

TDI Open Courses

**Sexual offending & abuse
in a church setting**



1. Training for Church Settings – Aims and Content

This short session offers an overview of how sexual abuse and offending may occur, with particular reference to Church settings.

The aims of the training are, firstly, to raise the awareness of participants about the nature and extent of sexual offending and abuse in society and the various ways abusers operate.

The second aim is to build the curiosity, competence and confidence of clergy, church officers and volunteers to act appropriately when concerns are raised.

TDI can also offer longer training events, tailored to the specific need of individual organisations.

Topics covered in the training include:

- What do we know about the causes of sexual offending?
- A typology of offending
- Legal issues: how does the Law treat sexual offending?
- Attrition: what proportion of sexual offences reach the Courts? What are the implications of that?
- How do sex offenders operate? The Finkelhor model.
- What is “grooming”? How might it look in Church settings?

Key issues for Churches:

- Beware the stereotypes!
- The Gibb Review: balancing forgiveness and protecting the vulnerable.
- Other forms of abuse?
- What do we need to have in place to make everyone safer?

2. Causes of sexual offending

There is no clear single cause of sexual offending. Researchers have approached the issue in a wide range of ways, notably:

Attachment Theory (Bowlby, 1969)

Attachments to parents and significant others provide a working model for how people respond to others, keep appropriate boundaries and establish trust.

- Sex offenders have less secure attachments to both parents (Smallbone and Dadds, 1998).
- 33% of the parents of adolescent sex offenders were described as rejecting and 33% as abusive (Awad, Saunders & Levene, 1984).

Physical Abuse:

- Sex offenders are more likely to experience violence as children. A high proportion of fathers perpetrated violence in the history of rapists (Smallbone & Dadds, 1998) & incest offenders (Williams & Finkelhor, 1990).

Sexual Experiences:

- Most sex offender accounts of sexual abuse are unreliable and unable to be verified as the incidents were unreported at the time.
- Since polygraphy (lie detectors) were introduced, sex offenders reporting sexual abuse has reduced by 20%. This confirms the view that offenders' own accounts can tend to be unreliable.
- However, some researchers found a link between early exposure to pornography in children under 10 (Cortoni & Marshall, 1995) and later sexual offending.
- We know that sex offenders have higher rates of sexual abuse as children than the general population – about 30%. Levenson, Willis and Prescott (2016) found that, compared to the general male population, sex offenders they studied were three times more likely to have suffered sexual abuse as children and twice as likely to have been physically abused.

Parental Attitudes:

- Antisocial parental attitudes have been linked to offending behaviour in children.
- Poor self-regulation and moral reasoning skills developed in childhood have been implicated in sex offending (Ward and Huson, 1996).

Adult Functioning

Sex Offenders are more likely to have:

- Deviant sexual interests and preferences.
- Poor capacity for adult intimacy.
- Dysfunctional thinking styles.
- Anti-social goals.
- Poor self-management.
- Impulsivity.

Deviant sexual interests and preferences:

- Sexual offending was thought previously to be driven by sexual motivation but this is not supported by more recent research.
- However, some sex offenders do display distorted sexual preferences (Becker 1998).
- In extra-familial child molesters this is predictive of a risk of reoffending, but less so for child molesters whose victims are within the family.

Intimacy deficits:

- These feature in the lives of many adult sex offenders who desire yet fear intimacy (Bumby & Hansen, 1997).
- As a result of this conflict, they view relationships idealistically and impulsively.
- Segal & Marshall (1985) conducted an experiment in which sex offenders interacted with women in a role play situation. Child molesters were rated as inept by observers and they rated themselves as anxious. Rapists performed well by comparison.

Dysfunctional thinking styles:

- In rape offenders, these include regarding women as deceitful or as enjoying, seeking or deserving rape (Marshall, Anderson and Fernandez, 1999).
- In child molestation offences, offenders may believe, or say they believe, that children are sexually knowledgeable and interested in sex (Ward and Keenan, 1999).

Anti-social goals:

- Sexually aggressive men were motivated by a wish to dominate, related to perceived grievances towards women (Lisak & Roth 1988, 1990).
- 60% of rapists described a motivation to humiliate and degrade (Darke, 1990).

Lifestyle impulsivity:

- "A disorganised irresponsible lifestyle and poor impulse control established prior to adolescence" (Fisher & Thornton, 1993, p.112) can be a predictive factor.

Risk prediction studies

- Risk based research which aims to identify factors associated with repeat offending, in order to differentiate between high risk and lower risk offenders.
- This will include factors discussed above, such as an offender's history of abuse or attachment problem; factors connected to the offence, such as victim preference; factors connected to the offender's attitudes and abilities to understand and regulate their behaviour; and contextual factors such as ongoing alcohol or substance misuse.

3. Sex offenders: a typology

This section describes the distinctions between different types of sex offenders. But bear in mind:

- People are not types: there will always be some who don't fit the mould!
- So, consider individuals, not just the following generalities.
- Be vigilant: think about what people do, not just what they say.
- Be prepared to "think the unthinkable" and "ask the unaskable".
- The following typology is drawn from a wide range of research sources, too many to name. But where an author has developed a specific model it will be attributed.

Women sex offenders

Only a tiny percentage, around 1-2%, of convicted sexual offenders in England & Wales are female. More selective studies from around the world suggest a higher proportion, but still far below the level of male offending. We believe female sex offending is under-reported and underestimated, even in comparison with the under-reporting of offending by males.

One reason for this may be that females tend to have easier access to children and are generally assumed to be trustworthy

In analysing female offenders, a key distinction is whether they offend alone or with others. If alone, the offences often involve breaching a position of trust: a classic example would be a school teacher having a "relationship" with a pupil, or some other form of what may be described as "heterosexual nurturing".

Women who abuse pre-pubescent children are very rare, but have generally suffered some form of trauma in their own lives.

Females who offend with others may be actively engaged and/or take more passive roles in watching or encouraging. They may also be involved in creating the opportunity for offending by others, by procuring victims for example.

Sexual violence by women against women may be part of wider domestic abuse in a same-sex relationship.

The following typology of female sexual offending adds some observations on causes and characteristics to the categories:

- Teacher Lover – abuse of adolescent boys (power in perceived "relationship").
- Abuse of own/other young children (distorted thinking & trauma)
- Sexual assault of other adults (likely to be other females).
- Sexual offending with another (in tandem rather than coerced).
- Sexual offending and coerced by another (emotional reliance/ fear/procurement).

Internet sex offenders

Beech et al (2008) identified four main types of internet offenders:

- Those who are simply impulsive/curious.
- Those fuelling a clear sexual interest in children.
- Those for whom use of the internet is part of a wider pattern of off-line offending (exchanging images, finding victims, meeting other perpetrators).
- Those for whom it is a source of financial gain.

Rapists

Rapists tend to have more in common with the general offending population than do child sex abusers. They show higher levels of aggression, for example, and are more likely to have convictions for other types of offences.

Choice of victims is significant: "acquaintance" rapists are usually less violent than those who target strangers

Groth (1979) described a range of motivation, from those for whom the aims are about sexual gratification and self-reassurance, through various anti-social aims, such as asserting power and control. This is where those who feel generalised grievances against women fit in, as described in the section of the workbook on the causes of sexual offending. At the extreme end of the continuum, Groth sees pure sadism as a motivation for some. In these cases, rape can include torture and even murder.

Child sex offenders

Not all are strictly "paedophiles", whatever the media may say.

- "Paedophilic" child sex offenders have an entrenched sexual fixation on pre-pubescent children. In fact, they may well prefer any interaction with children rather than adults. Their most likely victims are males who are not in the family.
- "Non-paedophilic" offenders may be immature or regressed, but generally prefer sexual and social interaction with adults. Their offences against children tend to be situational and triggered by life stresses. They usually know their victims, who are most likely to be adolescent females within the family or family network.

Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity, either in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Sometimes it is hard to differentiate CSE from other forms of child sexual abuse. Most offenders grooming young victims will use gifts, money, alcohol, drugs or simply attention (depending on the age of the intended victim) to coerce them into sexual activity. All sexual abuse exploits the victim in some way. Even where there is an apparent transaction, victims will not necessarily see that they benefit or believe they had any choice.

In summary, there is sometimes a fine line between exploitation and other forms of sexual abuse. The motivation can be easier to see when there are multiple offenders and victims, though individual victims can be exploited by individual offenders.

Sex work

In most of the UK (Northern Ireland is different) buying and selling sex is not illegal. The criminality comes from associated offences:

- Soliciting (by both sex workers and customers).
- Some forms of advertising (such as in phone boxes).

- Living off sex workers' earnings.
- Running a brothel (which can simply mean two sex workers sharing premises. This is still illegal but obviously much safer for the workers involved).
- Trafficking people for purposes of sexual exploitation.

In general, we should see sex workers firstly as vulnerable people at risk of violence and other criminality resulting from their lifestyle and the fact that what they do is largely hidden. Countries which are more accepting of sex work as a profession, such as the Netherlands, and which regulate it like any other business, tend to see lower levels of victimisation of workers.

4. Changes to the law on "position of trust" offences.

This briefing confirms recent changes to the Sexual Offences Act 2003 (covering England and Wales) and the Sexual Offences (Northern Ireland) Order 2008.

UK legislation on sexual offending has long defined situations in which the usual age of consent to sexual activity does not apply. The effect of this is, simply, to extend the age of consent from 16 to 18 where an adult is in a specific "position of trust" with a young person who could, therefore, be at risk of manipulation and exploitation.

Until recently, the list of relationships covered by the "position of trust" offences was confined to adults working with young people in statutory services: teachers, police officers, social workers, youth justice staff and doctors.

The NSPCC, and others, have campaigned for many years for the scope of the Act to be extended to cover other settings in which young people could be at risk. This led to changes in the Law which were implemented in June 2022. In summary, this means that "positions of trust" now include roles in **sports organisations** and **faith groups**.

The changes currently apply in England and Wales and also Northern Ireland. The Scottish government is, at the time of writing, considering similar changes for the protection of 16 and 17 year olds.

Clearly, regardless of the criminal law, organisations working with young people will have codes of conduct setting out how employees and volunteers are expected to behave with those in their care. Disciplinary action will be taken should inappropriate sexual relationships come to light. However, the changes to the law on positions of trust reinforce the seriousness of the issues.

Definitions

Positions of trust, in general terms, apply when an adult is "regularly involved in caring for, training, supervising or being in sole charge of (children and) young people".

The definition of "sport" includes "any game in which physical skill is the predominant factor" and also "any form of physical recreation which is also engaged in for purposes of competition or display".

In faith groups and other religious settings, the guidance in the legislation refers to adults who are "supervising, or instructing, in a religious context to a 16 or 17-year-old on a regular basis".

Even with the new changes in the law, there are still situations where adults hold positions of trust with young people (such as driving instruction). Work will continue in the hope of achieving further extensions of the breach of trust provisions.

A maximum of five years imprisonment can be imposed on those who abuse positions of trust.

5. "Sexting": Legal Implications

The sending of explicit sexual words and images via mobile phones and other electronic devices has become very common in the UK, perhaps especially amongst younger people.

Generally, such exchanges are consensual and take place between individuals known to each other who are in some sort of intimate relationship. Under these circumstances, the main problem those involved may face is that, once private content has been sent, it can never be recovered and could be circulated more widely without their consent in the future.

Nobody should share sexual content of themselves because they feel pressured to do so, and anyone who does send intimate pictures or videos should be aware of the consequences before doing it. By sharing such images, or even just writing explicit messages, there is a risk that personal and private content may later be shared with others without their permission.

Implications for under-18s

The risks of sexting are even greater when the people involved are under eighteen. The impact of personal words and images being shared can be more distressing and have bigger consequences for young people but, just as importantly, there are some legal implications for under-18s which they may not even be aware of.

Whilst the age of consent for sexual activity is 16 in the UK, sexting could still lead to a prosecution (and therefore a criminal record) if either or both parties are under 18.

Protection of Children Act 1978

This Act makes it illegal to take, make, show, distribute or possess in order to distribute "indecent photographs" of anyone under 18. It is also illegal for anyone to permit indecent photos of children to be taken, either by the child or someone else.

Anyone in possession of sexually explicit photos of someone under 18 that they have been sexting is breaking the law, whether or not they share them with anyone else.

Criminal Justice Act 1988

This legislation makes it illegal "for a person to have any indecent photograph (or pseudo-photograph) of a child (...) in his possession". Thus anyone found with explicit images of someone under 18 is breaking the law.

Criminal Justice and Courts Act 2015

In terms of sharing the images received whilst sexting more widely, Section 33 of this Act defines a criminal offence if someone "discloses, or threatens to disclose, a private sexual photograph or film in which another individual appears" if they intend to "cause distress" and sharing the explicit image "is, or would be...without the consent of that individual". This applies to images of anyone of any age that may have been shared or acquired during sexting.

Serious Crime Act 2015

This Act created the specific offence of "sexual communication with a child". In this case, a 'child' is defined as someone under the age of 18.

The kind of illegal communication outlined in this legislation doesn't just cover sexting, but anyone over 18 who is sending sexual messages or images to a child is committing an offence as outlined by this act.

Sexting Between Children (under 18s)

The laws around possessing explicit images of people under 18 still apply even if both parties are below that age. Since January 2016, the Police in England and Wales can record that a young person has been creating and sharing explicit images (as part of sexting) without taking formal action, if this is in the public interest.

The following are illegal when carried out by a child (remembering this means anyone under 18):

- Taking explicit photos or videos of themselves or someone else
- Sharing such images with others, even if the recipients are the same age
- Possessing, storing or downloading explicit images of a child, even if the individual is aware of it

Sexting Between an Adult and a Child

If sexting occurs between an adult and a child, the legal implications are much more serious. As well as covering the taking, sharing and storing of images and videos, an adult who requests such images from a child is committing an offence, so any sexting between an adult and a child is a criminal offence.

Sexting Between Adults

Sending sexually explicit photos and videos from one adult to another is not a sexual offence. If, however, they are unwanted by the recipient, there is other legislation under which they could lead to prosecution, such as for harassment.

As already noted, an adult can also face legal action if they share explicit images of someone else without their consent, especially with the intent to cause distress.

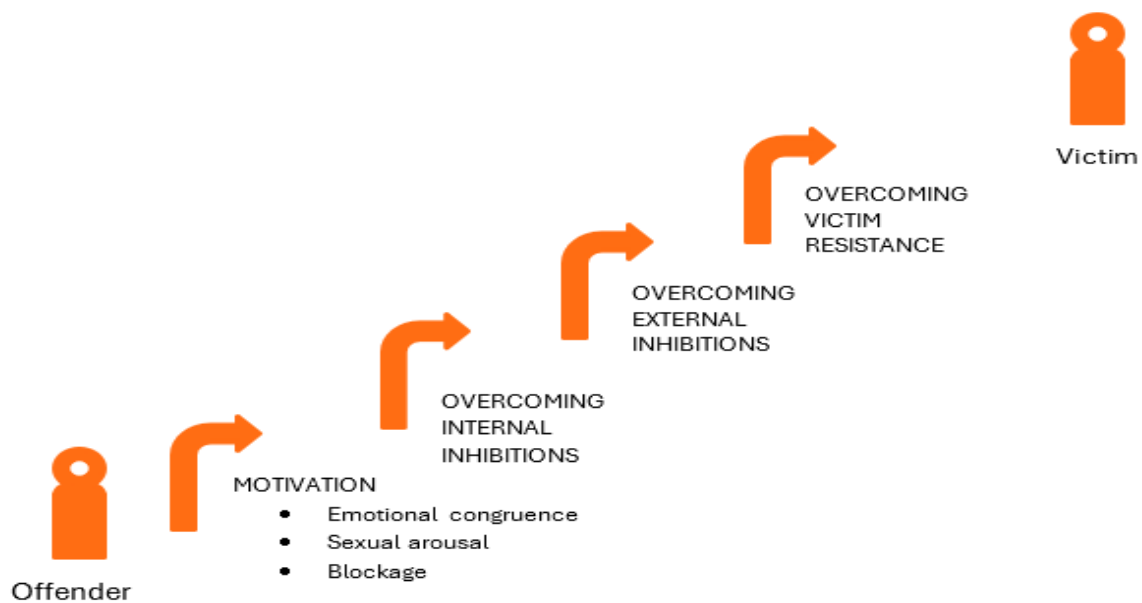
Sending explicit images and videos whilst sexting might seem safe between consenting adults at the time, but these images could then be shared without permission, which is illegal in the UK.

6. How do sexual offences happen?

Finkelhor's 'Preconditions Model'

Sexual offences do not just 'happen', they have causes and circumstances which will make them more or less likely. Understanding more about how offenders are enabled to commit offences allows us to take steps to prevent them, and to support ex-offenders in their efforts to reform.

Although every offence is, to some extent, unique, it is possible to think in general terms about the things which have to happen before an offence can occur. One very influential model was suggested by Finkelhor in 1984 and considers four factors which need to be in place for an offence to be committed. These factors, 'preconditions', occur in order: starting with the offender being motivated to offend, they must first overcome their internal inhibitions, then external checks on their action, and finally the unwillingness of the victim. We will talk about these in more detail below.



While not perfect, this model is still widely used, particularly with offenders to help them think about their behaviour. Although it was originally designed to explain the occurrence of offences against children, it can be used to think about offences against adults as well.

This diagram summarises the model:

The first precondition is **motivation**: the offender must want to commit an offence. Finkelhor suggested three different motivations which an offender might have, either separately or together.

- 'Emotional congruence' occurs when the emotional needs of the offender are met by the victim. For example, the offender may have a need to feel powerful and in control and feel unable to achieve this in consensual relationships with adults. Or, they may have a distorted emotional development which leads them to identify with young children, seeing them as safe emotional equals in comparison with dangerous adults.
- 'Sexual arousal' happens when there is a sexual response to offensive behaviour, such as that involving violence or towards children. This might arise from adverse learning, such as abuse which the offender has themselves suffered which has led them to associate sexual activity with offending. It might also arise from the use of sexual gratification as a coping mechanism to deal with negative emotions.
- 'Blockage' is where normal sexual or emotional needs the offender has cannot be met, leading them to turn elsewhere. Here an offence is a substitute for normal sexual activity which is, for some reason, impossible. Blockages can be emotional, such as a fear of intimacy, or situational, such as marital problems. Blockages can occur on their own, or together.

Once an offender has the motivation to offend, they must **overcome internal inhibitions**. These are the normal barriers which prevent most people from committing crimes, such as a fear of getting caught, a moral sense that offending is wrong, a lack of confidence in the ability to offend, and so on. Sometimes these might be overcome by temporary influences, such as alcohol, sometimes the influence may be longer lasting, such as an impulse disorder. Cultural factors might also impact on internal inhibitions – a cultural attitude of male dominance, for example, or the increasing availability of child pornography may act to make the offence appear more acceptable to the offender.

With internal inhibitions pushed aside, the offender must **overcome external inhibitions**. These are situational barriers which make an offence impossible, such as a lack of potential victims, or the scrutiny of other adults. Sometimes these are overcome through systematic planning and grooming, with an offender working over a long period of time to gain access to their victim. On other occasions, chance and opportunity can take down external barriers – as when an offender finds themselves unexpectedly alone with a potential victim, or with someone who is suddenly vulnerable through drink or illness.

The last thing an offender needs to achieve is **overcoming the victim's resistance**. There are various ways this can happen, including violence and drugging of victims, bribing them or giving them gifts, creating an emotional dependence in the victim by making them believe the offender loves and cares for them, and through grooming and desensitisation towards offensive behaviour. Resistance can be lowered by the victim's background and upbringing, making them more vulnerable.

The model allows us to consider where we might help ex-offenders make offending less likely: reducing their motivation, strengthening their internal inhibitions, increasing external barriers and helping make victims less vulnerable.

This account of Finkelhor's model is strongly based on Chapter Two of Ward T, Polaschek DLL and Beech AR, 2006, *Theories of sexual offending*, Oxford: John Wiley and Sons.

7. Case study – Simone

Simone is a 19-year-old female convicted of conspiracy to rape and of aiding and abetting rape. She befriended two teenage girls, both aged 16, inviting them to go out clubbing. Following the phone call inviting them to come out, she was heard to say "got them!". Instead of going clubbing, the girls were taken to an unoccupied house and raped multiple times by Simone's boyfriend, his brother and a cousin. At one point during the victims' ordeal Simone tried to force one to perform oral sex on one of the men; at another point she prevented one of the victims from going to the other's aid when crying out while being raped.

Simone had been with her boyfriend for six months, after he had picked her up in the street. She was in love with him. Some time after he started a sexual relationship with her, her boyfriend persuaded her to perform oral sex on his brother and cousin.

Simone, who was 17 at the time, had been in local authority care since she was 11. Between the ages of 11 and 17 she had 23 different placements. Previously, she had been a victim of rape herself, although this was not pursued by the Police.

She was sentenced to seven years in a young offenders' institution. The judge cited her lack of remorse and the fact that she and her co-defendants had all pleaded 'not guilty', thus forcing the victims to relive their experience in court, as justifying the sentence.

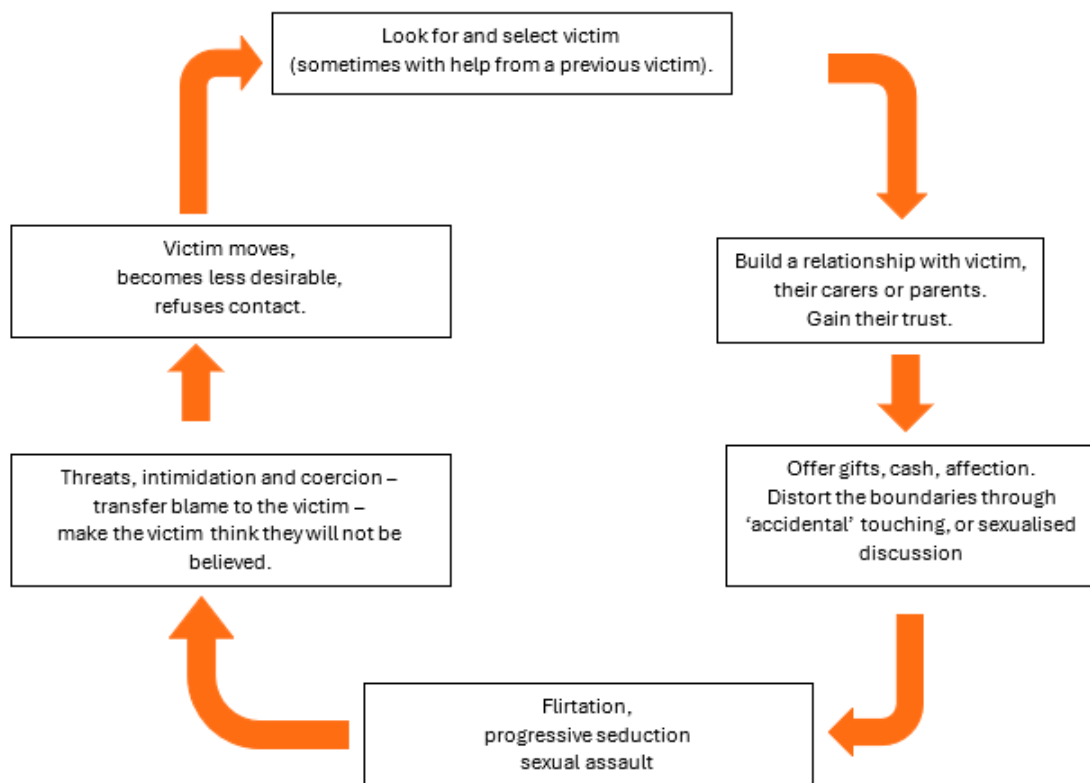
Questions:

- What do you think motivated Simone to offend?
- How do you think she gave herself permission (overcame internal inhibitors)?
- How did she create the opportunity (overcome external inhibitors)?
- How did she overcome the victims' resistance?

8. Grooming

We hear a lot about the grooming of victims by sex offenders. This section explains what the process of grooming looks like. The UK news media currently focus primarily on the grooming of children by men via the internet but, even where that takes place, it is often only part of the process. We also need to be aware that grooming may not start directly with the intended victim: there is a clear pattern, for example, of sex offenders initially forming relationships with and otherwise gaining the trust of single mothers in particular with the intention of gaining access to their children.

The grooming and abuse of one victim can often be part of a pattern, repeated over time. The diagram illustrates that cycle:



Thus, grooming is, clearly, a process and sometimes a lengthy one. It is very different to how opportunistic or impulsive sex offences happen. You will see there are some broad stages:

- Selecting victims.
- Building trust and a relationship with them, which may start out innocently enough.
- Progression to sexual abuse, coupled with coercion and threats to keep the abuse going and prevent disclosure by the victim.
- Sooner or later, an end to the abusive relationship. This may simply be because the victim is older and no longer desirable to the offender.

Within these stages, we will see all sorts of tactics, which have some common themes but will vary in their detail for different offenders. The preferred age of the victims will also, of course, partially determine the offender's approach.

Some, as we know, will trawl for victims on-line. Others will visit public places where young people go, especially those who are truanting from school (who are thus less likely to report anything and may be vulnerable in other ways). Some abusers will first gain the trust of parents or carers in order to gain unsupervised access to their children.

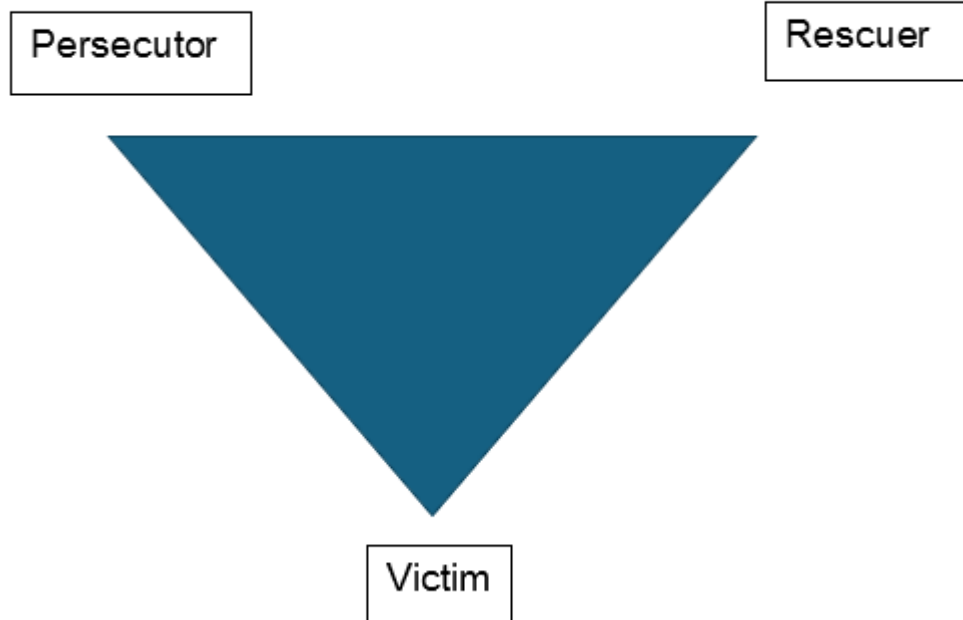
However they engage with their victims, abusers will begin by gaining their trust and forming some sort of "special" relationship with them. They will share confidences, make the victim feel valued, give them gifts, spend time with them, listen to them and make it clear they will be there for them.

At some stage, the abuser will start to blur normal boundaries, such as through "accidental" touching or increasingly sexualised conversations. "Accidental" touching commonly starts during sports or other physical activities.

The seemingly innocent relationship will become increasingly abusive as sexual offending begins to take place. This will probably be accompanied by threats, intimidation and coercion to make sure the abuse can continue and that it is less likely they will be reported. The manipulation can range from the withdrawal of attention or the previous gifts and treats, through blaming victims for what has happened, saying they won't be believed if they tell anyone, or that they will be taken away from their parents if they do. Threats of physical harm to the children or their parents are also quite common to prevent disclosure

9. The Karpman Drama Triangle

9. The Karpman Drama Triangle



First developed by Stephen Karpman (1968). Later adapted for use in Transactional Analysis.

The Triangle models the connection between personal responsibility and power in conflicts and the destructive and shifting roles people play.

Karpman defined three roles in the conflict: Persecutor, Rescuer and Victim. He placed these three roles on an inverted triangle and referred to them as being the three aspects, or faces of drama.

The Purpose of The Victim, Rescuer, Persecutor Game:

- Projects responsibility onto others (like all psychological game playing).
- Avoids internal conflict within the individual.
- Players lack empathy and are very self-absorbed in their own role of the moment.
- Patterns of the game prevent problem-solving; the drama is the focus.
- Maintains bad boundaries.
- The game provides identity and fills emptiness, because two people can jump around in all three roles.

Characteristics of the roles:

Rescuer

The rescuer's line is "let me help you." A classic enabler, the rescuer feels guilty if they don't go to the rescue. Yet their rescuing has negative effects: It keeps the victim dependent and gives them permission to fail. The rewards derived from this rescuer role are that the focus is taken off of the rescuer. When they focus their energy on someone else, it enables them to ignore their own anxiety and issues. This rescue role is also pivotal because their actual primary interest is really an avoidance of their own problems disguised as concern for the victim's needs.

Persecutor

The persecutor insists, "*It's all your fault.*" They are controlling, blaming, critical, oppressive, angry, authoritarian, rigid, and superior. The persecutor keeps the victim oppressed through threats and bullying. The persecutor role usually presents when resentment builds because rescuing is unappreciated or being in a victim role becomes oppressive.

Victim

The victim's stance is "*Poor me!*" The victim feels victimized, oppressed, helpless, hopeless, powerless, ashamed, and seems unable to make decisions, solve problems, take pleasure in life, or achieve insight. The victim, if not being persecuted, will seek out a persecutor and also a rescuer, who will save the day but also perpetuate the victim's negative feelings.

How can this be resolved?

In general terms, those caught in a drama triangle need, through greater understanding of what is going on, to accept personal responsibility and move away from the extremes towards the centre of the triangle.

The Transactional Analysis view of the answer to this question is very helpful:

Being a "victim" means we have adopted, or been given, a "child" ego state. Being a "persecutor" or "rescuer" means we are in "parent mode" (the "critical" and "nurturing" parent ego states respectively).

The answer, using that vocabulary, is not to adopt or accept a parent or child position but to stick to the logical, rational "adult" state. That also means insisting on being the equal of the other(s) involved.

Assuming any child state, in the situations we are talking about, gives power to others; assuming a parental state means we take, or agree to accept, greater power than others in the equation. If we are all equals, the drama can't play out.

In the same way, if we are engaging with, for example, someone suspected of sexual (or other) abuse, we should try not to collude with them if they seek to adopt a "victim" state of mind, nor allow them to be our "persecutor".

10 . Sex offender community management

The United Kingdom has one of the toughest regimes in the world for managing sex offenders, to stop them reoffending and to protect victims. The relevant functions are managed and administered by the Ministry of Justice (MoJ) and, within it, HM Prisons and Probation Service (HMPPS). The Police, whose work is overseen by the Home Office, also have a crucial role.

The tightest controls are usually on prisoners released on a parole or post-sentence licence. For example, Probation officers must give permission for sex offenders released on licence to take up jobs and need to agree where they will live. Offenders must report for regular face-to-face supervision meetings and this effectively prevents working, moving or travelling abroad without permission.

Offenders can also be subject to a wide range of other licence conditions tailored to their particular case, such as exclusion zones, non-contact orders (to keep them away from past victims for example), restrictions on using computers and having to attend sex offender treatment programmes.

Many of the available licence conditions can also be applied to sex offenders subject to community sentences (as opposed to custodial ones) or within civil orders which can be free-standing or sit alongside criminal sentences and continue after prison licences or community supervision have ended.

Alongside these supervision requirements, sex offender notification requirements (the "sex offenders register") were introduced in 1997 and require all those subject to them to notify Police of their address and other personal information, such as any intention to travel abroad. Adults sentenced to more than 30 months in prison are subject to registration indefinitely, though there is a right to apply for a review after 15 years.

MAPPA: Multi-Agency Public Protection Arrangements

These are statutory arrangements which apply in England and Wales for the management of registered sex offenders, violent and other types of sexual offenders, and any other offenders who pose a serious risk of harm to the public.

The MAPPA "Responsible Authority" is made up of the National Probation Service, HM Prison Service and the Police. Various other agencies have a duty to co-operate with this Authority, such as local authorities and health providers. MAPPA is coordinated and supported nationally by the Public Protection Unit within the Ministry of Justice. MAPPA was introduced in 2001 by the Criminal Justice and Court Services Act (2000) and strengthened under the 2003 Criminal Justice Act.

Following the Criminal Justice Act 2003, Lay Advisors were introduced to sit on Strategic Management Boards (SMBs) which have the strategic oversight of MAPPA. The lay members are members of the public who have been selected to help with the development and monitoring of Multi-Agency Public Protection Arrangements and the aim is to boost public confidence in the arrangements. There should be two Lay Advisers on each SMB in England and Wales, a total of 84 nationally.

Assessment of Offenders under MAPPA

Statutory MAPPA guidance outlines a detailed set of processes for managing dangerous offenders. First, the Responsible Authority, in conjunction with partner agencies, such as social services and health providers, need to identify three types of offender living in their area:

Category 1: Registered Sex Offenders (RSOs),

Category 2: All offenders who have received a custodial sentence of 12 months or more for a sexual or violent offence.

Category 3: Anyone else who poses a "risk of serious harm to the public" who has received a conviction and whose risk would be better managed in a multi-agency setting.

Category 4: Terrorists and terrorist-risk offenders.

An offender cannot be in more than one MAPPA Category at the same time, so they will generally default to the lowest number category. For instance, if an offender committed an attempted murder, but also committed a sexual assault, they would be a Category 1 offender rather than a Category 2 for the duration of their sex offender registration. It is the MAPPA level (see below) which determines the level of input to the case, and by implication the level of risk, not the category.

Following the completion of an offender's sex offender registration, if they were still under Probation supervision/licence then they would become a Category 2 offender. If the supervision/licence had expired, then it would be up to the local area MAPPA if they qualify for Category 3 status.

The legislation then requires that the agencies conduct a formal risk assessment of each offender and allocate them to a tier of multi-agency management known as level one, two or three:

Level One represents the normal management of the offender in the community by one agency, with some liaison with others as necessary.

Level Two means that Multi-Agency Public Protection meetings (MAPPs) will be held where the offender's management will be discussed between various parties involved in their case.

Level Three is essentially the same as Level Two, except that senior management representatives will be in attendance and greater resources are expected to be used in the management of the offender

Level Three cases are sometimes called the "critical few". These are offenders posing the highest possible level of risk to the public and normally necessitate a specific case conference to pool agency resources and ensure a strategically coordinated risk management plan. These might be predatory sex offenders, recidivist arsonists, extremely violent offenders, dangerously mentally ill offenders, domestic terrorists, high profile cases or people with dangerous personality disorders. At each MAPPA meeting, agencies have to share often confidential information, and will in many cases adopt a press strategy.

Risk assessment

Before a management plan is put in place, a detailed risk assessment will take place to identify the circumstances and opportunities that are most likely to lead to a further serious offence in this particular offender and the steps that can help reduce this risk. This will study the offender's previous offending history, life circumstances, include psychological assessments (where relevant) and any work in prison that the offender has completed. The Police and the National Probation Service use a risk assessment tool called Risk Matrix 2000 which assesses the statistical likelihood of re-offending by adult male convicted sex offenders only. The Probation Service also uses a nationally validated risk assessment tool called OASys which helps to predict the likelihood and circumstances of future offending behaviour. For young offenders, the Youth Justice Board uses a system called ASSET which is specifically designed to understand the behaviours of offenders under the age of eighteen.

Management plan

A management plan is thus highly specific to each offender and their offending history, but might include any of the following:

- Accommodation at an Approved Premises (AP) where the offender can be monitored in a residential setting, with a curfew.

- A set of licence conditions such as not having contact with children, nor entering a defined exclusion zone in a town.

- An application for a Civil Order such as a Sexual Harm Prevention Order (SHPO) to prevent the offender doing certain things, such as not using IT equipment without permission and allowing the examination of any equipment that is used.

- A requirement to report to an Offender Manager to undertake offending reduction work as part of their supervision, or to attend a more structured group sex offender treatment programme.

- In some very extreme cases there may be covert monitoring of offenders to protect the public.

- A disclosure of information to a member of the public for their protection.

The MAPPA system cannot guarantee the protection of the public but can only manage the risks through the limited powers of each agency. The limitations include the fact that restrictive licence conditions end when the licence expires, though civil orders can be applied for at any time and sex offender registration is indefinite in some cases. Even MAPPA decision-making is frequently fraught with dilemmas. For example, it is not uncommon for a MAPPA meeting to decide to disclose to a member of the public about an offender's risk to protect that individual or somebody else. However, each time that a disclosure is made, MAPPA loses control of the way that information is used. Some sex offenders have been attacked as a result of public animosity, and others have tried to disappear so agencies can't manage them at all.

Other community management options

There are various other interventions that can help to reduce the risk of reoffending and protect the public. These include Circles of Support and Accountability, a group of volunteers placed around an offender who is living in the community and "Sarah's Law" under which members of the public can, under certain circumstances, ask the Police if a person who has unsupervised contact with their children is a known sex offender. There are on-line resources to help offenders help themselves, and a number of national and local charities who offer support to ex-offenders on a voluntary basis.

Outside of England and Wales

Different arrangements exist for Scotland and Northern Ireland. In Scotland, the system is also known as MAPPA and is very similar to the English and Welsh arrangements, whilst reflecting the differences in Scottish law, government and organisations. For example, there is no equivalent to the National Probation Service in Scotland.

Case Examples

Duncan

Duncan came out of prison after serving 28 months for assaults on young children. He was monitored after release and it emerged that he had begun to referee football matches in the local boys' league.

Using its powers, the MAPPA board which was responsible for his case informed the Football Association and applied, successfully, for a civil order which banned Duncan from refereeing.

Alistair

Alistair had one conviction for a sex offence and was involved in an Internet marketing scheme. He was active in fundraising and worked occasionally at a school on a story-writing project. When his name was linked to a criminal investigation into the trading of child abuse imagery on the Internet, the MAPPA board decided to inform the Charity Commission and the school. He was also visited and spoken to by the police.

11. TDI Open Training

Workshop on sexual offending and abuse in Church settings

Notes on issues from the Powerpoint presentation

- Attrition

There is a huge difference in the amount of abuse, of various forms, in our society and the level suggested by the cases which appear in the criminal courts. In the statistics used in this presentation, only 3.25% of incidents recorded as sexual crimes by the Police turn into criminal convictions. We can also see that most of the incidents confirmed by respondents in the Crime Survey for England and Wales are not even reported to the Police. Current media and political interest in rape cases suggests that the conviction rate for those crimes is even lower.

Taken overall, one conclusion we can draw from the various statistics is that many, probably most, sex offenders have never been convicted. We should not be too surprised at that, given the lengths sexual predators go to in selecting and grooming vulnerable victims and creating opportunities to offend, often from positions of trust, which are unlikely to lead to detection or conviction.

We also believe there is a significant under-reporting of other forms of abuse, not least domestic abuse.

- Other forms of abuse

While sexual abuse attracts the most media attention, Church organisations need to be alert to other forms of abuse, including domestic abuse and spiritual abuse.

Under those (and other) broad headings, the abusive behaviour can take many forms:

- Physical abuse and intimidation
- Emotional abuse
- Psychological abuse
- Economic abuse
- "Coercive control": generally, a pattern of behaviour including all or most of the above.

Coercive control

Coercive control became a specific UK criminal offence in December 2015 and can only apply to behaviour after that date. The legislation which covers coercive control is the Serious Crime Act 2015 (Section 76)

The definition refers to patterns of behaviour which have a "serious effect" on the victim, including the creation of a fear of violence, and which have a "substantial adverse effect" on their day-to-day life.

Whilst the offence was created with domestic abuse cases in mind, the perpetrator behaviours are often evident in other forms of abuse and control of vulnerable victims.

Other topical issues in domestic abuse policy and practice

Most responses to domestic abuse in the UK have, to date, adopted the "Duluth Model" developed in the US from around 1980.

The Duluth model uses feminist theory to understand abuse, in which the driver is men's need for power and control over women.

On that basis, the model ignores domestic abuse in same sex couples and inter-generational abuse. And, of course, male victims of abuse by their female partners.

For these, and other, reasons, the Duluth model is increasingly seen as having limitations in both its theory and practice.

An alternative view of domestic abuse:

Michael P Johnson has suggested the following typology for the majority of domestic abuse cases:

- "Intimate terrorism" (very like the Duluth model; mostly male perpetrators).
- "Violent resistance" (where someone in a relationship, most often female, reacts in self-defence to an abusive partner).
- "Situational couple violence" (arguments escalate into aggression by both partners).

From "A Typology of Domestic Violence"; Johnson, Michael P (2008)

Some key issues for safeguarding in a Church setting:

1. Forget about the stereotypical "child abuser"

There is a persistent stereotype in social media and in TV Police dramas (for example) which suggests that those who sexually abuse children conform to a particular type: usually an isolated, older man who lives alone, who finds it hard to relate to adults, preferring the company of children. He may lack social skills, including in terms of self-care and personal hygiene. Whilst it is true that these offenders exist, the reason they have become the stereotype is that they are, bluntly, the easiest to catch and convict. The risk, therefore, is that many people will not consider the possibility that someone may be a sex offender unless they fit the stereotype. The highly skilled, socially polished predators, who often operate from positions of power may, therefore, be hiding in plain sight.

We should be curious about those who:

- Distort perceptions
- Create opportunities
- Go to great lengths to prevent discovery
- Show "persistence after sanction": seemingly unable to stop placing themselves in vulnerable positions despite having been complained about or investigated in the past. Even though nothing may have been proven, why would they continue to take the risk?
- Present "emotional congruence" with younger people and find all sorts of reasons to be with them as part of their role, including on a one-to-one basis.
- Deny, minimise or blame others when challenged (which is why it's so important to note responses to allegations during investigations very carefully).

2. Remember the Gibb Review

"The Church has already taken steps to understand better the theological implications of abuse. We have considered the Faith and Order Commission's two reports, "Gospel, Sexual Abuse and the Church" and "Forgiveness and Reconciliation in the Aftermath of Abuse".

These works represent a determined effort by the Church to provide a firm theological basis to its responsibility for preventing abuse and responding well when abuse does take place.

They seek to mitigate any risks that distorted Christian teaching, or teaching which over-simplifies issues of forgiveness, might create conditions in which abuse goes unchecked or where the harm of abuse can be compounded."

From: "An Abuse of Faith" The Independent Peter Ball Review (Dame Moira Gibb DBE)

Thus, there are risks that the Church's commendable belief in redemption and forgiveness may be taken advantage of by some, that ongoing risks may be overlooked and further victims may be created as a result. We might add to the risks a traditional culture of deference to the clergy, and therefore a reluctance for their behaviour to be challenged, especially by others they may work alongside in a parish.

3, What do we need to have in place?

Clear safeguarding policies which are understood by all members of your organisation.

An ongoing programme of good quality training.

"safer recruitment" practice.

Designated safeguarding leads to deal with complaints and concerns. Ideally, offer a choice of who to approach.

Access to expert advice and working links with statutory safeguarding agencies (Police, local authority...)

A culture which prioritises the needs of victims/survivors but does not leave "respondents" (those suspected or accused) isolated from support and information about the investigation process.

4. Access to external advice and support

If your organisation/Church is unable to employ an expert safeguarding adviser, consider the options for getting the advice and support you need from an external body. Good links with your local Police and Local Authority Safeguarding departments can help a lot, and/or you might consider an organisation such as Thirtyone:Eight, a UK charity offering a range of services, including a safeguarding helpline, a DBS checking service, policy advice and independent case reviews...

Web5. site: <https://thirtyoneeight.org/>

The importance of support for respondents

It is important that Church practice on safeguarding issues prioritises the welfare and other needs of victims/survivors. However, the impact on "respondents" (clergy and other church officers or volunteers who are accused or suspected of abuse) is well-documented. Safeguarding procedures should always offer pastoral support (at least) to respondents throughout any investigation. It is also good practice to offer an independent person who is impartial in the process and will advise the respondent on what will happen at each stage of the investigation and any subsequent action.

A lessons learned review conducted in London Diocese noted that a priest had taken his own life due to the stress of being investigated. In fact, the safeguarding practice in this case was found to have been so seriously deficient that the Coroner issued a rare "Regulation 28" Prevention of Future Deaths Report, which was published. The key extract from that Report is this:

"(The respondent) hanged himself at home on (date) 2020. He killed himself because he could not cope with an investigation into his conduct, the detail of and the source for which he had never been told."

More online courses

Introduction to working with sex offenders

This course is an ideal introduction to issues around sexual offending, aimed at a wide range of organisations. It will give attendees confidence that they understand what offending is, who they are, and how staff can respond safely and helpfully.

Looking after yourself & your team (a course for managers)

This course is intended for team managers and other first-line supervisors from a range of organisations and sectors. It is suitable for any manager in public-facing services, particularly those working with service users with complex needs.

Sexual harassment in the workplace

Child sexual exploitation

Bespoke courses

We work with you on content which supports your team, reduces organisational risk on all areas of sexual offending. Call us on 07437 038 057 or email info@tdi.org.uk or Beverley.gray@tdi.org.uk

Free content

[Www.tdi.org.uk](http://www.tdi.org.uk)

Follow us on LinkedIn where we post useful advice and information regularly

Call us for a chat!

**Thank you for attending this course we look forward to meeting you again,
TDI**