

CRUEL AND UNUSUAL

By Nicola Murray¹

Abstract

This research's intent was to explore the issue of sex offending and in particular the use of sex offender registries within United Kingdom and America; looking at the impact of labelling, from the perspective of the offender and their families. Secondary research was used to gather the relevant studies together from both countries perspective in a cross cultural exploration using an implicit binary comparison of United Kingdom and America, to discuss the question of cruel and usual punishments. A considered effort was made to only use research which was taken from the offender's perspective.

Legislation from both countries was discussed, with the intention of highlighting the key comparisons and differences. Key figures show a decrease in sex offending while, evidence suggests a continued public unrest; England's human rights policies are explored, as are the tougher legislations within the United States. Research indicated United Kingdom has sufficiently less sex offenders per 10,000 people than America.

Moral panics, society's morality and media influences are researched, these are used to demonstrate that public notification and restriction programs could be seen to infringe on the human rights of an individual and have a detrimental effect on any rehabilitation.

This research concludes that public notification for such crimes should be considered a cruel punishment, however accepts that a registry process is needed for such crimes. Due to the detrimental effect a negative label can have, this research suggests a clear classification system needs to be implemented and the development of theories which address the offenders needs.

¹ Criminology 2013, University of Bedfordshire

Acknowledgements

First and foremost, I would like to thank my supervisor on this project, Professor Alan Marlow for his valuable advice, guidance and understanding. Alan's willingness to motivate and discuss ideas contributed immensely and inspired me to complete my research. Also at this time I would like to thank the University of Bedfordshire, for the opportunities and experiences the institution has afforded me. Professors and visiting lecturers have made for a memorable three years, in particular I would like to show my appreciation to Ian Bridgeman, Lynne Reynolds, Alex deMont, John Pitts, Anthony Drummond, Suzella Palmer and Alan Wheeler for your individual guidance and influence.

I would like to give a special thank you to Helen Connolly for her extended generosity of time; Helen has been a real inspiration and is a true credit to the university. Also a special thank you goes to Lehanna Ryce, Francesca Gunn and Marzia Khanom for your time, friendship and guidance. We all progressed through the Criminology program together and I will miss the banter girls. A quick thank you to the universities coffee shop staff, for the laughter and tea and finally, a thank you goes to my family and friends for their understanding and support during the entire degree programme and in particular this final year.

Thank you

Table of contents

	Page Number	
List of tables	4	
Introduction	5	
Theoretical perspective	6	
Research ethics	7	
Methodology	8	
Chapter outline	9	
Main Body	Sex offending – A moral panic	9
	United Kingdom sex offenders	12
	American sex offender	14
	The effects	19
	Looking forward	21
	A comparison	23
Conclusion	25	
Reference list	27	

List of tables

Table 1.1

- Police recorded sexual offences by sexual offence group, 2005 to 2012.

Table 1.2

- USA age of consent, minimum age of victim and the age differential between the victim and defendant by state.

Table 1.3

- USA sex offender statistics 2011.

Table 1.4

- Population and registered sex offender figures for 2011 in United Kingdom and United States.

Table 1.5

- Distribution of registered sex offenders between United Kingdom and United States in 2011.

Introduction

This research will be discussing the issue of sex offending and in particular the use of sex offender registries, looking at the impact from the perspective of the offender and their families. This piece of work is a cross-cultural exploration into sex offender registers, in both England and America. It will develop the conception that sex offender registries and public notification processes may infringe on human rights and negatively affect the offender and their family.

An interest in offending stems from an early curiosity into criminal behaviour, stereotypes and the media's curiosity with moral panics and labels. One begins to question how the offender is affected by the criminal justice process and if no empathy for the offender themselves, then one may question how an offender's family and friends cope with such events. It could be argued that sex offenders are the most demonised and hated figures within society (Thomas, 2005). Former newspaper the 'News of the world' ran a national, name and shame campaign to publicly expose known paedophiles within the United Kingdom (Darley, 2000). It could be argued that sex offending induces intense animosity amongst members of society; evidence to suggest this comes from reports of campaigners, openly protesting sex offenders entering established rehabilitation units for treatment (Bury Times, 2011). These kinds of protests suggest that even while an offender is demonstrating a desire to rehabilitate, society still rejects and segregates them.

Entrance onto a sex offender's registry is socially stigmatized to such an extent, that it could be argued, that inclusion could be considered a cruel and unusual punishment. Sex offender registries are a classification scheme designed to hold personal information on sex offenders. National and local registries include personal information, such as an individual's address and previous criminal background. Registers can include un-convicted individuals considered at risk and those who have completed criminal sentences. In the United Kingdom, you are required to join the Violent and Sex Offender Register, if imprisoned for over twelve months under the Sexual Offences Act 2003 (UK Legislation A, 2003); the information within the register is only available to local government agencies. In the United States registration is accompanied by notification conditions; this is where information in the registry is made available unrestricted to the public. Many states also impose restrictions on where offenders can live and work under the 1994, Megan's Law (US federal law, 2010).

Even with the media attention and the evidence that suggests contempt amongst the majority within the United Kingdom, little has been done to study the effects of the sex offender's registry, notification, proximity recidivism or the effects this trauma has on their families, once this negative label has been attached (Zevitz & Farkas, 2000). Within the United Kingdom, convicted sex offenders are applying and winning through the European Convention on Human Rights to either, remove their name from registries, limit restrictions or to deny

the ability to name them in a public forum, like Facebook. Article Eight of the European Convention on Human Rights, states that all have the right to respect for private and family life, home and correspondence; in addition Strasbourg case law extended Article Eight to impose measures to prevent other parties from interfering with these rights (Acts of Parliament, 2013). This amendment to the United Kingdom's Human Rights Act of 1998 rules that these registries may be affecting the offender's human rights and should be seen as an extension of a sentence.

In contrast, American studies have begun to highlight sex offender issues; however the United States continues to enforce stringent requirements on their sex offenders that continue to restrict the offender's life, well past any sentence. This research will gather the relevant studies together from both countries perspective, to consider the questions; is entrance onto a sex offender's registry a cruel and unusual punishment? Is our society oppressing a particular offender group because of moral taboos?

Theoretical perspective

Developing a theoretical framework in the early stages of research planning is essential to maintaining a sense of order throughout the research; research is driven by a theoretical framework (Corbetta, 2003). Frameworks are used to guide a researcher and help determine what is to be analysed and why. A theoretical perspective, together with the concepts, definitions and any existing theories, will help to focus this research and allow further research to develop within its foundations (Corbetta, 2003). A theoretical framework is particularly important within investigative studies, where there is limited research in the field and the researcher is trying to establish a base (Bell, 2010). No matter how unbiased a researcher thinks they are, preconceived ideas, even in the generalist of terms can begin to work to develop a framework of their own; this research paper deals with tentative moral issues, having a concrete explicit perspective in mind helps to reduce any issues.

Where some theories have a scientific approach to research, interpretivism develops the cognitive aspect of understanding (O'Donoghue, 2006). From an ontology standpoint, interactionists see a wealth of social deviancy, ever present in a society that constructs crime from social action and control (McLaughlin, 2003). Society is a collection of shared experiences; it is how people interpret these interactions, which interactionists wish to study (Corbetta, 2003). As these interactions are limitless, society is a complex multi-dimensional landscape with no fundamental truths, only an individual's interpretation (Bryman, 2008). Interpretivism focuses on theory development, instead of the theory testing characteristics of the positivist approach. Research strategies use empathetic methodologies to develop a deeper understanding of the social interaction being researched (Bryman, 2008); methods such as participant and non-participant observation, case studies, life studies, focus groups and interviews are used (Bryman, 2008). When considering

epistemology, good evidence would give an accurate account of human understanding; an example would be labelling theory and how the social group, i.e. sex offenders are affected.

Each theoretical perspective has fundamental differences in their methodology and practice. Each brings their own merits; however as this piece of research is an exploration into social conditions, meanings and actions and what effect they have on a particular social group, it could be argued that the interactionism theory offers the widest scope in terms of this research. Interactionists, like Becker developed a consensus under the interactionism framework; it describes deviance as infractions from a set of rules, set out by social groups (Crinson, 2007). Someone who is considered deviant within society has simply had the label of deviant successfully applied (Downes & Rock, 2003). Labelling theorists discuss the implications of being labelled and how this can have a detrimental effect, if the label is considered negative with social groups (Downes & Rock, 2003).

It could be suggested that labelling theory merely examines an offenders characteristics and does not produce a conclusive picture of a particular deviant behaviour. It could be argued that one can only fully understand a crime when they take into account the reactions of the community at large and how society then interacts with members of society displaying the deviant behaviour. Lemert suggested that social reactions could have a profound effect on an individual's psyche (Crinson, 2007). Symbolic Interactionism is a sociological theory that studies society at a micro-scale and suggests meanings for social processes; it is suggested that this research approach defines itself as pursuing meaning in what we observe (Downes & Rock, 2003) and is rooted in examining how interpretive social processes develop deviance. The 'looking glass self' can develop in all social situations (Downes & Rock, 2003), individuals will act the way that others expect them to behave, thus it could be argued that permanent inclusion to a sex offenders registry and other restrictions imposed on convicted sex offenders could in fact inhibit any efforts to rehabilitate the offender (Madden, 2008).

Research ethics

Secondary research is a methodical process of exploring information, in order to increase an understanding of a given phenomenon. Producing research that is ethically comprehensive contributes to the quality control of the piece. Ethics are all the more imperative when dealing with a delicate subject matter and the real human element; actual members of society, dealing with real issues. Research ethics, within the social science field are developed under core principles of honesty to the research material and any subjects involved.

Research based on secondary data offers few ethical dilemmas; the information to be analysed is already in the public domain. Protecting members of society that may have been affected by physical or psychological harm is essential; no participants are involved in secondary research however, the

delicate nature of this research denotes the need to show caution and respect with the sources used and how the information is presented (Lee-Treweek & Linkogle, 2000).

Methodology

This research is a cross-cultural comparative exploration into sex offender registers, using an implicit binary comparison involving England and America. Comparative methodologies underlying intent is to identify similarities and differences and to explain them; simplifying the complex issues surrounding sex offending using classification, helps to identify common features between the two countries.

This exploration begins with the understanding that research material may have a dependence on American research, due to a limited amount from within the United Kingdom. This research, will however access bibliographic databases and other relevant academic sources to utilise the qualitative secondary resources available from the United Kingdom and the United States, such as previous studies and peer-approved journals.

This informal symmetric review will demonstrate an understanding of the variables of the research, being that of the effects a sex registry has on the offender and their family. A boarder sense of the subject, including research articles concentrating on the effects of abuse on the victim and intra-family sexual abuse, all add another dimension onto the question posed and are not specific to the context of this research. The perceptions and effects that sex offending has on the victims of the offense are documented and researched in both countries, however this research centres on the seemingly disregarded, offender issues. The research will also combine the use of quantitative methods with the use of official statistics, to establish a base by which further research can be developed.

Main body - chapter outline

- Sex offending – A moral panic

Theory of labelling and moral panic, the media's portrayal of sex offending

- United Kingdom sex offenders

Overview of the laws and figures for sex offenders within United Kingdom

- American sex offender

Overview of the laws and figures for sex offenders with the United States

- The effects

Research discussing the effects that registers and notification programs have on sex offenders

- Looking forward

United Kingdom and United States future plans, involving research and legislation

- A comparison

Comparison of figures for the problem, common ground and opposites within the law and offender rights

Sex offending – A moral panic

Within the domain of sociology and deviance, the term moral panic is a well-established concept. Stanley Cohen suggested in his 1972 sociological study entitled, 'Folk devils and moral panics' that a moral panic can occur when a sub-cultural group of people become defined as a threat, to the collective consensus within society (Cohen, 2011). Cohen's research into youth culture illustrates a mass morality which can lead to sub-cultures being vilified by society (Cohen, 2011). Moral panics are in essence, controversies involving the taboos from within modern day society; taboos have the ability to conjure up social tensions, resilient moral stances and spark disagreements and discussions, on a sometimes national level.

Major national media outlets such as television and newspapers are operated by a limited number of powerful companies; these companies have their own philosophies and principles and often subscribe to a particular political ideology (Critcher, 2006). This creates an agenda or message, in other words a bias towards a particular way of thinking. It could be suggested that the national media has long operated under the assumption of being a moral barometer for its readership; ratings and audience numbers are as important to a television station as votes are to a political party, once an audience base is established, it needs to be maintained. Left thinking newspapers, like Labour backed, the Mirror, may downplay crime rates and a need for spending on defence; however a right wing newspaper, like The Sun may increase the moral panic of crime, in an effort to stimulate a political gain or reinforce the interaction between newspaper and reader (Critcher, 2006). By creating a biased message, media companies have the ability to manipulate people's attitudes and opinions. It could be argued, however that recent transformations, to the medium, like the rise of the internet and social forums like Twitter and Facebook, still resonate this idealism of moral indignation, but importantly give a voice to all (McRobbie & Thornton 1995).

Morality is a fluid concept that bends and shapes itself though the passage of time; society justifies its moral backbone though these socially constructed rights and wrongs (Giddens, 2009). Though-out history, sex to some extent has been considered a taboo, a private matter; words such a sex and love have been taken under the wing of heteronormative constructions and are thus considered a foundation to a heterosexual life plan (Carpenter & Hayes, 2011). Offences that threaten the consensus of a heteronormative life-plan are considered taboo and wrong; arguably these members of society are labelled as criminal and immoral. Carpenter and Hayes theorise that in the twenty-first century, societies subscribe to the labelling of each phase of life (Carpenter & Hayes, 2011). Each member within society progresses though childhood, adolescence and into adulthood, touching on each milestone and striving to achieve the perceived goals for each age; thus imaginary age-lines are drawn and distinguish between child and adult experiences.

Sex, coupled with criminal behaviour, establishes sex offenders into a unique and highly controversial sub-group. With-in this already distinct group of offenders are a classification who assault children, known as paedophiles. Paedophiles, it could be argued are the most demonised criminals within society, as they not only question the heteronormative values, but expose a child to perceived adult experiences (Cohen, 2011). It could be suggested that once an offender is labelled as deviant in this way, society will interact and reinforce this perceived deviance and their own higher morality (Downes & Rock, 2003). Moral panics pertaining to sex offenders reinforce society's moral compass, while also marginalising those on the cusp.

Some suggest that the act of reporting news can sometimes be enough to generate anxiety or panic; shock value media and high profile cases, like Vanessa George, feed the moral panic and gender stereotypes surrounding sex offences (Carter, 2009). Vanessa George was the centre of a 2009 child abuse case, involving a paedophile ring from across the United Kingdom. George sparked a media panic when it emerged that the nursery worker was responsible

for taking in excess of sixty indecent pictures of children in her care (Clarkson, 2010). George and other female sex offenders contradict a public discourse of the male sex offender and so are often targets for moral panic; these women are not only corrupting innocent children but threatening the family unit (Davidson, 2008). Sharon Hayes discussed the issue of a lack of research in the area of female sex offending and the moral panic that this particular crime insures; Hayes research used previous studies and government figures to highlight contradictions in public discourse for female offenders and in particular the media moral panic that surrounds them. Laura Bexton's, 2011 exploratory research into female sex offenders, focused on three high profile female offenders in an effort to explain the womens actions, the media representation and the internet's involvement. The research also concluded that a female perpetrator was not only seen to be breaking a criminal law, but was also breaking the norms ascribed to a female (Bexson, 2011)

Tabloid newspapers even moved from just reporting the news to openly instigating a mass reaction, when the now former 'News of the World' began their 'Name and Shame' campaign in the summer of 2000. The newspaper controversially published the names and pictures of suspected paedophiles across the United Kingdom; a reaction to the revelation that Sarah Payne's killer, Roy Whiting had a previous conviction for similar crimes against a child (Weathers, 2013). The paper 'pledged' to identify all convicted child sex offenders within the United Kingdom; it could be argued that the paper used emotive language and pictures to incite a moral panic.



(BBC News, 2000)

Child protection groups and The Association of Chief Officers of Probation called for the newspaper to stop the campaign amid fears of violence, forcing offender's underground (Darley, 2000). Don Grubin, professor of forensic psychiatry at Newcastle University, researched sex offending against children and how the public perception of a growing threat of sexual abuse towards children in society is misplaced (Grubin, 1998). Grubin argued that the increased media presence of sex offending against children, increased society's perceptions of the level of this crime and lead to communities demanding

protection from this perceived threat. Grubin suggested that police time and resources would be best served implementing an inter-agency task force to deal with the actual problems instead of 'scapegoating' individuals in the public realm (Grubin, 1998).

United Kingdom sex offenders

A Sex offender refers to someone who has committed a sex crime; what constitutes a sex crime and what level of offense changes from country to country. Within the United Kingdom sex offences are crimes that are prosecuted under the Sexual Offences Act 2003. Sexual acts are deemed unlawful when the boundaries of consent are crossed; consent is defined as a person who agrees by choice to a sexual act, with the freedom and capacity to make that choice (CPS, 2013). Victims under the age of thirteen are considered under English law to be unable to give consent under any circumstance; however laws protect children up to the age of sixteen from both physical and non-physical sexual behaviour. Vulnerable children up to the age of seventeen are protected under the 'abuse of a position of trust', which prohibits sexual activities between children and adults in a position of care, including schools, colleges and residential care homes. Special provisions and guidelines are set out by the Crown Prosecutions service, regarding child offenders, as child are sexually active with other children; these specific criteria help to decide whether it is in the public interest to prosecute (CPS, 2013).

The Sexual Offences Act 2003 covers a wide range of offences and all would be subject to the label, sex offender. Offences include rape, trafficking with the intent to sexually exploit, child abuse through prostitution or pornography, sexual abuse of a vulnerable person, voyeurism without consent, exposure of the genitalia with intent to cause distress, penetration of a corpse or animal, drugging, trespassing or any offence with intent to commit a sexual offence and engaging in sexual activity in a public toilet (UK Legislation A, 2003). Each offence on the Sexual Offences Act 2003 has sentencing guidelines given down by the Crown Prosecution Service. Rape can carry a penalty of life imprisonment; the degree of the offence is taken into account after the 2003 case of Respondent versus Millberry (Bailii, 2002); this case established guidelines for courts to consider the degree of harm to the victim, the culpability of the offender and the level of risk posed by the offender within society. In contrast the lesser offence of exposure of genitalia carries a six months sentence and/or statutory fine (CPS, 2013).

Offenders that are sentenced to twelve months or more in prison for an offence under the Sex Offences Act 2003 and those thought to be at risk, are entered onto an offender database known as the Violent and Sex Offender Register or ViSOR; ViSOR is used by all forty-three police forces within the United Kingdom (Hughes, 2009). It is compulsory for convicted sex offenders to provide personal information, including their home address, age and national insurance number and to inform their local police station within three days of

any changes. An amendment in 2012 now requires offenders to also provide details of any person under eighteen living within their household, details of bank accounts, credit cards and passport details. Any travel abroad has to be requested seven days prior to travel and weekly check-ups are required if the offender is not residing at their permanent home address. Failure to report or disclose the information can lead to an up to a five year prison sentence (CPS, 2013). The register can be accessed by the police, national probation service and HM prison personal; privatisation of some prisons means these private companies would also have access. In 2010 the Supreme Court ruled that indefinite notification requirements were in breach of Article Eight of the European Convention on Human Rights. Article Eight, reinforces the ideology that each member of society, has the right to respect for private and family life, home and correspondence.

In 2007 the Government published a review of the protection of children from sex offenders; in response to this the Home office implemented measures for parents, guardians and carers to formally ask the police if a person has a record for child sexual offences and set up a organisations named, 'parents protect' to help keep the public informed (UK Government, 2013). It is suggested that the child sex offender disclosure scheme increases public confidence in the policing of sex offenders and heightens child security, however it could be argued this will only increase the moral panic and vigilante acts surrounding sex offenders. As Lemert suggests, how people interact with fellow members in society can have a profound effect on a person's psyche (Crimson, 2007).

Official criminal statistics are inherently inaccurate due to the dependency for the crimes to be reported and recorded correctly. For the interests of this research, the official statistics used are to establish or highlight trends and are seen as a core base number of offenders, who are known by the criminal justice system (Newburn, 2007). Between 2011/2012 figures suggest that 41,036 people were registered as sex offenders within England and Wales (Crick, 2012). In January 2013, the Ministry of Justice, the Home Office and the Office for National Statistics collaborated to produce a report using a range of statistics to provide an overview of sex offending within England and Wales (Home Office, 2013). Based on this data the table below shows the number of police recorded crime by sexual offences group between 2005 and 2012 in England and Wales.

Table 1.1

England and Wales							
Offence group	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	2010/ 11	2011/ 12
Rape of a Female	13,327	12,624	11,664	12,133	13,902	14,589	14,767
Rape of a Male	1,116	1,150	1,009	963	1,172	1,303	1,274
Sexual Assault on a Female	23,020	21,395	20,545	19,740	19,841	20,644	19,780
Sexual Assault on a Male	3,169	2,763	2,653	2,323	2,262	2,411	2,273
Sexual Activity with Minors	5,491	5,275	5,141	5,140	5,809	5,808	5,778
Other sexual offences	15,957	14,315	12,554	11,130	11,358	10,164	9,793
Total sexual offences	62,080	57,522	53,566	51,429	54,344	54,919	53,665

(Home Office, 2013)

The full report shows, in detail the full spectrum of offences, from the most serious offence of rape to indecent exposure. Table 1.1, however reflects a condensed version of this data and shows that in 2011/12 there were a total of 53,665 reported sexual offences within England and Wales. Elliott and Quinn (2002) suggested that public perception, was of a growing threat of sexual abuse towards children within society (Elliott & Quinn 2002); however table 1.1 indicates a downward trend in total offences overall.

American sex offenders

American law differs from that in the United Kingdom, as they are based firstly on the United States Constitution. The Constitution is the foundation of the federal government of the United States and establishes the rules and separate powers of the government and the principles that define federalism. Federalism is the political concept which binds the fifty states of America together, under a governing representative. Federal laws are the supreme law in the United States, however each of the fifty states also have individual laws that pertain to that particular state (USA Law, 2013).

As covered in the above section, the United States federal law covers similar sexual acts as the Sex Offences Act 2003; however, as each state can have differing laws, expressing the cultural differences across the individual

states. Only twelve of the fifty states have a single age of consent; the remainder have an age of consent, a minimum age of a victim and a maximum age differential between victim and defendant. The table below charts the differences from state to state (HHS, 2013).

Table 1.2

State	Age of consent	Minimum age of victim	Age differential between the victim and defendant (if victim is above minimum age)
Alabama	16	12	2
Alaska	16	N/A	3
Arizona	18	15	2 (defendant must be in high school and < 19)
Arkansas	16	N/A	3 (if victim is < 14)
California	18	18	N/A
Colorado	17	N/A	4 (if victim is < 15), 10 (if victim is < 17)
Connecticut	16	N/A	2
Delaware	18	16	N/A
District of Columbia	16	N/A	4
Florida	18	16	N/A
Georgia	16	16	N/A
Hawaii	16	14	5
Idaho	18	18	N/A
Illinois	17	17	N/A
Indiana	16	14	N/A
Iowa	16	14	4
Kansas	16	16	N/A
Kentucky	16	16	N/A
Louisiana	17	13	3 (if victim is < 15), 2 (if victim is < 17)
Maine	16	14	5
Maryland	16	N/A	4
Massachusetts	16	16	N/A
Michigan	16	16	N/A
Minnesota	16	N/A	3 (if victim is < 13), 2 (if victim is < 16)
Mississippi	16	N/A	2 (if victim is < 14), 3 (if victim is < 16)
Missouri	17	14	N/A
Montana	16	16	N/A

Nebraska	16	16	N/A
Nevada	16	16	N/A
New Hampshire	16	16	N/A
New Jersey	16	13	4
New Mexico	16	13	4
New York	17	17	N/A
North Carolina	16	N/A	4
North Dakota	18	15	N/A
Ohio	16	13	N/A
Oklahoma	16	14	N/A
Oregon	18	15	3
Pennsylvania	16	13	4
Rhode Island	16	14	N/A
South Carolina	16	14	Illegal if victim is 14 to 16 and defendant is older than victim
South Dakota	16	10	3
Tennessee	18	13	4
Texas	17	14	3
Utah	18	16	10
Vermont	16	16	N/A
Virginia	18	15	N/A
Washington	16	N/A	2 (if victim is < 12), 3 (if victim is < 14), 4 (if victim is < 16)
West Virginia	16	N/A	4 (if victim is e 11)
Wisconsin	18	18	N/A
Wyoming	16	N/A	4

(HHS, 2013).

In the United States the Sexual Offender Act 1994 requires, at a federal level anyone convicted of sex crimes against children have to register with their local police force; sex crimes not involving children are registered at the states discretion (Chrysanthi, 2011). Registration involves the offender supplying their age, weight, height, address, fingerprints, a current photo and any identifying marks to the police. The offender would also have to divulge the particular laws that they violated, e-mail addresses, chat room aliases used and employment details. Individual states are also given the powers to set additional requirements and sanctions, such as imposing residential and work restrictions (Chrysanthi, 2011).

The Sexual Offenders Act 1994 is accompanied by notification requirements; this is where information in the registry is made available to the public. Notification, known informally as Megan's law, came into effect in the United States in 1994, following the rape and murder of seven year old Megan Kanka, her neighbour Jesse Timmerdeguas was charged with the crime (Department of Justice, 2013). Offender registration information is available to the public online, though the National Sex Offender Public Website, coordinated by the Department of Justice and individual state and private websites; these identify adult convicted sex offenders, disclosing their name, picture, age and address (FBI, 2013).

Following the introduction of Megan's law, sex offender free zones signs were displayed in towns such as Wapello, Iowa.



(Whittaker, 2009)

Supplemental to the Sex Offences Act 1994, was the Adam Walsh Child Protection and Safety Act 2007 (Chrysanthi, 2011). This 2007 Act introduced requirements for all persons convicted of sex crimes to register with local authorities, permanently unless petitioned. The Act also added further sanctions on residency, in proximity to schools, child care facilities and playgrounds; laying down recommendations for sex offenders to avoid areas such as bus stops, gyms, parks, swimming pools, libraries and places of worship by up to 2,500 feet on a state by state basis (Chrysanthi, 2011). The Act also introduced a three tier classification system, categorising sex offenders according to their risk to the community, this federal mandate known as the Sex Offender Registration and Notification Act, known as SORNA, enforced all states to update state registration laws to include the new classifications and requirements (SMART, 2013)

The Bureau of Justice Statistics analysed data on sex crimes throughout the United States for the U.S Department of Justice and concluded after an initial report and two subsequent follow-ups, that rapists had the a low rate of re-arrest for new crimes, but were more likely than other to be re-arrested for the same crime (Greenfeld, 1997). Statistics gathered in conjunction with the Criminal Justice Agency and published by the National Centre for Missing and Exploited Children gives an indication of sex offender trends and how many sex offenders are currently registered across America (NCMEC, 2011). These 2011 figures indicate that the United States had 747,408 registered sex offenders nationwide.

Table 1.3

Sex Offender Statistics	
Total number of registered sex offenders nationwide in the U.S.	747,408
Total number of sex offenders under supervision of a corrections agencies	265,000
Percentage of sex offenders that will commit another sex crime after being released from jail	2.7 %
Percentage of sex offenders that will commit a crime (non-sexual) after release from jail	70 %
Percentage of sexually molested boys who are molested by someone they knew	93 %
Percentage of sexually molested girls who are molested by someone they knew	80 %
Percentage of second offenses that occur while living in a supervised community	60 %
Average re-conviction rate for a child molester	20 %
Average re-conviction rate for rapists	19%
Average annual cost to incarcerate a sex offender	\$22,000
Average number of years a sex offender serves of an 8 year sentence	3.5 years

(NCMEC, 2011)

Stand-out figures from this research are that ninety-three percent of boys and eighty percent of girl's, knew their attacker; these figures suggest that the stranger, danger perpetrator is largely a myth.

The effects

This research seeks to highlight the current issues surrounding sex offenders and their families; how do registrations and public notifications affect offenders? This question seems to remain largely untouched, however research is available. Zevitz and Farkas discuss the shortage of research in the area of sex offender notification and the impact on families and communities in their 2000 academic journal, Sex offending community notification (Zevitz & Farkas, 2000). The case study focused on Wisconsin and took information from a variety of sources including observational studies on notification meetings, in which those attending were asked to complete a short survey; professionals within the field of sex offending were also surveyed and face-to-face interviews were conducted with convicted sex offenders within the state. Results revealed that notification programs increased rather than decreased anxiety, while remaining a drain on resources. Findings from the research suggested that notification could increase recidivism, isolation from society and reduced family bonds. The interviews with convicted sex offenders revealed a need for established housing and rehabilitation treatment programs, to enable a successful return to society and reduce recidivism. This in-depth government case study highlights interesting points for professionals and the public alike. Even though the study was restricted to the state of Wisconsin, conclusions argued that trends expressed within this research could be generalised for the wider society (Zevitz & Farkas, 2000).

In 2008, Duwe, Donnay and Tewksbury discussed the issue that twenty-two states within the United States had passed legislation that enables local law enforcements to restrict where convicted sex offenders live (Duwe et al, 2008). Evidence suggests that sex offenders should be treated individually, however when it comes to registration, notification and residency restrictions, all are treated within limited perimeters; this isolation from family and increased levels of stress have been indicators of increased recidivism. The methodology was to collect data on offenders who re-offended with a new sex offense in the state of Minnesota. The initial data was taken between 1990 and 2002, in which time 3,166 sex offenders were released from prisons, of these offenders, 224 were re-incarcerated for new sex crimes by January 1st 2006. Stand-out data obtained showed how fifty-four percent of the sex crimes committed were in the offenders own home and of the 224, only three used prohibited areas to establish contact with the victim. Within the conclusion, this study suggests that residential proximity makes little difference to recidivism and that further study was needed into the effects. As residential restrictions have a profound effect on family ties, the conclusions from this study bear a great reference to the question at hand. This in-depth geographical study covered multiple variables and gives an unbiased empirical look at residential proximity in relation to sex offenders (Duwe et al, 2008).

Carol Berkowitz discussed the effects on the offender in her research paper, Sex offender registration: Balancing the rights of the individual with the public good (Berkowitz, 2010). Berkowitz uses previous victim research to

discuss the issue of balance within the area of sexual abuse, suggesting the need to address the rights of the offender. The research suggests the need to find a balance between the rights of an offender and the need to protect the community. Berkowitz's influence as a paediatrician is evident, as she makes interesting references from the medical world, including drawing a parallel with the impact of chronic illness on siblings of an affected child and the stigma attached to sex offenders, indicating a labelling process. This medical influence continues into the conclusion, which offers no answer, but a suggestion that the medical model of trying to ascertain a best practices model would be beneficial (Berkowitz, 2010).

Lucinda Rasmussen, an American PhD, from a social work background discusses the issue of the effects of sex offending registers in her 2010 article. Rasmussen uses the research of Comartin, Kernsmith, and Miles in 'Family experiences of young adult sex offender registration', to discuss the issue of the sex offenders registry and the need for a distinction between low and high risk offenders (Rasmussen, 2010). The present classification, this article is suggesting has a blanket approach to sex offenders; Rasmussen argues that this has a detrimental effect on low risk offenders and their families in particular, indicating a form of negative symbolic interaction taking place (Rasmussen, 2010). It is suggested that the added stress levels on the labelled offender and their family can increase chances of recidivism amongst these low risk offenders. The article concludes by suggesting society show caution when labelling young offenders and their families (Rasmussen, 2010).

Sean Maddens, author of, the labelling of sex offenders: the unintended consequences of the best intention public policies, researched how different theoretical perspectives are used to interpret sex offender data. Maddens suggested that the labelling theory offered a pathway to explaining sex crime offenses, due to the moral panic surrounding offenders and their families (Madden, 2008). Early sociological theory from Mead, suggested that the self, arises through social process. Applying this to sex offenders, it could be argued that reinforced negative processes could have a negative effect; thus permanent inclusion on to sex offender registers could inhibit, rather rehabilitate an offender (Madden, 2008).

It could be suggested that sex offender registries and notification programs feed a moral panic that generates strong emotional responses in the general public, it could be argued that because of this, the rights of sex offenders and their families become irrelevant. Evidence to suggest this comes from, Paul McMullan, a journalist from the former newspaper the News of the World. McMullan was quoted during the Leveson inquiry, as saying he was flippant with his reporting and felt proud to have written a story that incited a community to attack an innocent paediatrician (BBC, 2011). Within the United Kingdom, in the wake of the Sarah Payne case, the newspapers controversial name and shame story spurred a series of riots and attacks on the general public, by members of their own communities (BBC News, 2000). These attacks highlight the negativity around sex offenders and the mass reaction and moral panic that information regarding sex offenders ensues. Such attacks include, Dr Yvette Cloete who became the victim of confusion, after vigilantes confused her

professional title of paediatrician for paedophile; the doctor was forced to flee her home, in the middle of the night after vigilantes attacked and sprayed sexual graffiti on her home (Allison, 2000). Evidence suggests that vigilante attacks within the United Kingdom can be fatal, after the death of convicted sex offender, Andrew Cunningham. Cunningham, having been marginalised by his community and labelled a nonce, lived on the perimeters in a derelict area of South London. Cunningham, a fifty two year old, father of five was convicted of sexual intercourse with a fifteen year old girl and always upheld the matter was a misunderstanding; Cunningham was found stabbed multiple times, including an attempt to remove his genitals (Milmo, 2008).

Within the United States, notification programs highlight offenders to the general public and this adds a different dimension to vigilante attacks, as information regarding offenders is readily available. It could be argued that records of such a sensitive nature should be used by professionals only. Evidence to suggest this is an example from Iftikhar Khan of Utah, who was mistakenly added to two state sex offender registries, in what turned out to be a case of mistaken identity (WGME13, 2012). This mistake highlights the human element and errors within sex offender registers, suggesting that they should be used with caution. Errors also undermine their use; it could be argued, if innocent people are added to registers, are offenders left off. Examples of vigilante attacks include numerous reports of strangulation of inmates by inmates while in prison (Anon A, 2013). Other examples include, Kenneth McClure who was found shot dead in his car in 2010. The fifty-four year old, from St. Louis was due in court the following morning on charges of rape of a thirteen year old girl (KMOV News, 2010). In Virginia, in 2011 a convicted sex offender had to flee a vigilante gang on his moped, only to be chased and struck by a car (Williams, 2011). This case could suggest inconsistencies in sentencing due to the previous offences of the victim; Judge Samuel Campbell, presiding judge on the case agreed to terms that included no jail term for the defendant, twenty year old Daniel Narron. Narron pleaded guilty to one felony charge and two misdemeanours after chasing the victim, fifty-four year old, Rudolph Ellis along with three of his friends. After the case Ellis criticised the plea agreement and the police, for harassment and refusing to investigate the issue fully due to his previous conviction (Williams, 2011).

Looking forward

Within the United Kingdom, Article Eight of the European Convention on Human Rights has taken effect; as a result of this ruling, appeals against inclusion onto the national register can be made after fifteen years registration (Human Rights Review, 2012). It could be suggested that the tabloid media reaction was familiar, with The Sun newspaper running the headline below in March 2013, in reaction to seventy-one year old George St Angeli becoming the first convicted sex offender to have his name removed from the national registry, under the new court rulings.

Paedo free to prowl

Selling insurance or double glazing? No. He's first pervert off Sex Offenders Register... now floodgates could open

(Atkinson, 2013)

In November 2012, a convicted sex offender won a high court battle to remove a Facebook page established to monitor paedophiles in Northern Ireland. The offender, known only as Mr XY began legal proceedings after discovering photographs of himself and threatening comments posted on a page entitled, keeping our kids safe from predators, on the social networking site. Even with competing freedom of expression arguments the court ruled in favour of Mr XY and ruled that the page be removed (BBC News, 2012). These rulings establish the evidence that inclusions onto registers can be detrimental to offenders; the judge presiding, Mr Justice McCloskey was quoted by saying, "Society has dealt with the plaintiff in accordance with the rule of law" (BBC News, 2012). It could be argued that this quote could be a suggestion that the general public have no place dealing with such sensitive material and that the notification process used though-out the United States is a damaging practise.

It could be argued that in contrast states within America are using their rights to impose further restrictions on offenders. In May 2013 the state of Michigan passed a bill which expanded the sex offender registry to allow the general public to view all tiers of the sex offender registry (Cassar, 2013). This means that offenders in the tier one category, crimes that would include the possession of child pornography or a second conviction for prostitution will be available to the general public. Some would suggest that the detrimental long-term affect that inclusion has, out-weighed the public safety; state governors argued that any parent has the right to know (Cassar, 2013). In reaction to the murder of a twelve year old boy by a twice convicted sex offender in Louisiana, Texas currently has Bill 1302 passing through its house; this bill will result in anyone convicted twice of a sexual crime involving a child to receive a mandatory lifetime prison sentence (Evans, 2013). The 'two strikes and you're out' bill will not allow parole and also contains further restrictions banning first time offenders from particular employment (Evans, 2013).

Bennett and Marshall conducted a literature review in 2005 to ascertain intervention guidelines for parents of adolescent sex offenders. This article discusses the importance of parent involvement in treatment programs for adolescent sex offenders. This paper uses clinical and research literature to produce a set of eight guidelines to be used with parents of adolescent sex offenders in a group environment. The guidelines are techniques parents can use to help them have a better understanding of the issues faced by their adolescent. Each of the eight guidelines are meant to be used in a group setting and include assessing potential traits, within the family unit which may be inadvertently

maintaining the adolescents offending behaviour. The guidelines also suggest that parents should be provided with support while they deal with the emotional trauma surrounding this specific offense. This conclusive literature review of the available literature provides a break-down of relevant information for professionals to use and suggests efforts to educated families within society that are effected (Bennett & Marshall, 2005).

Psychiatric assessments of sex offenders at the Portman clinic in London, suggest that although a majority of sex offenders have dependency or personality issue they do not suffer from a major mental illness and that medical intervention should be considered an extension of punishment rather than treatment (Gordon & Grubin, 2004). This research, it could be suggested disputes the medicalization of sex offending and is evidence that sexual behaviours, currently considered sex crimes could be sexual preferences that have been socially constructed to be considered deviant, criminal and in turn vilified.

A comparison

A lack of research into the effects on sex offenders, within the United Kingdom does limit the comparisons that can be made in this area, however some can be made. This research has discussed the number of sex offenders registered within the United States and the United Kingdom, within 2011; to establish a base number for each country, this research will use these figures and population estimates to make comparisons.

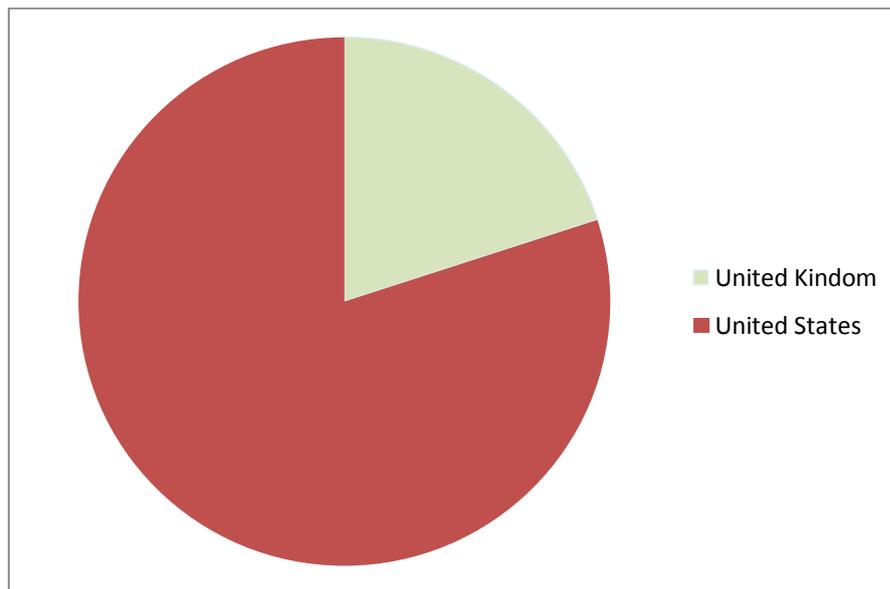
Table 1.4

	Registered sex offenders – 2011 (A)	Estimated population – 2011 (B)	Estimated sex offenders per 10,000 people (A/B = C x10,000) 1dp
United Kingdom	41,036	63,200,000 (ONS, 2013)	6
United States	747,408	311,800,000 (Rosenberg, 2011)	24

These figures suggested that for every 10,000 people in the United Kingdom, there are six registered sex offenders; for every 10,000 people in the United States, there are twenty-four registered sex offenders.

As shown, the United States and United Kingdom consider similar acts, as sex crimes and impose similar punishments, up until the public notification procedures up-held in the United States. It could be suggested that even with strict laws and life-time punishments; the United States has eighteen more sex offenders per 10,000 people than the United Kingdom. The chart below illustrates, clearly the figures from above, highlighting the distribution of registered sex offenders between United Kingdom and United States in 2011.

Table 1.5



Chrysanthi (2011) discussed the issue of over-demonising sex offenders, suggesting the United States uses the bogeyman image to justify a ‘one size fits all’ argument, which leans towards imposing strict penalties on all. A 2001 Home Office report suggested that a clear and consistent classification system needs to be in place, to combat inequalities (Maguire et al., 2001). It could be argued that although limited research has been undertaken by the United Kingdom, there is an understanding that the label of sex offender is damaging and not all offenders fit into the sexual predator category.

The research discussing the effects on sex offenders, suggests that notification systems have a detrimental effect on offenders, however empirical evidence showing positive effects on recidivism have yet been produced. It could be suggested that, as the United Kingdom does not have public notification processes, there is agreement with the research undertaken in the United States. Public notification could in fact be seen as a breach of Article One of the Human Rights Act, if a murder was to take place due to public notification. The breach would be seen as recklessness for a person’s right to life and is distinctly different to the American policy of openly naming. The European Convention on Human Rights upholds the rights of all (Human Rights Review, 2012), this influence within UK law creates a system by which offenders have the

opportunities to develop, rehabilitate and move away from the restraints of the sex offender register. It could be argued that this is in sharp contrast to the United States, where this research has indicated that individual states continue to lobby for tougher restrictions and punishments for all sex offenders.

Conclusion

This research wished to develop a cross-cultural understanding of sex offending and in particular the use of sex offender registries, looking at the impact from the perspective of the offender and their families and questioning whether legislation in place, is a cruel and unusual punishment. Within the symbolic interactionism framework, this research has shown how others treat a person has a profound effect; having gathered the relevant articles available on the issue, this research concludes that public notification and restriction programs infringe on human rights and should be seen as a unusual, almost cruel extension of punishment.

This research has produced grounds to make such claims, by first highlighting the importance of a morality within society; this public-will can be stimulated to induce moral panics within both the United Kingdom and the United States. Society develops through symbolic interaction and it could be argued that the symbolization, that represents sex offenders, seems to be an extreme, distorted image, which fits an expectation but not the reality. Statistics here have shown, the perpetrator is usually known to the victim, suggesting the stranger, danger aspect is a myth; the perception of an increasing menace of sex offenders could also be considered inaccurate, as the figures shown in this research suggest that sex offenses are on the decline. Crime statistics and in particular, sex offence figures should not be taken with high validity, however it is an interesting comparison to the public's perception on the issue. Public policy, developed out of societal pressure should be avoided, when the information could be sourced from prurient news, developed to stimulate but also condone, for sales or political gain. Sex offending raises such strong feelings that it could be argued that there should be strong practices in place to deal with this complex issue. These should involve the offender at an individual level and include educating the general public, hopefully to diminish the vigilantly approach often associated with these offences.

Research has shown that supporters of notification programs consider the threat of recidivism a sufficient argument for the strict restrictions enforced on offenders. The research shown here is underdeveloped, but clearly highlights that such restrictions create social exclusion and discrimination, which prevent sex offenders from successfully reintegrating into society and leading a socially responsible life. The restrictions imposed do not counter the impact of being publicly labelled a sex offender and it could be argued that they in fact reinforce the negative cast-off label and stimulate vigilantism. Mob justice cannot be seen as justice, in a democratic world and should be shown to be unacceptable; the intolerance shown for sex crimes and the impact this can have on offender's

progress suggests that public notification should be considered an all most cruel, unusual practice, which infringes a person's human rights. Police within the United Kingdom recognise the negative ramifications of exposing sex offenders, as shown during the name and shame campaign, suggesting this forces offenders underground and reduces the ability to monitor them. Instead of seeking extra punitive measurements, further empirical research into the effects of notification and restriction programs, needs to be developed to educate the public's understanding of sex offenders and rehabilitate the offender, allowing for reintegration and positive development within communities.

The notion that sex offenders might have a mental disorder requiring treatment, rather than be manifesting behaviour requiring punishment is subject to debate, both publically and academically. It is strongly suggested by this piece of research that the medicalization of sex offending be considered a dangerously fluid concept; castration and other medical influences should be used with caution, to not discriminate against a particularly taboo offence; acts which repulse, may not be the actions of a madman.

This research considers public notification programs to be detrimental, however accepts that the predatory nature of some sex offending crimes, does denote a need to monitor offenders. Registry systems in both United States and United Kingdom, which are available to enforcement agencies only, are a valid and necessary aspect to the crime. Agreement can be made however with the European decision to establish a time-frame for offenders; life-time inclusion offers limited scope for rehabilitation and should be used in extreme cases rather than the norm. This indicates that the spectrum which denotes who is labelled a sex offender needs careful consideration, with clear and consistent classifications being made.

Within a civilised, educated society, is it wise to ignore actions because they offend or repulse. Sex offender values, needs and outlooks need to be researched and understood so that feasible recommendations can be made, addressing why these types of crimes take place, how the urges can be curbed and what the best routes to reintegration are.

Word Count: 9072

Reference list

Acts of Parliament (2013) *Human Rights Act 1998*, Joint committee on Human Rights eighteenth report [online] Available from: <http://www.publications.parliament.uk/pa/jt200607/jtselect/jtrights/156/15612.htm> (Accessed on 5th March 2013)

Allison, R (2000) *Doctor driven out of home by vigilantes*, The Guardian [online] Available from: <http://www.guardian.co.uk/uk/2000/aug/30/childprotection.society> (Accessed on 29th March 2013)

Anon A (2013) *Sex offenders: murdered archives* [online] Available from: <http://on-murders.blogspot.co.uk/> (Accessed 5th May 2013)

Atkinson, J (2013) *Paedo free to prowl*, The Sun News [online] Available from: <http://www.thesun.co.uk/sol/homepage/news/justice/4833905/Thousands-of-paedophiles-could-soon-be-free-to-roam-Britains-streets-unchecked-after-first-sex-beast-wins-right-to-have-his-name-removed-from-Sex-Offenders-Register-in-landmark-court-ruling.html> (Accessed 5th May 2013)

ailii (2002) *England and Wales Court of Appeal (Criminal Division) Decisions*, Bailii [online] Available from: <http://www.bailii.org/ew/cases/EWCA/Crim/2002/2891.html> (Accessed 11th May 2013)

BBC News (2000) *Sarah's parents back 'name and shame'*, BBC News [online] Available from: <http://news.bbc.co.uk/1/hi/uk/862416.stm> (Accessed on 16th January 2013)

BBC News (2012) *Facebook given 72 hours to remove paedophile monitoring page*, BBC News [online] Available from: <http://www.bbc.co.uk/news/uk-northern-ireland-20556775> (Accessed on 10th January 2013)

Bell, J (2010) *Doing your research project: A guide for first-time researchers in education*, Health and Social Science, Fifth Edition, Open University Press, London

Bennett, R., Marshall, E (2005) *Group work with parents of adolescent sex offenders: intervention guidelines*, Advances in Social Work, Vol six, Issue two, p276-289

Berkowitz, C (2010) *Sex offender registration: Balancing the rights of the individual with the public good*, Journal of child sexual abuse, Vol. 19 Issue 2, USA, Taylor and Francis Group

Bexson, L (2011) *The ultimate betrayal – Female child sex offenders*, Internet journal of Criminology [online] Available from: http://www.internetjournalofcriminology.com/Bexson_Female_Child_Sex_Offenders_IJC_July_2011.pdf (Accessed on 5th April 2013)

Bury Times (2011) *Residents lose sex offenders campaign* [online] Available from:
http://www.burytimes.co.uk/news/9304298.Residents_lose_sex_offenders_campaign (Accessed on 29th November 2011)

Bryman, A (2008) *Social research methods*, Third edition, Oxford University Press, Oxford

Carter, H., Morris, S (2009) *Nursery sex abuse case: the culprits*, Guardian [online] Available from:
<http://www.guardian.co.uk/society/2009/oct/01/childprotection-ukcrime>
(Accessed on 29th March 2013)

Carpenter, B., Hayes, S (2011) *Crimes against morality*, Introduction to crime and Criminology, Pearson education, Australia

Cassar, R (2013) *Michigan sex offender registry expands*, Digital journal press release news [online] Available from: <http://www.digitaljournal.com/pr/1232960>
(Accessed 12th May 2013)

Chrysanthi, L (2011) *Sex fiends, perverts and paedophiles: Understanding sex crime policy in America*, New York, New York University Press

Clarkson, W (2010) *Vanessa: A portrait of evil*, Penguin, United Kingdom

Cohen, S (2011) *Folk devils and moral panics*, Third edition, Routledge, London

Corbetta, P (2003) *Social research: Theory, methods and techniques*, Sage, London

CPS (2013) *Sexual offences*, The Crown Prosecution service [online] Available from: http://www.cps.gov.uk/news/fact_sheets/sexual_offences/ (Accessed on 16th March 2013)

Crick, A (2012) *Sex fiend Britain*, the Sun [online] Available from:
<http://www.thesun.co.uk/sol/homepage/features/4716997/Sex-fiend-Britain-Sun-map-locates-every-pervert-in-England-and-Wales.html> (Accessed on 16th March 2013)

Crinson (2007) *Concepts of health and illness and aetiology of illness*, Labelling and stigma, Health knowledge [online] Available from:
<http://www.healthknowledge.org.uk/public-health-textbook/medical-sociology-policy-economics/4a-concepts-health-illness/section3> (Accessed 3rd March 2013)

Critcher, C (2006) *Critical readings: moral panics and the media*, London, Open University Press

Darley, A (2000) *New attempt to end paper's 'name and shame' campaign*, The Independent [online] Available from:
<http://www.independent.co.uk/news/uk/this-britain/new-attempt-to-end-papers-name-and-shame-campaign-706975.html> (Accessed on 19th March 2013)

Davidson, J (2008) *Child sexual abuse: Media representations and government reactions*, Internet journal of Criminology, Routledge-Cavendish, Abingdon

Department of Justice (2013) *Megan's Law home*, State of California Department of Justice [online] Available from: <http://www.meganslaw.ca.gov/> (Accessed on 19th May 2013)

Downes, D., Rock, P (2003) *Understanding deviance*, Fourth edition, Oxford University Press, Oxford

Duwe, G., Donnay, W., Tewksbury, R. (2008) *Does residential proximity Matter - A geographic analysis of sex offense recidivism*, Criminal Justice and Behaviour, Volume 35, p484-504

Elliott, C., Quinn, F (2002) *Criminal Law*, Fourth Edition, London, Pearson

Evans, G (2013) *House passes '2 strikes' child sex offender bill*, News journal Texas [online] Available from: http://www.news-journal.com/news/local/house-passes-strikes-child-sex-offender-bill/article_dc3b77bd-8549-5dd8-9f20-a0ed07c0dfea.html (Accessed 12th May 2013)

FBI (2013) *Sex offender registry websites*, Federal Bureau of Investigation [online] Available from: <http://www.fbi.gov/scams-safety/registry/registry> (Accessed 5th May 2013)

Giddens, A (2009) *Sociology*, Sixth edition, United Kingdom, Polity Press

Gordon, H., Grubin, D (2004) *Psychiatric aspects of the assessment and treatment of sex offenders*, Advances in psychiatric treatment – Journal of continuing professional development, Volume 73 [online] Available from: <http://apt.rcpsych.org/content/10/1/73.full.pdf+html> (Accessed 22nd March 2012)

Greenfeld, L (1997) *Sex offenses and offenders - An analysis of data on rape and sexual assault*, U.S. Department of Justice [online] Available from: <http://bjs.gov/content/pub/pdf/SOO.PDF> (Accessed 5th May 2013)

Grubin, D (1998) *Sex offending against children: Understanding the risk*, Home Office, Policing and reducing crime unit, Paper 99 [online] Available from: <http://library.npia.police.uk/docs/hopolicers/fprs99.pdf> (Accessed 5th May 2013)

HHS (2013) *Summary of current state laws*, U.S. Department of Health and Human Services [online] Available from: <http://aspe.hhs.gov/hsp/08/sr/statelaws/summary.shtml> (Accessed 8th March 2013)

Home Office (2013) *An overview of sexual offending in England and Wales*, Home Office and Ministry of Justice [online] Available from: <https://www.gov.uk/government/publications/an-overview-of-sexual-offending-in-england-and-wales> (Accessed 8th March 2013)

Hughes, M (2009) *The big question: Are there too many police forces, and does the system need an overhaul*, The Independent [online] Available from: <http://www.independent.co.uk/news/uk/crime/the-big-question-are-there-too->

[many-police-forces-and-does-the-system-need-an-overhaul-1823872.html](http://www.internetjournalofcriminology.com/many-police-forces-and-does-the-system-need-an-overhaul-1823872.html)
(Accessed 11th May 2013)

Human Rights Review (2012) *Article 8: The right to respect for private and family life, home and correspondence* [online] Available from:
http://www.equalityhumanrights.com/uploaded_files/humanrights/hrr_article_8.pdf (Accessed 11th May 2013)

KMOV News (2010) *2 arrests in sex assault suspect murder*, KMOV News [online] Available from: <http://www.kmov.com/news/mobile/St-Louis-County-police-investigate-homicide-111068344.html> (Accessed 5th May 2013)

Lee-Treweek, G., Linkogle, S (2000) *Danger in the field: risk and ethics in social research*, Routledge, London

Maddan, S (2008) *The labelling of sex offenders: The unintended consequences of the best intentioned public policy*, University Press of America

Maguire, M., Kemshall, H., Noaks, L., Wincup, E., Sharpe, K (2001) *Risk management of sexual and violent offenders: The work of public protection panels*, Home Office [online] Available from:
<http://library.npia.police.uk/docs/hopolicers/prs139.pdf> (Accessed on 18th March 2013)

McLaughlin, E., et al (2003) *Criminological perspectives – Essential reading*, Second edition, Sage Publications, London

McRobbie, A., Thornton, S (1995) *Rethinking 'moral panic' for the multi-mediated social worlds*, The British Journal of Sociology, Volume 46

Milmo, C (2008) *Police investigate 'vigilante attack' claim after murder of sex offender*, The independent [online] Available from:
<http://www.independent.co.uk/news/uk/crime/police-investigate-vigilante-attack-claim-after-murder-of-sex-offender-1064477.html> (Accessed on 16th January 2013)

NCMEC (2011) *Annual Report*, National Centre for Missing & Exploited Children [online] Available from:
http://www.missingkids.com/en_US/publications/NC171.pdf (Accessed 8th March 2013)

Newburn, T (2007) *Criminology*, London, Willan

O'Donoghue, T. (2006) *Planning your qualitative research project: An introduction to interpretivist research in education*, Dawsonera [online] Available from:
<http://www.dawsonera.com/depp/reader/protected/direct/AbstractView,readerButtons eBookView.sdirect?state:reader/protected/AbstractView=Br00ABXcMAA AAAQAABWVpc2JudAANOTc4MDIwMzk2NzcYMA%3D%3D> (Accessed on 9th November 2012)

ONS (2013) *Population*, Office for National Statistics [online] Available from: <http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Population> (Accessed on 22nd May 2013)

Rasmussen, L. (2010) *A commentary on the Michigan sex offender registration*, Journal of Child Sexual Abuse, Volume 19, p234-237, Routledge Taylor and Francis group

Rosenburg, M (2011) *Current USA population* [online] Available from: <http://geography.about.com/od/obtainpopulationdata> (Accessed on 22nd May 2013)

SMART (2013) *SORNA*, Office of sex offender, sentencing, monitoring, apprehending, registering and tracking [online] Available from: <http://www.ojp.usdoj.gov/smart/sorna.htm> (Accessed on 8th December 2012)

Thomas, T (2005) *Sex crime : Sex offending and society*, 2nd edition, Willan Publishing [online] Available from: Dawsonera [http://www.dawsonera.com/depp/reader/protected/direct/AbstractView,title.\\$ReaderFunctions eBookView.sdirect?state:reader/protected/AbstractView=ZH4sIAAAAAAAAAFvzloG1XJiBgYGJkYG1JLMkJ5WBNTWzOCmvhIHX0tzCOMLE2NLIzNzEoJyDAYcMAPNxY01DAAAA](http://www.dawsonera.com/depp/reader/protected/direct/AbstractView,title.$ReaderFunctions eBookView.sdirect?state:reader/protected/AbstractView=ZH4sIAAAAAAAAAFvzloG1XJiBgYGJkYG1JLMkJ5WBNTWzOCmvhIHX0tzCOMLE2NLIzNzEoJyDAYcMAPNxY01DAAAA) (Accessed on 29th November 2012)

UK Government (2013) *Find out if a person has a record for child sexual offences*, Home Office [online] Available from: <https://www.gov.uk/find-out-if-a-person-has-a-record-for-child-sexual-offences> (Accessed 5th May 2013)

UK legislation A (2003) *Sexual Offences Act 2003*, UK Government [online] available from: <http://www.legislation.gov.uk/ukpga/2003/42/contents> (Accessed on 29th November 2012)

USA Law (2013) *Laws and regulations* [online] Available from: <http://www.usa.gov/Topics/Reference-Shelf/Laws.shtml> (Accessed 5th May 2013)

US federal law (2010) *Megan's Law* [online] available from: <http://www.meganslaw.ca.gov> (Accessed on 29th November 2012)

Weathers, H (2013) *Roy Whiting's first victim*, Daily Mail [online] Available from: <http://www.dailymail.co.uk/news/article-95390/Roy-Whittings-victim.html> (Accessed 18th May 2013)

WGME13 (2012) *Mistaken sex offender*, WGME13 News [online] Available from: http://www.wgme.com/news/top-stories/stories/wgme_vid_14330.shtml (Accessed 5th May 2013)

Whittaker, B (2009) *Sign from Wapello – Iowa* [online] Available from: http://en.wikipedia.org/wiki/File:Wapello_sign.jpg (Accessed 21st May 2013)

Williams, R (2011) *No new jail time in Hopewell sex offender hit-and-run case*, Richmond Times Dispatch [online] Available from:

http://www.timesdispatch.com/archive/article_56bde38b-b5b0-517b-a44f-73050f646d82.html (Accessed 5th May 2013)

Zevitz, R., Farkas, M (2000) *Sex offender community notification: Assessing the impact in Wisconsin*, National Institute of Justice: Research in brief, U.S. Department of Justice