



ACRONYM: SOC

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Title: Sex offenders in and out of crime: recidivism, criminal careers and desistance

SUMMARY

Context

Sex offences have attracted a lot of public and policy attention in the last decades. In Belgium, the Dutroux case led to unseen public protests and important policy changes. Elsewhere, similar horrifying events have taken place, also affecting in important ways policy responses to sex offenders (e.g. the cases of Megan Kanka in the U.S. and Sarah Payne in the U.K.). Furthermore, these last decades, sex offending has been high on public agendas in the aftermath of revelations about sexual abuse in the context of the Catholic Church, in sports and other leisure activities, but also with the #MeToo movement.

Sex offenders are generally viewed as a separate category of offenders. In the public and among policymakers, several stereotypes and unfounded beliefs about sex offenders exist, which sometimes affect policies that target sex offenders (e.g. sex offender registers,...). These include ideas about the recidivism of sex offenders (believed to be much higher than recidivism of non-sex offenders), the specialization (sex offenders are commonly believed to specialize in sex offences), that they cannot stop (with the idea that they do not desist from crime, that their criminal career differs in important ways from that of non-sex offenders,...).

Almost a quarter century after the Dutroux case, Belgium still seems to lack the empirical data about the offending behaviour of sex offenders needed to confront potential misconceptions on the nature of sex offenders' criminal careers.

Against this background, this research project has taken on the challenge of addressing a number of key issues revolving around sex offenders and sex offending.

Objectives

This study set out to address the following questions:

- Do the criminal careers of sex offenders differ from those of non-sex offenders?
- Is the recidivism of sex offenders different from that of non-sex offenders?
- How do dynamic variables (such as housing and an occupation) affect the desistance success of conditionally released sex offenders?
- Are the desistance narratives of released sex offenders different from what emerges from desistance narratives of non-sex offenders (in international literature)?
- What is the scientific evidence that has been used in designing recent sex offender policies?

Each of these questions is addressed in a separate work package.

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Conclusions

In general terms, the criminal careers of sex offenders and non-sex offenders show slight differences, but above all remarkable similarities. The criminal careers of sex offenders seem to follow similar paths as those of non-sex offenders. Similar trajectories emerge with equal proportions among a national cohort of sex offenders in Belgium and in the Netherlands, and a nationally representative cohort of non-sex offenders in both these countries. Based on a latent class analysis of past convictions of sex offenders in Belgium and the Netherlands, and contrary to popular misconceptions about sex offenders, only a minority of sex offenders in the Dutch sample show specialization and persistence in sex offending; in the Belgian data, this is even absent.

In terms of recidivism, a national cohort of released sex offenders has a lower rate of returning to prison in comparison with non-sex offenders, which is found for first time prisoners, but also even for sex offenders with prior detentions. Based on analyses of recidivism and risk assessment scores (Static 99R and Static 2002R) of a group of released sex offenders, the sex of the victim (male), the age of the offender when released from prison (younger) and the number of previous sexual offences (higher) are important in predicting future sexual offending. These static factors have to be viewed in association with dynamic changes in the lives of released sex offenders. Although the analysis of dynamic factors in this study is not conclusive due to difficulties in having access to a sufficient number of cases, the data here show that therapy can have a positive impact, while substance dependency issues negatively affect the risk of returning to prison.

Based on the desistance narratives of a group of 19 persons previously convicted for child molestation and released from prison, an important difference was found with respect to a 'redemption' script that was previously found in other studies among non-sex offenders (Maruna, 2001). Rather than going through an identity transformation, these interviews show the existence of a 'behavioural script', focused on avoiding new offences, but not identity change.

As far as 'research utilization' (Weiss, 1979) is concerned in the drafting of three recent policy initiatives, this study could not find any type of scientific evidence that was made use of. This calls into question the use of (the best available) scientific findings to inform the making of effective policies.

Taken together, the results of this research project show an important lack of good information about sex offenders and sex offending. This study falsifies a number of beliefs about sex offenders and shows how sex offenders are much more like other offenders, even though some minor differences might exist. These findings also raise doubts about 'catch-all' kind of policies oriented towards sex offenders, without any further differentiation between them.

Recommendations

On the basis of this research project (ranging from the data collection up to the results of the data analyses) several recommendations can be formulated.

One type of recommendations relates to data. One particularly important issue pertains to the lack of a common identifier in different databases across the criminal justice systems, which makes it a difficult task for researchers to retrieve and link data related to the same offender.

Recommendations related to science include more attention for subtypes and heterogeneity among sex offenders. Provided the highly comparable criminal career trajectories among sex offenders and non-sex offenders, the question is raised about future research into the aetiology of sex offending and its difference with non-sex offending. Ideally, future research should make use of different measures

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of sex offending, based on official data and self-report data, draw on more data, including about dynamic elements such as housing, family situation, occupation and financial situation.

As for policy recommendations, in case research finds sex offenders are low or moderate risk, then this should be an additional ground for differentiation; the sex offence should not be the sole element to treat all sex offenders alike.

Furthermore, specific policy attention oriented to sex offenders should be based upon or at the very least in line with the best available scientific evidence, potentially by installing a type of check of new legislative initiatives (e.g. a check by experts/scientists working in the domain who can assess the evidence base related to the content, or even more systematically, an institution that checks the legislative quality in terms of content, alongside other organizations that check legislative proposals in terms of the fit with existing legislation, such as the Constitutional Court or the Council of the State, department of legislation).

Researchers should also take on a more active role in participating in public and policy debates about sex offending and sex offenders.

Keywords

SEX OFFENDERS – RECIDIVISM – CRIMINAL CAREERS – DESISTANCE – POLICY