Police Officers' Perceptions of a Sex Offender Registration Scheme: Identifying and Responding to Risk

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This article reports on interviews with 17 participants responsible for managing sex offenders on a sex offender register scheme. Semi-structured interviews were conducted that covered the topics of the participants' policing experience and their thoughts on the register and risk assessment. Nine themes were identified as being particularly important: the purpose of the register; concerns about community perceptions; a lack of resources; recognition that risk assessment is essential but limited; a desire to tailor interventions to individual offenders; the need for more training despite staff competency; the inadequate sharing of information; concerns about how well the legislation captures the sex offending space; and confusion about how to interpret online offending. This research provides first-hand views on how the register can be improved and how police would like a register to look when executing the essential and challenging job of monitoring convicted sex offenders upon their release back into the community.

Key words: sex offender; sex offender registry; risk assessment; police perceptions.

Introduction

The sexual abuse of children is a severe and ongoing problem. The potential effects that sexual victimisation during childhood can have are profound, and may include future psychotic symptomology, depression, anxiety, substance abuse, interpersonal issues and panic attacks (Booth & Kingston, 2016; Maniglio, 2009; O'Leary, Coohey, & Easton, 2010). In response, a number of jurisdictions have set up legislation for registries to manage sex offenders (Day, Carson, Boni, & Hobbs, 2014; Petrunik, Murphy, & Fedoroff, 2008). These registers are based on the belief that child sex offenders pose a continuing risk to society, and that there is also an increased likelihood of reoffending occurring in this population, especially against those who are vulnerable in the

community (Vess, Langskaill, Day, Powell, & Graffam, 2011). They are based on the premise that sex offenders have a persisting disposition to offend sexually and therefore must be monitored in order to maintain public safety (Petrunik et al., 2008).

Research indicates that most sex offenders do not reoffend (Bench & Allen, 2013; Hanson & Morton-Bourgon, 2005; Sample & Bray, 2003, 2006). However, for those who do, the seriousness of their offending means that they need to be identified in order to protect the vulnerable (Petrunik et al., 2008). As such, those involved in the management of sex offenders are required to assess the risk that the people on the register will commit further sexual offences (Beech, Fisher, & Thornton, 2003). It is therefore imperative to obtain an

accurate risk assessment of these offenders, in order to discriminate between those who are likely to reoffend and those who are not.

The responsibility for managing sex offenders in the community through a register scheme falls to the police in most jurisdictions (Nash, 2016; Petrunik et al., 2008; Vess, Day, Powell, & Graffam, 2014). Thus, it is important to discern the perspectives of those in policing who are responsible for the administration of the register in order to have a greater understanding of how the system may be enhanced. Previous research has consistently shown that police officers say that having a sex offender registry of some kind is far better than having no register at all in terms of keeping the public safe (Day, Carson, Newton, & Hobbs, 2014; Powell, Day, Benson, Vess, & Graffam, 2014b). To date, only one study has been conducted that details police perceptions towards sex offender registries. Specifically, Powell et al. (2014b) consider the issues that impact the effectiveness of a register, as told first-hand by those administering it, in order to provide an overview of the challenges of applying the legal requirements of the registry and make suggestions for improving the register. The participants include police personnel involved in the management of sex offender registries across Australia, taking part in small focus groups in which they were requested to provide their thoughts on different aspects of sex offender registries and their processes. The overwhelming conclusion from this research is that the legislation alone is not considered satisfactory for guiding best police practice. The police officers report that there is no clear guideline to follow, and that consequently each policing jurisdiction has implemented its own responses to the legislation (Powell et al., 2014b).

Additionally, carrying out risk assessments of sex offenders on a register has been identified as being a major area of concern for police officers working in this area. Specifically, they have expressed that when working with a register, the purpose is not necessarily to investigate new crimes but rather to assess the ongoing

risk of sexual offenders committing another crime (Nash, 2016). Officers have expressed that there is an overdependence on risk assessment (Keyzer & McSherry, 2013), particularly given their feeling that they are restricted in their access to professionals who have, to a large extent, much more expertise in conducting risk assessments than the police (Powell et al., 2014b). Indeed, compared with correctional research on risk assessment (Hanson, 1998; Hanson & Morton-Bourgon, 2009), there is very little research in the field of policing. It is also possible that police officers can sometimes identify additional risk factors that are not recognised in the correctional literature, because they directly see the dynamic and acute factors that are present when an offender commits a crime, which may not be apparent later on – for instance, if an offender has become drug-free whilst in custody. Furthermore, because so few sex crimes result in convictions (Lonsway & Archambault, 2012), officers may have further insight into sex crimes because they are involved in all the alleged sex crimes that are reported to them, including those that do not result in charges or convictions.

The importance of risk assessment is apparent: accurate risk assessment is necessary to ensure that offenders who are at higher risk of reoffending are monitored more frequently than those who are at lower risk of reoffending (Powell, Day, Benson, Vess, & Graffam, 2014a). In the study conducted by Powell et al. (2014b), the police officers were found to regard risk assessment as an essential component of managing released sex offenders, especially given the assistance that it provides to the prioritisation of limited resources. The police management of a register often relies on the availability of resources; consequently, officers often felt unprepared and under-resourced when endeavouring to assess and manage the risk of sex offenders in a way in which they deemed suitable (Powell et al., 2014b).

Among police officers there is an overall dissatisfaction with the current risk assessment tools. Common complaints include the tools

being too narrow in scope, ineffective for women, young and online offenders (Nash, 2016), limited in their reliability and validity, neglectful of dynamic risk factors and limited in the access they provide to those professionals who are more capable of assessing risk (Powell et al., 2014b). Despite these shortcomings, it is argued that unstructured professional judgements are less accurate in determining risk compared to structured risk assessment tools (Bengtson & Långström, 2007), and as such that risk assessment tools are necessary for differentiating between offenders according to their level of risk (Hanson & Morton-Bourgon, 2009).

While risk assessment is viewed as an essential component of offender case management, the validity and reliability of risk assessment tools often come into question, and there are occasions when officers disagree with the assessment given (Powell et al., 2014b). While officers may not be adequately trained in the intricate workings of risk assessment tools, most often the front-line management of offenders falls to the police (Belfrage et al., 2012). Therefore, it is important for officers to have the ability to utilise a risk assessment tool that benefits their work and contributes to the effective management of offenders. Sex offenders display a wide range of risks for sexual recidivism. Given this, allocating a considerable amount of policing resources to the offenders who are perceived as being at high risk for reoffending better serves the public interest (Zgoba et al., 2016). However, when the risk assessment is inaccurate, enforcing unreasonably high levels of treatment and supervision on sex offenders who have been incorrectly assessed is not cost-effective, and may result in outcomes that undermine the safety of both offenders and the community (Levenson, Fortney, & Baker, 2010; Schiavone & Jeglic, 2009). Thus, it is important to determine the predictive validity of the various risk assessment tools in order to increase community safety and effectively distribute resources (Zgoba et al., 2016).

The role of resource allocation plays a pivotal role in effective policing (Nash, 2016), with a lack of resources being one of the most common complaints among police (Day, Carson, Newton, & Hobbs, 2014; Whitting, Day, & Powell, 2016). Given that the cost of implementing a sex offender register in the community is high (Powell et al., 2014b), a system that relies on compliance from offenders may overstrain an already challenged resource pool, bringing into question its effectiveness and cost-efficiency (Nash, 2016). As explained by Nash (2012), 'despite the huge media and political attention that accompanies sexual offending (and any failures in the system), the role in practice appears to be more of a public reassurance exercise'. As such, the registration scheme is considered to be under-resourced and ill-equipped to manage sex offenders in the community (Powell et al., 2014b; Nash, 2016; Whitting et al., 2016), despite an ongoing perception that registries serve as a protective measure for members of the community by increasing public safety (Kernsmith, Craun, & Foster, 2009).

The ongoing development of sex offender registration laws has been enabled by the popularity of these laws with the general public (Kernsmith et al., 2009). In fact, there is a continuing push for information surrounding sex offenders be made public (Schiavone & Jeglic, 2009; Taylor, 2017; Whitting, Day, & Powell, 2014), with studies suggesting that public access to information about offenders on a register is generally accepted by members of the community (Levenson, Brannon, Fortney, & Baker, 2007; Schiavone & Jeglic, 2009).

The current study

The current study provides a new opportunity to develop the capabilities of a sex offender register, as it is one of the first studies of its kind to speak to those directly involved with a sex offender registration scheme. The aim is to get first-hand views on how a register should be used, how it could be improved and how

the police would like it to look in terms of monitoring sex offenders upon their release back into the community. It is important to engage police officers in these conversations, given that they are the ones who are directly involved with the registers and thus are best positioned to provide compelling insights that can inform research and policymakers.

Method

Participants

The participants consist of 17 police personnel (76.5% male, $n = 13$) working in a variety of roles, including the management of the sex offender registration scheme, sex crime investigation and as intelligence officers attached to the register. The official ranks of the policing staff were diverse, from senior constable to commissioned officers (inspector and above). Most of the participants were sworn police officers, but there were also a number of unsworn civilian staff members. The participants were experienced, with years of service ranging from 5 to 30 years ($M = 22.24$, $SD = 7.31$). The participants were initially invited to participate in the study by a member of the Sexual Crimes Investigation Unit prior to the authors making formal contact. All police members contacted agreed to partake in an interview and were required to give their informed consent prior to participation.

Procedure

Ethical approval from the university's Human Research Ethics Committee and the Police Agency Research Committee was obtained prior to any interviews being held. An initial pilot interview was held with a member of the Sexual Crimes Investigation Unit in order to evaluate the suitability of the interview protocol and ascertain who should be approached to participate. Minor adjustments were made to the introductory statement of the protocol following this, while all questions pertaining to the register and risk assessment remained unchanged. Key stakeholders were identified

for invitation to participate in a one-on-one interview, with the first author conducting all interviews. The duration of the interviews ranged from 17 to 59 minutes ($M = 33.93$), all of which were held in the participant's workplace or an office in a university. For those participants located regionally, a telephone interview was conducted. Interviews were held over a period of five months between July and December 2016. Once saturation had occurred, no further interviews were scheduled. Saturation occurs when there are no further issues or insights emerging from participants (Hennink, Kaiser, & Marconi, 2017).

Participants were asked 25 questions in total about their background with the police agency and their thoughts on both the register and risk assessment of sexual offenders. In terms of gaining an understanding of participants' policing history, the officers were asked to provide details about their background with the Police Agency, in addition to detailing what their involvement with the register is and how long they had been involved in this role. Questions relating specifically to the register aimed to identify participants' thoughts on how well the register works, and to determine any potential areas for improvement. Example questions include: 'What do you see as the main purpose of the register?'; 'How has the sex offender registration scheme been useful to the police?'; and 'What do you think is missing from the register?'. Risk assessment questions were used to uncover the strengths and weaknesses of current risk assessment tools, how these tools could be improved and how participants' ideal risk assessment tool would be. These questions included: 'Do you think there is any benefit in doing risk assessment for people on the register?'; 'What are some of the skills prominent in police that are useful in assessing risk?'; and 'What are some obstacles you face in providing an accurate assessment of risk?'.

This research is designed to be exploratory in nature, and as such an open-ended,

semi-structured interview approach was reasoned as being the most valuable approach, as well as being in line with prior research. While a number of questions were set out by the researchers, each interview was almost entirely directed by the participant and his or her responses. The researchers left all responses open to the participant in order to allow themes to emerge naturally throughout the interviews. The interview protocol contained three areas of interest to guide the interview process: questions regarding the occupational background of the participant, sex offender register questions and questions concerning the risk assessment of sexual offenders. Each interview was audio recorded and transcribed using Dragon software, and transcripts were read multiple times to obtain familiarity. The accuracy of the transcriptions was then checked prior to identifying the key themes of this research.

This study is based on an Australian jurisdiction, with the legislation relating to sex offenders being implemented with the intention of keeping communities safer. The primary purposes of the sex offender registration scheme, as stated by law, are to reduce the likelihood that an offender will reoffend and to assist police in any new investigations and prosecutions of future offences that they may commit. Broadly speaking, offenders on the register in this instance are people who have committed serious sexual offences against children.

Results

General overview

Overall, the participants were of the view that while the register is by no means perfect, having a register is better than not having one at all. They also recognised the deterrent effect of having a register:

I do think it [the register] acts as a deterrent to some of them. They've always got that thought hanging over them, for however many years they're on

the register, that someone could pop in at any time. (P16)

However, there were differences of opinion on this point; a number of participants suggested that the register does little in terms of protecting children and the community:

We know there's a lot of offenders out there that we've got no idea about in terms of what their risk is and lots of offences that are being committed aren't by the offenders on registries, these are new offenders that are coming on. (P7)

Does it [the register] stop people offending? No. Does it keep children safer, the register itself I mean? No. What keeps people safe or the community safe is what work the police are doing around those people. (P8)

Nine themes were identified as being particularly prominent in the administration of the register: purpose, community perception, resources, risk management, offender management, staff, information-sharing, legislation and online offending. Each of these issues is discussed in further detail below.

Purpose

The participants had mixed views on the purpose of the register. Overall, they saw it as a means of enhancing future investigations, enforcing the law for those on the register, assisting in identifying suspects in future offences and gathering general intelligence for the police. For some participants, the purpose of the register was quite clear:

It's twofold; one is to look at providing an assessment which gives the police an indication of what resources should be allocated to each offender, and the second part is to identify those dynamic factors which may be affecting the reportable offender to comply with their requirements on the register. (P11)

Firstly, to reduce the likelihood of offenders reoffending in the first instance, and secondly, for any current investigations that are going on, to provide intelligence to assist with those particular investigations. (P2)

In contrast, some officers highlighted the fact that the purpose of the register was unclear and often ambiguous. This is especially apparent in terms of what the officers believed their overall role was in terms of managing sex offenders in the community:

What's missing is a clear direction on what we as the investigators are supposed to do, and whether our focus is to be on compliance and prosecution, or whether our focus is truly on child protection. (P14)

My understanding is it [the register] was set up to help try and manage people who have been convicted of a relevant offence in the community, so that once they get back out into the community they can have some management applied to them [...]. If that was the stated goal then they've missed the mark, quite massively. (P9)

The most common topic of debate was whether the register was there as a compliancy check or was actually intended to prevent reoffending and protect vulnerable members of the community.

Community perception

Community expectations around how the register works was a considerable worry for the participants. There was an enduring belief that community members have high expectations of the register, and a number of officers conveyed that in reality the police are unlikely to be meeting these expectations. Particularly, officers were of the impression that the community has preconceived ideas around the monitoring of reportable sex offenders, and may be feeling a misguided sense of security.

Often, members of the community are not aware of the complexities of managing sex offenders:

One of the big obstacles is the perception about what the register does. I think the general community think if someone's on a register then the community's safe from that person, but that's not the case. I think there's a belief that being on a register sort of makes you monitored 24/7 because you're a reportable offender, and that's not the case. (P8)

A weakness is that whilst people know it's there, they don't really understand the difficulties of trying to deal with that number of offenders on that scale in the detail in which I think the community expectation believes we are. (P15)

A number of participants identified the opportunity to modify the community's perceptions through education. If the community had a greater understanding and awareness of the sex offender register, their expectations may be more realistic:

We don't really sell what the register's about, and I think registers are only one small part. I think if you're looking at sex offenders in general there's a whole range of things that we should be educating the public about, educating police about [...]. So I think the big weakness is just not having the information out there around what it [the register] is and what it's meant to achieve. (P7)

In order to change these perceptions, a number of officers identified the need for ongoing education about sex offenders and the register more specifically so as to inform the public and perhaps alleviate some of the pressure felt by police.

Resources

The availability of resources was a major concern to the participants, with policing capabilities often dependent on the accessibility of

limited resources. A number of participants mentioned how resources were limited for those working in the sex offending area of policework:

We don't necessarily always get it right, but it [the register] allows us to know where they are, where they're living, who they're having contact with and to have some method of control over people living in the community who pose a higher risk to children than others, and that's part of the challenge of the register is how do we get that right in terms of who are our greatest risks and why [...] how we could do that better given the resources are limited and finite, there are no extra police, there won't be any extra police. (P4)

Risk assessment that puts someone at a high risk, you're better able to apply the limited resources of the government. I mean at the end of the day the government might be big, but it's not endless, and it's your taxpayer dollars and mine, so I would like them to be spent better. (P9)

With access to resources restricted, those participants working in the area of sex offending against children expressed that resources had to be used to guide their policing. A number of participants recognised that the lack of resources placed a strain on their ability to do their work to a high standard, and as such resources needed to be targeted towards those that pose the greatest risk:

We're never going to have enough resources to go around to do things as well as we would like, and I think the common sense position is that you should be targeting your resources towards those offenders who represent the greatest danger to the community. (P2)

Additionally, participants expressed concerns that the register may be diverting resources away from more important issues, suggesting that child protection requires a multi-agency approach, and as such that over-

reliance upon one system – such as the sex offender registry – may be less effective in achieving overall safety for members of the community:

Because you're devoting so many resources to the register, what's happening is we're probably actually taking some of that away from child protection work, which may be just as effective. So I think what's really interesting is the actual obstacle itself having the register in terms of what else could we be putting resources into that may actually be more cost-effective than having the register itself. (P7)

Ultimately, the participants expressed that they're required to conduct their policework with limited resources. While this can at times be problematic, most participants identified that their limited access to resources necessitates their need to prioritise their resources by focusing on those offenders who are at highest risk of reoffending.

Risk management

All participants interviewed identified the importance of managing risk for offenders on the register. A number of participants discussed the notion that all offenders, regardless of their determined risk level, need to be appropriately managed in order to reduce the prospect of reoffending:

If you have a sexual interest in children you're probably always going to have that sexual interest in children. If you take that into account, the chances of them reoffending, it's not like drugs, it's not like property crime, it's not like those other crime types where there's a lot of socioeconomic factors that heavily influence offending. Realistically, it's a medical problem [...]. (P9)

We all know as coppers that basically a lot of these sex offenders, especially the contacts, once a sex offender always a sex offender. (P6)

Participants stated that there is a substantial amount of monitoring and proactive targeting of those offenders on the register. In particular, they voiced their views on prioritising offenders deemed to be at higher risk of reoffending:

We really need to start targeting who we're looking at [...] a young adult who's 20 had sex with a 14-year-old can go on the register. Okay that's one thing, but a 40-year-old man who has sex with a prepubescent child also goes on the register. We need to be targeting the 40-year-old man because the sad thing is if you're motivated by having sex with prepubescent children that will never change. (P1)

There's always a risk inherent with any sex offender, but identifying those who are most at risk of doing the most harm is critical because that's what you want to focus your resources on, and how do you do that if you don't have an effective risk assessment process? (P17)

All participants agreed that there is benefit in carrying out risk assessment for people on the register; without it, the ability to successfully manage the risk of offenders would be lost. For most participants, an effective assessment of risk allows for the effective management of offenders and drives this entire process. Additionally, risk assessment provides a detailed overview of risk factors pertinent to reoffending. Risk assessment also drives resources, as it provides insight into which of the offenders should be targeted and offers a starting point to work from:

I think it [risk assessment] gives you a more detailed overview of that offender to start with, both what they've done in the past and those factors which are currently influencing them as well. And as a result of that, by doing an assessment you can assess a level of resources which should be allocated to that offender, so they're getting the appropriate response according to their risk level. If you don't have that,

then you're really guessing as to what you should be doing with that offender. (P11)

I think definitely risk assessment is useful so we actually know the risk that this person is of reoffending so that they can be managed accordingly. If someone is of a higher risk then I think that they need to be closely monitored and have other restrictions or conditions placed upon them. (P3)

[The strength of risk assessment is] effective utilisation of resources and to better protect the community [...]. For example, if we were criticised, a reportable offender commits this offence, yet our resources are focused over here, at least we can argue that basically we've conducted the risk assessments, we've only got so many resources, yep we're sorry that old mate did that but he didn't tick the boxes at the time. We're putting the rationality behind what we're doing. (P6)

While conducting risk assessments is an important part of the risk management process, a number of participants expressed doubt regarding the limitations and accuracy of risk assessment for sexual offenders. Most notably, participants discussed the need to move away from static risk factors and utilise more dynamic risk factors in order to determine an appropriate level of risk. Additionally, the categorisation of offenders was viewed as problematic, as there is potential for offenders to go under the radar simply because they are deemed as low risk when this may not actually be the case. There was a strong call for police to understand the limitations of risk assessment, and to not overly rely on the tools themselves:

I wouldn't say you get tunnel vision, but you can see the risk assessment as a single solution as opposed to being part of the risk management. You've got to be able to tie your risk assessment into an ongoing risk management process, but you often

see people do a risk assessment by itself and leave it at that. (P11)

I think just the weakness [of risk assessment] would be that you categorise someone as a low category and therefore disregard their potential to offend [...] because we pigeonhole something, and then in the mind it's almost like okay well they're low, don't worry about that. (P5)

A number of participants believed that risk assessment tools are as accurate as they can be, while others were critical of their accuracy:

It's looking at risk of reconviction and to me it actually makes a bit of sense because the ones that sort of scale very high usually are the ones that come with lots of criminal history. So I mean to me it's almost pointing out the obvious. (P16)

The participants identified a number of potential benefits from risk assessments falling to the police, such as using them to develop a rapport with offenders on the register, identifying and assessing the risk of other crimes being committed, assisting in resource management and increasing the skill set of those conducting the risk assessments. While the risk assessment process was viewed as a necessary and important component of risk management, participants felt that it does come with its drawbacks, including the time it takes to administer risk assessment tools and the inability to assess risk face to face with the offender. Despite these obstacles, participants felt that risk assessment forms a vital component of risk management and in turn offender management.

Offender management

In addition to managing the risk of sex offenders on the register, participants felt that it is also important to effectively manage offenders at an individual level, so as best to ensure their successful integration into the community. A number of participants

identified the importance of managing the risks pertinent to each individual, rather than overseeing all offenders in the same manner. These risk factors are those dynamic factors that are central to the onset of offending for each offender, which the participants said must be targeted for effective management. They also discussed the need to focus on providing a holistic approach to management, rather than simply following a compliance framework:

I've come into an area that is very compliance targeting, whereas we're trying to transition that into more of an offender management framework where we'd start looking at things like dynamic risk factors, and looking at those triggers, and intervening early to cut off that offending cycle. (P8)

I think that in some ways it'd be good if it [the register] was based on an assessment of risk, and it's kind of like a 'one size fits all' model for the offenders, and managing risk is quite individual to the offenders' needs. (P17)

A number of participants also highlighted the need to provide ongoing external support for sex offenders. Despite the identified importance of providing continuing support and possible treatment for these offenders, most participants felt that the services offered to sex offenders on the register were very limited, with a number even stating that there was nothing on offer at all:

Mental health, as it links to people on the register, there is no correlation. There's no support framework; although generally across policing there is a referral pathway, there's nothing specific to the registry, and I just think because of the history of the registry as a compliance framework, my belief is that most police don't even consider that their job is to offer any support or assistance to people on the register because they see being on the register as something they need to police, not help. (P8)

The role of offender management within the register assists police in identifying key risk factors for each offender that may start the cycle of offending. The importance of identifying dynamic risk factors, for example substance abuse or negative peer influences, in addition to static factors such as offence history was evident to those participants interviewed. A number of the participants identified the need to provide support to those on the register, as they recognise that issues such as drugs, alcohol and mental health problems may be precursors to sexual offending for some offenders. As such, there is a huge demand for support networks for these offenders, which many participants said were lacking in this area.

Staff

The staff involved in overseeing the sex offender registration scheme were viewed as a central component of getting the management of sex offenders right. Admiration for other staff members was evident among those interviewed, and the staffing factor came across as a real strength:

One of the major strengths that I think we have within the registry is the staff [...]. I learned very quickly that the investigators on the ground were very receptive to the idea that we've got scarce resources, we need to identify who are your most risky, and that we need to be targeting the most dangerous, the most risky people. So the staff on the ground are very receptive to improving their own knowledge and their own skills around sex offenders. (P2)

If you've got a go-to group of police who know how to handle it, who can be trained in that, I can have some sense of comfort that we've invested wisely, and it's a proper use of resources, and proper use of public money, because for those police they're like gold – some of the things those registry people pick up before we have something happen [...] it's invaluable. (P4)

A number of participants highlighted the need for ongoing training and education so as to advance their skills in this area:

I think if you're looking at sex offenders in general there's a whole range of things that we should be educating the public about, educating police about. I think even internally we would have police that would not know what the register's about and what it's meant to achieve and why we have it. (P7)

Further training in relation to risk assessment was highlighted by a number of participants. Some discussed feeling unprepared and unqualified to be conducting risk assessments, believing that risk assessments of sex offenders on the register should fall to psychologists, or at the very least to police who have been specifically trained in using the risk assessment tool. There was also concern about how consistent the risk assessments are among the staff that are tasked with completing them, given the lack of formal training and the gaining of experience through on-the-job duties:

There's not a lot of formal training on risk assessment. Police are trained to be inquisitive, they're trained to be investigators [...] so the police get it wrong because, again, they're not trained in assessing risk. (P8)

Within our intelligence unit ourselves the way that we conduct risk assessments or the way we interpret parts of risk assessments varies just within our unit. So if you extrapolate that out across all the district investigators and all the rest of it, there can be problems where people interpret tools and parts of tools in different ways, and therefore you get a lack of consistency in the outcome as well. (P17)

A number of officers expressed that training in the use of risk assessment tools is necessary in order to effectively assess risk and manage offenders on the register. Alongside limited training, access to information was

also discussed as one of the obstacles of working within the sex offender registry space, further limiting the work of staff.

Information-sharing

Access to important and valuable information is vital to appropriately assessing risk and managing sex offenders in the community, and was discussed as a major issue for participants – particularly in relation to understanding individual histories. A number of participants discussed frustration in attempting to retrieve this information, particularly given that other governmental departments, such as Corrective Services, often have this on hand:

The act wasn't set up so that there was an automatic flow of information from Corrective Services into police. So we've got a problem, and I think that's one of the major issues with the register [...] so somebody could have been in custody for 12, 18 months, 2 years or whatever it may be or even longer, and Corrective Services [...] have very comprehensive information about these offenders, which aren't pushed onto police to assist in our management. (P2)

I think there's a real problem with many of this stuff when you're siloing information. I think that when it comes to child protection, agencies need to be sharing as much information as possible to best prevent harm to children. (P17)

Officers felt that the flow of information from both government and non-government departments and organisations should be made smoother, given how this could improve their management of offenders:

I look at it like a pie, like everyone contributes a little bit to the pie: Probation and Parole, Corrective Services, us [Police Agency], other members of the community, NGOs [non-governmental organisations], all that sort of stuff, and then you get a bigger, better picture. (P16)

The accuracy of the information that the police have also came into question. Given that the main source of information comes from the registered sex offenders themselves, a number of participants discussed concerns about the reliability of the information they are given. Additionally, participants said that they were limited in their capacity to verify the information they receive:

The weakness [of the register] is that that information is totally dependent on how compliant the offenders are. (P12)

The biggest thing is that the data contained within it [the register] comes from self-reporting of a convicted child sex offender, and I'm sorry but they lie. (P3)

Without access to further and more reliable information, police may not become privy to important intelligence about offenders, and thus will be unable to effectively manage these offenders in the community.

Legislation

A number of participants expressed concern over privacy and confidentiality laws, and how they relate to the register. While no participants believed that the register should be made public, a number did suggest that making the register more open to those within the police would be helpful. There were some who felt that the confidentiality and privacy of the register was too restrictive, as it means that certain information cannot be shared with other police officers or with the parents of vulnerable children due to the nature of these laws:

It should just be a statewide memorandum of understanding that if it is for the safety of children in the community in general that this information should be able to be released freely. Police are the best people to release the information, yet under the

Act itself there's a confidentiality clause. (P16)

In some ways the protection of kids outweighs the rights of that person once they've been convicted of those type of offences. The rights of those should be lower than the rights of a child to be safe, and a parent of a child can't make sure that child's safe if they aren't aware of things. (P12)

Additional issues with legislation that were consistently discussed in the interviews involved prohibition orders. A number of participants discussed how helpful these are in assisting with controlling certain types of concerning behaviour:

As a result of the register, we can prohibit certain behaviours if there was something of a concern, they're always visiting the same playground park [for example], so you can prohibit them from going there if that's a concern, and we can introduce extra reporting that they actually have to come see us more often. (P10)

However, other participants highlighted the fact that sometimes this legislation does not go far enough:

I was reading through the legislation [...] and the current legislation talks about social media accounts – what does that mean? It doesn't seem to me that the people who have made up that list have any great grasp of the ways in which these people offend. (P9)

Different sets of legislation and how they relate to the register was a key discussion point throughout the interviews, with a number of participants feeling that the link between key pieces of legislation was not clear. While the legislation regulates what the police can and cannot do in terms of managing sex offenders in the community, it is important for police to feel as though the legislation supports and advances their work, so as to ensure effective management.

Online offending

The emergence of technology has created further problems for those officers who are tasked with managing sex offenders in the community. Online sex offending, particularly through child exploitation material (CEM), is becoming more predominant. However, with this brings uncertainty on how best to manage these offenders, especially those who are only convicted of online offences. Of the participants interviewed, a number discussed concerns about how well risk assessment can work for those offenders who only have online offence convictions:

The gaps that are out there at the moment in terms of contact offending versus online offending, there's big gaps around that and most of our offenders that we see coming onto the register – well not most, but a huge proportion now – are online offenders downloading child exploitation material, so what does that mean? How do we risk assess those people that are coming on? (P7)

Some of the participants held the opinion that all online offenders are also contact offenders, or will become contact offenders, whereas others felt that online offending should be considered separately, thus creating uncertainty in regard to how online offending relates to contact offending for those placed onto the register:

You can't treat them all the same – online offenders, contact offenders, they're different kettles of fish. (P3)

I think the register isn't tailored to the offending [...] it doesn't matter what offences you commit, whether it's a contact child sex offence like an indecent deal, or whether it's a possession of CEM type of offence [...] at the end of the day if you're a person who's been going online and viewing CEM, that that the characteristics of your offending are different to the person who has actually engaged in child sex offences. (P9)

The online sphere is an increasing concern for officers working with sex offenders, and gives rise to an additional risk factor to consider when determining the best way forward in managing offenders:

I think the online world is a massive risk, because I think it just desensitises people; easily accessible, heightens their need for some sort of sexual contact with children because they're seeing it constantly. (P8)

Access to [the] Internet I think is a big risk factor, because we've got no idea in terms of what that impact could be with having such an available market of children, adults talking to other offenders online that you wouldn't even know about, and it doesn't take much to be savvy around having anonymous profiles, anonymous internet, anonymous everything that we can't infiltrate. (P7)

Of those participants interviewed, the crossover between contact and online offending was a key discussion point, and determining how the two interrelate was a key concern.

Discussion

All of the participants interviewed for this research were of the opinion that having a register for convicted child sex offenders is a better option than having no register at all. The risk management of sex offenders is aided by the ability to retrieve up-to-date information on convicted offenders contained within a register. The information held by the register itself is useful in assisting police in investigating new offences, in addition to providing a specific deterrent for future sex offending to known and unknown offenders. However, officers recognise that the register may in fact offer little in terms of protection for children and the community. The issue of effectiveness has been the focus of previous research, with the results offering mixed assessments of whether or not a register is an effective means of managing sex offenders in the community.

This is consistent with Mercado, Alvarez, and Levenson (2008), who found that being on a publicly available sex offender registry makes it more difficult for offenders to reintegrate into the community. Additionally, a recent review of the literature on sex offender registries suggests that there are gaps in the knowledge regarding whether or not registries reduce reoffending (Vess et al., 2014). A number of participants noted that the purpose of the register is unclear; while the police aim to protect the children in the community, the register may perhaps lend itself to a more punitive approach through ensuring compliance and responding to breaches, thus blurring the line between protection and punishment.

While no participants believed that the register should be made open to the public, a large number suggested that making it more accessible to those within the police service would be particularly beneficial. A number of participants felt that the legislation restricted their ability to manage sex offenders effectively, especially when they are required by law to withhold potentially vital information from police officers or parents of at-risk children in the community. The relation between key pieces of legislation is at times unclear, and some participants felt that these laws have been created by people with little to no understanding of the sex offender space, thus diminishing the abilities of police officers. Policymakers should consider the experiences of those operating within the area of the law that they are creating legislation for so as to best ensure that the legislation is able to support and advance the work of the police in the management of sex offenders in the community.

The expectations held among the community were a major concern for the participants. People are concerned about having convicted sex offenders in their community, and about their propensity to reoffend (Kernsmith, Comartin, & Kernsmith, 2016). Throughout the interviews a number of participants suggested that the police were unlikely to be meeting the

expectations of the community in delivering effective management of sex offenders. They felt that the community believes that more is happening around the management of these offenders than what is perhaps occurring in reality; they were concerned that the public thinks that the police are constantly monitoring offenders around the clock, despite there being inadequate resources for this to occur. As such, participants recognised the need for the public to know more about sex offending, in addition to providing greater detail surrounding the register. The public needs to be better informed about the workings of the register so that members of the community have more realistic expectations of the police.

The availability of resources was a major concern for the participants, with police often having to rely on limited resources when attempting to fulfil their policing duties. As described by Innes (2010), police often have to undertake their work whilst facing austerity, given the restrictions on funding. In the context of the limited availability of resources, participants expressed that the accessibility of resources must guide their policing work, and that the registered offenders who are perceived to be most at risk of reoffending must be the greater focus. While this can at times be problematic, participants identified that their limited access to resources necessitates it. While increases in funding may not be possible, officers need guidance on how best to use their resources, which may be offered by risk assessment tools.

Research indicates that effective risk assessment is vital in successfully managing sex offenders in the community (Powell et al., 2014b). The process of risk assessment was a key focus of the interviews, with every officer identifying the need to get the risk assessment right for those on the register. However, while risk assessment is helpful in assessing potential recidivism and driving resources, police officers have previously identified issues with the risk assessment tools currently being utilised (Nash, 2016; Powell et al., 2014b), indicating

that while these tools are valuable in the domain of managing sex offenders they are not without their faults. As such, officers need to be aware of the limitations of risk assessment, and not rely too heavily on the tools alone. Participants were particularly interested in factors that are dynamic (Ward & Beech, 2015) because they need to know if offending is imminent in order to focus their limited resources.

To further improve the risk assessment of registered sexual offenders, police need access to detailed information about them. Obtaining this information has proven to be a major issue for officers, and is especially frustrating given that other government departments, such as Corrections and Health, often have this information contained within their own information-holding systems. Participants discussed needing the flow of information between government departments to be made smoother, given how valuable this information would be when assessing risk and determining an appropriate offender management plan. The ability to fact-check the information received from registered offenders was also deemed problematic, as officers have little legislative power to confirm the information with which they are provided. As such, it may be appropriate to provide fewer limitations on what the police are able to do in relation to verifying information, so as to ensure that they have the most accurate information possible. Additionally, opening up the channels of communication between government and non-government departments and organisations would also be beneficial, given the potential work that officers could do with this information. Risk assessment is undoubtedly an important facet in managing sex offenders, and presents as an area of opportunity for further improvements.

Related to risk assessment, the issue of effective offender management was a prominent discussion point among participants, with many recognising the importance of managing risk at an individual level rather than having a collective method of management for all

offenders. This idea is consistent with previous research, which suggests that offender management plans need to be individualised given the heterogeneity of sexual offenders (Grossi, 2017). The role of managing registered sex offenders in the community is a complex and challenging one, and a number of participants expressed uncertainty as to what their responsibilities are. The management of offenders is further made difficult by the potential for registration to lead to social isolation, unemployment, lack of social supports and limited treatment options (Lasher & McGrath, 2012; Levenson & Cotter, 2005). In response to this, there is a major demand for support networks and a multi-agency approach to managing these offenders. Given the apparent risk that registered sex offenders pose to the community, there is an ongoing need to offer them external support, in addition to simply putting them on a register.

While the participants expressed appreciation for their colleagues, a number of them expressed feeling that they are not adequately qualified to be in their current role. This was especially true for those responsible for conducting risk assessments, and was due to the need for further training and education so as to advance their skills in this area. A request for general training in the domain of sex offending was frequently expressed. While the workload of these officers is demanding, they were very receptive to the possibility of receiving further training in order to develop their understanding and knowledge of this area of policing. Additional training would be beneficial to these officers' ability to manage sex offenders in the community effectively.

The advancement of technology has widened the potential for offenders to commit sex offences against children. Online sex offending, particularly through the possession of CEM, is becoming more prevalent among sex offenders, creating uncertainty about how best to manage this category of offenders. Participants expressed concern about the suitability of applying traditional risk assessment and

offender management to online-only offenders. Some participants were of the opinion that all online offenders are either already or will eventually become contact offenders, while others felt that online offending should be considered separately. Research conducted by Seto, Hanson, and Babchishin (2011) found that one in eight online offenders has a known contact sexual offence in official records. When a self-report method was used, almost half of online offenders admitted to committing a contact offence. However, the results do indicate that there is a subset of offenders whose sexual crimes only consist of online offences. Thus, while there is an apparent overlap between contact and non-contact offending, in moving forward the police may need to tailor offender management differently for those convicted of online offences until research is able to establish the degree to which the risk factors found in offline offenders apply to online offenders (Seto et al., 2011).

In conclusion, the police officers who work with a sex offender register have a strong need for effective risk assessment in order to identify where they should apply their scarce resources. Ideally they need to know who is very likely to reoffend, when and against whom. This is a challenging task, especially with the recent advances in technology and the existence of registered offenders who may be at high risk of reoffending, but not obviously so. The consequences for victims and the expectations of the community mean that we must try to enhance this capability, difficult though it is. In speaking to police officers directly, this research provides first-hand views on how the police would like a register to look in regard to the essential and challenging job of monitoring sex offenders upon their release back into the community.

Ethical standards

Disclosure Statement

Kindalin Brooke Masters has declared no conflicts of interest.

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Ethical approval

All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional and/or national research committee and with the 1964 Helsinki declaration and its later amendments or comparable ethical standards.

Informed consent

Informed consent was obtained from all individual participants included in the study

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