includes persons known to you prior to your time in custody with whom you are renewing or developing a personal relationship with
		d.	To notify your supervising officer of the details of any passport that you possess (including passport number), and of any intention to apply for a new passport
7	Curfew arrangement	a.	Confine yourself to an address approved by your supervising officer between the hours of [TIME] and [TIME] daily unless otherwise authorised by your supervising officer. This condition will be reviewed by your supervising officer on a [WEEKLY / MONTHLY / ETC] basis and may be amended or removed if it is felt that the level of risk that you present has reduced appropriately
		b.	Confine yourself to remain at [CURFEW ADDRESS] initially from [START OF CURFEW HOURS] until [END OF CURFEW HOURS] each day, and, thereafter, for such a period as may be reasonably notified to you by your supervising officer; and comply with such arrangements as may be reasonably put in place and notified to you by your supervising officer so as to allow for your whereabouts and your compliance with your curfew requirement be monitored [WHETHER BY ELECTRONIC MEANS INVOLVING YOUR WEARING AN ELECTRONIC TAG OR OTHERWISE]
8.	Freedom of movement	a.	Not to enter the area of [CLEARLY SPECIFIED AREA], as defined by the attached map without the prior approval of your supervising officer
		b.	Not to enter [NAME/TYPE OF PREMISES / ADDRESS / ROAD] without the prior approval of your supervising officer
		c.	Not to enter or remain in sight of any [CHILDREN'S PLAY AREA, SWIMMING BATHS, SCHOOL ETC] without the prior approval of your supervising officer
		d.	On release to be escorted by police to Approved Premises
9.	Supervision in the community by the supervising officer, or other responsible	a.	Report to staff at [NAME OF APPROVED PREMISES / POLICE STATION] at [TIME / DAILY], unless otherwise authorised by your supervising officer. This condition will be reviewed by your supervising officer on a [WEEKLY / MONTHLY / ETC] basis and may be amended or removed if it is felt that the level of risk you present has reduced appropriately

	officer, or organisation	b.	Should you return to the UK and Islands, your licence conditions will be in force, and you must report within two working days to your supervising officer
RESTRICTED ADDITIONAL CONDITIONS The conditions listed below must only be applied as instructed by the relevant criteria, and sit outside of the usual necessary and proportionate considerations for additional licence conditions. Instead, the necessity and proportionality of these conditions below are demonstrated by the offenders meeting the relevant sets of criteria.			
Polygraph Condition	To comply with any instruction given by your supervising officer requiring you to attend polygraph testing. To participate in polygraph sessions and examinations as instructed by or under the authority of your supervising officer and to comply with any instruction given to you during a polygraph session by the person conducting the polygraph		
Drug Testing Condition	a.	Attend [INSERT NAME AND ADDRESS], as reasonably required by your supervising officer, to give a sample of oral fluid / urine in order to test whether you have any specified Class A and specified Class B drugs in your body, for the purpose of ensuring that you are complying with the condition of your licence requiring you to be of good behaviour	
	b.	Not to take any action that could hamper or frustrate the drug testing process	

Appendix L: SARN Template

Structured Assessment of Risk, Need and Responsivity (Sexual Offending)

Name:

Date of Birth:

Date of Report:

Reason for Report:

Report Writer:

1. Introductory information

1.1 Report writer credentials

1.2 Basis of the report

1.2 Life history

1.4 Summary of offending behaviour

2. Assessment of static risk

3. Assessment of changes in dynamic risk factors (criminogenic needs)

3.1 Level of overall dynamic risk

3.2 Change in dynamic risk factors

4. Case formulation: sexual offending

5. Assessment of protective factors (success factors)

5.1 Introducing the protective factors
The purpose of assessing protective factors is not to try and help explain offending behaviour, but rather to establish whether there is evidence of some key strengths that are related to desistance from crime.

5.2 Actively changing his life for the better by working on the things that led him to offend in the past

5.3 Being a responsible member of society, sticking to the rules, and getting on with the people who are supporting him

5.4 Having a job or being busy

6. Case formulation: desistance from offending

7. Assessment of responsivity factors

7.1 IQ and general adaptive functioning skills

7.2 Denial

7.3 Any medical or biological factors

7.4 Effect of aging on risk

7.5 Mental health and personality disorder

7.6 Psychopathy

8. Current Assessment

8.1. Effect of treatment
Intensity:

Breadth:

Response:

8.2. Other offending history and risk for non-sexual offending

8.3 Current Risk of Recidivism

8.4 Risk of Harm

9. How risk might change

9.1 Situations or events that might reduce risk in the future

9.2 Situations or events that might raise risk in the future

9.3 Warning Signs

10. Recommendations for continued risk management

11. Conclusion

References

Appendices

Appendix A: In preparing this report, the following documents were consulted;

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Appendix B:

Risk Matrix 2000 (RM2000) is a risk assessment tool designed to predict sexual and nonsexual violent reconviction among men who have been convicted of a sexual offence. It classifies an offender into one of four groups based on some simple facts about his criminal and personal history. In a number of studies the groups have demonstrated reliably different reconviction rates in longer follow-ups. RM2000 cannot predict who will or will not offend; it can tell us whether someone has similar characteristics to a group of offenders who have a higher or lower rate of known reoffending.

The value of RM2000 is that it enables broad decisions to be taken about how much treatment and supervision might be needed. However, RM2000 does not take account of all of the factors that can affect an individual's offending behaviour. For instance, it does not account for changes in circumstances and does not reveal what caused the offending to happen.

Reconviction rates inevitably underestimate the true rate of reoffending, and this may be especially true of short-term reconviction rates, as often sexual offences take some time to be reported and take time to go through the court process. The low rates of sexual reconviction in the first few years at risk may also be a result of the probation supervision and management processes for this group which are in place across England and Wales. There are some indications that the rates of reconviction for sexual offenders sentenced to less than 12 months imprisonment are substantially higher than those convicted of sentences over a year. This may be because these offenders are not subject to the same level of supervision and management on release as those serving longer sentences.

Appendix D: Calculating dynamic risk levels

Dynamic risk levels are calculated using the Structured Assessment of Risk, Need and Responsivity (SARNR) Risk and Success Factors Analysis (RSFA) framework. The SARNR RSFA examines in a systematic way, factors that research has shown to raise risk (also known as "treatment needs"). The dynamic risk level calculation is dependent on the number of domains where a risk factor is scored 2 both within the offence chain *and* in life generally.

None or one domain	- Low dynamic risk/Low treatment need
Two domains	- Medium dynamic risk/Medium treatment need
Three or four domains	- High dynamic risk/High treatment need

Appendix E

"Risk of harm to others posed by prisoners can be seen as having two key dimensions:

- The relative **likelihood** that an offence or harmful act will occur.
- The relative impact or **harm** of the offence – what exactly might happen, to what or whom, under what circumstances and why.

The OASys risk assessment tool defines 'serious harm' as 'a risk which is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be difficult or impossible' (OASys Manual chapter 8).

It is important to understand these two dimensions of risk. Some crimes (like shoplifting for example) have relatively little impact or harm but, statistically, are the ones most likely to be repeated. Others (for example homicide) are unlikely to be repeated but cause maximum damage." Ministry of Justice (2009). Public protection manual. Chapter 9. Risk of harm. Page 5.

Disclosure

This report must be disclosed to the prisoner concerned in a collaborative interview (preferably when the report is at draft stage) with someone who knows both the prisoner and understands the report structure. If possible, the disclosure interview should be conducted by the report writer. The prisoner's comments during the collaborative disclosure interview should be incorporated into the final version of the report.

On this page, the prisoner who is the subject of this report should be asked to record his views on the report. In particular he should be asked to comment on whether he agrees with the goals set for him and the assessment of his progress.

The prisoner must sign below to indicate that this report has been fully disclosed to him.

I have had the chance to read this report and discuss it with a member of staff. I have written any comments I have on the report in the space above.

Signed……..

Date…….

Appendix M:Transcript of Whatt'on Earth Radio Interview

Interview for Whatt'on Earth Radio advertising the research to prospective participants. The radio station is organised and run by prisoners. The interviewer is a serving prisoner resident at the prison.

Interviewer	Lynn Saunders has arrived to have a chat with us. It's a new project that she is involved in. Thanks very much for coming in to see us Lynn.
Lynn	Thanks for having me.
Interviewer	I got a little not through the other day saying you would like to come in to talk about a PhD that you are working on?
LS	Yes that's right, I am doing a PhD from the University of Nottingham.
Interviewer	Would you like to tell us a little bit more about it?
LS	Yeah sure, I am looking for some help really. I hope people here will look at this as an opportunity to talk about their experiences about their plans for release from prison because that is what I am doing. I have been at HMP Whatton for 8 years as many people will know, and during my I call my corridor conversations when I come across prisoners in the corridors people have said sometimes when they are planning for release that they are fearful of what they might experience when they'll get out of here and a couple of conversations prompted me to think about somebody needs to listen to this and to understand what the experience is like for people rather than me saying it I think it is good to hear it from prisoners about that.
Interviewer	I know plenty of people that are preparing for release. I have met plenty of people who have been through various parts of the prison system that when they have got closer and closer to that release whether it be that they have been recommended release and going to parole and then been released or coming towards the end of their sentence, we used to call it getting gate-happy
LS	Mm mm - gate-fever we used to call it. Yeah?
Interviewer	Yeah. It's a similar sort of experience, people do get some get frightened, some get nervous and some are over-excited about the prospect of being released, so there is a lot of different emotions going on there. What you are doing as part of your study is to look behind that and try and get some testimonial from people.
LS	Definitely. I think I would like to have a wide range of thoughts really and people who are looking at the positives and maybe have got a lot of support planned and a lot of people are looking out for them if you like for when they get out, but also people

	perhaps who have got less of that because I think some of the anxieties and concerns will be the same for those different groups. But one of the aims of the study is really to look at what else needs to be put in place to help in that transition from prison to the community to actually help people to think about how to plan better or to have things done for them perhaps in some cases so that they have got the best chance of staying out of prison in the future.
Interviewer	You are looking for volunteers then to come forward and to form part of your study or project.
LS	Yeah, what I need is a group of people who would be happy to talk to me for about an hour and a half whilst they are still in prison and usually I will be looking for people who will be out of prison within the next 3 months, so if you have got you know a couple of years to do that is not really feasible because I will tell you why in a second. So they need to have about 3 months maximum left to do at the time of the interview and then they'll need to be happy for me to talk to them again once they are out in the community wherever that might be. So I am obviously happy to travel to wherever people might be and to talk to them in terms of whether what they expected before they were released will be what they did experience and also I would like again providing people consent to this is to talk to their Offender Manager because again I have seen if you like this side of the fence quite wide variations in terms of the quality of support that's provided from people from some absolutely excellent experiences where people feel that their offender manager is actually looking out for them and very strongly looking out for them to where there is almost there's non-existent support. And again I want to look and think about how that impacts on people's preparation and plans for release. So that would need to be agreed to as well that people are happy for me to talk to their Offender Manager about their plans for the offender who was going to be released.
Interviewer	Right you have heard what Lynn has had to say there, if you are within 3 months of being released whether you have got a support network waiting for you or you may be involved with the Through The Gate team and the Circles of Support through the Living Foundation or you may not have that support network. You may have been told you are going to a hostel or you may have been told you are going to approved housing, or you might not know any of this and this might be forming your thought process as you are nearing your release. The first thing you need to do is get in touch with Lynn Saunders and we will go through how you do that in a little while and also your Offender Manager they will be contacted as well to see if they are willing to participate to the PhD that you are studying for now?
LS	Mm mm.
Interviewer	How long a process is that going to be for you?
LS	Yeah well it is part time because obviously I'm here, you know.

	Erm there is an element of that. It is supposed to be 6 years maximum. I am hoping to do it in 5, probably because I'm getting on a bit as well so you have got to be careful you 're not too old.
Interviewer	And that 5-year period, would you be looking to remain in communication at certain points with the volunteers for this, or is this at the start?
LS	Well that is an interesting question because I think I will be asking people if they are interested or would be happy to maintain contact. The actual part of the study is going to be immediately i.e. 3 months after release, but I think it would be interesting to see and find out how people are getting on beyond that if people are willing to maintain contact. It is a very interesting thing as I have worked in prison for a long time as some people will know you only ever see the people who come back as a prison person you never see the successes arguably. So just from that point it will be quite good to catch up with people to see how they are getting on further down the line, yeah.
Interviewer	Okay, if you are one of the people listening and you are going to be released in the next 3 months and you are willing to take part in the study that Lynn Saunders is doing and that you may be able to offer something here as part of not as a social experiment, not a psychology paper, it is nothing to do with you or your risk levels or your offender behaviour. It's to do with studying what support is in place for you in the 3 months run up to being released from prison, for the 3 months that follow once you have been released and then over perhaps up to and beyond 5 years to see what's in place for you as far as help and assistance but also to look at the emotional journey that you go from being within closed conditions to then moving back into the community, you may be going to hostels, you may be going straight home, you may be going to approved housing, and that only lasts for a couple of months normally and you then move on into different locations or into different types of housing. So would it be fair to say Lynn that there's a gap here that your study is hopefully in the future will have filled by getting to speak to people once you have left this isn't information that we normally get hold of it's the offender managers who we work with and we speak with them.
LS	I think the thing for me is that I have been in this world quite a long time and it's there is always someone else speaking for the people who are affected, there is always someone else with a voice and I would like to give the people who are experiencing these issues and problems, potential problems, sometimes perhaps not problems. I'd like to give them a voice so hear what they have got to say instead of other people speaking for them.
Interviewer	Mm.
LS	And so we can have the horse's mouth if you like to find out what people are thinking and feeling about things rather than having someone else say what they are thinking

	and feeling, and that has been something that has struck me that everybody is an expert but we don't actually ask the experts.
Interviewer	Wow! Ground-breaking stuff some people might think, but it seems so obvious doesn't it? Unless somebody takes up this work and unless people volunteer you're prepared to do the work for this you don't really need a PhD in your life do you?
LS	I think it will probably be a disadvantage for lots of people! I am doing it because I am interested and at different times of your life you need different things and it is already hard work for me apart from the time but also you know having to re-visit academic life which I haven't done for 25 years is hard going I'm finding this oh hang on you know because I've forgot how to do this because I did my Master's Degree in 1991 I finished it and so you inevitably experience different things over that time. It's a challenge for me and as I say I can't see that there's any advantage to my job by getting a PhD, it is simply that I feel it is like something that I really would like to do and need to do.
Interviewer	A number of people may well be listening thinking well people doing studies that turns into theses which then turn into legislation one day and this can't be a bad thing really, if your work is looked upon in the future, somebody who has worked or the majority of their career in the Prison Service, have worked in a number of different prisons and who have been the Governor of Whatton and then looking into their integration back into society and the emotional journey that any of us are on throughout our lives whether or not it's in prison or out of prison and as you have said earlier there's always somebody who is willing to speak on other people's behalves.
LS	Mm.
Interviewer	We wouldn't sort of discredit anybody for being the mouthpiece of any group of people
LS	Mm.
Interviewer	But if you have got anecdotal evidence that's supported in a study that says well we have looked at this we've had 50 people volunteered from HMP Whatton and this is what they told us their thoughts were I've quite a bit further to go yet on my journey through the prison system
LS	Mm
Interviewer	And it's always there, I mean what it is going to feel like for me.
LS	Sure, sure.
Interviewer	When I am three months. What's the first three months going to be like when I'm out?
LS	Mm.
Interviewer	And depending which newspaper you read or which TV news channel you listen to or people you listen to in the yard, those who have come back from the outside, that has a big effect on what you think is going to happen. So these are the thoughts you want to hear.

LS	Definitely, definitely, and I think it is important and I think as people will know one of the reasons we set up the Safer Living Foundation because we knew that people were worried about getting out and that needed a bit more support and that's gone down very well and has been successful and there is a different piece of research being done on that in terms of the success of that. But I think this as I think you mentioned earlier this is a slightly different study, it's not psychologically based, it's more of a social issue and social problems that people experience potentially when they leave here. So it is a very different slant and it is very much about a personal experience, it's not about me trying to psycho analyse people or kind of look what is underneath everything, it's actually about people's thoughts and to try and get an accurate record of that and a real life experience of that rather than as I say other people speaking for the folks who are going through this stuff.
Interviewer	If you are considering volunteering I can't volunteer because I don't fall into the criteria of being released within 3 months.
LS	Yeah.
Interviewer	But if I was being released within 3 months, I'll put my name down or speak to my Offender Supervisor.
LS	Yeah. If you initially speak to your Offender Supervisor and say that you would like to participate, then what would happen is you would get a visit from me with the bit of paper saying that you'd given consent and that I would go through a list of things which basically says things that I am not going to deal with the information, that I will keep your name anonymous, that you will not be you know disadvantaged by anything you say. The other side of that you would be at no advantage either you know there are no Brownie points to be had from this either. But basically the next stage is this form to fill in to say that people understand what they are doing and also people would have time to think about it to make sure it is what they want to do and then I would need to then have the interview which will take about an hour and a half which will be recorded and then transcribed and then another interview will take place after release about three months after release and for people to have the opportunity to say how it went and what was it like which I think it is going to be from my point of view quite interesting to hear how people got on and what were the problems, or non-problems there might be no problems, I don't know but what it felt like getting out and for the opportunity to influence what happens afterwards because I think that's one of the reasons that the Safer Living Foundation came into fruition because we were able to listen to what people's experiences were and hopefully this will extend that further and perhaps things like I am expecting there to be issues about accommodation perhaps and

	possibly employment or other activities and whether people will be able to access them but that is me only guessing because we haven't done any yet.
Interviewer	Well that's the whole purpose of your study.
LS	Indeed.
	It will fill a gap undoubtedly and in one way or another your study will form part of something bigger one day.
LS	I hope so, I hope so.
Interviewer	It will, it's a paper that may never have been done before in this specific scenario and for the people that are going to be involved in that with you that's quite a thing to do, to offer yourself up to this study, it's a noble thing to do.
LS	Well hopefully it will be quite interesting because the other thing I didn't mention was for people to have feedback on kind of what other people said so people understand how their part in this fitted into the whole project, I think that would hopefully be quite interesting for people to find out a bit about conclusions at the end.
Interviewer	Yeah.
LS	So that they actually understand what other people have said and how their part fits into that, I think that would be quite good.
Interviewer	We have probably got quite a few people, I think.
LS	I hope so.
Interviewer	Who would be interested to take part to form part of what will undoubtedly be an important study. Thank you very much for doing it on all our behalf really. It may sound a bit strange but nobody else is talking about people that have been convicted of sexual offences, people aren't talking about what people need, how do people want to help. All we hear is bad press from the outside, it is very rare that somebody speaks out and say we are going to look at how people can move on in life. So thank you for doing that on our behalves.
LS	That is great, thank you. I think what I'd like to think is it's giving people hope because you know there is no particular pleasure in just locking people up time and time again, it is about people having decent lives and some hope for the future and that's what I hope this study will do to help people with that.
Interviewer	Hopefully you will be able to come back in and tell us how your first part of your study is going.
LS	Sure, I'd love to.
Interviewer	We would appreciate that.
LS	Yeah, I'd love to.
Interviewer	Thank you very much for coming in once again.
LS	Thank you – thanks very much for having me.

Appendix N: Transcription Confidentiality Form

Transcription confidentiality

I understand that the content of the recordings I have agreed to transcribe are confidential and I will not disclose their contents to anyone.

Name: Date:

Signed:

Witnessed by: Date:

Appendix O: Notification Requirements

(An extract from the Sexual Offences Act 2003.)

PART 2

NOTIFICATION AND ORDERS

Notification requirements

80 Persons becoming subject to notification requirements

(1) A person is subject to the notification requirements of this Part for the period set out in section 82 ("the notification period") if—

(a) he is convicted of an offence listed in Schedule 3;

(b) he is found not guilty of such an offence by reason of insanity;

(c) he is found to be under a disability and to have done the act charged against him in respect of such an offence; or

(d) in England and Wales or Northern Ireland, he is cautioned in respect of such an offence.

(2) A person for the time being subject to the notification requirements of this Part is referred to in this Part as a "relevant offender".

81 Persons formerly subject to Part 1 of the Sex Offenders Act 1997

(1) A person is, from the commencement of this Part until the end of the notification period, subject to the notification requirements of this Part if, before the commencement of this Part—

(a) he was convicted of an offence listed in Schedule 3;

(b) he was found not guilty of such an offence by reason of insanity;

(c) he was found to be under a disability and to have done the act charged against him in respect of such an offence; or

(d) in England and Wales or Northern Ireland, he was cautioned in respect of such an offence.

(2) Subsection (1) does not apply if the notification period ended before the commencement of this Part.

(3) Subsection (1)(a) does not apply to a conviction before 1st September 1997 unless, at the beginning of that day, the person—

(a) had not been dealt with in respect of the offence;

(b) was serving a sentence of imprisonment or a term of service detention, or was subject to a community order, in respect of the offence;

(c) was subject to supervision, having been released from prison after serving the whole or part of a sentence of imprisonment in respect of the offence; or

(d) was detained in a hospital or was subject to a guardianship order, following the conviction.

(4) Paragraphs (b) and (c) of subsection (1) do not apply to a finding made before 1st September 1997 unless, at the beginning of that day, the person—

(a) had not been dealt with in respect of the finding; or

(b) was detained in a hospital, following the finding.

(5) Subsection (1)(d) does not apply to a caution given before 1st September 1997.

(6) A person who would have been within subsection (3)(b) or (d) or (4)(b) but for the fact that at the beginning of 1st September 1997 he was unlawfully at large or absent without leave, on temporary release or leave of absence, or on bail pending an appeal, is to be treated as being within that provision.

(7) Where, immediately before the commencement of this Part, an order under a provision within subsection (8) was in force in respect of a person, the person is subject to the notification requirements of this Part from that commencement until the order is discharged or otherwise ceases to have effect.

(8) The provisions are—

(a) section 5A of the Sex Offenders Act 1997 (c. 51) (restraining orders);

(b) section 2 of the Crime and Disorder Act 1998 (c. 37) (sex offender orders made in England and Wales);

(c) section 2A of the Crime and Disorder Act 1998 (interim orders made in England and Wales);

(d) section 20 of the Crime and Disorder Act 1998 (sex offender orders and interim orders made in Scotland);

(e) Article 6 of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/2839 (N.I. 20)) (sex offender orders made in Northern Ireland);

(f) Article 6A of the Criminal Justice (Northern Ireland) Order 1998 (interim orders made in Northern Ireland).

82 The notification period

(1) The notification period for a person within section 80(1) or 81(1) is the period in the second column of the following Table opposite the description that applies to him.

TABLE

Description of relevant offender	*Notification period*
A person who, in respect of the offence, is or has been sentenced to imprisonment for life or for a term of 30 months or more	An indefinite period beginning with the relevant date
A person who, in respect of the offence, has been made the subject of an order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995 (order for lifelong restriction)	An indefinite period beginning with that date
A person who, in respect of the offence or finding, is or has been admitted to a hospital subject to a restriction order	An indefinite period beginning with that date
A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of more than 6 months but less than 30 months	10 years beginning with that date
A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of 6 months or less	7 years beginning with that date
A person who, in respect of the offence or finding, is or has been admitted to a hospital without being subject to a restriction order	7 years beginning with that date
A person within section 80(1)(d)	2 years beginning with that date

Description of relevant offender	*Notification period*
A person in whose case an order for conditional discharge or, in Scotland, a probation order, is made in respect of the offence	The period of conditional discharge or, in Scotland, the probation period
A person of any other description	5 years beginning with the relevant date

(2) Where a person is under 18 on the relevant date, subsection (1) has effect as if for any reference to a period of 10 years, 7 years, 5 years or 2 years there were substituted a reference to one-half of that period.

(3) Subsection (4) applies where a relevant offender within section 80(1)(a) or 81(1)(a) is or has been sentenced, in respect of two or more offences listed in Schedule 3—

(a) to consecutive terms of imprisonment; or

(b) to terms of imprisonment which are partly concurrent.

(4) Where this subsection applies, subsection (1) has effect as if the relevant offender were or had been sentenced, in respect of each of the offences, to a term of imprisonment which —

(a) in the case of consecutive terms, is equal to the aggregate of those terms;

(b) in the case of partly concurrent terms (X and Y, which overlap for a period Z), is equal to X plus Y minus Z.

(5) Where a relevant offender the subject of a finding within section 80(1)(c) or 81(1)(c) is subsequently tried for the offence, the notification period relating to the finding ends at the conclusion of the trial.

(6) In this Part, "relevant date" means—

(a) in the case of a person within section 80(1)(a) or 81(1)(a), the date of the conviction;

(b) in the case of a person within section 80(1)(b) or (c) or 81(1)(b) or (c), the date of the finding;

(c) in the case of a person within section 80(1)(d) or 81(1)(d), the date of the caution;

(d) in the case of a person within section 81(7), the date which, for the purposes of Part 1 of the Sex Offenders Act 1997 (c. 51), was the relevant date in relation to that person.

83 Notification requirements: initial notification

(1) A relevant offender must, within the period of 3 days beginning with the relevant date (or, if later, the commencement of this Part), notify to the police the information set out in subsection (5).

(2) Subsection (1) does not apply to a relevant offender in respect of a conviction, finding or caution within section 80(1) if—

(a) immediately before the conviction, finding or caution, he was subject to the notification requirements of this Part as a result of another conviction, finding or caution or an order of a court ("the earlier event"),

(b) at that time, he had made a notification under subsection (1) in respect of the earlier event, and

(c) throughout the period referred to in subsection (1), he remains subject to the notification requirements as a result of the earlier event.

(3) Subsection (1) does not apply to a relevant offender in respect of a conviction, finding or caution within section 81(1) or an order within section 81(7) if the offender complied with section 2(1) of the Sex Offenders Act 1997 in respect of the conviction, finding, caution or order.

(4) Where a notification order is made in respect of a conviction, finding or caution, subsection (1) does not apply to the relevant offender in respect of the conviction, finding or caution if—

(a) immediately before the order was made, he was subject to the notification requirements of this Part as a result of another conviction, finding or caution or an order of a court ("the earlier event"),

(b) at that time, he had made a notification under subsection (1) in respect of the earlier event, and

(c) throughout the period referred to in subsection (1), he remains subject to the notification requirements as a result of the earlier event.

(5) The information is—

(a) the relevant offender's date of birth;

(b) his national insurance number;

(c) his name on the relevant date and, where he used one or more other names on that date, each of those names;

(d) his home address on the relevant date;

(e) his name on the date on which notification is given and, where he uses one or more other names on that date, each of those names;

(f) his home address on the date on which notification is given;

(g) the address of any other premises in the United Kingdom at which, at the time the notification is given, he regularly resides or stays.

(6) When determining the period for the purpose of subsection (1), there is to be disregarded any time when the relevant offender is—

(a) remanded in or committed to custody by an order of a court;

(b) serving a sentence of imprisonment or a term of service detention;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(7) In this Part, "home address" means, in relation to any person—

(a) the address of his sole or main residence in the United Kingdom, or

(b) where he has no such residence, the address or location of a place in the United Kingdom where he can regularly be found and, if there is more than one such place, such one of those places as the person may select.

84 Notification requirements: changes

(1) A relevant offender must, within the period of 3 days beginning with—

(a) his using a name which has not been notified to the police under section 83(1), this subsection, or section 2 of the Sex Offenders Act 1997 (c. 51),

(b) any change of his home address,

(c) his having resided or stayed, for a qualifying period, at any premises in the United Kingdom the address of which has not been notified to the police under section 83(1), this subsection, or section 2 of the Sex Offenders Act 1997, or

(d) his release from custody pursuant to an order of a court or from imprisonment, service detention or detention in a hospital,

notify to the police that name, the new home address, the address of those premises or (as the case may be) the fact that he has been released, and (in addition) the information set out in section 83(5).

(2) A notification under subsection (1) may be given before the name is used, the change of home address occurs or the qualifying period ends, but in that case the relevant offender must also specify the date when the event is expected to occur.

(3) If a notification is given in accordance with subsection (2) and the event to which it relates occurs more than 2 days before the date specified, the notification does not affect the duty imposed by subsection (1).

(4) If a notification is given in accordance with subsection (2) and the event to which it relates has not occurred by the end of the period of 3 days beginning with the date specified—

(a) the notification does not affect the duty imposed by subsection (1), and

(b) the relevant offender must, within the period of 6 days beginning with the date specified, notify to the police the fact that the event did not occur within the period of 3 days beginning with the date specified.

(5) Section 83(6) applies to the determination of the period of 3 days mentioned in subsection (1) and the period of 6 days mentioned in subsection (4)(b), as it applies to the determination of the period mentioned in section 83(1).

(6) In this section, "qualifying period" means—

(a) a period of 7 days, or

(b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

85 Notification requirements: periodic notification

(1) A relevant offender must, within the period of one year after each event within subsection (2), notify to the police the information set out in section 83(5), unless within that period he has given a notification under section 84(1).

(2) The events are—

(a) the commencement of this Part (but only in the case of a person who is a relevant offender from that commencement);

(b) any notification given by the relevant offender under section 83(1) or 84(1); and

(c) any notification given by him under subsection (1).

(3) Where the period referred to in subsection (1) would (apart from this subsection) end whilst subsection (4) applies to the relevant offender, that period is to be treated as continuing until the end of the period of 3 days beginning when subsection (4) first ceases to apply to him.

(4) This subsection applies to the relevant offender if he is—

(a) remanded in or committed to custody by an order of a court,

(b) serving a sentence of imprisonment or a term of service detention,

(c) detained in a hospital, or

(d) outside the United Kingdom.

86 Notification requirements: travel outside the United Kingdom

(1) The Secretary of State may by regulations make provision requiring relevant offenders who leave the United Kingdom, or any description of such offenders—

(a) to give in accordance with the regulations, before they leave, a notification under subsection (2);

(b) if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under subsection (3).

(2) A notification under this subsection must disclose—

(a) the date on which the offender will leave the United Kingdom;

(b) the country (or, if there is more than one, the first country) to which he will travel and his point of arrival (determined in accordance with the regulations) in that country;

(c) any other information prescribed by the regulations which the offender holds about his departure from or return to the United Kingdom or his movements while outside the United Kingdom.

(3) A notification under this subsection must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

(4) Regulations under subsection (1) may make different provision for different categories of person.

87 Method of notification and related matters

(1) A person gives a notification under section 83(1), 84(1) or 85(1) by—

(a) attending at such police station in his local police area as the Secretary of State may by regulations prescribe or, if there is more than one, at any of them, and

(b) giving an oral notification to any police officer, or to any person authorised for the purpose by the officer in charge of the station.

(2) A person giving a notification under section 84(1)—

(a) in relation to a prospective change of home address, or

(b) in relation to premises referred to in subsection (1)(c) of that section, may give the notification at a police station that would fall within subsection (1) above if the change in home address had already occurred or (as the case may be) if the address of those premises were his home address.

(3) Any notification under this section must be acknowledged; and an acknowledgment under this subsection must be in writing, and in such form as the Secretary of State may direct.

(4) Where a notification is given under section 83(1), 84(1) or 85(1), the relevant offender must, if requested to do so by the police officer or person referred to in subsection (1)(b), allow the officer or person to—

(a) take his fingerprints,

(b) photograph any part of him, or

(c) do both these things.

(5) The power in subsection (4) is exercisable for the purpose of verifying the identity of the relevant offender.

(6) Regulations under subsection (1) may make different provision for different categories of person.

88 Section 87: interpretation

(1) Subsections (2) to (4) apply for the purposes of section 87.

(2) "Photograph" includes any process by means of which an image may be produced.

(3) "Local police area" means, in relation to a person—

(a) the police area in which his home address is situated;

(b) in the absence of a home address, the police area in which the home address last notified is situated;

(c) in the absence of a home address and of any such notification, the police area in which the court which last dealt with the person in a way mentioned in subsection (4) is situated.

(4) The ways are—

(a) dealing with a person in respect of an offence listed in Schedule 3 or a finding in relation to such an offence;

(b) dealing with a person in respect of an offence under section 128 or a finding in relation to such an offence;

(c) making, in respect of a person, a notification order, interim notification order, sexual offences prevention order or interim sexual offences prevention order;

(d) making, in respect of a person, an order under section 2, 2A or 20 of the Crime and Disorder Act 1998 (c. 37) (sex offender orders and interim orders made in England and Wales or Scotland) or Article 6 or 6A of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/2839 (N.I. 20)) (sex offender orders and interim orders made in Northern Ireland); and in paragraphs (a) and (b), "finding" in relation to an offence means a finding of not guilty of the offence by reason of insanity or a finding that the person was under a disability and did the act or omission charged against him in respect of the offence.

(5) Subsection (3) applies as if Northern Ireland were a police area.

89 Young offenders: parental directions

(1) Where a person within the first column of the following Table ("the young offender") is under 18 (or, in Scotland, 16) when he is before the court referred to in the second column of the Table opposite the description that applies to him, that court may direct that subsection (2) applies in respect of an individual ("the parent") having parental responsibility for (or, in Scotland, parental responsibilities in relation to) the young offender.

TABLE

Description of person	*Court which may make the direction*
A relevant offender within section 80(1)(a) to (c) or 81(1)(a) to (c)	The court which deals with the offender in respect of the offence or finding
A relevant offender within section 129(1)(a) to (c)	The court which deals with the offender in respect of the offence or finding
A person who is the subject of a notification order, interim notification order, sexual offences prevention order or interim sexual offences prevention order	The court which makes the order
A relevant offender who is the defendant to an application under subsection (4) (or, in Scotland, the subject of an application under subsection (5))	The court which hears the application

(2) Where this subsection applies—

(a) the obligations that would (apart from this subsection) be imposed by or under sections 83 to 86 on the young offender are to be treated instead as obligations on the parent, and

(b) the parent must ensure that the young offender attends at the police station with him, when a notification is being given.

(3) A direction under subsection (1) takes immediate effect and applies—

(a) until the young offender attains the age of 18 (or, where a court in Scotland gives the direction, 16); or

(b) for such shorter period as the court may, at the time the direction is given, direct.

(4) A chief officer of police may, by complaint to any magistrates' court whose commission area includes any part of his police area, apply for a direction under subsection (1) in respect of a relevant offender ("the defendant")—

(a) who resides in his police area, or who the chief officer believes is in or is intending to come to his police area, and

(b) who the chief officer believes is under 18.

(5) In Scotland, a chief constable may, by summary application to any sheriff within whose sheriffdom lies any part of the area of his police force, apply for a direction under subsection (1) in respect of a relevant offender ("the subject") —

(a) who resides in that area, or who the chief constable believes is in or is intending to come to that area, and

(b) who the chief constable believes is under 16.

90 Parental directions: variations, renewals and discharges

(1) A person within subsection (2) may apply to the appropriate court for an order varying, renewing or discharging a direction under section 89(1).

(2) The persons are —

(a) the young offender;

(b) the parent;

(c) the chief officer of police for the area in which the young offender resides;

(d) a chief officer of police who believes that the young offender is in, or is intending to come to, his police area;

(e) in Scotland, where the appropriate court is a civil court —

(i) the chief constable of the police force within the area of which the young offender resides;

(ii) a chief constable who believes that the young offender is in, or is intending to come to, the area of his police force,

and in any other case, the prosecutor;

(f) where the direction was made on an application under section 89(4), the chief officer of police who made the application;

(g) where the direction was made on an application under section 89(5), the chief constable who made the application.

(3) An application under subsection (1) may be made —

(a) where the appropriate court is the Crown Court (or in Scotland a criminal court), in accordance with rules of court;

(b) in any other case, by complaint (or, in Scotland, by summary application).

(4) On the application the court, after hearing the person making the application and (if they wish to be heard) the other persons mentioned in subsection (2), may make any order, varying, renewing or discharging the direction, that the court considers appropriate.

(5) In this section, the "appropriate court" means—

(a) where the Court of Appeal made the order, the Crown Court;

(b) in any other case, the court that made the direction under section 89(1).

91 Offences relating to notification

(1) A person commits an offence if he—

(a) fails, without reasonable excuse, to comply with section 83(1), 84(1), 84(4)(b), 85(1), 87(4) or 89(2)(b) or any requirement imposed by regulations made under section 86(1); or

(b) notifies to the police, in purported compliance with section 83(1), 84(1) or 85(1) or any requirement imposed by regulations made under section 86(1), any information which he knows to be false.

(2) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.

(3) A person commits an offence under paragraph (a) of subsection (1) on the day on which he first fails, without reasonable excuse, to comply with section 83(1), 84(1) or 85(1) or a requirement imposed by regulations made under section 86(1), and continues to commit it throughout any period during which the failure continues; but a person must not be prosecuted under subsection (1) more than once in respect of the same failure.

(4) Proceedings for an offence under this section may be commenced in any court having jurisdiction in any place where the person charged with the offence resides or is found.