

# An Evaluation of Sex Offender Treatment for Offenders Sentenced to Custody

By Lewis Evenden<sup>1</sup>

## Abstract

*The intention of this dissertation was to examine the effectiveness of the prison based Sex Offender Treatment Programme (SOTP). It considered the history and content of the programme before analysing existing evaluations of the treatment to draw recommendations for future research and practice.*

*Secondary research was used throughout the paper allowing for the difficulties in accessing sex offenders and their environment to be overcome, but also it allowed for time and cost to be kept to an absolute minimum. Home Office studies were the main focus of the dissertation as they provided the most comprehensive results, although the analysis of these was also supplemented by psychology-based evaluations.*

*The research identified that evaluating the effectiveness of sex offender treatment programmes was not straight forward and that it was mainly methodological issues, such as a low base rate when using reconviction data, which have prevented firm conclusions being drawn about the efficacy of the programme. Despite these issues many of the evaluative studies carried out on the SOTP suggested that the programme was insufficient in dealing with high risk offenders. Interestingly this dissertation also touches on the findings that, community provisions in dealing with this category of offender also seem to be inadequate, but without an effective method of testing the efficacy of these provisions, the findings of the studies should be treated with caution. The study also identified a number of areas for further consideration, which are outside the remit of this project, and a number of recommendations to try to improve the situation with regards to demonstrating the efficacy of the programme. These included longer follow up periods and the incorporation of treatment within the follow up contact in order to improve the programmes ability to deal with high risk offenders.*

---

<sup>1</sup> This Dissertation is submitted in part-fulfilment of the degree of Bachelor of Arts (Honours) Criminology at Nottingham Trent University

# Introduction

Sexual offenders are complex individuals for the Criminal Justice System (CJS) to effectively deal with. The offences committed by these individuals are acknowledged as serious and damaging to both their victims and society (Brown, 2005). The handling of these offenders is made more difficult for the government and criminal justice agencies as notorious cases are never far from the glare of the media (Craissati 2004; Hudson 2005). Over the last two decades sex offenders have very much become the 'folk devils' (Cohen, 1973) of society, created by the media. In the 1980s it was the rapist, with such crimes as the '1980s Bristol rape cases' (BBC, 2008) for which Kenneth Pylle was jailed for in 2008 and in the 1990s it was the 'predatory paedophile' branded the highest risk, most notoriously Roy Whiting, for murdering Sarah Payne in 2000 and David Joy, for possessing and making indecent images of children (BBC, 2007b). Due to these perhaps, 'moral panics' (Cohen, 1973), the development of the treatment provisions available to sex offenders receiving custodial sentences has developed dramatically over the last four decades (Beech et al, 1999), yet there has been little indication as to whether these provisions actually reduce reoffending; making the treatment and management of sex offenders a hot topic.

## 1.1. Aims of the Research

The aim of this research is to evaluate the efficacy of the prison based Sex Offender Treatment Programme (SOTP) in England and Wales, by analysing existing evaluations of the intervention. The main objective of this Dissertation is to determine whether the treatment is effective in reducing the criminal behaviour of sexually deviant offenders. The research will centre on the elements of the treatment that are ineffective and raise issues of concern. The paper will also give an overview of the current provisions of the SOTP and will analyse the integrity of the programme delivery. It will then be possible to produce recommendations for future research and practice in this area.

## 1.2. Structure

Chapter Two will provide the overview of current provisions available to sex offenders sentenced to a custodial sentence of one or more years. Chapter Three will examine the existing evaluations of the National SOTP and consider the issues raised by these assessments in order to conclude whether the programme is in fact effective. Chapter Four will conclude, by summarising the findings of the previous chapters and provide recommendations for future practice and research.

## Literature Review

Sexual crimes have widely been recognised as a serious social problem in the UK, particularly over the last two decades (Brown, 2005; Hudson, 2005). In the 21<sup>st</sup> century there has been a major interest in these crimes and their offenders from the government, public and the media. Whilst it is important to acknowledge that the nature of these crimes undoubtedly makes them amongst the most damaging to their victims and society, it is also important to mention that sexual crimes only account for 1% of all police recorded crime committed in the UK (Nicholas et al, 2007). Despite these small numbers, public anxiety surrounding these offences is prevalent, arguably influenced by the media's increased coverage and representations of sex crime (Brown, 2005). The illustration of sex offenders portrayed by the tabloid media as lonely, predatory sociopaths who are in some way very different to the rest of society, highlighted by headlines such as 'cop's vow over sex beast' (The Sun, 2001) and 'Judge lets new perv walk free' (Pyatt, 2008), has become instilled into modern day Britain. 'Monster and Beast' are common euphemisms for sex offenders in the prison system (Sampson, 1994: 43). Due to this evil status that sex offenders have been labelled with, 'there would appear to be no ethical constraints on how members of the public believe sex offenders should be managed' (Hudson, 2005: 22), nor how they ought to be treated in prison. Much of society are aware and accepting of treatment programmes for sex offenders (Pithers 1997), although would not know what these programmes entailed nor the theories and reasoning underpinning these treatments (Beech et al, 1999). The public are aware of these programmes to the extent to which they support treating sex offenders because it might enable them to refrain from further abuse of innocent victims (Pithers, 1997). The public's view of sex offenders is over simplistic and incomplete; yet should not be dismissed, as it is a key player in how sex offenders are dealt with. Society's eagerness to exclude sex offenders, particularly paedophiles (Craissati, 2004) has been highlighted in the media, most notably in 1998 and the vigilantism surrounding Sydney Cooke, a serial paedophile. The dangers of the public's simplistic attitude were highlighted by the then Home Secretary, Jack Straw.

'If the authorities, with all their skill and professionalism, are not left to manage the risk posed by paedophiles, then children will face greater risks...sex offenders could be driven underground, increasing the dangers to children, if people took the law into their own hands.'

(BBC, 1998)

The current position taken by the HM Prison Service and the government has developed over the last four decades. Correctional intervention including sex offender treatment came under much scrutiny in the early seventies. There was a cynicism surrounding rehabilitating offenders due to the increasing crime rates particularly by 1963, which saw the highest crime rate of the century up until that point (Metropolitan Police website). This led commentators to research the effectiveness of rehabilitative measures designed to reform prisoners. Much of the work in this area is often accredited to Martinson (1974) who simply concluded that rehabilitative measures were no more effective than purely penal sentences, a conclusion that 'Nothing Works' (Martinson, 1974). Despite much criticism this ethos changed the political viewpoint and legislation moved away from rehabilitative ideals to purely punitive measures, where these types of crime were seen as purely evil (Hopkins-Burke, 2005). Despite political change, criticism of Martinson's work developed in the criminological field and was fuelled by the work of Gendreau and Ross (1979) who, amongst others were concluding more positively about correctional intervention. In recent years there has been a restoration of the rehabilitative perspective in prisons none more so than the treatment and management of sex offenders due to the 'What Works' initiative (McGuire, 1995).

The public concern surrounding sexual offending and the political profile of sex offender treatment increased during the 1980's due to prison riots in Strangeways, Manchester (1990) and the public's growing alarm that the Criminal Justice System wasn't taking sexual offences seriously enough, specifically rape. 'In the UK during the 1980's, concern was expressed that the police and the courts were not taking a severe enough view of rape' (Brown, 2005: 12). Following the 1980's two publications, the Woolf Report (1991) and the Criminal Justice Act 1991 (CJA 1991) introduced specific arrangements for the management of incarcerated sexual offenders (Friendship et al, 2003). The CJA 1991 also toughened sentences for sexual offenders, making this category more eligible for custody. This was the first of a wave of legislation throughout the 1990's, which toughened penalties, lengthened sentences and recently increased the monitoring of offenders in the community (Hudson, 2005). Also in 1991 the Home Office introduced the national Sex Offender Treatment Programme (SOTP), the HM Prison Services' strategy for treating sex offenders in custody. Despite the public opinion of wanting to lock sexual offenders up for life, unavailable custodial resources meant that this could not be a realistic approach. Prisons in the UK are overcrowded and sentencing structures allow almost all sex offenders to return to the community after imprisonment (Brown, 2005). The 'What Works' initiative which was politically introduced by the Crime Reduction Strategy (Home Office, 1999) stemmed from the realisation of the conservative government in the late 1980's that there needed to be more than just purely punitive measures and that imprisonment alone was not the best form of crime reduction. Later in 1995, McGuire introduced a structure for intervention programmes to avoid the reoccurrence of criticism like that of the 'Nothing Works' era. The ideas that intervention should be tested before being introduced nationally and should be tailored to the individual offender are requirements from the work of McGuire (1995), which are now necessary for treatment to be accredited.

Along-side the development of the 'What Works' initiative and evidence based approaches towards rehabilitative intervention, it's important to indicate that the government continued to introduce punitive measures. The early 1990's saw a string of legislation; the CJA 1991, the 1996 Sexual Offences Act and the 1996 Criminal Evidence Act all accumulated in the 'Sexual Offences Act 1997', which toughened the sentencing structure for sex offenders (Hudson, 2005: 29). This has propelled the theory of a 'new penalty' (Feeley and Simon, 1992) or 'Risk Society' (Beck, 1992), which is 'less concerned with responsibility, fault... or intervention and treatment of the individual offender. Rather, it is concerned with techniques to identify, classify and manage groupings sorted by dangerousness' (Feeley and Simon, 1992: 452). The essence of the debate is purely that post-modern society is failing to deal with the risks posed to it and that there is a reduction in faith of experts and government (Giddens, 1990). Therefore, rather than solving the problems of crime, there is a realisation that the risk of crime must be controlled and managed (Kemshall, 2003). The current penal practice of preventative sentencing, which is not driven by the traditional severity of the offence, but more by risk factors and the 'future risk of harm' presented by the offender (Wasik and Taylor, 1991 cited in Kemshall, 2003: 21) supports this debate and has been highly visible since legislation enacted in 2003. 'Incapacitation as a strategy of crime management aims not to reform individual offenders but to redistribute the risks away from society to prison, a policy recently intensified by the use of selective incapacitation aimed at high risk offenders (Kemshall, 2003).

The Criminal Justice Act 2003 (CJA 2003) and Sexual Offences Act 2003 were introduced after high profile media cases brought to the attention of both the government and the public, areas of concern. Of particular reference is the abduction and death of Sarah Payne in 2000, which highlighted weaknesses in the then current legislation. The offender, Roy Whiting had previously served two years in prison for the attempted abduction of a young girl and had

refused treatment. Not only did this case highlight the need for indeterminate sentences, which were introduced by the CJA 2003, it also highlighted the criticism of the SOTP being a voluntary program. It could be argued that, if Roy Whiting was given an indeterminate sentence and the only path to release was establishing an improvement in behaviour, then he wouldn't have refused treatment.

Indeterminate Sentences for Public Protection (IPP's) are essentially open-ended until the offender can prove they no longer pose a threat to society. Due to the over use of this sentence structure, 'three times the Governments forecast' (BBC, 2007a), prisoners are not able to find places on rehabilitative programmes such as the SOTP. This has meant that paedophiles such as David Joy who was jailed for possessing and making indecent images of children have had their sentences overturned (BBC, 2007b). This of course, has led some theorists suggesting that the government, keen to play the law and order card, are just doing what the public want because crime policies have taken centre stage in electoral competition (Garland, 2001).

Even though punitive approaches are still very visible in Home Office legislation, the gradual change from the negative views of the 'Nothing Works' doctrine (Martinson, 1974) to more evidence based approaches of 'What Works' (McGuire, 1995) has 'profoundly influenced the policies of HM Prison Service over the last decade' (Friendship and Thornton, 2001). Following these guidelines, the monitoring of the SOTP throughout its continuing use has become a clear commitment, highlighted by the Beech et al (1999) evaluation (Friendship and Thornton, 2001).

This leaning towards evidence-based intervention has provided support for cognitive-behavioural therapy (CBT), the underlying principle of the SOTP. 'CBT has been shown in the 'What Works' literature (McGuire 1995) to be the most effective method of treating offenders' (Beech and Fisher, 2004: 139). CBT has gradually developed in the CJS since 1991 becoming increasingly diverse with its focus on tailoring programmes to the type of offender, such as the SOTP adapted programme for low I.Q. offenders (later described in more detail). Despite the increased use and acceptance by the public for CBT programmes, there is still some doubt in the criminological environment about the efficacy of this type of rehabilitation. The criticism for the SOTP has come from the difficulty in proving its effectiveness. 'Due to the nature of social science research and the nature of these programmes, it is unlikely that researchers will ever be able to demonstrate the efficacy of this form of treatment' (Brown, 2005: 15). The difficulty in proving the effectiveness of the SOTP lies with many different reasons. Notoriously the official reconviction statistics for sex offenders, like all official statistics that are police recorded are surrounded by criticism. 'It has long been regarded amongst criminologists that official crime statistics published for England and Wales grossly underestimate the actual level of crime' (Sparks et al, 1997 cited in Friendship et al, 2001: 285). The non-recorded figure is often referred to as the 'dark figure' of crime, 'the dark figure of crime unreported to the official agencies has been known since...the 1830's' (Young, 1991: 37). This figure is often partially recovered by victimisation surveys such as the 'British Crime Survey' (BCS), however due to the sensitive nature of sexual crimes; this information is not often disclosed during this form of research. These along with other methodological disadvantages mean that there is still very good reason to research the efficacy of sex offender interventions.

To recapitulate sexual perpetrators for an array of reasons are despised more than any other criminal. The seriousness of the offence and the effects on the victim make it one of the most emotive crimes in England and Wales. It is clear that alongside the governments continued harshening of sentence structure and shift towards actuarial justice, the 'What Works' literature has begun to have a major influence on the policies of the HM Prison service and

the SOTP has become a central player in dealing with sexual crimes. Therefore, the importance of reviewing the efficacy of the programme speaks for itself and in order to analyse the effectiveness three key areas must be looked at. Programme content to ensure a maintained element of programme integrity, the impact of the treatment on offending behaviour to ensure that the treatment is meeting its primary treatment targets and the ability of the programme to reduce reoffending.



## Methodology

### 3.1. Reasons for choosing Secondary Analysis

The intention of this research project was to collect primary data relating to treatment of 'sex offenders' in prison. However in order to fulfil the aim of this research there would be a requirement to collect this information from both high profile individuals and dangerous offenders. Due to the nature of an undergraduate study, carrying out primary research on sex offender treatment programmes is particularly difficult given the ethical and methodological difficulties in accessing both the sex offender population itself and information concerning these offenders (Punch, 2005). Many of the texts written with regards to social research methods talk about ethics in general (Bryman 2005; May 2001; Punch 2005). Though, the most notable issues that an ethics committee would be concerned by are the mental harm that may be caused to the researcher and the danger that the offender may disclose further offences during research, unbeknown to the police or prison services. If an offender were to make known further offences, dilemmas surrounding who and how much of this information should be disclosed to the relevant agencies would need to be considered by the researcher (Bryman, 2005). These are far from easy issues to resolve.

There are also limitations to time and monetary resources which primary data collection often needs to be successfully carried out. Because of these factors, this project will focus exclusively on secondary research, which is an important element of social research (Punch, 2005) and will enable the exploration of key criticisms surrounding sex offender treatment programmes.

If the issues surrounding primary research could be overcome, then ideally more qualitative research would be carried out. Interviews and questionnaires would be subjected to those directly involved in the programme; including both staff and offenders who had finished the treatment and for whom undergoing research would not have negative consequences e.g. reversing the positive effects of treatment. This would eliminate the disadvantages of using secondary data discussed below.

### 3.2. Resource of Secondary Data

This project used a wide variety of secondary resources that included, books and journal articles alongside a heavy reliance on official research studies and statistics carried out on behalf of the Home Office. They were analysed to help investigate the efficacy of the programmes in reducing re-offending and to explain the government's decisions regarding sex offender treatment (May, 2001). They included research studies such as evaluation studies, reconviction rates and public information. When using research for analyses purposes the issue of 'fiddling' should always be considered (Bryman, 2004: 212). The idea that official agencies will use statistics in order to support an act or decision that will affect the rest of society. A section later in the project will discuss issues concerning the publication of research findings.

Journals have been used from the Internet, although the validity of these sources was carefully considered before using them. It is always necessary when carrying out research to consider the benefits and drawbacks of the method used.

### 3.3. Advantages of Secondary Analysis

Secondary data analysis can offer a credible alternative to primary data collection for many reasons, particularly if the information needed to carry out a well formed project is already out there. The utmost advantage of using secondary data is the quality of data sets from experienced researchers (Bryman, 2004: 202). These data sets provide thorough, well founded research without the restrictions of time and money that primary research methods usually carry with them.

As already discussed accessing sex offender populations is particularly difficult, especially when carrying out undergraduate research. Existing secondary data makes these difficult populations accessible (Punch, 2005). However these advantages do not mean that carrying out secondary analysis is uncomplicated, there are disadvantages.

### **3.4. Disadvantages of Secondary Analysis**

The main disadvantage with secondary analysis is the lack of familiarity with the data. Secondary data, especially official data can be very complex, containing large amounts of information (Bryman, 2004). The consequences of this are very often misinterpreted information or difficulty narrowing down the relevant information. Also there is always the possibility that the existing data is irrelevant to the research aim (Punch, 2005). Planning secondary research can avoid this drawback, to ensure that the correct questions are being asked.

### **3.5. Summary**

Despite the accessibility issues and the number of disadvantages when using secondary data, it was feasible to overcome these and produce a sound, applicable dissertation. The complexity of the data was not too challenging, as the length of this project allowed for the research to become familiar. Through both awareness and selectivity it was possible to avoid low quality data and by focusing on official research studies and statistics it made it to meet the research aim and provide a high quality argument and a relevant piece of research.



# History and Development of the Sex Offender Treatment Programme

## 4.1. History and Development

Sex offender intervention is not a new concept, although the treatment of sex offenders has changed dramatically from the 1900's to the current use of programmes in HM Prison Service (Brown, 2005). These changes in the approach to treatment have very much been in line with a shift in treatment philosophy. There have arguably been three main philosophies; 'nothing works', 'something works' and 'what works' (Wood et al, 2000).

### 4.1.1. 'Nothing Works'

The first half of the twentieth century focused on psychoanalytical approaches, which were aimed at offenders who were classed as having a combination of psychopathic and sexually deviant behaviour (Brown, 2005). These rehabilitative interventions became heavily scrutinised during the 1970's. A period that was highly influenced by the work of Martinson (1974) who after surveying 231 evaluative studies concluded that correctional intervention, despite some positive treatment outcomes, was ineffective. In fairness this uncomplicated conclusion was an oversimplification of his findings. In fact the survey concluded that possibly some of the treatment programmes are working to some extent, but our research is so bad that it is incapable of telling (Martinson, 1974).

However the cynicism surrounding rehabilitation was so strong that the 'nothing works' philosophy influenced the policy of the CJS for many years (Brown, 2005). Psychoanalytical approaches were no longer used (Beech and Fisher, 2004) and the government shifted towards more punitive methods, where this type of crime was seen as purely evil (Hopkins-Burke, 2005). This punitive response and the 'nothing works' culture did not discourage some treatment providers to continue to develop programmes for sex offenders, arguing that the programmes were still necessary. 'Proponents of sex offender treatment argued that intervention was still necessary as sex offenders would eventually...be released back into the community' (Brown, 2005: 20).

A general shift towards behaviourism, due to the damning findings of psychoanalytical approaches and the arrival of cognitive approaches in the 1970's, meant that psychologists attention turned to the thought processes of sexual offenders and the role of cognitive distortions, 'i.e. pro-offending attitudes and beliefs used by sexual offenders to justify their offending behaviour and minimise any guilt they might feel' (Beech and Fisher, 2005: 137). Development of sex offender treatment at this time was vigorous and by the 1980's treatment providers had included components on sexual dysfunction, gender role behaviour (Abel et al, 1978) and empathy enhancement. The introduction of these developments debatably form the early cognitive-behavioural treatment programmes for sex offenders.

However evidence proving the effectiveness of this approach was minimal. Furby et al (1989) concluded that there was no evidence to suggest that the cognitive behavioural programmes were effective (Furby et al, 1989). The reason for a lack of evidence was due to poor methodology, a similar finding to that of Martinson (1974), but despite the studies conclusion the general view at this point with regards to correctional intervention was that something worked.

#### 4.1.2. 'Something Works'

The attitude change towards the direction of 'something works' is often attributed to the work of Gendreau and Ross (1979), although there were other researchers concluding as positively about correctional intervention (Brown, 2005). By producing updated literature reviews Gendreau and Ross (1979) highlighted that out of 95 experimental studies published between 1973 and 1978, 86 per cent had positive treatment outcomes (Gendreau and Ross, 1979). This finding was contradictory of the 'nothing works' studies and led the way for many more.

Many researchers began to produce more positive evaluations, with many authors reviewing the studies of the 'nothing works' researchers. The 'something works' studies suggested that the main condemnation of the critics of correctional intervention was the poor methodology of the studies showing positive treatment outcome, yet this ineffective methodology also applied to the studies showing negative treatment outcomes; the suggestion that the 'nothing works' authors were extremely selective. Even Martinson revised his work in 1979, clarifying original conclusions that some programmes do actually work.

Although not directly related to sex offenders the most convincing study to evaluate the efficacy of correctional treatment was by Lipsey (1995). Lipsey conducted a meta-analysis of 400 studies conducted from 1950 consisting over published and unpublished work. Combined these 400 studies represented over 40,000 participants of treatment (Lipsey, 1995: 66). Meta-analysis looks at treatment effects from a number of different studies to provide a consistency of results across them (Bryman, 2004). 'This method is considered by some to be state of the art in reviewing quantitative evaluation research, and thus, the best method for integrating sex offender treatment data' (Brown, 2005: 208). Sixty four per cent of the studies reviewed by Lipsey showed favourable treatment outcome, making a 10% overall average reduction in recidivism (Lipsey, 1995: 67). It should be noted that meta-analysis is only as good as the studies involved (Hedderman and Sugg, 1997), however the extensive nature of Lipsey's study meant that there was a good range of methodology to ensure the results were fairly accurate. The study seems to support the reviews carried out by Gendreau and Ross (1979), providing indisputable evidence that intervention should be used when dealing with sex offenders. It is therefore, no surprise that the philosophy of 'something works' quickly turned to the question of 'what works?'

#### 4.1.3. 'What Works?'

Over the past decade research has continued to seek out the most effective interventions for prisoners. However it was research carried out during the 1990's that has been most influential towards the current provisions for sex offenders in England and Wales. A large quantity of research was published surrounding the efficacy of correctional intervention (Lipsey 1995; McGuire 1995; Hedderman and Sugg 1997; Vennard et al 1997) during the 1990's with many of the studies producing similar conclusions.

Cognitive-behavioural therapy was consistently revealed as the most capable approach of reducing reoffending and was regularly advised during 1990's. 'Focus treatment around behavioural approaches...possibly including psychologically orientated treatment elements' (Lipsey, 1995: 77). This is the third treatment approach over the last sixty years (Wood et al, 2000) and the current underpinning theory used by the National SOTP. Another finding from this period now incorporated into treatment, is the risk assessment of offenders prior to

undertaking any form of intervention. Hedderman and Sugg (1997) found that programmes that select offenders based on their risk levels or needs are more successful than programmes attended by unselected groups of offenders (Vennard et al, 1997).

In parallel with and in response to the work of the ‘what works’ researchers treatment providers in the UK adopted cognitive-behavioural programmes as one of the foundations of their rehabilitative work (Harper and Chitty, 2005). Following prison riots (1990) and the subsequent Woolf Report (1991) the government announced a strategy for the containment and treatment of sex offenders (Friendship et al, 2003), amalgamating in the National implementation of the SOTP. In line with this, the introduction of the CJA 1991 toughened sentences for sexual offenders, making more offenders eligible for custody. Despite the obvious influence of the ‘what works’ principle on the policies of HM Prison Service, the message from the government was clear; ‘it is the protection of the public, reducing the risk to future potential victims and to do so with the minimum of resources’ (Garland, 2001: 176), which are the underlying principles of the SOTP. There was no intention of treatment providers returning to the rehabilitative ideal of the 1950’s and 1960’s that had taken so much criticism from the ‘nothing works’ doctrine.

McGuire (1995) proved to be the most influential of all the authors during the 1990’s. Keen to ensure that the programmes treating offenders were as effective as they could be, the government, led by the Prison Service introduced an accreditation process based on the principles set out by McGuire (1995) to ensure effective programmes. This shift towards evidence-based practice means that programmes must be proven to be effective and be continually monitored to ensure they are delivering the highest standard of treatment (Beech et al, 1999).

#### **4.2. Cognitive-behavioural therapy (CBT)**

The sex offender treatment adopted a cognitive behavioural approach following the shift back towards rehabilitation in the late 1980s. Cognitive Behavioural Therapy (CBT) focuses on a range of risk factors for future offending and endeavours to increase the offenders self control over their criminal behaviour and reduce re-offending by changing ‘an individuals internal functioning as well as their overt behaviour’ (Hudson, 2005: 34). This approach sees the offender as a rational actor (Hopkins-Burke, 2005) putting emphasis on the offender to ‘understand that how one thinks affects how one feels directly’ (Beech and Fisher, 2004: 139).

The programmes main aim is to show the offender the way in which their cognitive distortions (rationalisations of their actions) and wrongful behaviour patterns lead to criminal behaviour, using offence-focused targets. These targets consist of ‘a reduction in the extent, to which offenders minimised and justified their offence, the enhancement of victim empathy’ (Friendship et al, 2003: 2). CBT has a realistic approach to offender treatment and recognises that they cannot cure offenders, but treatment is capable of managing self-control (Hudson, 2005). This rational approach means that the treatment goals of the programme are far more achievable reflecting the managerial approach to the criminal justice system adopted in the 1980’s (Travers, 1998).

More recently CBT has adopted relapse prevention techniques. Pithers et al (1988) and Laws (1989) introduced the treatment area from the field of drug and alcohol addiction (Perkins et al, 1998). The aim of relapse prevention is to get offenders to recognise danger signs such as feelings or situations which put them at risk of reoffending and direct the offender to find

techniques of avoiding these feelings when released from the prison community (Hudson, 2005).

### **4.3. Current treatment for sex offenders in custody**

Since the 1980s the profile of sex offender treatment increased, as previously discussed and the initial role out of the programme was described as being for the protection of potential victims rather than to simply benefit the offender (Home Office, 1991). Arguably this change in dealing with sex offenders is part of a wider 'governmental style' (Hopkins-Burke, 2005: 244) or criminal justice shift from an 'old penology' to the 'new penology', concerned with actuarial justice (Feeley and Simon, 1994), where interventions are not based on the identification of specific criminal behaviours, but rather on risk assessment (Hopkins-Burke, 2005: 281). It is the government and criminal justice agencies preoccupation with risk that has led commentators to suggest there is a new era of justice (Kemshall, 2003). It could be contended that the SOTP is currently caught in this transition between risk management and penal welfare, as CBT is concerned with identifying specific offence related behaviours and yet the basis for acceptance onto and the effectiveness of the programme is determined on the individuals level of risk. The consequences for the SOTP, brought about by this paradigm shift will be discussed in the following chapter.

The SOTP is available to offenders who have committed a sexual or violent offence with a sexual element who are serving a long enough sentence to complete the treatment (Beech et al, 1999). The programme is offered voluntarily, however despite this the majority of offenders will participate in the programme. Offenders are assessed, in order to be accepted onto the programme once they have volunteered. The first exclusions are made if the offender is in total denial of the offence, are suffering or were suffering from a psychotic illness at the time of the offence or if he shows or has previously shown signs of psychopathic characteristics measured by the Hare Psychopathy Checklist (Beech and Fisher, 2004). Providing the offender fulfils these early requirements for entry onto the programme, they will then undergo a series of psychometric tests (Hudson, 2005). The programme aims to treat the most high risk offenders and so the 'Risk Matrix 2000' (RM2000/S) is used to highlight the offenders with the highest needs for treatment. The RM2000/S is one of three prediction scales from the Risk Matrix 2000 used to assess sexual offending by looking at an individual's simple details and history, such as age and gender. These are also known as static risk factors. The SOTP is currently made up of five components and treats in excess of 1000 offenders per year (Home Office, 2006) in 25 different establishments in England and Wales (Brown, 2005).

#### **4.3.1. The Core programme**

The research projects used to evaluate the SOTP in the following chapter were carried out prior to the latest revision of the Core programme and are concerned with the first and second versions. The first edition encompassed 35 to 40 sessions totalling 80 hours of treatment. The second revision was expanded to 86 sessions providing over 160 hours of treatment. Both versions cover the same clinical targets as the latest third edition. This adaptation was adapted in 2000; it runs for roughly six months and is broken into 20 blocks. It attempts to increase the offender's motivation to not re-offend by undermining the cognitive distortions that the offender uses to excuse the offences. It also looks at growing the offender's self-management through developing their awareness of situations that increase the probability that they will re-offend and develop strategies to control these risks i.e. Relapse prevention (Beech et al, 1999).

#### 4.3.2. The Extended programme

This programme is usually for high deviance offenders, who still have considerable problems after completing the Core programme (Hudson, 2005). It runs for 68 two hour sessions and tackles 'managing negative emotions, particularly through the use of positive and calming cognitions rather than behavioural coping strategies, which may not always be available to the offender' (Beech and Fisher, 2004). The behavioural coping strategies are of particular importance in the Core programme and therefore the Extended programme looks to tackle the offence related behaviour in a different way.

#### 4.3.3. The Adapted Core programme

This program is for low I.Q. offenders, with an IQ of between 70 and 80. This programme focuses on non-verbal material in replace of the verbal material that these offenders may not fully be able to grasp due to their learning difficulties (Beech and Fisher, 2004).

#### 4.3.4. The Booster programme

This programme is for offenders who have undergone the Core programme or Extended Core programme and have served a long sentence. The purpose is to secure the offenders relapse prevention plan before being released back into the community (Hudson, 2005).

#### 4.3.5. The Rolling programme

This is for lower risk offenders that have fewer treatment needs than the high risk offenders (Hudson, 2005). This programme is particularly flexible to run and can be joined at any point due to lack of a solid structure. It focuses on offence-specific tasks 'including such things as completing an offence account, writing a victim letter and identifying and challenging distorted thinking' (Beech and Fisher, 2004). These tasks must be completed before leaving the programme and the offender will be on the programme for as long as it takes him to complete them.

### 4.7. Summary

The development of sex offender treatment has been fraught with difficulties and criticism. Despite the best efforts of many of the 'nothing works' authors, treatment providers have continued to develop correctional intervention. There appears to be an ever-increasing acceptance of the programme from both external criminal justice agencies and the public. This may possibly be due to the government's clear intention to never return to the rehabilitative ideal of the 1950's. Arguably the 'what works' ethos is still very much alive today, with the extensive accreditation criteria set out in 1996. This shift towards actuarial justice with managed and effective programmes, along with the public and political worry surrounding sex offenders has led to an increase in the evaluations of the SOTP.



# Evaluating the Sex Offender Treatment Programme

As highlighted in the previous chapter the SOTP has expanded dramatically over the last two decades and it has become very important to evaluate the programme due to a shift in evidence-based practice (Brown 2005; Craissati 2004). Evaluating treatment programmes, particularly for highly controversial criminals such as sex offenders can be extremely advantageous.

## 5.1. Why Evaluate?

There are a number of reasons to evaluate the effectiveness of the SOTP. Sex offender treatment programmes are intended to reduce sexual recidivism and the accreditation of these programmes implies that they are successful in reducing re-offending. Therefore those offenders, who have undertaken treatment and released back into the community, are often done so under the assumption that the programme has made them less of a risk to society. If this is not the case and the offender re-offends there could be devastating consequences for any potential victim (Brown 2005; Prentky 1995).

Additionally an accreditation process means the programme is designed to deliver consistency in different establishments, and is governed by the same underlying principles, nonetheless there are differences (Beech et al, 1999). These differences are often accounted to different staff delivering the programmes to different offenders. Almost certainly there will be establishments delivering poor treatment and the poor delivery of the SOTP can have negative consequences. A well-documented consequence of poor delivery is offenders dropping out of the treatment (Brown 2005; Hudson 2005). Research has shown that those offenders who drop out of treatment have higher rates of recidivism than those who did not attend any treatment at all (Marques, 1999). Despite the findings from Marques (1999), it is very difficult to actually attribute this higher rate of recidivism to the poor delivery of treatment, although it could well be argued to be a causal factor. However, 'it is likely that this elevated recidivism is due to pre-treatment characteristics of the offenders who drop out' (Brown, 2005: 151).

Given the beneficial reasons for evaluating the SOTP, it is important that it is continually monitored (Hollin, 1995) and evaluated to ensure that the programme is consistently successful. Knopp et al (1992) suggest that if all interventions are evaluated then they can be delivered, re-evaluated and remodified so that the programmes are as effective as can be, given the knowledge available (Knopp et al, 1992). This survey also suggests that the generated knowledge from evaluating could be used to protect future generations of prospective sex abuse victims, simply by fully understanding the nature of sex offenders, what causes their behaviour and how to treat them successfully.

Over the last two decades, as treatment provision has become more integrated into the CJS, more evaluations have been published. These can be used to highlight the efficacy of the SOTP by looking at the affect they have on offender's behaviours and the extent to which they can reduce further sexual offending.

## 5.2. Treatment Impact

Treatment impact is the extent to which the SOTP has had an effect on the main variables known to contribute to sexual offending. These include cognitive distortions, victim empathy and relapse prevention skills (Beech et al 1999; Brown 2005; Hudson 2005; Perkins et al



1998) amongst many others. Evaluating the impact of treatment is important to establish that the intervention is having its predicted effect and to ensure that the treatment effects achieved by the intervention survive over time, from one environment to another (Perkins et al, 1998).

Beech et al (1999) have carried out a treatment impact evaluation of the SOTP. The study was commissioned as part of the 'Sex Offender Treatment Evaluation Project' (STEP) by the Home Office to evaluate the efficacy of the Core programme in six prisons. In order to test the impact of treatment offenders were given a number of standardised psychological tests and interviewed in order to achieve levels of the chief variables before participating in the treatment. After the completion of the Core programme offenders were put through the same process in order to achieve new levels for comparison. This allowed the STEP team (1999) to analyse the extent to which the intervention had met the 'primary treatment targets' (Beech et al, 1999).

The study reported significant treatment outcomes, 67% of the sample showed significant psychometric changes (Perkins et al, 1998). A reduction in denial, increase in admittance of deviant sexual interests, a decrease in pro-offending attitudes and increased relapse prevention skills were all accredited to the Core programme. Most significant of these findings is the reduction in denial as this is the 'primary target for sex offender treatment' (Beech et al, 1999: 13), as offenders need to admit their offending behaviour in order to develop the skills necessary to prevent re-offending. Beech et al also suggest that the programme is particularly effective for low risk offenders, who responded significantly more than high risk offenders. 'Offenders who showed higher levels of "deviancy", as measured by levels of pre-disposing personality factors and offence related cognitive distortions, showed less improvement than those whose deviancy and denial of deviancy were low' (Perkins et al, 1998: 13).

Treatment impact is also concerned with whether the positive treatment effects had been maintained for a period after the programme. Beech et al assessed the offenders nine months after the completion of the programme. Whilst the positive changes were maintained at this nine month follow up period for offenders still in prison, offenders who had been released back into the community only showed similar patterns if they had undertaken the 160 hour programme (Beech et al, 1999), which is more intensive. This finding is similar to that found by Beckett et al (1994) who carried out the community based programme evaluation for the STEP, whereby high risk offenders responded better to more intensive treatment programmes (Beckett et al, 1994). Both studies suggest that the Core programme alone, is not sufficient to deal with high risk offenders. Beech et al recommend that 'such offenders be given the priority for admission into the Extended programme' (Beech et al, 1999: 91).

Both, Beech et al and Beckett et al suggest programmes are, in the main, achieving the key treatment targets, largely with low risk offenders. However despite highlighting positive treatment effects, there is no conclusive evidence to suggest that they are having similar effects on re-offending. As Perkins et al suggest, impact studies are important in sex offender treatment 'to enable such impact measures to be examined in relation to subsequent recidivism' (Perkins et al, 1998: 12). It could be argued that the positive treatment outcomes highlighted in these impact studies may be useful in the prediction of risk or even in the management of risk. However the underlying issue is that no links have been made between the improvements noted by Beech et al and a reduced rate of re-offending due to the use of transparent psychometric tests not allowing for a direct comparison (Brown, 2005). By Beech et al's own admission 'the ultimate test of the effectiveness of the Core programme is the extent to which it reduces further sexual offending' (Beech et al, 1999: 94). The clearest way of determining whether the programme has been effective in reducing the rate of sexual recidivism is by evaluating the intervention by treatment outcome.

### 5.3. Treatment Outcome

Treatment outcome is the level to which a programme, in this context the SOTP, has improved re-offending in comparison with not receiving treatment (Perkins et al, 1998). Using reconviction rates is the easiest way to evaluate the treatment outcome, as it provides a direct link between treatment and re-offending. 'Reconviction rates are an essential part of the tools of the trade of a criminologist' (Lloyd et al, 1994: 3) and a key indicator when evaluating the effectiveness of treatment programmes. Many reconviction studies use the 'Offenders Index' (OI) when analysing treatment programmes. The offenders index holds all conviction data recorded by the court since 1963 in England and Wales (Francis et al, 2002), this is the case for the reconviction studies used in this chapter. The OI is a useful database as data is recorded at individual level therefore offenders can be easily assigned to a treated or untreated group (Friendship and Thornton, 2001).

Friendship et al (2003) carried out a reconviction study in order to evaluate the efficacy of the SOTP. The study analysed two-year reconviction rates for two separate groups of offenders. The first group comprised of 647 adult male sex offenders, serving a custodial sentence of four or more years that had participated in the SOTP. The comparison group consisted of 1910 adult male sex offenders, all serving a sentence of four or more years, but had failed to participate in the treatment programme (Friendship et al, 2003: 2).

The study found that the treatment group had performed better than the comparison group, although both reported low reconviction rates. The slight difference indicated in this study (0.2%) was so small it would be very difficult if not impossible to attribute it to the programme. The low base rate of sexual reconviction is a well-documented area (Grubin 1998; Falshaw et al 2003; Hudson 2005), it is estimated that only 5% of sex offenders are reconvicted of a sexual offence (Marshall, 1994). Friendship and Thornton (2001) investigated the possible absence of statistical significance for evaluation studies and concluded that 'a reduction would be so small it would be difficult statistically to demonstrate that this difference was due to treatment effect rather than chance factors. In essence, any treatment will be obscured' (Friendship and Thornton, 2001: 289). One solution to the problem of low base rates is to increase the follow up period, which should allow for a clearer picture into the long term treatment impact of the SOTP. The complication with this is the need, politically, to know if treatment is working, therefore a ten-year follow period, would be at very best difficult to justify. However, the Californian Sex Offender Treatment Evaluation Program (SOTEP) is carrying this out, although the full follow up period is yet to be reached. Despite this, the early findings are good, showing an improvement in the reconviction base rates (Hedderman and Sugg, 1997).

Despite this methodological failing, Friendship et al have highlighted some familiar and convincing findings. They suggest that the treatment outcome was most significant to medium risk offenders, and highlight that the programme is particularly ineffective in dealing with high risk offenders, who showed very similar reconviction rates in both treatment and non-treatment groups (Friendship et al, 2003). This is a finding shared with both Beech et al (1999) and Beckett et al (1994) and further supported by Hood et al (2002). Hood et al carried out research on reconviction in relation to risk category given by the Parole Board, concluding that 'those subsequently convicted of a further sexual offence within the four year follow up period... had been identified as 'dangerous' or 'high risk'' (Hood et al, 2002: 1). Evidently changes in the programme need to be made to deal more effectively with high risk offenders.

Another major criticism of this study is the comparability of the treatment and non-treatment groups. By the authors own admission the comparison group only broadly matched the criminal conviction and demographic characteristics of the treatment group (Friendship et al, 2003). Obviously a study whereby all characteristics of the treatment and non-treatment group matched would produce far more realistic results.

Although the reconviction study makes clear links between treatment and further sexual offending, methodological issues mean that it is unrealistic to use reconviction data alone to provide an extensive evaluation. 'Difficulty in demonstrating that the changes were not due to chance factors highlight caution in the over reliance of reconviction data' (Hudson, 2005: 44). More commonsensical is the issue that not all offenders who go on to commit further crimes will be caught. Therefore reconvictions can only ever be a 'proxy' measure for reoffending (Lloyd, 1994: 5). All of the evaluation studies analysed above recommended that the official reconviction data be supplemented with non-official recidivism data, due to this underestimation of reconviction data alone.

Falshaw et al (2003) did exactly that, combining official reconviction data, found on the OI with non-official recidivism data.. The study found the recidivism to be 5.3 times higher than the officially recorded reconviction rate. Falshaw et al's finding is supported by the work by Marshall and Barbaree (1988) who found the recidivism rate to be 2.5 times higher than the official records. These findings are potentially damaging to the proponents of sex offender treatment programmes, suggesting that the programmes are not as effective as official data suggests.

However Falshaw et al have highlighted that official data can be used effectively with unofficial sources to aid the evaluation of sex offender treatment. 'The inclusion of non-official data in evaluations would more accurately describe the impact that treatment has on reducing the risk of future reoffending' (Hudson, 2005: 44).

#### **5.4. Programme Integrity**

Programme Integrity is the extent to which the SOTP is delivered to the standard that it was designed to. The measures of programme integrity include the levels of staff training, the adherence to the treatment manual, the management of the treatment and support for both staff and offenders involved in the intervention. Measuring the integrity of the programme is important as effective programmes with high treatment integrity have a greater chance of success (Hollin, 1995). There has also been some criticism from external agencies, such as the probation service, which were dismissive of the programme. The biggest concern of these agencies was the inadequate training of the staff, to deliver such an extensive treatment programme (Beech et al, 1999). Beech et al (1999) is once again, the most extensive research available into the integrity of the SOTP. The study highlighted many interesting areas and concluded very positively about the SOTPs integrity.

Importantly due to the contribution that commitment and enthusiasm has towards the drop out rate, the study reported high levels of both from the programme tutors. Interestingly all six programmes had low drop out rates, which is arguably due to this factor. Unfortunately the concerns of the probation service do not seem entirely unfounded, despite Beech suggesting otherwise, 'initially there had been a certain amount of criticism of the SOTP from external agencies... these fears appear largely unfounded' (Beech et al, 1999: 12). From the six prisons observed by the study, four sets of staff reported insufficient training, who suggested they needed one more week (Beech et al, 1999) and at HMP Littlehey the attitude was taken that trained staff were unimportant providing somebody was there to run the programme.

Despite this the study concludes that training was generally well received, which raises concern over the overall message that is trying to be put across by this study. The issues surrounding research produced for the government were discussed earlier in the Methodology.

Despite the feeling of a lack of training, many of the problems experienced by the tutors were due to the lack of a treatment manager. Two of the six prisons occurred inconveniences whereby there was no treatment manager available to provide either support or supervision for the tutors (Beech et al, 1999). Although, one of the two prisons, HMP Channingswood was given resources to recruit a full time treatment manager before the publication of the study. This issue was also highlighted at another prison, during an announced visit by the HM Inspectorate of Prisons to HMP Wymott. The following report suggested that ‘tutors were not properly supported, as required by the accreditation process’ (Home Office, 1999b). There were also other issues surrounding the lack of staff reported by the study, including the lack of female staff. ‘Female tutors bring an important perspective to work...such as modelling appropriate social interactions between men and women’ (Pietz and Mann, 1989 cited in Beech et al, 1999: 86).

Many of the criticisms highlighted by the study were reportedly corrected or dealt with prior to the study being published. Arguably these changes were instigated by this evaluative study, which is a great example of how the systematic evaluation of the programme can increase the efficacy. ‘Treatment Integrity can be enhanced and maintained through continued monitoring’ (Brown, 2005:32). Beech et al concluded that ‘the Core programme is recognised internationally as probably the most systematically delivered, well designed and evaluated sex offender treatment programme’ (Beech et al, 1999: 89). The positive conclusions are extremely pleasing as those programmes with a high level of programme integrity have a much superior chance of succeeding’ (Hollin, 1995). However the findings of this study should not be taken as concrete and there was still reported problems that could have extremely negative consequences. Also there is a lack of research in this area and like every other element in evaluating the SOTP, it is far from conclusive and this lack of information has not gone unnoticed.

## **5.5. Other factors concerning the efficacy of the SOTP**

A large extent of the research surrounding the SOTP has been concerned with the effectiveness to change offenders’ behaviours. However, there are issues indirectly related to the programme that also play a part in analysing its overall effectiveness.

### **5.5.1. Risk and management of risk**

The developments concerned with the risk management of sex offenders play a key part in the effectiveness of the SOTP. As previously suggested the government and criminal justice agencies have become preoccupied with a ‘new penology’ and the risk that sexual or violent offenders pose to society. This has begun to see the absorption of the psychological means by which we manage risk (Gray et al, 2002). This integration of risk poses problems for the SOTP, which is currently incorporating elements of both actuarial justice and penal welfare. As highlighted in chapter four, actuarial risk assessments aid the initial filtering of offenders in order to highlight the highest risk offenders, which is a key role to ensure that the treatment is given to those in most need of it (Kemshall and Maguire, 2002).

However the whole idea of treatment is in danger of being undermined by the development of a ‘risk society’ (Beck, 1992). Most notably it is the introduction of risk management in the community, which suggests that the Government are not confident in the ability of the

programmes to rehabilitate offenders. Multi-agency public protection arrangements (MAPPAs) are an example of the government's recognition that the risk that sex offenders pose to society should be managed in the community, even after they are released from prison. Introduced in April 2001, MAPPAs place a legal responsibility on the police, probation and prison service to work in cooperation to manage the risk posed by sexually motivated offenders in the community (Kemshall et al, 2005). This development further supports the claims of the 'new penology' or 'late modernity' (Feeley and Simon, 1994). As well as the recognition of risk development, late modern penology is also highly linked to the concept of 'responsibilisation' (Kemshall and Maguire, 2002). This is the idea that due to recognition that crime cannot be diminished but only managed, the responsibility should be filtered down to individuals or specifically created organisations, such as MAPPAs. 'In essence, the state acknowledges its limited role in the provision of guaranteed security and devolves responsibility and accountability for its provisions to local communities and new hybrid organisations' (Garland, 2000).

Already there have been major criticisms of MAPPAs, none more so than the case of Anthony Rice. Rice was a serial killer who murdered Naomi Bryant in 2005, nine months after being released from prison on a life license. He had served 16 years for committing offences of rape, indecent assault and actual bodily harm. On release the Parole Board identified Rice as 'minimal risk' due to over optimistic reports on his progress during the prison based SOTP (Bridges, 2006), which was obviously proven to be incorrect. The official inquiry into the case was critical of the supervision by the probation service and criticised the way MAPPA managed his life license, suggesting that 'he was too dangerous to be released into the community anyway' (Bridges, 2006: 67). Probably most damning criticism of the integration of the risk assessment tools is the reluctance of the professionals sitting on MAPPAs to fully trust or use them. Research by Maguire et al (2001) showed that it was normal for MAPPAs to only use the tools as a basis for further debate based on professional expertise. 'It was not unusual for panels to revise instrument-derived risk classifications ... through a combination of "gut feelings" and professional experience – to make a better prediction than one based purely on actuarial risk.' (Maguire et al, 2001: 183). This research does not only suggest that professionals are reluctant to stop using professional judgment, but also if more was used during the case of Anthony Rice he may not have been released. There is plenty of discourse and language used by the government and criminal justice agencies in order to make the public feel safe, yet it would appear that practice is very different. The debate as to whether actuarial risk assessment is effective is largely outside the remit of this dissertation, other than to suggest that given the extensive use of these tools in the selection of offenders to participate in the programme, the accuracy and success of risk assessment needs to be carefully considered.

It is not just MAPPA that has come under scrutiny; there are also criticisms of the so-called 'new penology' (Feeley and Simon, 1992, 1994). Some commentators argue that it is principally wrong to punish people on the basis of risk grouping and what they might do in the future, suggesting that it is a 'breach of human rights or justice' (Kemshall and Maguire, 2002: 172). There is also a danger that treatment is becoming seconded to managing risk: if the government or criminal justice commentators are not confident in the efficacy of treatment then the time and money being spent on intervention need to be considered. If the roots of a new era of late modernity are appearing then it would appear that like, 'nothing works' and 'something works'; 'what works' too is failing and being reinvented by the government and criminal justice agencies to incorporate public protection strategies.



### 5.5.2. Cost

A large extent of the research into the SOTP has been concerned with the effectiveness to change offenders' behaviour. However, the managerialist approach to the criminal justice system (Brown 2005; Hudson 2005; McGuire 1995), with emphasis on minimising expense and making more efficient spending decisions (Garland, 2001), means that the cost of the SOTP also needs consideration. 'As well as wishing to know if sex offender treatment is effective in reducing recidivism, social policy makers and managers also want to know if treatment is cost effective' (Brown, 2005: 217).

The actual cost of the SOTP per offender per annum is said to be in the region of £6000-£7500 (Home Office 2006; Matrix 2007), making the cost of prison with sex offender intervention £29,646 (Matrix, 2007: 8). This is a considerable amount of money to be spending each year per person, though research suggests that intervention can actually save money. Work has been carried out to assess the cost effectiveness of sex offender intervention, in order to see if it is financially beneficial (Bakker et al 1998; Matrix 2007). The estimates of cost effectiveness are based on the reduced rate of reoffending over an offenders post release lifetime. The matrix knowledge group (2007) calculated the tangible savings (e.g. court fees) per year per offender to the taxpayer to be £35,213 (Matrix, 2007: 8). Intangible savings (e.g. victim costs) to the taxpayer are said to be far higher, at £130,578 (Matrix, 2007: 8), although these costs are much more difficult to estimate as they will differ to each individual crime. These findings on face value are quite impressive and would indicate the SOTP is a financially effective intervention. 'Even though enhanced prison interventions cost more than prison alone to deliver, they are better value for money' (Matrix, 2007: 14).

Conversely these figures are dependent on the effectiveness of the programme to reduce recidivism. The Matrix Knowledge Group estimations are based on a 35 per cent reduction in reoffending and as already highlighted in this chapter, the effectiveness of the SOTP is still very much inconclusive. Therefore the financial saving estimations should be approached with some caution. A lot of work needs to be done in this area and in proving the overall efficacy of the SOTP before conclusions can be made with regards to the cost effectiveness of sex offender treatment programmes. Morally, the cost of this treatment surely should not be questioned if it is only minimally reducing human suffering.

### 5.5.3. Research Publication

This area relies entirely on the work of Brooks-Gordon et al (2004), who simply suggest that only a small proportion of research carried out finds its way into publication. The work proposes that due to the huge investment, both financially and publicly made in sex offender treatment, to ensure that programmes are seen as effective, studies written in English and presenting a positive treatment outcome are more likely to be published (Brooks-Gordon et al, 2004). Although this proposition is empirically unfounded, it raises questions regarding the validity of research carried out on behalf of the Home Office.

## 5.6. Summary

The extensive study by Beech et al (1999) into treatment impact and programme integrity suggests a successfully designed programme and congratulates all those involved in the designing, implementing and delivering of the intervention. It also highlights some positive changes in the core variables associated with sexual offending, but fails to shed any light on the effectiveness of the programme to reduce reoffending.



Friendship et al (2003) and Falshaw et al (2003) have tried to bridge this gap and once again have shown positive treatment outcomes, but have not proven conclusively that the programmes reduce the rate of reoffending. What is clearly demonstrated from the analysis of these research projects is the difficulty of reaching firm conclusions about sex offender treatment effectiveness. Ultimately the issues surrounding cost and publication of findings are not as important as the efficacy of the programme to help rehabilitate sexually deviant offenders. However, once again it would appear that treatment is being questioned, with the latest developments of risk and risk management that are surely yet the start of another reinvention of criminal justice strategies that are reflected widely across both crime and social policy. The introductions mentioned here (MAPPAs and MAPPPs) and others such as Anti-Social Behaviour Orders (ASBOs) to deal with the problem of youth subculture are perhaps signs that yet another government approach (e.g. 'What Works') is failing and being supplemented with public protection instruments, to negate risk.

# Conclusion and Recommendations

## 6.1. Conclusion

Evidently, the development of sex offender treatment over the last forty years has been vast, yet there are still many issues that need resolving. Researchers, treatment providers and the government are all keen to suggest that treatment works. However, it is mainly the methodological issues when carrying out evaluations that have meant that clear conclusions surrounding the effectiveness of the SOTP cannot be made. Although the efficacy of the SOTP is still unconfirmed, many of the evaluative research studies report positive treatment outcomes with very few concluding otherwise.

The introduction of public protection and actuarial justice measures into both crime and social policy suggests a different outlook; an indication that clinicians and experts are failing to deal with the risk posed by highly dangerous offenders. However research highlights that it is the cases where there has been an over dependence on actuarial based tools that have led to offenders being released incorrectly with devastating consequences (Bridges, 2006) and that professionals are reluctant to stop using their expertise and judgement (Maguire et al, 2001). This shift also supports the ideas of Beck (1992) and Feeley and Simon (1992, 1994) who suggests that late modern society is preoccupied with risk, although there is still only a integration of policies dealing with actuarial management of offenders, which is a long way from a 'risk society' (Beck, 1992). However, these introductions are certainly part of the 'responsibilisation' (Garland, 2000), as the government realise that there are no guarantees to reduction in crime and therefore more people and agencies should be personally responsible. Despite these developments the underlying point is that we should aim to treat as many sex offenders as we can, given the terrible consequences if they re-offend. Focus should continue to stay on the efficacy of the programme, but with one eye on the programmes content and continued monitoring. The use of actuarial based assessment tools plays a key part in ensuring the right offenders receive the correct treatment. But the Home Office and other criminal justice agencies still have a lot of work to do to prove the effectiveness of the SOTP. Recommendations for policy makers and items for consideration, which need more debate outside the remit of this discussion, have been suggested based on the conclusions of this dissertation.

### Items for consideration:

- Work needs to be carried out with the National media to educate the public that sexual offenders are not homogenous people and are very much part of everyday society, shaking off the lonely sociopath construction.
- Current psychometric tests do not allow for a direct comparison between treatment impact and treatment outcome. Home Office researchers need to find a clearer link between the two.
- The work of Beech et al (1999) which is vital for monitoring treatment, should be combined with the work of Friendship et al (2003) and Falshaw et al (2003) in order to find out which areas of CBT reduce reoffending and which areas need replacing or improving.
- The shift towards actuarial justice needs to be carefully considered. Cases mentioned in this dissertation and others suggest that replacing professional and clinical expertise with risk assessment instruments can have devastating effects.
- Although it is clear from the use of actuarial tools in the SOTP as a filter for offenders most in need of treatment, risk management can and could play an important part in crime policy. A careful balance needs to be drawn.

**Recommendations for policy makers:**

- To ensure that when carrying out comparative studies using treatment and comparison groups, that the characteristics of each are as close a match as possible.
  
- Higher risk offenders who have not shown significant improvement or still have issues to resolve following the completion of the Core programme should be given priority onto the Extended programme.
- The efficacy of the Extended programme is untested and an extensive research project should be carried out to evaluate the effectiveness of this intervention. It is the understanding that the Home Office do plan to carry out research to evaluate the treatment impact of the Extended programme.
- Due to lack of statistical significance when analysing reconviction data, increase the treatment sample, which should help to overcome the low base rates.
- Extend the follow up period, which should allow for a clearer picture into the long-term treatment impact of the programme and produce a higher base rate.

## Acknowledgements

For My Dad

My dad gave me the greatest gift anyone could give another person, he believed in me. This is well and truly for him.

*'Any man can be a father; it takes a special person to be a Dad'* – Author Unknown

I wish to thank those who have provided intellectual guidance from the start to finish of this dissertation. Particular thanks must also go to all the authors, researchers and academics referenced in this thesis, as without their work this dissertation could not have been completed.

## References

- Abel, G.G., Blanchard, E.B. and Becker, J.V. (1978) *An Integrated Treatment Program for Rapists* in Rada, R. (ed.) 'Clinical Aspects of a Rapist', 161-214. New York: Grune and Stratton
- Bakker, L., Hudson, S., Wales, D. and Riley, D. (1998) *And There Was Light: Evaluating the Kia Marama Treatment Programme for New Zealand Sex Offenders against children*. New Zealand Department of Corrections.  
<http://www.corrections.govt.nz/public/pdf/research/kiamarama/kiamarama.pdf>.
- BBC (1998) *No excuses for vigilantes, Straw warns* (Internet). Available from <http://news.bbc.co.uk/1/hi/uk/83654.stm>. Accessed 05/12/2007
- BBC (2007a) *Newsnight: Chairman of Parole Board says there is a "case for review" of IPPs* (Internet). Available from: [www.bbc.co.uk/print/pressoffice/pressreleases/stories/2007/07\\_july/30/ipp.shtml](http://www.bbc.co.uk/print/pressoffice/pressreleases/stories/2007/07_july/30/ipp.shtml). Accessed 25/02/2008
- BBC (2007b) *Paedophile's sentence overturned* (Internet). Available from: [www.news.bbc.co.uk/go/pr/fr/-/1/hi/England/Leicestershire/7139121.stm](http://www.news.bbc.co.uk/go/pr/fr/-/1/hi/England/Leicestershire/7139121.stm). Accessed 25/02/2008
- BBC (2008) *'Nightmare' rapist gets life term* (Internet). Available from: <http://news.bbc.co.uk/1/hi/england/bristol/7222216.stm>. Accessed 03/04/2008
- Beck, U. (1992) *Risk Society*. London: Sage
- Beckett, R.C., Beech A.R., Fisher, D. and Fordham, A.S. (1994) *Community-based Treatment for Sex Offenders; An Evaluation of Seven Treatment Programmes*. London: HMSO
- Beech, A., Fisher, D. and Beckett, R. (1999) *STEP 3: An evaluation of the Prison Service Sex Offender Treatment Programme*. London: HMSO
- Beech, A. and Fisher, D. (2004) Treatment in Prison and Probation Settings, in Kemshall, H. (2004) *Research highlights in social work: Managing Sex Offender Risk*. London: Jessica Kingsley Publishers.
- Bridges, A. (2006) *An Independent Review of a Serious Further Offence Case: Anthony Rice*. HM Inspectorate of Probation.
- Brooks-Gordon, B., Bilby, C. and Kenworthy, T. (2004) *Sex Offenders: A systematic review of psychological treatment interventions*.
- Brown, S. (2005) *Treating Sex Offenders: An introduction to sex offender treatment programmes*. Cullumpton: Willan Publishing.
- Bryman, A. (2004) *Social Research Methods*, 2<sup>nd</sup> Edition. Oxford: Oxford University Press.
- Cohen, S. (1973) *Folk Devils and Moral Panics: The Creation of the Mods and Rockers*. London: Paladin

Craissati, J. (2004) *Managing High Risk Sex Offenders in the Community: A Psychological Approach*. East Sussex: Brunner-Routledge.

Falshaw, L., Friendship, C. and Bates, A. (2003) *Sexual Offenders – measuring reconviction, reoffending and recidivism*. Home Office Research Findings No. 183, London: Research, Development and Statistics Directorate.

Feeley, M. and Simon, J. (1992) ‘The New Penology’: notes on emerging strategy of corrections and its implications, *Criminology*, **30**: 449-74

Feeley, M. and Simon, J. (1994) Actuarial Justice: The Emerging New Criminal Law, in Nelken, D. (1994) *The futures of Criminology*. London: Sage

Francis, B., Crosland, P. and Harman, J. (2002) *The Police National Computer and The Offenders Index: can they be combined for research purposes?* Home Office Research Findings No. 170, London: Research, Development and Statistics Directorate.

Friendship, C. and Thornton, D. (2001) Sexual reconviction for sexual offenders discharged from prison in England and Wales: implications for evaluating treatment, *British Journal of Criminology*, **41**, 285-92.

Friendship, C., Mann, R. and Beech, A. (2003) *The prison-based Sex Offender Treatment Programme – an evaluation*. London: Home Office Research Findings No. 205, Development and Statistics Directorate.

Furby, L., Weinrott, M.R. and Blackshaw, L. (1989) *Sex offender recidivism: a review*. Psychological Bulletin, **105**(1), 3-30.

Garland, D. (2000) *Criminology and social theory*. Oxford; Oxford University Press

Garland, D. (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University Press

Gendreau, P. (1981) *Treatment in Corrections: Martinson was wrong*. Canadian Psychology, **22**, 332-38.

Gendreau, P. and Ross, R.R. (1979) *Effective correctional treatment: A bibliography for cynics*. Crime and Delinquency, **25**, 463-489.

Giddens, A. (1990) *The Consequences of Modernity*. Cambridge: Polity Press

Harper, G. and Chitty, C. (2005) *The impact of corrections on reoffending: a review of ‘what works’*. Third Edition. London: Home Office Research Study 291, Research and Statistics Directorate.

Hedderman, C. and Sugg, D. (1996) *Does Treating Sex Offenders Reduce Reoffending?* London: Home Office Research Findings No. 45, Development and Statistics Directorate.

Hedderman, C. and Sugg, D. (1997) *Changing offenders’ attitudes and behaviour; what works?* London: Home Office Research Study 171, Research and Statistics Directorate.



Hollin, C.R. (1995) *The meanings and implications of "Programme Integrity"* in McGuire, J. (1995) 'What Works: Reduce re-offending - Guidelines from Research and Practice. Chichester: Wiley, 195-208.

Home Office (1991) *Treatment programmes for Sex Offenders in Custody: A Strategy*. London: Home Office

Home Office (1999a) *What Works: Reduce re-offending: evidence based practice*. London: Home Office Communication Directorate

Home Office (1999b) *Report on a full-announced inspection of HM Prison Wymott*. London: HM Inspectorate of prisons.

Home Office (2006) *Information relating to Sex Offender Treatment Programmes (SOTP)*. FOI Release. London: Home Office.

Hood, R., Shute, S., Feilzer, M. and Wilcox, A. (2002) *Reconviction rates of serious ex offenders and assessments of their risk*. Home Office Research Findings No. 164. London: HMSO.

Hopkins-Burke, R. (2005) *An Introduction to Criminological Theory*. Second Edition. Cullumpton: Willan Publishing.

House of Commons (2001) *Hansard Written Answers for 1st November 2001 (pt 22)*. London: House of Commons, Publications Committee.

Hudson, K. (2005) *Offending Identities: Sex offenders' perspectives on their treatment and management*. Cullumpton: Willan Publishing.

Kemshall, H. and Maguire, M. (2002) 'Public Protection, Partnership and Risk Penalty: The Multi-Agency Risk Management of Sexual and Violent Offenders', in N. Gray, J. Laing, and L. Noaks (2002) *Criminal Justice, Mental Health and the Politics of Risk*. London: Cavendish.

Kemshall, H. (2003) *Understanding risk in criminal justice*. Maidenhead: Open University Press.

Kemshall, H., Mackenzie, G., Wood, J., Bailey, R., and Yates, J. (2005) *Strengthening Multi-Agency Public Protection Arrangements (MAPPAs)*, Home Office Development and Practice Report No. 45, London: HMSO.

Knopp, F.H., Freeman-Longo, R.E. and Stevenson, W.F. (1992) *National Survey of Juvenile and Adult Sex Offender Treatment Programs and Models*. Orwell, VT: Safer Society Press.

Lipsey, M.W. (1995) *What do we learn from 400 research studies on the effectiveness of treatment with juvenile delinquents?* In McGuire, J. (1995) 'What Works: Reduce re-offending - Guidelines from Research and Practice. Chichester: Wiley, 63-78.

Lipton, D.N., Martinson, R. and Wilkes, J. (1975) *The effectiveness of correctional treatment: A survey of treatment evaluation studies*. New York: Praeger.

Lloyd, C., Mair, G. and Hough, J.M. (1994) *Explaining Reconviction Rates: A critical analysis*. Home Office Research Study No.136. London: HMSO.

Maguire, M., Kemshall, H., Noaks, L. and Wincup, E. (2001) *Risk management of sexual and violent offenders: the work of Public Protection Panels*, Police Research Series 139, London: Home Office.

Marques, J.K. (1999) 'How to answer the question "Does sexual offender treatment work?"' *Journal of Interpersonal Violence*, **14**(4), 437-51.

Martinson, R. (1974) *What Works: Questions and Answers about prison reform*, in 'The Public Interest', 22-54.

Matrix (2007) *The economic case for and against prison*. London: The Matrix Knowledge Group.

May, T. (2001) *Social Research: Issues, methods and process*, 3<sup>rd</sup> Edition. Buckingham: Open University Press.

McGuire, J. (1995) *What Works: Reduce re-offending - Guidelines from Research and Practice*. Chichester: Wiley

Metropolitan Police Website (2007) *The worst year so far this century for crime*. (Internet) Available from <http://www.met.police.uk/history/timeline1950-1969.htm>. Accessed on 14/11/2007

Nicholas, S., Kershaw, C. and Walker, A. (2007) *Crime in England and Wales 2006/07*. London: Home Office Statistical Bulletin, Development and Statistics Directorate.

Perkins, D., Hammond, S., Cole, D. and Bishopp D. (1998) *Review of Sex Offender Treatment Programmes*. Broadmoor Hospital: High Security Psychiatric Services Commissioning Board.

Pithers, W.D. (1997) 'Maintaining treatment integrity with sexual abusers', *Criminal Justice and Behaviour*, 34-51.

Prentky, R. (1995) A Rationale for the Treatment of Sex Offenders: *Pro Bono Publico*, in McGuire, J. (1995) *What Works: Reduce re-offending - Guidelines from Research and Practice*. Chichester: Wiley

Punch, K. (2005) *Introduction to Social Research: Quantitative and Qualitative approaches*, 2<sup>nd</sup> Edition. London: Sage Publications.

Pyatt, J. (2008) *Judge lets new perv walk free* (Internet). Available from <http://www.thesun.co.uk/sol/homepage/news/justice/article707258.ece>. Accessed 06/03/2008

Sampson, A. (1994) *Acts of Abuse: Sex Offenders and the Criminal Justice System*. London: Routledge.

The Sun (2001) *Cop's vow over sex beasts* (Internet). Available from <http://www.thesun.co.uk/sol/homepage/news/article144086.ece>. Accessed on 06/03/2008

Vennard, J., Hedderman, C. and Sugg, D. (1997) *Changing offenders' attitudes and behaviour: what works?* London: Home Office Research Findings No.61, Research and Statistics Directorate.

Wood, R.M., Grossman, L.S. and Fichtner, C.G. (2000) *Psychological assessment, treatment, and outcome with sex offenders*. *Behavioural Sciences and the Law*, **18**, 23-41

Young, J. (1991) *The Exclusive Society: Social Exclusion, Crime and Difference in late modernity*. London: Sage Publications.