HM Prison & Probation Service

The separated location of prisoners with sexual convictions: Research on the benefits and risks

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This report summarises a HMPPS-funded qualitative research project designed to examine the benefits and challenges associated with the separate location of prisoners in England and Wales who have a conviction for a sexual offence. In many establishments, prisoners who have a sexual conviction are intentionally separated from other prisoners and held in Vulnerable Prisoner Units (VPUs). Twenty-seven prisoners with a sexual conviction in 4 prisons were interviewed. They had varying experiences of complete separation, with and without a treatment emphasis, and integration with other prisoners with non-sexual convictions. Their accounts were analysed to identify emergent patterns, experiences and outcomes.

Key findings

- **Benefits of separation** were identified as a more relaxed environment, feeling safer, and access to peer support. **Drawbacks of separation** were found to be 'marking' prisoners out as sexual offenders, reinforcing negative labelling, limiting opportunities for change and potentially facilitating networking, where details of potential victims could be shared. **Benefits of integration** included: reduced levels of stigmatisation; helping in dispelling myths about people who sexually offend; and better preparing people for living in the community on their release. **Drawbacks of integration** included the complexity of integrating with prisoners who did not have sexual convictions and prisoners feeling unsafe.

- Separated prisoners with a conviction for a sexual offence were living in Vulnerable Prisoner Units in close proximity with other prisoners who had sexual convictions. This led to a **hierarchy of sexual offences** with aggravating and mitigating factors to support each position in the hierarchy. Prisoners who had sexually offended against children were seen to be at the bottom of the sex offence hierarchy and those who had committed sexual offences against adults at the top. Some people perceived that staff reinforced the hierarchy by treating prisoners differently depending on the age of the victim.

- The role that the hierarchies played emerged from the interviews in 5 ways: to reinforce social attitudes; survive bullying; enhance self-efficacy; to exert power over others; and to relieve boredom.

- Four distinct coping styles were identified across 2 dimensions (self-esteem and aggression). The 4 styles were; **Heads down** (low self-esteem, low aggression); **Investigators** (high self-esteem, high verbal aggression)**; Opinionated** (high self-esteem, high physical aggression); and **Autonomous** (high self-esteem, low aggression).

Preventing victims by changing lives

Context

Her Majesty's Prison and Probation Service stresses the importance of rehabilitative cultures in prison. Prisoners should feel safe to participate in rehabilitation in an environment in which staff and prisoners engage in constructive and supportive relationships that are defined by respect and courtesy. Prisons should mitigate aspects of imprisonment that might lead to increased offending, such as antisocial and offence-supportive cultures. In custody, men convicted of sexual offences can be offered Rule 45 status, which enables the segregation of individuals deemed vulnerable from the mainstream population in Vulnerable Prisoner Units (VPUs). Consequently, the VPU populations often comprise a mix of those with a sexual conviction and those with non-sexual convictions. The research supported HMPPS (formerly NOMS) strategy to minimise risk and maximise gains in relation to accommodation policy for prisoners with sexual convictions by increasing knowledge about the experiences of such prisoners in different types of accommodation.

Aim

To improve understanding of the benefits and drawbacks of housing individuals with a sexual conviction together in prison.

Method

Twenty-seven prisoners with sexual convictions living in 4 prison sites took part in individual in-depth interviews. The prison sites were purposively selected to include a diversity of prison security categories, inspection results for safety and VPU housing locations. In 3 sites the VPU was segregated from the other wings. In the fourth site vulnerable prisoners were more integrated with other non-sexual prisoners during daily activities, and did not have VP status, although were still living on separate wings. Diversity of prison site, built environment and governance were also included; for example an older Victorian public prison and a newly built private prison. Primary sampling criterion included age, type of offence (including victim type) and length of sentence. Secondary sampling criteria involved first time versus repeat offenders and completion of the sex offender rehabilitation programmes. Table 1 shows the demographic characteristics of the sample.

Table 1: Sample Characteristics

Criterion	Sub-group	Number of Interviews
Age	18-24	3
	25-34	6
	35-44	4
	45-54	6
	55 or over	8
Index Offence	Non-contact	2
	Contact offence (child under 13)	14
	Contact offence (child aged 13-16)	6
	Contact offence (adult)	3
	Sexually motivated murder	2
Sentence Length	Less than 4 years	7
	5-10 years	7
	10 years or more (inc. IPP)	13
Total		**27**

Topic guides were used to aid discussions, but the interviews were tailored to be responsive to individual responses, personalities and experiences. The interviews were transcribed verbatim and analysed by the authors using the Framework approach[1] in NVivo 10. Framework is a case and theme based approach to analysis that involves summarising data into matrices where each row is a participant and each column is a theme relevant to the topic. Analysis then draws out the range of experiences and views, identifying similarities and differences, and interrogating the data to explain emergent patterns and findings.

Results

First impressions of prison

Being sent to prison was a shock for some of the individuals and as such this may have impacted on their ability to recall the details of their induction or remand. First experiences of prison were described as being in a 'daze' and experiences of reception and induction as unremarkable. Not all prisoners were informed of their right to Rule 45 status, sometimes leading to a suspicion

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[1] Ritchie, J., Lewis, J., McNaughton Nicholls, C. & Ormston, R. (2013). *Qualitative Research Practice,* London: Sage.

that some prison staff were not doing all they could to ease their transition into custody. Individuals entered a VPU via 3 routes: placed immediately following reception; requested to be allocated; or moved following an initial period on the main location. Individuals described wanting to be housed on the VPU based on a desire for a 'quiet life' or for protection from the main prison population rather than wanting to be housed with other individuals with sexual convictions.

Following the initial shock, individuals described a process in which they began to understand prison life. The person they shared a cell with was often critical to their settling in period and some expressed shock at being genuinely helped by other prisoners. Overall, there was evidence that the initial stages of imprisonment were different to other prisoners because of the individual's status as a person who had a sexual conviction. In particular, there was a greater concern about safety and hostility.

Environment and activity

Descriptions of prison environments differed between and within establishments. This difference was accounted for by the extent to which the VP population in an individual prison contained prisoners with non-sexual offences; the greater the number of VPs who were not convicted of sexual offences, the more negatively the environment was described. In contrast, when there was a higher concentration of prisoners who had committed sexual offences, the prison environments were described as being calmer and more relaxed.

The more meaningful activity a prisoner was able to engage in, the more they were able to negate boredom and use their prison experience for a positive force for change. An individual's status as a VP affected the nature of the activities the prisoner felt they could be involved in as they were unable to mix with main prisoners. Movement between VPUs and other areas of the prison was the most common time that participants reported experiencing verbal abuse from other prisoners and this reduced their motivation to engage in activities which could expose them to more contact with others.

Co-located VPUs in an establishment that did not offer therapeutic rehabilitative interventions housed together groups of men with problematic sexual interests that were not being addressed. Rather than engaging in programmes, the prisoners in these units described spending their time 'thinking back' over their offences and ruminating about the apparent 'injustice' of their conviction.

Prisoner relationships and interactions

Participants consistently described forming 'acquaintances' in prison rather than genuine friendships. They reported issues of trust, specifically having to conceal the nature of their offences; wanting to avoid associating with others who had committed more serious offences than their own; and being unable to meet up with people who had also been convicted of committing a sexual offence once they had been released from custody. Prisoners with sexual convictions were more likely to share their feelings about their case or coping with prison life with someone who had similar convictions. Among both separated and integrated participants, despite an intense level of interest in each other and their convictions, there was an unwritten rule not to discuss offences, instead often focusing on sentence length. Participants who had spent time on non-VPUs described surviving by a strategy of making up a non-sexual conviction. For some this cover was maintained after they had transferred to a separated wing. Some participants did not endorse this strategy as there is an assumption that all those on separated wings have a conviction for a sexual offence. In some cases, participants described being open about their offences from the outset which initially resulted in a degree of harassment and bullying which then dissipated over time. The high level of interest in each other and each person's offence type enabled individuals to be placed within a hierarchy on the wing and consequently resulted in some people exerting power over others.

Staff and prisoner interactions

Participants described diverse experiences of staff and prisoner interactions. A 'them and us' attitude was the norm, with some of these experiences being put down to generic prisoner/staff relationships in custody. Participants also described, however, that negative reactions from staff were intensified by their status as a person with a sexual conviction. Participants described some staff as encouraging or partaking in the harassment and name calling of those with sexual convictions. Across all sites participants reported incidents in which staff had intentionally shared the nature of their offences with others by either talking loudly or leaving written or electronic documentation out to be seen by others.

Staff on separated wings were thought of as more relaxed and open, with good staff at public prisons thought of as more experienced and competent than staff in private prisons. Having a staff member treat them like a human being had a significant impact on the participants who were able to give examples of when officers had spoken to them respectfully and effectively responded to their needs.

Bullying, harassment and violence

Across all sites, a wide spectrum of bullying, harassment and/or violence was described by some participants. Many had faced particular and specific threats from both the other non-sexual prisoners, staff, other VPs and other prisoners with sexual convictions. Even those who did not experience bullying first hand described how bullying and harassment was the norm for people with sexual convictions. Bullying and harassment was discussed as occurring in varying forms. Firstly, violence was reported to flow from the main wings to the VP's through name calling during movement and fear that food cooked in the main kitchen destined for the VPU would be contaminated. On separated wings, bullying occurred between prisoners; specifically where there were high proportions of people with non-sexual convictions who were then seen to bully those with sexual convictions. However, bullying also occurred in the locations containing only those people who had sexual convictions, particularly against those with high profile cases or those who were known to have offended against children. Bullying also occurred regardless of offence type in the context of debt and theft of medication and food goods. There was a recurrent perception that staff tended not to want to, or were unable to, prevent bullying due to the normative nature of such behaviours in custody. Respondents adopted different strategies to negate the impact of the bullying and harassment they experienced due to their sexual conviction; they would either challenge; ignore it; support other victims of bullying; or join in bullying others about their offence.

Hierarchies on the VPU

A recurrent theme in the interviews was participants attempting to place themselves and others above their peers. This suggested a hierarchy of sexual offences with aggravating and mitigating factors to support each position in the hierarchy.

Prisoners who had sexually offended against children were seen to be at the bottom of the hierarchy with those who had committed a sexual offence against an adult at the top. Aggravating factors that could alter the position in the hierarchy included the age of the victim (younger victims considered worse) and the extent of harm caused (whether the offence was a contact offence and the severity of the contact). Mitigating factors used to justify a position further up the hierarchy included offence supportive beliefs that are commonly used to justify offending behaviours, for example, older victims being portrayed as able to consent or defend themselves. Some participants perceived that staff reinforced this hierarchy by treating prisoners differently depending on the age of the victim.

The impact of hierarchies

The analysis indicated that the hierarchies served 5 purposes:

1) Reinforce social attitudes: Men who had committed rape against an adult victim appeared to use their higher position in the hierarchy as permission to openly discuss their offence, whereas there was agreement amongst all interviewees that open discussion of offences would not be tolerated for those people who had committed sexual offences against children.

2) Survive bullying: Bullying a person who was perceived as being low down on the hierarchy could protect a person from being labelled or bullied themselves.

3) Enhance self-efficacy by comparing themselves favourably to others they see as below them.

4) To exert power over others by discovering details of their offending and using this information to stigmatise and harass others.

5) Relieving boredom: If there was no information available about another person's offence, some of the participants talked about using stereotypes to allocate people into the pecking order (for example older offenders assumed to have offended against children).

Hierarchies also helped sustain a culture of gossip, innuendo and individuals lying about themselves as a method of survival on the wing. Participants also spoke about staff using and supporting hierarchies on the wing in order to survive the VPU environment.

Coping styles

Four distinct coping styles were identified across 2 dimensions (self-esteem and aggression). The 4 styles were; **'Heads down'** (low self-esteem; low aggression); **'Investigators'** (high self-esteem; high verbal aggression)**; 'Opinionated'** (high self-esteem' high physical aggression); and **'Autonomous'** (high self-esteem; low aggression). The only movement between the styles was reported when participants turned to an autonomous style – this could occur through increased self-awareness; coming to terms with their sexual offending and sentence length; and becoming assertive having survived challenging experiences within the VPU.

Implications of the different coping styles

The different coping styles have a bearing on how a VPU can be effectively managed as a rehabilitative environment. Some styles, for example, inhibit positive behavioural change and encourage a culture of offence-supportive beliefs, whereas others limit the extent to which people can engage with day to day life on the wing.

Head down people expected trouble on the wing and were seen as at risk of being manipulated by people with an investigator style.

Investigators survived on the wing and masked their own offending histories by exerting control and power over others, particularly by using knowledge of other people's offending behaviours.

Opinionated people were self-confident, but primarily due to their perceived ability to defend themselves physically rather than from knowing about other's offences.

Autonomous people were calm and self-assured and resilient to problematic behaviours directed toward themselves or others on the wing. They were able to identify and reflect on the advantages of an autonomous style and were seen as having the potential to shape group behaviours, including challenging gossip.

Benefits of VPUs

Participants reflected on their own current and past experiences to discuss benefits and drawbacks of co-location. Participants described 3 main benefits of the VPU:

1) VPUs were **more relaxed** in comparison to the main location wings, in which people had to withdraw or join in the day to day levels of violence in order to survive.

2) Participants described feeling **safer** than they would if integrated on the main location because among similar prisoners, they would not be targeted for attack or abuse as a person with a sexual conviction**.**

3) Participants identified **peer support as a benefit,** which resulted in people being able to empathise with one another in relation to fears of bullying or worrying about their offence. At the site where specific treatment was offered for those with a sexual conviction, participants said that they could talk about how they were currently working through treatment goals and difficult aspects of the course.

Drawbacks of VPUs

The key drawback described by the participants was that living in a VPU **marked them out** as "sex offenders" and increased the likelihood of them being labelled. For some this had an impact on their sense of identity and impacted on daily prison life. For example, one participant said he felt unsafe in visits as he had to sit in a segregated area for VPs and another avoided taking part in activities if it meant having to walk past the main location units.

Stigmatisation from other prisoners and staff in combination with the media narratives of those who

sexually offend were a constant experience. Some participants felt that the 'sex offender' label would impact on their lives for years to come.

Some participants described being **"lumped together"** as a drawback of separation. They endorsed **hierarchies** as a coping strategy to separate themselves from the narratives or identity often associated with men who have sexually offended.

For some there was an initial reluctance to be housed on a VPU with people who had committed sexual offences that they deemed to be lower down the hierarchy than their own. However, these participants found that once they had been located on a VPU, they had been able to dispel their own "myths" and could see the longer term benefits of separation.

Some participants thought that VPUs could lead to networking between people who have committed sexual offences, although the interviews suggested this was a very rare occurrence (see below).

Weighing up the benefits and risks, the majority of participants supported separated location as long as there was a balance of men who had sexual convictions and men with non-sexual convictions.

Ambiguity

The calmness and support on the VPU was in stark contrast to how people described the experience of main location (integrated) wings. While the benefits of VPUs varied according to site, they appeared to be underpinned by the extent to which non-sex offenders were housed within the VPU. Where a VPU held a greater number of non-sex offenders, an increase in drug use and bullying was reported. This was in contrast to VPU wings housing mainly people who had sexual convictions where people were more relaxed and open about their offences and circumstances. It was not just the configuration of the prisoner population that impacted on the culture; issues such as the broader regime, staffing and a rehabilitative culture were also significant.

Even in VPUs, group dynamics were found to impact on the prisoners' experience regardless of the population mix.

Sexual behaviour and networking

The researchers directly asked participants about experiences of networking – people inappropriately sharing details of sexual offending or victims or setting up agreements to commit further sexual offences on release from prison. This element of the research may have been impacted by the participants' knowledge that the researchers would have to report any disclosure of potential harm or offence planning. Some given examples appeared to be beliefs of potential opportunities for

networking rather than incidents (for example, see "schools of crime and encouragement" below) or examples of what may in fact be normative sexual behaviour. Actual experiences of witnessing 'networking' and 'deviant sexual interests' were reported only very rarely. The following different types of sexualised behaviour were reported in all 4 research sites:

(Real or imagined) – Schools of crime and encouragement: Participants felt that it was possible that some people who have committed sexual offences may learn more about how to offend and how to avoid detection from other prisoners. In all these cases, however, the participants were unable to provide tangible examples of actual networking.

'Normative' sexualised behaviour: Some participants spoke about pornography being shared within the unit and gave examples of sex being spoken about, such as commenting on sexualised images of women in magazines. However, the participants noted that these occurrences may not have been indicative of interest in further sexual offending.

'Hyper-sexualised' behaviour: Some participants described being very uncomfortable with some of the extreme sexualised behaviour they witnessed on the co-located wings, such as groping, grooming, and hearing about reported rapes. Participants spoke of a sexually charged atmosphere in which sexualised jokes were made about each other and in which unwanted sexual advances could lead to antagonism and violence between men.

Sexual predation: Participants said that sexual predation occurred but this was not confined to those people who had sexually offended and was often more an assertion of power rather than sexuality. Talking about and displaying a sexual interest in children was most closely associated with the risk of networking and was thought of as unacceptable on the wing. This behaviour would often be challenged and reported and as a result was thought to be more hidden than other types of sexual behaviour.

Sexual behaviour defined as deviant by participants: Some of the participants gave examples of rare occasions when they had heard 'certain types' of prisoners taking part in discussions concerning indecent image websites; seen prisoners watching children's television programmes together; known of prisoners stealing other prisoners' photographs of their children; sharing images of children from magazines or DVDs; and offering to provide others with young children's clothing.

Evidence of actual networking (for example, offence planning) was regarded as rare but where it did occur it

was felt to involve a sexual interest in children among a small 'hard core' group of prisoners. Participants reported networking to be a hidden behaviour on the wing and found it difficult to give clear examples.

Conclusions and Policy Implications

Integration versus separation

- **Benefits of integration** included reduced levels of stigmatisation; belief that it helps in dispelling myths about people who sexually offend; and better preparing sexual offenders for living in the community on their release.

- **Drawbacks of integration** included the complexity of integrating prisoners from the main location in terms of finding the optimal balance of sex offenders and non-sex offenders, and feeling unsafe.

- **Benefits of separation** included feeling safer and calmer in a more relaxed atmosphere, a more rehabilitative environment, and less denial and offence supportive thinking that is observed in mixed environments.

- Participants did support a degree of mixing on VPUs, as integration exposes prisoners to the kinds of challenging behaviour that they expected they would need to negotiate and manage on their release.

- Rather than the analysis favouring either separation or integration, the authors suggest that the question should focus on how to best manage the benefits and risks of separation for different types of prisoners in different types of sites and at different times in their sentence. However, complete separation during time in treatment programmes might help reduce gossiping and promote open discussion.

Prison policy

- The interviewees felt that staff did not appear to consistently understand the negative impact that offence related bullying and verbal abuse can have on people with sexual convictions. Similarly, they reported that staff did not appear to consistently challenge this behaviour and may even reinforce or support it. It is recommended that senior management encourage operational staff to actively challenge such behaviours and in doing so model acceptable behaviours and attitudes.

- Participants did not feel that their complaints about adverse staff or prisoner behaviour would be taken seriously. Some participants described withdrawing from purposeful activities to avoid verbal abuse during or on the way to an activity. It would be beneficial for prisons to identify and manage any

barriers that impact on prisoners with sexual convictions taking part in meaningful activities.

- Where there was more than a handful of non-sex offenders on the VPU this created an adverse impact on the wing environment and increased the victimisation of the people who had sexual convictions. Attention is needed to manage and maintain an acceptable balance of prisoner type within a VPU.

Within VPUs

Staff

- Staff awareness training would may help staff consider the possible consequences of stigmatisation and the link between identity, social functioning and recidivism. Additionally, staff with a strong rehabilitative orientation could be allocated to VPUs in order to help mitigate some of the stigmatising behaviours experienced by the participants.

- Participants believed that some staff supported the hierarchical system and were suspected of assisting some prisoners in finding out about other prisoner's offences. These behaviours undermine rehabilitation by contributing to stigmatisation and legitimising bullying. Effective performance management may help motivate and develop effective and rehabilitative officers that are critical to the vision and aims of the prison service.

Networking

- Networking seemed to be both rare and hidden, and participants found it difficult to give clear examples. Incidents observed included hypersexualised behaviour such as sexual groping, grooming, and sexual predation (although offenders noted this exists on all units and is not limited to VPUs). Other types of networking included the sharing of child images or material and a belief amongst some of the participants that some individuals were encouraging others' deviant sexual interests. These behaviours, while reported, were very rare. However, staff should be alert to them and educated about the forms that networking may take.

Prisoners

- The observed prisoner typology could be used to help develop a management plan for individuals. The aim would be to support prisoners moving towards or maintaining the more adaptive autonomous style.

- A number of the participants were keen to complete the sex offender treatment programme. In these cases, effort should be made to transfer prisoners to treatment sites so that they do not lose motivation and are given the opportunity to engage in treatment.

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