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“I’m getting out to nothing”: a temporal analysis of dominant discourses and practices with residents convicted of child sex offences in Probation Approved Premises

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Abstract

People convicted of child sex offences are viewed as a dangerous and demonised offender group, yet little research has considered their resettlement post-residency from Approved Premises. Using data from two qualitative studies carried out 15 years apart, we explore what changes there have been in the discourses and practices with residents convicted of child sex offences. We found that whilst rehabilitation and resettlement were contemporarily considered as more holistic endeavours, the primary function of the Approved Premises remains managing the risks of residents convicted of child sex offences. Most significantly, this hindered their social integration into the community.

Keywords

child sex offences, probation approved premises, resettlement, risk management, reintegration, re-entry

Introduction

There are 101 Approved Premises (APs) (informally referred to as hostels) across England and Wales, providing accommodation for more than 2,000 high-risk offenders whilst simultaneously working to reduce their risks of reoffending (HMI Probation, 2017). Of these, around 90% are directly managed through the probation service and the remainder through the independent sector (IAPs) (NAPA, 2021).

APs started life in the early twentieth century as places of support and befriending, much as the broader probation services did, but slowly shifted into their current place embedded in the criminal justice system. This shift led to a gradual prioritisation of public protection and risk management (and arguably risk averseness) over rehabilitation and reintegration – although at no point were the latter ever removed from the aims of APs (Reeves, 2011). Despite the upheavals of the last 20 years, APs have remained broadly stable in their structural positioning within probation. Most pertinently, during the changes heralded by *Transforming Rehabilitation* (TR) in 2014, APs continued in the reformed National Probation Service (NPS) as opposed to the privatised Community Rehabilitation Companies (CRCs), before their collapse; focussing as they did on high-risk offenders (NOMS, 2014).

Nowadays, APs:

‘provide a credible way of managing the transition from custody to the community for many of the most dangerous offenders in England and Wales. They offer a structured method of protecting the public and rehabilitating and resettling offenders’ (HMI Probation, 2017, p.8).

The purpose of this article is to explore the changing discourses and practices of APs, with a specific focus on residents convicted of child sex offences (CSOs), analysing empirical data gathered from two separate studies with AP staff and residents in 2003-5 and in 2019. In doing

so we can add to the dearth of data on this resident group in APs and highlight the extent of change and stasis in the work and lived experience of staff and residents through periods of immense change and upheaval in probation service structures and practices. The article begins by reviewing the literature on broader understandings of rehabilitation and resettlement of offenders from APs into communities. Unavoidably, the rhetoric of risk is reviewed and its central role in AP practices outlined. This focus on risk management is particularly salient to those convicted of CSOs as they are often thought of as the most dangerous and demonised of offender groups.

Rehabilitation, Resettlement, and the Rhetoric of Risk

Practice within APs has inevitably evolved as the position of them within broader criminal justice changed. Williams (2016) highlights a key moment in 2002 and the Approved Premises Pathfinder Project, which endeavoured to embed new ways of working into APs to support reductions in reoffending. However, as discussed in Reeves (2011), such efforts were hindered by common problems of financial constraint, concerns about risk, a relatively isolated staff base, heavy reliance on residential services officers (non-probation qualified or trained), and a sense of inevitable failure to rehabilitate. Despite this, there was a growth in accredited offence-related programmes and a real belief in the value and potential of APs to support safe resettlement in the community (Cowe and Reeves, 2012; Reeves, 2011). Most recently, however, resettlement services have been concluded to be poor and declining (NAO, 2023), whilst APs specifically may be criticised as remaining too focussed on risk (Marston and Reeves, 2022). Nevertheless, there have been some indications of promise. PIPEs (Psychologically Informed Planned Environments) have been implemented within the last decade, exemplifying a more rehabilitative-focussed AP provision (HMI Probation, 2017).

Furthermore, a scaled system of Community Accommodation Services (CAS) has been established alongside AP to try and deal with released prisoners without accommodation, but who do not otherwise require the security regime of an AP (NAO, 2023).

Important to community resettlement is Burke, Collett and McNeill's (2019, see also McNeill, 2012) four forms of rehabilitation: personal, legal, moral, and social. Crucial to their analytical framework is that rehabilitation is not simply something that is within the purview of the individual offender or staff working to support them: it is a venture with them at the centre, but needing the input and support of a broad range of constructive, non-marginalising and non-stigmatising social and judicial organisations and structures, and the wider community. As argued in Marston and Reeves (2022), APs have this potential, but it is challenging and stifled by funding restrictions, and the social stigma and fear of the residents and AP itself; reflected in social responses, legal or structural marginalisation (such as license conditions to not enter certain local areas, irrespective of the risks posed by the individual, DBS checks, accommodation restrictions etc.), as well as risk averseness. Of course, there is a careful and difficult balance to be struck between protecting public safety in the short-term through risk management (tending towards incapacitation and strict surveillance) and in the long-term through desistance supported by a breadth of rehabilitative work engaging communities with APs and their residents.

These tensions in practice were highlighted in the 2017 HMI Probation inspection of APs; the first in almost 10 years. Whilst the previous inspection noted that public protection work was of a good standard, 'there was some room for improvement in the resettlement aspect of the hostels' [AP] work' (HMI Probation, 2017, p.13), and in 2017 this was largely unchanged, noting APs were 'exceptionally good at protecting the public' but 'the quality of resettlement and rehabilitation services was mixed' (HMI Probation, 2017, p.4). One of the reasons given for this was that AP residents need to be embedded in the communities they will eventually

live in – reflecting the four forms of rehabilitation. For example, in relation to those convicted of sex offences, the inspection report stated that there was a lack of appropriate move-on accommodation for elderly people convicted of sex offences with care needs. Two years later, HMI Probation and HMI Prisons (2019) inspected *‘the management and supervision of men convicted of sexual offences’* by probation and prison services. They noted a twofold problem of i) the lack of appropriate accommodation for those convicted of sex offences on release from prison and ii) the increase in men who are convicted of sex offences, meaning that there are not enough spaces in APs for them upon prison release.

As can be gleaned from these reports, whilst rehabilitative work remains core to APs, risk management for public protection is the priority for AP staff and its immediate concerns may often result in tension between these aims (HMI Probation, 2017). Canton (2022) provides some context to understanding why this is. He suggests that there are four rationales for the probation service continuing to be involved with individuals who have been released from prison: i) a duty of after-care to offset the consequences of going to prison, e.g., losing employment or accommodation; ii) treatment to target offending behaviour, iii) continuing punishment in the community by rigorous supervision, and iv) reducing reoffending and managing risk. Probation practitioners are encouraged to focus on rationales iii and iv as markers of offender compliance, despite the importance of after-care in facilitating offenders’ desistance from offending. If rationales iii and iv fail, recalling the individual to prison may be an option. Not surprisingly, given this focus, offenders who have been recalled to prison have been steadily rising. The rise is due to changes in enforcement practices and the anxieties of offender managers to prevent serious further offending by those individuals ‘at risk of committing the most serious offences’ (Canton, 2022, p.9, HMI Probation, 2020), for example, sexual and violent offenders.

This prevailing dominant discourse of people convicted of sexual offences (particularly against children) as especially dangerous justifies them as a target group for legislation to advocate protective (custodial) sentencing and related practices to manage the uncertainty of their risks and the potentially serious outcomes of these (Hebenton and Seddon, 2009; Nash, 2019). This ‘risk hype’ (Nash, 2019, p.83) has led to ‘new surveillant assemblages’ of sex offender registration, residence, employment and movement restrictions, and offence disclosure schemes (Hebenton and Seddon, 2009, p.349; Nash, 2019) to ‘manage the monstrous’ (Simon, 1998, p.452). This primary focus on incapacitation and ‘surveillant assemblages’ overrides any central focus on practices that may resettle the individual in the community because residency requirements, for example, force them ‘to live on the fringes of communities rather than within them’ (Nash, 2019, p.77).

Recently, Mann et al. (2021) found men convicted of sexual offences (including child sexual abuse) had difficulty in forming familial and intimate relationships because of the intrusive nature of how they were managed arising from their licence conditions, which stipulated disclosure of their offences. This social isolation was exacerbated by geographical and temporal restrictions in their license conditions, such as exclusion from certain areas at certain times of the day, which not only distances (ex)offenders from important networks of social support, but also employment and vocational activities. Yet social, familial and employment networks can serve as informal social controls enabling an offender to desist from offending (Mann et al., 2021). Blocking access to these networks and the creation of relationships therein severs opportunities to monitor offenders whilst forcing social isolation (Mills, 2015).

Tewksbury (2005, p.69) notes blockage to these social networks are the ‘collateral consequences’ of sex offender registration; important for risk management and public protection, perhaps, but inhibiting rehabilitation. Consequently, Mann et al. (2021) argue that whilst such surveillance strategies might limit re-offending in the short term, the long-term

prognosis of change in people with sexual offence convictions, so that they desist from offending, is hampered (see also Mills, 2015). Woodward (2018) similarly argued that those convicted of CSOs, particularly those with internet offences, were not given the opportunities other offenders were to reintegrate into their communities because of the extra restrictions they had imposed upon them. Restricting use of the internet, for example, meant that offenders had fewer opportunities to carry out job searches or to enable social activities. Offenders were also not given opportunities, such as access to suitable housing, to help them reintegrate into the community because of the stigma attached to being convicted of a child sex offence. This stigma arose from others' views, i.e., the public, as well as AP staff talk and practice, which in turn impacted upon the social identity of the person as a 'child sex offender', often culminating in their reluctance to interact with others in the community further forcing social isolation (Mills, 2015; Reeves, 2013).

Methods

This paper is a comparative temporal analysis of qualitative data gathered from APs and the staff and residents therein, in two separate studies at two time-points 15 years apart: one in 2003-5 and the other in 2019, drawing out key themes to address the research question: 'what changes have there been in the dominant discourses and practices with residents convicted of child sex offences in Approved Premises'? In both studies the identities of participants and the location of the APs are kept anonymous, save to say they were both in England and Wales. Both studies were approved by the universities' research ethics group/committee and participants consented to take part in the research.

Collecting the data: study 1

The empirical data for study 1 was collected through an ethnographic study over 21 months during 2003-5 within a case study AP. The period included the establishment of NOMS (National Offender Management Service), however, the AP was directly managed and staffed through the probation service for the whole of this time. The AP was semi-rural being on the outskirts of a small city surrounded by countryside and located some distance away from other APs. It was capable of accommodating 23 residents at any one time.

Data was collected through a range of data collection mechanisms:

- Fifty-seven ethnographic observations of life in the AP (with no staff or residents requesting removal from the observation data);
- Twelve observations of MARAC meetings (multi-agency risk assessment committees, part of MAPPA – Multi-Agency Public Protection Arrangements. See HMI Probation, 2021);
- Twenty-four interviews with 17 AP residents (some repeated) all on release license from prison, 12 of whom had convictions for CSOs (ranging from sexual assault to multiple rape), 2 for adult sexual offences (both multiple rape) and 3 for non-sexual offences (murder, fraud and drug-related);
- Seventeen interviews with 11 AP staff about their work in the AP and management of the residents, with specific reference to those with sexual offences and/or child related convictions. Of these, 3 were Probation Officers (POs) or Probation Services Officers (PSOs), and 8 were Residential Services Officers (RSOs).

Further details of the fieldwork and participants can be found in Reeves (2009). Although the participant characteristics for interview were not designed to reflect the general composition of this AP in particular, or of AP more broadly. they did, in fact, do so, with most APs

accommodating male high-risk residents on release from prison on license, and with a significant majority convicted of sexual offences (HMI Probation, 2017).

Collecting the data: study 2

The empirical data for study 2 was collected over 6-weeks in one AP from March – April 2019. This was an IAP run by a charitable organisation. It was located in a residential area and capable of accommodating 26 residents at any one time. As in study 1, there were many residents in the AP convicted of sexual offences. Whilst the period of data collection was during the time the probation service was part-privatised, the residents therein were supervised as high-risk offenders by the NPS. Data was collected through interviews and observations:

- Three interviews with AP staff about the purpose of the AP, their roles rehabilitating offenders and managing their risks in the community, talking specifically about sexual offending/offenders, with reference to those with child related convictions. Staff included a key worker (KW) (1), a project support worker (PSW), and a night-care worker (NCW) - none of whom were qualified POs/PSOs.
- Three interviews with those convicted of CSOs (1, 2 and 3) about their offending behaviours, offences and convictions, and their rehabilitation and risk management in the AP. One of the offenders was a recent former resident and thus not living in the AP at the time of the interview.
- Two observations of 'two-way' key worker meetings about moving-on from the AP. Present in each were a key worker (2 and 3) and a resident convicted of CSOs (4 and 5).

The five residents were convicted of a range of child sexual offences including rape, sexual assault, and indecent exposure. Four of them had a post-supervision licence and two had a SHPO (Sexual Harm Prevention Order, see legislation.gov.uk, 2003).

Data analysis

Data was analysed thematically to explore the dominant discourses and changing practices of residents convicted of CSOs in the APs over time. Whilst rehabilitation and risk discourses and related practices were forefront in our mind given the review of the literature in this field, the importance of broader understandings of rehabilitation beyond the individual to the social were particularly salient because of their pertinence to the offender group in question. The findings are structured using Canton's (2022) rationales for involvement with individuals post-custody: providing treatment, after-care, risk management and rigorous supervision. In this paper, all quotes from participants in the fieldwork are anonymised and any potentially identifying information has been redacted.

Limitations

There were fewer staff and residents convicted of CSOs interviewed in the second study compared to the first study. The studies are not necessarily representative of other residents convicted of CSOs in APs nor of other staff in APs. In the second study, residents convicted of CSOs were reluctant to participate in the research: they are a hard-to-reach sample, making them an under-researched offender group in APs. Consequently, the findings from the analysis are useful, despite the limitations, in moving forward with guiding appropriate practices in APs for high-risk offender groups. Furthermore, despite the differences in how the APs were structurally situated in the criminal justice (probation-ran in study 1) and third sector (charitable

organisation in study 2), the residents therein were all supervised by the NPS as high-risk offenders. One final point to note is that the two studies were carried out by different researchers (who author this article) with observations and interviews as outlined in the research methods for both studies. Whilst different researchers may influence the type of data collected, particularly with observations, the aim of both studies was to critically analyse the experiences of staff and residents working and living in an AP, respectively, thus anchoring a central focus for the collection of data in both studies.

Findings

Providing treatment: out-with the Approved Premises

One of Canton's (2022) rationales for involvement with individuals post-custody is interventions to target the factors related to their offending behaviour. In both studies residents had one-to-one meetings with their key worker in the AP (POs and PSOs, later to become known as offender managers) at least weekly, or ad hoc as felt necessary. Residents would engage in discussions and formal assessments of past behaviours and offending; their current behaviours, thinking and attitudes; offence-related activities; reflections on their behaviours in the AP; relationships with significant others; and move-on plans into the community. Yet, treatment programmes for those convicted of CSOs in both studies took place outside the AP and in varying forms. In study 1, for those convicted of sexual offences this mainly comprised of mandatory weekly attendance at the accredited Community Sex Offender Group Programme (C-SOGP), a form of the core Sex Offender Treatment Programme (SOTP) in prison. All offenders convicted of sexual offences and either released from prison or on community sentence were required to take part in the appropriate form of SOGP from the late 1990s (Hollin and Palmer, 2006) until their replacement by Horizon (for lower risk) and Kaizen (for higher

risk) from 2016 onwards (HMI Probation and HMI Prisons, 2019). Not all residents in the AP had the opportunity to undertake SOTP in prison mainly due to availability in their prison or their length of sentence, or if they did not volunteer for it.

The group nature of the SOGP is explained by the NCW from study 2:

‘It's a programme where it's quite hard for some of them, because they go, and they sit in a group, and they have to explain what they have done and why they've done it [...] and they are asked various questions on fantasies and what makes them tick, you know what makes them do the crimes that they've done.’

However, in distinction to study 1, in study 2 only one of the five offenders were due to start a sex offender programme in the community. The decision lay with ‘the offender manager’ (NCW, study 2) with it being

‘uncommon for people to do offence focus work in here [the AP], erm around sexual offending anyway because they would generally do that through probation [...]’ (KW, study 2).

It might be the case in study 2 that a sex offender programme was part of the offenders’ broader release and sentence plans, which they were not aware of at the time of interview, or it was not the focus of the key worker meeting observed (for resident 5). In study 1 staff were very aware of the SOTP, as residents needed to be supported with travel arrangements to get to programme location. In study 2, this was not the case, and was, as indicated above, seen as something out with the AP provision itself. Despite this, both APs, to varying extents, provided courses to equip offenders with practical and social skills. The next section discusses these courses and the differences in them in the two studies. In doing so, it shows how they differed over time and contexts.

Providing after-care: responsabilising residents to build life-skills

In study 1, residents were required during their time within the AP to engage in purposeful activities considered to support their personal and social rehabilitation, just as today they are expected to be provided with structured support to aid reintegration and resettlement (HM Prison & Probation Service and Probation Service, 2022). However, at the time of study 1 the only purposeful activities within the AP itself were those related to the daily chores (cleaning mainly), a weekly computer class teaching basic IT skills (without access to the internet), and the opportunity to use the garden and greenhouses for growing plants and produce. On first entering the AP, the researcher was also told about previous cooking and art classes that had been commissioned or staffed from community volunteers, but due to funding cuts and risk concerns these had been stopped and nothing provided in their place.

“They had art classes there. When I first went in there I used to say why can’t they do some basic kitchen skills. “Oh no, they can’t do that, that’s too dangerous, not going to leave them bloody knives and stuff, are you!” and I thought what sort of mentality is that?” (RSO 1, study 1).

Nevertheless, residents in study 1 were actively encouraged to engage in purposeful activities to support their life skills and future reintegration outside of the AP, for example, they were supported by the local Job Centre to find employment or to access their local FE college for training/education, but opportunities were generally limited. In study 2, conversely, the AP provided the opportunity for offenders to engage in purposeful activities via a multitude of courses both within and outside the AP. Activities included arts and crafts, cooking on a budget, gardening, IT, DIY, painting and decorating with the aim to help residents build practical skills. Other activities were provided to help residents develop social skills: keep fit, karaoke, bingo, board games, cards, jigsaws, meditation, visits to museums, theatres, and parks:

‘[...] it can be anything from doing an outdoor activity with the residents taking them somewhere or maybe doing things like social nights, culture nights, [...] they did a meditation evening last night. [...]. There’s cooking activities, practical living skills, IT skills [...]. Anything really that gets that person engaged in something purposeful and constructive.’ (KW, study 2).

Although in study 1 there was a pool table, football and some games, these were rarely encouraged and regarded as primarily a means of staving off boredom. In study 2, however, the focus of these activities was to help offenders to build life-skills: to instil a sense of responsibility and confidence in them in directing their life, as resident 1 explains when asked what the role of staff in the AP is:

‘[...] they're just basically an all-round established way of kind of showing you that you can do things on your own. You don't need to rely on prison, you don't need to rely on the staff, you don't need to rely on anybody else, you can do this on your own.’

Despite this, in both studies, many staff in the AP regarded the engagement of CSO residents in such activities as also important because they provided a discreet mechanism of surveillance to monitor risk, as the PSW in study 2 explains when asked about the purpose of interventions in the AP:

‘[...] sometimes it's the promotion of practical skills to try and address their behaviour as you get into conversations, you get to work with them for a long period of time. Even if it's something that they particularly say it gives you the opportunity to challenge it and it gives then the opportunity to manage risk. [...] But the idea about inventions is [...] they benefit from it because they are not stagnating sitting in their rooms all the time, this is not a prison, they can use interventions to better themselves when they move on, and I think staff can use it to monitor and get deeper into somebody.’

So, interventions in the AP in study 2 sought to equip all the residents with life-skills to cope in the community and presented opportunities for practitioners to manage offenders' risks of re-offending. Residents in study 1, in this early NOMS period, were also expected to engage with a programme of personal change, but this was focussed on addressing offence-related behaviours and attitudes within the context of risk surveillance and assessments. Consequently, residents tended to resent this, feeling the weight of the surveillance and not recognising a rehabilitative purpose:

‘They are just trying to control me. Even work, they don’t really like us working because that means that we are not in their control all the time, that’s why they don’t like me having a car as well....they say it's about rehabilitation and supporting us coming out of the hostel, but I don’t believe that. It’s all about controlling us.’ (resident 3 convicted of CSO, study 1).

However, in 2003-5 and study 1, the primary focus of APs was much the same as in 2019 and study 2, with the National Standards of the time, as now (HM Prison & Probation Service and Probation Service, 2022), emphasising the security and surveillance role of APs in achieving public protection, and reflecting the risk averse decisions relating to the provision of in-house purposeful activities as highlighted above. Thus, the variation in practice between study 1 and 2 reveals changes in the understanding and appreciation of rehabilitation and resettlement as more holistic endeavours.

Providing risk management and rigorous supervision: Approved Premises as panopticon

In both studies, the AP itself served primarily as a place for ensuring attendance and compliance with broader release on licence conditions, such as residency at the hostel, non-contact with named people or at-risk groups in the population (non-compliance leading to warnings and

ultimately the potential of recall to prison). This was illustrated in study 1 when the Deputy AP manager discussed accepting a new resident:

“Look, it would be worth considering a staged return [via the AP, as] here we can have a measure of control to manage [him]”. The case manager agreed “[we can] test him out through home leaves, things like that.” (MARAC 9, study 1).

The prioritisation of risk management and public protection results in staff regarding their role as primarily that of custodian and of surveillance, wherein they protect the public through incapacitation and careful monitoring. This was most evident in MARAC discussions around various residents and high-risk offenders in the community, wherein surveillance was a core source of intelligence about compliance with risk management and resettlement plans:

‘[AP] management report he [CSO resident] has been doing well on home leaves to [...], he has had strict conditions placed on his home leave licence to not enter [...] town centre. Has been an accusation that he has been seen in [...] town centre, but he denies this and [PO] believes him as he has been straight with them so far.’ (MARAC 1, study 1).

Perhaps inevitably, this focus on APs as places of surveillance meant that, at least from residents’ perspectives, it embodied the essence of panopticism: where the few in power watch and observe the larger, more powerless group with a view to internalising a moral judgement on their behaviours in accordance with Bentham’s famous Panopticon prison design (Foucault, 1977). This surveillance was a fundamental feature of residents’ experience: ‘you feel like you are being watched’ (resident 8 convicted of CSO, study 1), This surveillance is permanently needed and thus long-term as the PSW in study 2 explains:

‘[...] I think their [sex offenders’] risks are totally different, and I think the longer they've been without offending the assumption is that they will not go back to it. Whereas most of the cases we've come across is they don't seem to be able to curtail it for a long time.

I think the risk of them offending is because the opportunities out there and them opportunities are there all the time but when they have a lack of support, a lack of monitoring, I tend to think that's when their reoffending is at its highest. I dare say if sex offenders stayed here permanently the offending rate would drop tremendously purely because the amount of supervision and monitoring we do on them.'

It is this moralising judgement in conjunction with the hierarchical observations (as Foucault, 1977, explored in his work on disciplinary power) that some residents objected to in study 1, feeling it resulted in disrespect and a change in staff responses to them:

'[CSO resident] does not think that the staff are objective or non-judgemental. Says there is favouritism in the place based initially on offences and then also how you act to the staff. Says that he and [another resident convicted of CSO] are treated badly from the word go ("like a mule") because the staff know that they have committed sex offences [...]. Says that there is a lot of "nonce-calling going on. Even among the staff – I've heard them sometimes talking about people in here and people that have been here.'" (resident 3, study 1).

However, despite regarding APs as mainly 'just about accommodation [and] control!' (resident 8 convicted of CSO, study 1), their importance was somewhat recognised by residents:

'Well, you have to have 'em, don't you? I mean you need places like this. I mean. When I came out of prison I had nowhere to go....so....I had to come here. If you didn't have places like this people would stay in prison.' (resident 4, convicted of CSO, study 1).

In both studies, some residents were able to articulate this purpose of the AP:

'[...] coz I'm thinking what they would think is if I'm out there, I'm on the streets, he's just came out of prison, and has nowhere to live that I might reoffend. Where they've put

me in the Approved Premises so that they can monitor me, to see if I can adapt or settle in properly without effecting anybody' (resident 2, study 2).

As well as why they personally were placed there:

'Said that he was sent to a hostel in the first place because he's considered to be high risk. When asked why high risk he said it was because of the offence [gross indecency with 2 young children] but also because "I am in denial and [girlfriend] is in denial with me and they think that is bad."' (resident 3 convicted of CSO study 1).

This operational practice and experience of residents provides further support of APs as functioning as a testing stage: 'a steppingstone before they go back into society' (PSW, study 2). However, this justified focus on risk management as the primary function of APs in study 1 and 2, and thus over time, severely hampered the rehabilitation and resettlement of residents convicted of CSOs in the community.

Provide after-care: Approved Premises as helping residents convicted of CSOs to resettle

One of the roles of APs is to resettle offenders in the community (HMI Probation, 2017). In the Home Office (2004) *Reducing Re-offending National Action Plan*, several pathways were identified for targeted intervention to help offenders out of crime. The two most salient to the resettlement of residents convicted of CSOs are 'accommodation' and 'children and families of offenders'. For example, one of the rationales for post-custody involvement with offenders is a duty to provide after-care to offset the consequences of offenders going to prison, such as losing accommodation (Canton, 2022). In both studies there was much evidence to indicate that finding suitable accommodation post-residency in the AP was difficult because some local authorities, landlords, and housing associations would not accept residents convicted of CSOs, or those on benefits, or those with no connections to the area. Thereby illustrating the stigma

of a criminal conviction of child sex offender, resulting in concerns of the risks presented by such offenders over-riding the immediate concerns with their resettlement. These barriers to fulfilling legal/judicial rehabilitation (Maruna, 2011), is exemplified by one PO talking about a resident with a conviction for a CSO: 'I think we are all agreed that no address will ever be perfect' (MARAC 7, study 1), after noting his license date ends shortly and his latest move-on address had been rejected on risk grounds. Perhaps because of the difference in risk profile of residents between the APs in study 1 and 2, in study 1 finding accommodation was at least a shared responsibility between staff and residents, with staff recognising the need to be proactive:

'Deputy Hostel Manager says they need to consider move on plans right away because she is spending most of her time moving on high risk offenders' (MARAC 13, study 1).

In study 2, as exemplified in the 'two-way' KW meeting (2), the responsibility was on resident 5 to find accommodation to move-on from the AP, rather than the AP finding accommodation, as he was due to leave the AP in the next 3 days:

'[...] I am on the [...] housing association list, and they got 1 and 2-bedroom probertites in [...], which I don't know that area but that is available. *Is that available to you now is it?* I don't know if it's available now I would need to contact the [...] association and write an email to find out, which I'll try and do that later on this afternoon at the library. *Try to get it all done as much as you can early today, it gives people time to get back to you, because obviously the notice to quit is for Monday, so it would be best to get stuff sorted today really, gives people some time because obviously most people don't work over the weekend, I don't know what housing companies do, they might do, but just give yourself a chance.'*

Failing to secure suitable accommodation means that people with sex offence convictions may find themselves homeless, sleeping rough, in temporary bed and breakfast accommodation or staying longer in the AP. This was also the case in study 1:

‘[AP accommodation] remains a safety net. Could consider [another AP] but they have an agreement not to house sex offenders. MARAC informed that there is a possibility that a vigilante in [town of another AP] would be after him, and so do not want him to go to [that AP]. They discuss that he could present himself as homeless to an area, and then [Housing Services] would have to find him somewhere suitable.’ (MARAC 1, study 1).

Most notably, in 2 cases during the fieldwork of study 1, residents with convictions for CSOs were required to sign voluntary agreements to stay at the AP beyond their license end date, with one of these being in the AP for more than two years by the time the researcher left the site (and still a resident). Periods of 6 or more months for residents with sex offence convictions was common. In study 2, conversely, the average stay in the AP was 12 weeks, in line with guidance (HMI Probation, 2017), however this could be extended for residents with sex offences who had not secured accommodation, rather than face homelessness, if the AP could accommodate the extension. Resident 5, in study 2, had been in the AP for over a year. Since the completion of study 2, in 2021 HMPPS launched the Community Accommodation Service Tier 3 (CAS3) system in selected regions, with a view to supporting people leaving prison or AP at risk of homelessness. This should assist in timely move-on from AP; reducing lengthy stays beyond that necessary to manage risk, or beyond licence-end dates. However, initial outcome results as to success in supporting longer-term stability of accommodation from CAS3 regions are mixed (NAO, 2023).

Securing suitable accommodation is thus important to help resettle residents, so too are their children and families, as supportive familial networks play a key role in helping offenders desist from offending (Mann et al., 2021; Mills, 2015). In study 1, this was an important area of work via key workers which fed into risk management planning, and for those residents who were planning to reside with family after the AP, it was a core concern how this could be safely managed:

‘His wife married him in custody (she is [...] the same age as his daughter now). She lives in a flat near children and so is considered unsuitable. This flat is bought on mortgage. Probation feel that they also need to discuss the issues with her and the implications if they have children. Believe there are wider issues as wife knows his offences but has kept it a secret from the family.’ (MARAC 11, study 1).

In study 2, resident 2 could not be resettled near his family because of concerns for his and their safety, as he explains:

‘[...] if anybody seen me in [name of town] I’d either get hurt or one of my family would get hurt, and I don’t want my family getting hurt, [...] they already been going through it with this for twenty odd year, they don’t need to go through it all the time.’

Thus, residents convicted of CSOs may not have any familial and social networks in the area they are trying to resettle in. Nor, it was observed in both studies, are residents convicted of CSOs allowed to maintain friendships:

‘You were saying you didn’t have any friends around you before would you say think it was ok to keep in contact with any one from here [the AP]? (Hesitates) Erm, maybe not. No, it wouldn’t be advisable you don’t know what they’re offences are, you’ve got to think about your restrictions. Yeah, that’s true, I think that I’ll cut ties with everyone. Yeah, that’s really wise. I don’t want to get myself into any more trouble. No, you don’t

and you don't know what other people are up to, and if people see you together with another person from here it is really not advisable and your MAPPa worker would definitely say that wasn't a good thing. Oh aye. The same will go for Horizon you'll meet people in the group and (interrupts) oh no, I'm just making sure I go in to do that thing and that's it.' (KW meeting 1 with resident 4, study 2).

This overarching emphasis on risk management ensures that those convicted of CSOs are ultimately segregated and isolated from the local community and all the important social networks therein, as resident 1, in study 2, said when asked if he still needed support with his offending behaviour after release from prison:

'[...] you've had everything around you and I'm getting out to nothing, [...].'

Thus, for many of those residents with CSO, the AP had come to represent a form of safety and security, evidenced across both studies:

'[resident 50 convicted of CSO] has been in the hostel for 12 months and is now being moved to sheltered housing. He is ambivalent towards the move as he is used to being in the hostel and feels safe there now. He is terrified that people will find out that he is a "paedophile".' (observation notes, study 1).

Socially segregating and isolating residents with convictions for CSOs impedes any potential social rehabilitation work, and may enable further sexual offending through lack of surveillance, as the PSW in study 2 said:

'[...] the vast majority don't go back to families, don't go back to the areas they came from, so straight away you're providing opportunities [to re-offend]. Signing on the sex offenders' register just means the police are aware that they're in that area [...].'

The next section discusses the implications of socially segregating residents convicted of CSOs.

Discussion and Conclusion

The findings show that there have been some changes over time in the practices with those convicted of CSOs in the two APs researched. The AP in study 2 provided more purposeful activities to help residents build practical and social life-skills than the AP in study 1. Variation in practice may result from the increasing appreciation of the value of more holistic work to resettlement, rehabilitation and desistance – perhaps related (rhetorically at least) to *Transforming Rehabilitation* and the establishment of HMPPS (Her Majesty’s Prison and Probation Service). At this time, the importance of safe resettlement and rehabilitation to reducing reoffending was at least highlighted in policy announcements, even if strategic decision-making did not reflect this in practice. Furthermore, academic and practitioner understanding as to how to support desistance and rehabilitation has seen significant developments in this time, perhaps starting to impact on practice. In particular, understanding the holistic nature of rehabilitation (McNeill, 2012), and the personal aspects of desistance (see for example, Maruna, 2001; Paternoster and Bushway, 2009). The establishment of PIPE, in particular, could be regarded as clear examples of such knowledges being implemented to re-design AP provision, if only in a limited number of cases, for specific resident populations.

Variation in practice may also be the result of the different contexts of the APs in the two studies: in study 1 – the probation sector and in study 2 – the independent sector. Further research should therefore consider the types of activities and courses offered across probation and independent APs. This is important to do because such purposeful activities helped to socially integrate those convicted of CSOs whilst in the AP and helped build their confidence

to be independent in society post-residency. Whilst they did not explicitly address the residents' sexual offending behaviour, both studies recognised that they provided opportunities for the staff in the AP to monitor offenders' risks of re-offending through the informal conversations they had with residents during such activities, enabling them to better know the resident. Consequently, these purposeful activities in the AP served as opportunities for enhanced risk-management as well as social rehabilitation, because through offenders' developing social skills of independence and confidence communities might be enabled to accept a 'reformed' offender.

In terms of personal rehabilitation, work on addressing sexual offending behaviours of residents was either more evident and built into their AP experience in study 1, or more had to undertake such work, as all those convicted of sex offences had to engage in a treatment programme (out-with the AP) whilst resident in the AP. This did not appear to be the case in study 2 at the time the data was collected (in both APs, residents could discuss their offending behaviour with their key worker in one-to-one meetings), however, we note that engagement with accredited programmes may be included in their broader release and sentence plans. We are not sure from our data why fewer residents in study 2 appear not to engage in a treatment programme out with the AP at the time of their residency. Again, given the varying contexts of the APs in the two studies, further research should consider the treatment programmes offered across probation and independent APs, as well as how attendance at such programmes is, or is not, embedded into AP residents' broader experience. It may also be that the availability of places to start on a course had caused a delay in the second study and not the first. Further, targeted, research could explore these possibilities.

What is abundantly clear over the 15-year period between the two studies, is that dominant discourses and practices in APs are around the risk management of those convicted of CSOs in the community. This remains the *primary* function of APs and they are good at

doing this. However, this focus on risk management severely hampered the efforts within APs to resettle offenders into the community. Consequently, for study 1, for example, resettlement was often considered in limited terms of ‘safe’ accommodation (even if temporary in nature). Such risk management practices served to isolate offenders from their communities, because of:

- The stigma of having a criminal conviction as a child sex offender hindered residents attempts to secure accommodation post-residency (see also Woodward, 2018);
- The restrictions stipulated in their licence conditions and SHPO (if any), meant that they ‘live[d] on the fringes of communities’ (Nash, 2019, p.77) because they and their accommodation were not allowed to be near schools, parks, the victim and family of the victim, families with children, other known sex offenders, and in some cases, their own families due to safety concerns;
- The familial and social support networks that enable offenders to desist from offending by providing both rehabilitative and risk management opportunities, were blocked for those convicted of CSOs in ways that they are not for other offenders. The normal expectations of engaging in everyday life of visiting family, making friends, walking down any street, at any time, is abnormally not expected of those convicted of CSOs.

Demonising those convicted of CSOs leads them to interact less with others in the community (Mills, 2015). Such isolation and expectations to live abnormal lives does not help in their rehabilitation; nor does it help in risk managing them (Mills, 2015). Yet mechanisms to isolate begins post-conviction: by segregating them from other offenders in prison, and in APs through curfew restrictions, CCTV cameras, signing in, official logs of offenders’ behaviours/movements, and licence restrictions – many of which continue post their AP residency, particularly given the rise in ‘surveillant assemblages’, such as offence disclosure schemes (Hebenton and Seddon, 2009, p.349). For these reasons, more focus needs to be placed

on social rehabilitation so that those convicted of CSOs are not continually stigmatised as a child sex offender and so enable society to accept them as reformed offenders, supporting their re-settlement. Such opportunities for ‘redemption’ have long been advocated as necessary for desistance (Maruna, 2001) – with social barriers to positive re-tellings of identity narratives significantly hindering this process (and so counter to public protection).

Whilst we appreciate the need for risk management and protection of vulnerable people, in the short-term this forces prioritisation of incapacitative measures and surveillance. There needs to be a balance looking more to the future, and a clearer route to enable those convicted of (especially child) sexual offences to move on from that stigmatised, segregated and demonised position. Failure to do so fails to manage this group of people as *people* but also fails to recognise the value of such work for longer term public safety. There are clearly measures that can be utilised throughout communities and link into AP and prisons more – but they can be costly, requiring a re-balancing of not only priorities but of finances. Good practice examples include greater use of mentoring and programmes such as Circles of Support and Accountability to support social rehabilitation and difficult transitions out of prison and APs. Importantly, such work can not only aid in social rehabilitation but also surveillance, demonstrating that the two are not necessarily at odds with each other – aiding reductions in reoffending (Duwe, 2018). However, concerns remain that such work is still overly focussed on risk and less on building social opportunities and capital (Kitson-Boyce et al., 2018), and they are very expensive and difficult to scale up. Despite this, lessons should be learnt on what works and further research needs to consider what would enable the social rehabilitation of those convicted of CSOs so that they are effectively resettled into the community *and* risk managed. To this end, we propose an ethnographic study where people with child sex offence convictions post residency record video diaries to document their daily lives about how they are resettling into the community. The use of video diaries enables them to document their lives

in real-time without the researcher present to facilitate natural, unprompted, but less-restricted accounts of challenges and successes and how they are experienced. Following strict ethical protocols, this would enable a more complete and detailed understanding of the issues this population face in the community, how they are experienced, and the impacts of them; leading to more evidenced-based strategies for resettlement support that address holistically the practical and emotional challenges of resettlement from prison and APs for high-risk and demonised offender groups.

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