



**ACCESS TO AND THE IMPACT OF SEX
OFFENDER DISCLOSURE ON MINORITY
GROUPS**

Online debate 2

Minority Victims

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To begin this section of the debate it is important for me to recognise the nuances that language carries in this very sensitive area. When I was a probation officer working with sex offenders it was very important for me to use the word 'victim' when speaking about the person who had been harmed by the offender. Many offenders denied there was a victim of their 'offences' or if there was a victim, it was themselves. The word 'victim' emphasised the harmful nature of their actions. Later when I worked with people who had been harmed sexually it became clear to me that the word 'victim' was inadequate to define them and their lives. It lacked agency and characterised them as passive recipients of abuse. The term 'survivor' was preferred. Later on I also encountered some people using the word 'thriver'. The continuum victim-survivor-thriver doubtless reflects the varied experiences of both individuals and groups of people who have been harmed sexually by other people. However, for the purposes of this piece I will use the composite term 'victim-survivor' to reflect that people can move beyond the effects of victimisation.

In this discussion I refer the reader to my comments in the 'minority offending' section. The issues that I consider to be relevant are related to cultural inhibitions in talking about sexual matters. These are not inhibitions solely related to the particular subject matter but how the subject matter relates to the speaker's place in these various collective groupings – the family (innately problematic), the extended family and various faith groups. Additionally, and very much linked to cultural issues there are issues relating to the cultural competence of white workers and the relevance of the disclosure scheme. I will address both of these issues briefly.

However, before I do so I would like to remind readers of Audrey Droisen's (1989) seminal paper 'Racism and Anti-Semitism' in an edited collection entitled 'Child Sexual Abuse: Feminist Perspectives'. In this paper Droisen reflects on why ethnic minority children appear to be less willing to report sexual abuse to 'authorities' (the police or social services). She offered the following explanation involving the central influence of stigma: (i) to be an ethnic minority in the UK is to be perceived negatively by the ethnic majority group (racism) and therefore to feel stigmatized; (ii) to be a victim of sexual abuse is to be left feeling negative about oneself ('dirty') and therefore to feel stigmatized; (iii) to speak to white authority figures about abuse experienced from a member of one's own (oppressed) ethnic group is to be seen as a traitor to one's group and thus to be stigmatized. These three different layers of stigma, Droisen suggests, have a powerful effect in inhibiting ethnic minority victims reporting abuse from members of their own community. These inhibitors are also relevant in thinking about the relevance of the sex offender register and systems of public notification. I will return to this later in this piece.

The cultural inhibitions in talking about sexual matters are immensely complex and not easily identified or addressed. I will highlight three issues related to workers and practice that I hope will be addressed further in this debate: (i) the issue of matching the ethnicity of victim-survivor and 'helper'; (ii) notions of cultural awareness/competence; and (iii) hard to reach groups. In many ways all of these issues relate directly to whether or not BME communities will access and make use of the disclosure scheme.

(i) Matching the ethnicity of victim-survivor and 'helper'

This issue relates directly to the provision of a variety of services from investigating allegations of abuse, through providing 'therapeutic' services, to developing effective community safety strategies. The key issue, particularly in relation to South Asian communities but also with other minority cultures, is providing services which are culturally aware and informed whilst allowing individuals to maintain privacy within their communities. Gilligan and Akhtar (2006) have discussed this issue at length in their research with Pakistani families in Bradford. Their study indicates that whilst culturally aware services are very important the families interviewed expressed a clear preference for working with someone who was not a member of their ethnic group/community. Issues of *Izaat*, *Haya* and *Sharam* left individuals feeling that their identity within their ethnic groupings was vulnerable if they worked with someone from the same community. However, the

implications of this are that white workers have a lot to do before they will be tolerated, let alone accepted in providing services for BME groups – a key part of this work is developing appropriate cultural awareness. I will briefly here refer to my points in the other section of this debate, in relation to ‘panethnic’ terminology. Here is a very good example of where a broad approach informed by racial awareness rather than ethnic sensitivity will not be sufficient to be able to work with specific groups – this requires in-depth knowledge and intensive training. It is not something that can be achieved by a half-day course of ‘diversity awareness’.

(ii) Cultural awareness

This section briefly develops some of the themes raised above. Whilst most organisations involved in working with victim-survivors recognise the importance of staff developing in-depth knowledge of sexual abuse, much of this ‘knowledge’ is constructed from Western research based on white western people. The diagnostic categories and the therapeutic approaches are largely based on notions from Western psychology (and sociology). When the workers have the ‘specialist’ knowledge, they may then add awareness of diverse cultures. I suggest that this approach is unlikely to be successful (see the work of Owusu-Bempah and Howitt, and Hwang that I referred to in the other section of the discussion) because it imposes a particular interpretation of sexual harm and how it may be remedied. Again this may be developed from unitary notions of the individual and individual well-being that are alien to non-white western cultures. The problem of ‘hard-to reach’ communities is inextricably linked to this – one reason that they may be hard to reach is that there is no negotiation of a common ground for understanding – no shared language game.

(iii) ‘Hard to reach groups’

This terminology in the sub-title is pre-set by the briefing for this debate and is (as you would expect) open to a range of interpretations. For the present purposes I will address two ‘groups’ – one being BME survivors and the other being BME communities. Droisen’s analysis is particularly pertinent in thinking about BME victim-survivors and why they may be hard to reach. For example, in South Asian communities, issues of pride (Izaat), modesty (Haya) and shame (Sharam) are relevant and link to Droisen’s tripartite model: to be abused sexually is potentially to have one’s pride in the community undermined, to talk about the abuse is to compromise one’s modesty and bring shame upon the victim and their family. Beyond the South Asian communities, similar inhibitions may apply.

In relation to BME communities being ‘hard to reach’ – I mean that they are hard to reach for white dominated organisations involved in work with victim-survivors. In my other contribution to this debate I outlined the (political) power of white (negative) constructions of black sexuality and how they are used to justify oppression of ethnic minority groupings. The fear that reporting abuse to white authorities may bring negative consequences to the wider community is likely to spread across ethnic communities. This inevitably nurtures and develops suspicion. The task for white organisations is not to find more effective ways of ‘reaching out’ but to find more effective ways of ‘inviting in’ BME communities. This will require the organisations to widen their understanding of sexual harm and how they respond to it. It will require white organisations to involve and learn from the BME communities. It will also require BME communities to engage in dialogue and not merely ‘keep quiet’ (a strategy that I identified in my contribution to the other part of this debate). The service developed would then not be an ‘outreach’ facility it would be a more sensitised and inclusive service that provides to each according to their needs (as they define them).

The issues relating to victim-survivors from BME communities are complex, the relationships of the individual to the community is of crucial importance. This can be problematic when the person is abused from within the community. Traditional sources of support may not be present in helping the victim-survivor move beyond their abuse. I want to conclude this section with a poem published in 1991 by a woman called Khadj Rouf who survived sexual abuse from her father but suffered in the process of surviving. This poem in many ways captures the issues that I have been trying to raise about the importance of identities and their links to communities. More specifically it captures the disorientation and destruction of identity experienced by BME victim-survivors who seek to speak out about the abuse they have experienced whilst retaining their (ontological) links to their communities:

Now

Now I am lost

Now I’m confused

Now. Although I’m free

And no longer abused.

	<p>Now who am I? Now where do I go from here? Now I have been set free, My future seems so unclear.</p> <p>Now I'm unsure Now, who am I supposed to be, Now I have to relearn And find an identity.</p> <p>Khadj Rouf (1991) 'Into Pandora's Box'. London, The Children's Society.</p> <p>Other cited sources Droisen, A. (1989). Racism & Anti-Semitism. In E. Driver & A. Droisen (Eds.), <i>Child Sexual Abuse: Feminist Perspectives</i>. London and Basingstoke: MacMillan. Gilligan, P., & Akhtar, S. (2006). Cultural Barriers to the Disclosure of Child Sexual Abuse in Asian Communities: Listening to What Women Say. <i>British Journal of Social Work</i>, 36, 1361-1377.</p>
De Montfort University (DMU)	<p>I think this is a helpful addition to the current debate. I particularly liked the more precise definition of 'hard to reach' and what in practice this actually means, and how such groups are constructed and delineated not least by policy and practitioners. This is particularly important in the current debate on the use and impact of the sex offender public disclosure scheme here in England and Wales, and to a lesser extent in Scotland. The 'burden' is on the public to come forward usually via the police to make an enquiry and then an application. The figures for BME usage of the scheme are low, and there is a similar trend for other groups to whom the label 'hard to reach' might be applied. Formal applications via institutions like the police or social services are likely to remain low from these communities for all the reasons SHU outlines, plus suspicion, fear and alienation. This is an example of a policy of access misfiring because of a lack of understanding of how discouraging the process itself is to certain groups.</p>
Association for the treatment of sexual abusers (ATSA)	<p>As the world gets smaller and our experience becomes more culturally diverse, it often strikes me just how little I know of the sexual abuse dynamic in non-Western cultures. We see anecdotal reports in the world media describing situations that most would consider horrific. However, I'm mindful of how often I ask myself whether or not those sorts of situations could occur in my own cultural framework? Is this how I/we would deal with it? Simply, I have to confront this question: Are those things happening elsewhere because there is something inherently "lesser" in that culture than in my culture (i.e., the age-old tendency for us to look down on others because they are different and not because there is actually something to look down on). My thinking is that other cultures deal with the issues in a similarly poor fashion to my own, maybe some worse, maybe some better, but none well. Overall, it seems that one of the primary issues we face as a GLOBAL society is to help victims/survivors/thrivors find their voice and to feel safe in telling us what has happened to them -- a.) so that we might help them recover their lives, and b.) so that we might get a better grasp on the extent of the problem, so as to better develop prevention strategies (primary, secondary, and tertiary). This will clearly present different issues and challenges that will, unfortunately, include some element of cultural bias.</p>
University Salford, Manchester (USM)	<p>Thanks first of all for the invitation to this debate. I have just been requested to join a community 'action' group in Rochdale in response to the recent criminal case of Asian males involved in child sexual exploitation. My response to the invitation to the action group was mixed. Firstly, I applaud some of the Muslim Asian community in Rochdale wishing to tackle sexual offending amongst a very small minority of their youth but on the flipside the very establishment of an 'action' group has the potential for cementing the association between one BME population and child sexual exploitation. This is how particular phrases or tag-lines become radicalised in the popular media, the link is implicit rather than explicit; for example 'Asian grooming affair' becomes 'grooming affair'.</p> <p>SHU very prudently warns about the need for white organisations to develop cultural awareness, but for me the more important point he makes is the need for BME communities not too simply 'keep quiet'. In a former life I legally represented women in abusive relationships, many from South Asian ethnic backgrounds. I was struck by the frequency of incidents where members of the family, family friends and people in the broader community simply brushed the crimes under the carpet or ostracised the abused. It is this injustice,</p>

	the charade of civility and honour against the concealment of crimes against 'victim-survivor-thrivers', which needs to be addressed but which is arguably the most difficult task.
ATSA	I could not agree with you more, USM. Bystander apathy is a really troubling element of this dilemma. ATSA Board Member Joan Tabachnik has written thoughtfully on this topic and I would highly recommend reading her work -- "Engaging Bystanders in Sexual Violence Prevention". This is available as a free download from the US National Sexual Violence Resource Center (NSVRC) at http://www.nsvrc.org/publications/nsvrc-publications/engaging-bysta Again highly recommended.
University of the West of England (UWE)	I think that the cultural attitudes towards 'minorities' (a term that i too use loosely) by the criminal justice system raises some interesting points; the main one being accountability (which has been touched on a few times already in this post). By accountability i mean who takes responsibility for the reporting, recording and prosecution of non-white sexual offenders; especially if communities are less likely to report crimes, more likely to be suspicious of the police and if the police are more likely to react differently to minority rather than majority sex offenders (i.e., over or under policing). The 'explosion' of cases of Asian grooming has all the makings of a classic moral panic, which will only increase as more extreme cases are found. The response of the state to minority offenders has really been highlighted in the UK in respect to the recent cases of Asian sex offender gangs in the north of England and the midlands (http://www.dailymail.co.uk/news/article-1344218/Asian-sex-gangs-Cul... ; http://www.guardian.co.uk/commentisfree/2012/may/08/asian-sex-gangs...). That is that the state is divided between the need to be culturally sensitive, uphold its laws, protect all citizens (especially vulnerable ones) and provide applicable justice. The real difficulty here seems to be the balance between state responses, cultural sensitivities (who should police minority, public attitudes (which is pertinent as race/ethnicity is an ongoing debate in the UK). What you do not want is the state (especially social services) overstepping boundaries when responding to suspected CSA cases like they did, at times in the late 70s and early 80s as this would be seen by minority communities in an especially negative light which would raise cultural sensitivities and, potentially, damage other good state/NGO/charity work (some of which was mentioned in online debate 1). So if it's not the accountability of the state to intervene is it the victims' responsibility? Thus is problematic and depends on the victim and/or their representatives' relation to the state. For instance can they speak English? In some recent work that I carried out in Wales around sex offender disclosure (McCartan, 2011) all if the minority participants said that language would be a barrier to them using the current scheme as they did not speak English well enough to engage. When asked about using a translator they said (1) that the children in the house were often the best translator and they would not be the best to use in this instance, and (2) that they would not want anyone external to the family to know about their concerns as a result if feelings of shame (shame used here in its broadest sense. These participants were mostly 1st generation immigrants to the UK and therefore all being part of a broader local immigrant community/network; but if you consider the issues if reporting CSA to the state but potentially less integrated communities (newly accepted refugees, trafficked individuals or illegal immigrants) these issues expand. Therefore the real issue, to me, becomes about educating the state and victims about the help that is available as well as how best to access it. The best way if doing this seems to be through community supported educational and outreach programmes; which brings us back to debate one and what is best way of doing this?
Cardiff University (CU)	I was involved in a process evaluation of the Sexual Assault Referral Centre (SARC) serving the Cardiff area, known as Ynys Saff ('Safe Island' in Welsh). The analysis indicated that the 'typical' client was a white female, generally young, capable of speaking English, with few disabilities. However, a significant minority of clients were men (14%), arguably another hard to reach group within this field. We argued that this quite exceptional level of engagement with male clients, especially for an initial period of operation for a SARC, may have reflected the fact that Cardiff runs the Dyn Project, which provides support to men who are experiencing domestic abuse from a partner. But we also contributed it to the efforts that the SARC were making in terms of engaging with hard to reach groups. Of the clients however, a smaller proportion were known to be BME. Only 3 had no understanding of the English language and 2 had some difficulty understanding English. While this was to some extent consistent with the demographic profile of the area, again it highlights the inhibitors that SHU speaks of that prevent these victim/survivors from coming forward. I raise a question rather than offer any solutions, but the work of the ISVA was championed throughout our research, highlighted as particularly important given that the principle role of the ISVA within Ynys Saff was to ensure those victims' perspectives and experiences were brought to the forefront of the process. The question is therefore whether SARCs and particularly ISVAs and the services and support that they can provide to

	<p>victims/ potential victims and their families, could help to overcome the barriers that certain groups will have engaging with a system of public notification? As Hazel commented, the 'burden' is on the public to come forward usually via the police to make an enquiry and then an application. Our research and others, clearly show that victim advocates are the lynchpin that enables the relevant information to be shared and acted upon across statutory, criminal justice and voluntary sector agencies attempting to address domestic and sexual violence?</p>
DMU	<p>This is an interesting post. It pin points further barriers and difficulties in coming forward. I am intrigued by the notion of advocates, real supporters to people to enable their voice and experience to be heard. There are of course parallels with Independent Domestic Violence Advocates (IDVAS) and the important work they do to support victims and ensure that victims can use the Multi agency case conferencing response effectively, particularly minority groups. There are lessons for engagement and for understanding barriers more comprehensively out there. Perhaps the intriguing question is why public policy and policy makers continue to act as if this knowledge base is unknown.</p>
ATSA	<p>In response to your question, DMU: "...why public policy and policy makers continue to act as if this knowledge base is unknown"- From both a clinical and a practical perspective, there are many similarities between sexual abuse, as a public health problem, and other behavioural issues, also from a public health perspective. Edward O. Wilson spoke of consilience to suggest that there are different paths to the same conclusion, using widely varied means. I'm going to stretch that concept a bit, however, in suggesting that we have more answers than we think we do (or are willing to acknowledge) when it comes to dealing with problematic sexual behaviour. It appears to me that we often allow our understanding of problematic behavioural and mental health dynamics to become fragmented by the type of behavioural problem (e.g., domestic violence vs. sexual violence vs. general violence etc., or vs. drug abuse, for that matter), the clinical presentation (e.g., depression in criminals vs. depression in stockbrokers vs. depression in homemakers etc.), or the population in which it found (e.g., Caucasians vs. Asians vs. Africans etc.; youth vs. adults vs. females).</p> <p>Overall, it seems that people generally overlook tendencies towards "sameness" when thinking about sexual deviance in comparison to other issues. I guess where I'm trying to go with this is to suggest that we sometimes throw out a good bit of knowledge gained in a variety of other or even related domains when we start talking about sexual abuse. It's as if all bets are off as soon as we include persons who sexually abuse children or other vulnerable people. Somehow, they are "just too different" from others for what we know about those others to be potentially also true of the sexual abusers. Worse still, we often allow issues that truly have nothing to do with the matter to become more important--like fragmentation borne of intolerance. For example, it is unfortunately not so long ago that there was a pervasive belief that men of colour were sexually preoccupied with "white" women and that they posed a serious threat to their sexual wellbeing (think "A Passage to India" or "To Kill a Mockingbird"). Of course, there is no evidence to support this contention, but that sometimes seemed/seems lost on the media.</p> <p>Andrews and Bonta (2010) gave us the Risk, Needs, Responsivity model -- which appears to do a good job of assisting us in devising good programs and intervention schemes for persons who engage in crime generally. However, before many of us would believe that these virtual truisms also applied to sexual offenders, we needed to have a meta-analysis specifically aimed at that population (e.g., Hanson et al., 2009). Surprise surprise, RNR applies to sex offenders as well. As a related example, treatment of sexual abusers was long driven by a "sex offender specific" agenda, presuming that the offenders were motivated primarily by out-of-control or deviant sexuality. We now know that the problem is much more complex and that holistic approaches to intervention and treatment are more likely to be successful. But, didn't we already know that single-factor theories didn't do well in explaining problematic behaviour? Why did it take us so long to apply this knowledge to sexual abusers? Actually, are we even at a point yet where we realise that what we have learned elsewhere applied here too?</p> <p>From a general standpoint, it is my belief that sexual offender public policy is driven more by fear, hatred, and disgust than by empiricism and best practice. That may be why it is so easy for public policy and policy makers to continue to act as if we don't already know a lot about assessment, treatment, risk management, and prevention when it comes to sexual abuse.</p>
CU	<p>Of course, it's probably worth re-stating that policy makers are responding to a media-generated moral panic about sexual offenders and sexual offending that exploits the public's fear, hatred and disgust. The question that this then raises is, if we believe that the evidence is compelling, why is it the case that fear, hatred and</p>

	<p>disgust continue to dominate the public perception of sex offending and subsequent policy. Is this something to do with the way 'evidence' and understanding is articulated, particularly outside academic and practitioner communities? If so, doesn't this highlight the difficulties in changing the perceptions of all groups and not just BME communities?</p>
DMU	<p>I like ATSA's reminder that problems often have solutions from elsewhere, you just have to look for commonalities rather than always focus on difference. And the important reminder that holism does work! This raises the important issue of transferability, across groups, problems, countries and jurisdictions, something we haven't always done well. Uncritical transfer can be disastrous, and transfer needs to take account of both uniqueness and sameness, coupled with an honest appraisal of what we have learnt, and an honest appraisal of why it is so hard to apply it well.</p> <p>The broader point that sexual offender policy is driven by fear, hatred and disgust rather than empiricism and best practice is of course spot on. Let's reflect on that for a moment. I think Kirsty has a point about the role of communicating evidence to the public(s) but this is not entirely either an academic problem or an academic solution. Certainly we have a role in doing that, but politicians and policy makers have a role in shaping rather than merely responding to public perceptions and media campaigns. If one takes other areas of risk, for example obesity, or alcohol/drug misuse- both politicians and policy makers have shown a willingness to engage in public debate and to try and educate and shape public perceptions rather than merely respond to them. Why then, will politicians and policy makers accept evidence about some risks and not others, and engage in some 'risk debates' rather than others? Is it merely fear of the big taboos? Or is something else at play here? Finally, while policy discussions and developments remain so 'risk shy' about sexual offending how can we expect to have wise and informed responses to minority group offenders, victims, and communities.</p>
SHU	<p>In concluding this discussion I would like to reflect on issues that have been raised by thinking a little about language and power. Language and power are particularly important in thinking about the experiences of minority victims in relation both to practice (criminal investigation, court process and therapy) but also in relation to research. Both practice and research have the power to define an experience and to include or exclude particular groups. For example Law and Criminal Justice process exclude the experiences of many victims – the attrition rates from reporting a crime to a successful prosecution are huge (for example, in the UK at the moment approximately 90 per cent of rapes reported to authorities do not result in a perpetrator being convicted of a crime). Similarly, many years ago I managed a therapy centre for children and young people who had been abused sexually; I became vividly aware of the plight of victims who were learning disabled. They were not able to speak of their experiences in a way that was intelligible or validated by criminal prosecution processes, and thus they felt discounted and not valued. The practitioner, the policy maker and the researcher contribute to the dialogical construction of the victim-survivor experience. This construction can validate or negate the victim-survivor; if the processes are felt to be negative and negating minority victims may feel that engaging with them is of little value.</p> <p>In thinking about the operation of language and power John Shotter has pointed to how scientific discourse is given a priority and precedence in the West. Our policy making, forensic practices and therapeutic paradigms are underpinned by this discourse. There are problems with this. Shotter (1993; p.15) comments: "The trouble with 'natural scientific' approaches is that in claiming to offer general theories, they claim ahead of time to be able to speak in debates, correctly, on behalf of all those they study. But in doing so, they silence them. They deny them their own voice, their opportunity to speak on the nature of their own unique circumstances. They deny them their citizenship in their society"</p> <p>Whilst there may be commonalities in victim-survivor experience across communities, as ATSA suggests and to which I will return, I also think that there are key differences in how communities respond to disclosures of sexual harm. The task (for the researcher, practitioner or policy maker) then is to listen hard and be prepared to surrender power (of definition). Power can enable or deter victims from communicating with official agencies (e.g. the sex offender register). To develop effective communication requires recognition and resolve – recognition that developing effective dialogue is not merely a matter of providing more classes in English for non-English speakers. It is to be sensitive to cultures, faiths and practices. Resolve involves engagement and dialogue. Many years ago, Polly Neate (1991), writing about the challenge of conducting a child sexual abuse investigation in some South Asian communities, noted that the language available for victims to describe their experiences was limited; to talk of matters sexual there were two discourses available – romantic/courtly love or a profane pornographic way of speaking. This is similar to issues that are highlighted by Anna Clark amongst others when discussing sex crimes in England & Wales from an historical perspective. Clark has noted that media reportage construed the rape victims as either 'virgins' or 'vamps'. A commonality across communities</p>

	<p>may be the limited language resources available to victim-survivors. The Feminist movement in the West has been largely responsible for enabling (some) women to develop a distinctive and different voice; that articulates female victim-survivor perspectives of sex crime.</p> <p>Along with language resources available to victim-survivors another commonality across communities may be the difficulties of being heard by dominant groups. There are power dynamics operating within all (ethnic) communities. USM pointed out that ethnic communities have a responsibility to allow/enable victims to speak of their experiences. He pointed out that this currently is not happening. Perhaps, as in white societies, this inhibition takes the form of denial of sexual harm. If sexual harm does not happen then there is no need for a sex offender register and there is no need for public notification. 'The Color Purple' was criticised within the African American community by some male critics and Alice Walker was taken to task for how she portrayed the rape victim Celie in 'A Colour Purple'. She responded thus:</p> <p>"... if I had written of Celie's rape from the point of view of the rapist or that of the voyeur, very few people – other than feminists – would have been offended. We have been brainwashed to identify with the person who receives pleasure, no matter how perverted; we are used to seeing rape from the rapists point of view. I could have written that Celie enjoyed her abuse and done it in such pretty, distancing language that many readers would have accepted it as normal. But to do this would have been to betray Celie; not only her experience of rape, but the integrity of her life; life itself. For it is language more than anything else that reveals and validates one's existence, and if the language we actually speak is denied us, then it is inevitable that the form we are permitted to assume historically will be one of caricature, reflecting someone else's literary or social fantasy". (Walker 1988).</p> <p>The challenge for communities and wider society is to hear and enable the authentic language of victim survivors to be heard. In relation to the Sex Offender register and Public notification this requires proactive engagement with the issues in finding ways to make all communities safer. This will require critical self-reflection and change from researchers, policy makers, senior managers and practitioners.</p> <p>Clark, A. (1987). <i>Women's Silence, Men's Violence: Sexual Assault in England 1770-1845</i>. London, Pandora.</p> <p>Foucault, M. (1977). <i>Discipline and Punish: The Birth of the Prison</i>. London, Allen Lane.</p> <p>Neate, P. (1991). Bridging the Cultural Divide. <i>Community Care</i>, 21 November 1991, 12-14.</p> <p>Shotter, J. (1993). <i>Conversational Realities: Constructing Life through Language</i>. London, Sage.</p> <p>Walker, A. (1988). Coming in from the cold. <i>Living by the Word: Selected Writings 1973-1987</i>. A. Walker. London, Women's Press.</p>
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Minority Offending

SHU	<p>It is appropriate to begin this contribution by recognising some linguistic problems. Aspinall (2002) usefully highlights problems with what he calls 'panethnic' terminology – 'BME' is one example of this, as are the terms 'Black' and 'Asian'. The terms are useful in that they can be used to describe discriminatory practices towards groups who share one characteristic (their skin is not white) – thus some racist practices may be identified through using panethnic terms as dimensions of analysis. However, these terms also obscure other issues of importance (e.g. particular cultures and beliefs). The term 'ethnicity' facilitates consideration of cultural practices many of which are interwoven with and embody religious practice. Considering issues related to ethnicities may deepen understanding, however, potentially it may also obscure issues relating to gender and age. These issues are key considerations in understanding the dynamics of sexual harm. The sociological concept of 'intersectionality' is useful here (see Crenshaw 1991, Grabham et al 2009, & Walby 2012) in that it requires consideration of all dimensions of identity and how they intersect with one another. For example in understanding and responding to sex offenders it is important to consider not only 'race' in its crudest form, but also issues related to masculinity, ethnicity, and faith. Moreover these issues have to be considered within a dynamic context – thus heterosexual 'masculinity' is not only defined by how it is manifested in a particular culture but also by what it is not (e.g. female, and gay). Thus in understanding 'minority' offending it is important to take a nuanced approach that considers the various intersections involved.</p> <p>Moving more directly to consider issues relating to BME sex offenders, I use the panethnic term here to refer to offenders that are not categorised as 'White'. Later in the discussion, I hope my commentary will be more nuanced! Although I am aware that recent work by Kemshall and others in relation to the sex offender has included ethnicity as an analytical dimension, there is little in-depth exploration of the engagement of BME communities with the sex offender register. For the purposes of this opening contribution, therefore, I will widen the discussion to consider: what is know of the demographics of the BME sex offender population; issues relating to white constructions of BME sex offenders and finally issues related to engagement of BME sex</p>
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offenders in criminal justice processes – I will briefly consider their non-engagement with offending behaviour programmes this may raise issues that are pertinent to the present debate.

There has been a pattern in the male prisons of England and Wales since the early 1990s that BME offenders are overrepresented in relation to the ethnic proportions of the national population. This is most marked in relation the longer sentence groupings and in relation to Black British, African and Caribbean men, however it is also the case for south Asian ethnic groupings. Focussing specifically on the population in prison, the demographic profile is different to the white population in that it is both younger and comprised of a majority of offenders whose victims were over 16 years old (see Cowburn 1996 & Cowburn & Lavis 2009 for more detailed information). The implications of this for disclosure and the sex offender register are not immediately apparent (to me at least), but if we consider that the sex offender register and subsequent legislation to enable disclosure was (apparently) motivated by the desire to protect children from convicted sex offenders there are two issues to consider. Firstly in relation to protecting BME communities from sexual predators within the ethnic community the Criminal Justice System per se does not seem to be effective. Whilst prevalence studies show that sexual victimisation and abuse are common across ethnic groupings very few BME perpetrators seem to be reported, prosecuted and certainly convicted. The information relating reporting crimes and their investigation is not readily available but the conviction data provides some support for this statement. In the other section of this debate (victims) I explore some explanations for underreporting. Therefore if few crimes are reported and even fewer perpetrators convicted then the register will have little relevance for BME communities. It may have more relevance for BME people living in multi-ethnic areas, but this raises the issue of how willing BME people are to engage with the CJS – I return to this later. The second implication for access and use of register relates to the BME person convicted of sexual offences, later in this section I suggest that the relationship between the individual and the community may be more ontologically significant in some BME communities than it is in white dominated groups. On this basis, the potential impact of disclosure on the offender may be profound – driving him/her out of a context which developed and sustained their sense of self. In relation to white social constructions of BME sex offenders it is pertinent to say something about the recent case in Rochdale where nine Pakistani men were convicted of a range of sexual offences against white girls. Issues debated in the media focused on whether the offences were ‘racially’ motivated, that is whether the underlying motive for the offences was to harm white people by sexually harming white girls. The relationship between ‘(racial) politics’ and sex crimes has a long history probably dating back as far as ancient Rome and the rape of the Sabine women and having cogent expression in some of the works of Eldridge Cleaver in the 1960s in the USA (Cleaver initially advocated and then renounced inter-racial rape as a tool of political resistance). Some of the media reportage of the Rochdale case appeared to be constructing Pakistani male sexuality as racially predatory towards white girls. This construction is very similar to the construction of the ‘black rapist’ identified by Angela Davis (1981) and bell hooks (1982). These authors and others identified that white media and the white dominated criminal justice system constructed black male (hetero) sexuality as predatory and dangerous. This false construction, they argued, then became a justification for oppressive racist criminal justice practices (e.g. between 1930-1967 of the 455 men executed for offences of rape 405 of them were Black). Whilst it is important not ignore the racial dynamic of inter-racial sex crimes it is equally important to consider a wider range of intersecting issues (in this case relating to heterosexuality, masculinities and age). Following conviction for an offence a key issue relating to BME sex offenders is their minimal engagement with CJS processes. This is most marked when considering their non-involvement with treatment programmes both in the community and particularly in prison. I say particularly in prison, because the Prison Service/NOMS is a national organisation that has considered this issue over a number of years (see Cowburn 1996, Cowburn et al 2008). There is no similar means of obtaining data in relation to individual community sex offender groups, although my personal experience (as a group leader and a consultant to a variety of programmes) leads me to believe that few BME sex offenders are involved.

The issue of non-involvement raises at least three questions:

1. Can treatment programme selection processes explain this?
2. Is there something (either in relation to content or process) in the nature of the treatment programmes that deters participation?
3. Is there something cultural that inhibits or prevents participation?

However, in relation to the present debates, I will restrict my observations to the final question.

The question is a little blunt, but it points to the necessity of considering ‘ethnicities’ rather than race, and it also points to the need to understand how culture impacts on the various intersecting aspects of identity. In the previous section I raised the issue of collectivised identities and that some BME cultures assert the importance of identity as being part of a group. I think that this may impact on participation in two ways: (i)

inhibitory: and (ii) *exhibitory*.

In relation to how cultures may inhibit participation, it is important to note that these musings are based on some understanding of elements of south Asian cultures; they may not be generalisable to other BME cultures. Having said that, given the importance of the group or collectively, South Asian cultures illustrate, particularly through notions of *Izaat*, *Haya* and *Sharam*, the power of collectivised cultures. Briefly *Izaat* can be summarised as pride – particularly pride sustained by presence and participation in a community. *Haya* relates to modesty and not making public displays of matters considered to be private (e.g. sexual matters) to compromise *Haya* would be invite *Sharam*. *ayaHayaHSHaram* can be understood as shame, but not an individualised sense of shame, a public shame that is generated and sustained by the community; with *Sharam* comes a loss of positive identity within the community and thus a destruction of sense of self (see Cowburn et al 2008 & Gilligan & Akhtar 2008 for fuller explanation). Thus to talk publically about sexual offending is potentially to invite social exclusion from particular ethnic communities.

The *exhibitory* impacts on participation are primarily concerned with asserting an identity that is resistant to the dominant (white) identity of the Criminal Justice System. Wilson (2003) has described how young black prisoners assert resistant identities in two ways, either by ‘going nuts’ or by ‘keeping quiet’. The former strategy does not need explanation; ‘keeping quiet’ involves in non-engagement with the white establishment and seeking solace in ones ethnic grouping. Thus exhibiting a positive ethnic identity may involve not participating in (white) Criminal Justice processes.

So how does the above relate the theme of this debate – ‘Access to and the impact of sex offender disclosure on minority groups’? There is a need for in-depth research into these areas. What is said here is speculative and provisional! However, I will consider ‘access’ and then ‘impact’

(i) ‘Access’

Two issues discussed above make it seem likely that BME communities may be unlikely to access the sex offender register: (a) the BME community disengagement from CJS processes in relation to sex crimes; and (b) Community inhibitions in relation to making public inquiries about matters of (potential) sexual harm. Additionally, however, it is important to recognise that all BME people do not live in insular and homogenous communities. Where people are less physically connected to an ethnic community there may be more likelihood of them accessing the register – to access the register in a multi-ethnic area is not to cast doubts on a particular ethnic community. However, to access the register from less multi-racial contexts may be problematic.

(ii) Impact

It is difficult to understand what ‘impact’ means in this context. Given that sex offender disclosure primarily relates to offenders convicted against children, it may have relatively little impact on BME sex offenders, but if disclosure did occur its consequences may be more severe for the offender within the context of his ethnic community. The BME offender whose offences are undisclosed may have significant ontological ties to his community (for example through family networks, and religious affiliations); public disclosure therefore may have more harmful effects.

However, what sex offender notification schemes do highlight is the need for the Criminal Justice System, voluntary organisations and academics to engage with understanding the impacts of sexual violence on communities whose cultures are different from the hegemonic white western culture in England and Wales.

References cited

- Aspinall, P. J. (2002). Collective Terminology to Describe the Minority Ethnic Population: The Persistence of Confusion and Ambiguity in Usage. *Sociology*, 36(4), 803-816.
- Cowburn, M. (1996). The Black Male Sex Offender in Prison: images and issues. *Journal of Sexual Aggression*, 2(2), 122-142.
- Cowburn, M., & Lavis, V. (2009). Race Relations in Prison: Managing Performance and Developing Engagement. *British Journal of Community Justice*, 17(3), 77-89.
- Cowburn, M., Lavis, V., & Walker, T. (2008). BME Sex Offenders in Prison: The Problem of Participation in Offending Behaviour Groupwork Programmes - A Tripartite Model of Understanding. *British Journal of Community Justice*, 6(1), 19-34.
- Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*, 43(6), 1241-1299.
- Davis, A. (1981). *Women, Race and Class*. London: Women’s Press.
- Gilligan, P., & Akhtar, S. (2006). Cultural Barriers to the Disclosure of Child Sexual Abuse in Asian Communities: Listening to What Women Say. *British Journal of Social Work*, 36, 1361-1377.
- Grabham, E., Cooper, D., Krishnadas, J., & Herman, D. (Eds.). (2009). *Intersectionality and Beyond: Law, power*

	<p><i>and the politics of location</i>. Abingdon: Routledge-Cavendish.</p> <p>Hooks, B. (1982). <i>Ain't I A Woman: Black Women and Feminism</i> (1986 ed.). Pluto Books.</p> <p>Owusu-Bempah, K., & Howitt, D. (2000). <i>Psychology Beyond Western Perspectives</i>. Leicester: British Psychological Society.</p> <p>Walby, S., Armstrong, J., & Strid, S. (2012). Intersectionality: Multiple Inequalities in Social Theory. <i>Sociology</i>, 46, 224-240.</p>
ATSA 2	<p>I am grateful to have been asked to join into this discussion on "Access to and the impact of sex offender disclosure on minority groups" because surprise! surprise! there has been little to no discussion along these lines here in the U.S. Why are we always "trend setting" in the establishment and implementation of deeply-flawed policy and the last to consider the vital complexities of how with these policies we're affecting individuals and their communities, not to mention how the policies actually impact our ability as a society to prevent and respond effectively to sexual abuse.</p> <p>I think we can talk forever about concepts of ethnicity and race -- a rich topic indeed, but am also completely clear that when we think about how public disclosure (what we call SORN here in the U.S. -- Sex Offender Registration and Notification) affects willingness to prevent and intervene in situations of sexual abuse, there is a unique difference between white communities and (as we call them in the U.S.) communities of color and immigrant communities.</p> <p>Communities of color and immigrant communities here in the U.S. have been, and are being, structurally and systematically abused by law enforcement and the so-called justice and correctional systems. These are systems that few individuals, families, and communities trust or would voluntarily elect to be involved with. The police are not perceived as allies or enforcers of safety and justice. The legal and correctional systems are key enforcers of structural racist policy and practice that arrest and incarcerate men of color in vastly disproportionate numbers to their white male counterparts. To wit: more than 60 percent of the people in U.S. prisons are racial and ethnic minorities. For Black males in their thirties, 1 in every 10 is in prison or jail on any given day. One in every three Black men in the United States will go to prison in his lifetime; one in every six Latino men will go to prison. These rates are, respectively, quadruple and double the rates for white men in the United States. Another example of racial, racist disparity in treatment by law enforcement in the U.S. comes from well-known constitutional attorney Bill Quigley:</p> <p><i>The police stop blacks and Latinos at rates that are much higher than whites. In New York City, where people of color make up about half of the population, 80% of the NY [Police Department] stops were of blacks and Latinos. When whites were stopped, only 8% were frisked. When blacks and Latinos are stopped 85% were frisked... The same is true most other places as well. In a California study, the ACLU found blacks are three times more likely to be stopped than whites. (See http://www.huffingtonpost.com/bill-quigley/fourteen-examples-of-rac...?)</i></p> <p>When communities of color are harassed, over-sentenced, over-incarcerated, and abused by the systems-that-be, they are highly unlikely to turn to them in situations of risk for sexual abuse, or when someone they know is being sexually abused. They are unlikely to want to report someone to child protective services, call the police to intervene, or seek assistance from any other governmental office or official. If people of color know that a member of their community is going to be subject to public disclosure for the perpetration of a sex offense, why would they want to imbue the systems already responsible for discriminatory power against them with the power to publicly shame and ostracize them.</p> <p>What I'm trying to say here is that they ways in which we respond to (i.e. implement policy around) sex offenders impact our societal ability to encourage prevention of, and intervention in, sexual abuse. For communities of color the stakes are even higher since so much of the policy designed to respond to sex offenders is carried out by the systems that have historically discriminated against and abused them. Communities of color, and immigrant communities that fear not only discrimination and abuse but deportation, have more to lose in getting these systems involved in situations of sexual violence. So when we publicly disclose on people of color who have perpetrated sexual harm, we are creating disincentives in communities of color to preventing and stopping sexual abuse, and to obtaining justice and healing for victims; accountability, treatment, supervision, and healing for offenders; and justice and healing for victims' and offenders' families and communities.</p>
DMU	<p>I think SHU's discussion above is really helpful. The points on access particularly so. I wonder if another component to this is trust- and that lack of trust in police and other aspects of the criminal justice process work as a key inhibitor here. Previous experiences of those agencies either personally or as part of one's reference group will have a key impact on motivations to access and use. This is supported by ATSA 2's comments In the Scottish pilot, enquirers and applicants did report back disquiet with approaching the police or social</p>

	<p>work for a disclosure. These agencies were seen as those state agencies most likely to both investigate you and to remove your children. A perceived lack of trust associated with the particular roles and responsibilities ascribed to these agencies meant that motivation to engage with the scheme was eroded. Currently disclosure applications and management are bested with a charity in Scotland, 'Stop it now', and this may reduce some of these issues.</p>
CU	<p>I have been extremely interested in the discussion on the impact that the disclosure scheme could have on BME offenders. The issue of localism and community activism came up in the Knowledge Exchange event that we held in Northern Ireland in May (please see the knowledge exchange website for more information). These issues resonate to some degree with the problems that SHU implied that BME offenders might experience. However it was also recognised that localism and a general sense of connectivity in Northern Ireland could act to enhance current practice through community and interagency working and that the disclosure scheme could then help to educate the public of the realities of sexual offending and offenders. It is however imperative that you acquire a true understanding of the community in question - which brings us back to the comments regarding cultural awareness, the need to match the victim/survivor and the 'helper', made by SHU in his post on minority victims.</p> <p>I am also interested in how a disclosure scheme will impact on the ways in which BME sex offenders manage their own identities given the impact that a disclosure might have within the context of their ethnic community. I am extremely interested in the pressures that convicted sex offenders face to deny, distort, minimise or justify their behaviour to others and themselves and the implications that this can have in both the criminal justice system's ability to manage their risk, but also in their own ability to manage their risk. As SHU commented, there is clearly the need engage more with how this scheme will impact on BME offenders.</p>
ATSA	<p>SHU identifies a few really important points: 1. that persons of colour are often overrepresented in prison populations (this is particularly true for African-Americans in the USA and Aboriginal peoples in Canada), 2. that many ethnicities have a certain insularity to them when it comes to dealing with crime and aggression, and 3. that in a society where "white" persons are typically in power, there may be an interaction between 1. and 2. Specifically, I wonder whether there might be a tendency for certain ethnic communities to "deal with issues" within their community, so as not to have another of their number go into the "white-dominated" criminal justice system? Something like an "us and them" situation. I also wonder whether certain communities might also find the traditional "white-dominated" criminal justice approach to be unsatisfying, community-wise?</p> <p>As an example toward the latter question, the Circles of Support & Accountability movement has its origins in Canada, but has taken strong hold in the UK (in fact, this week will mark celebrations of 10 years of Circles in the UK). The CoSA model borrows heavily from Canadian Aboriginal traditions, in which debts for affronts to an individual are owed to the individual and debts to the community are owed to the community. This is in somewhat stark contrast to the prevailing criminal justice approach in Canada, in which the debt for offending is actually exacted by the state (presumably, as an agent of the people, but many wouldn't likely see it that way).</p> <p>In the Aboriginal tradition, a victim has the right to confront his/her aggressor in front of the rest of the community, and that victim retains a central role in the process. However, in most Western societies, the victim is merely a witness for the prosecution in a trial that pits the state against the aggressor. An excellent example of this is found in Jodi Foster's portrayal of a rape victim in "the Accused".</p>
UWE	<p>I think that the last point about BME communities dealing with sexual abuse themselves. In the research that I carried out in Wales (McCartan, 2011; see public disclosure website) there was a strong feeling of shame and anger that came out of the BME group on the possibility of having Child Sexual Abusers in their communities. As I have said on the minority victims blog there was a feeling among these participants that they would not go to the police, they suggested that they knew who the child sexual abusers in their community (especially ethnic community where) and therefore they could control access to and the impact of these offenders on said community. This was also echoed in the same piece of research about religious and cultural divisions in Northern Ireland. This raises the question of our communities, especially close knit communities, already managing their <i>own</i> sex offenders in a way that best suits them without the intervention of the state? The relationship between state governance vs cultural governance has been an issue for some BME communities; hence, is sex offending reporting and management also failing under this remit?</p> <p>I also think that there is a conversation to be had here around BME sex offender reintegration. Is the community where these offenders originated from the best one to return them too? What are the social,</p>

	cultural and public safety concerns about returning BME sex offenders to the close knit communities from whence they came? How will it impact the victims, the families and the wider community?
CU	<p>Adding to UWE's point, and reiterating my earlier post - it is important not to forget the offender: What impact will this have on the offenders themselves. SHU and ATSA 2 both talk about communities of colour, BME communities, being overly harassed, over sentenced, over incarcerated. Not surprisingly therefore, they are reluctant to engage with the police. Added to this are the cultural barriers and inhibitions with regard to speaking publically about sexual abuse. In my research I look at how predominately white male sex offenders try every technique they can to distance themselves from the popular image of the sex offender, in order to protect themselves from feelings of shame and guilt, and the implications that this has in terms of being able to ask for help. It would seem that BME offenders have additional layers to overcome/ to protect themselves from. These barriers have huge implications in terms of risk management.</p>
SHU	<p>In concluding this discussion I would like to reflect on three issues; (i) the purpose of the sex offender register and public notification; (ii) notions of communities and (iii) participation in this on-line discussion.</p> <p>The sex offender register is ostensibly designed to keep under close surveillance a population deemed to pose a risk of sexual harm to other individuals. Offenders and potential victims live alongside each other in communities. Public notification allows individuals within communities to inquire about registered offenders in their neighbourhood. Thus the register and public notification are part of a wider community safety strategy. However, sex offender recidivism data indicates that most sex offenders are not reconvicted of sexual offences. Therefore the convicted sex offender may not be the person who presents the greatest threat to community safety. It is the person whose crimes have not been reported or resulted in a criminal conviction that may pose a greater threat. In the case of sex crimes ATSA 2 has pointed out the huge levels of distrust in the criminal justice system that people of color in the United States experience. The situation appears to be the same in Canada and England and Wales. A product of this distrust may be that perpetrators are not reported and therefore not convicted. Thus they do not feature on the register. The register and public notification may not currently serve a protective function for BME communities. To develop community safety for diverse communities may require, as Robin, suggests, engagement with indigenous community practices; bureaucratic procedures are unlikely to be enough.</p> <p>However, to engage with ethnic communities requires knowledge, sensitivity and skill. Communities are not homogenous and power is differentially located. Whilst power in communities may be a protective force, a question to ask is 'Of whom is it protective?' In his contribution to the 'minority victims discussion, USM highlights the challenge to BME communities of not 'keeping quiet' – he comments:</p> <p><i>It is this injustice, the charade of civility and honour against the concealment of crimes against 'victim-survivor-thrivers', which needs to be addressed but which is arguably the most difficult task.</i></p> <p>It is important to engage with and include BME communities in developing appropriate safety strategies. The Sex Offender register and public notification may be part of these strategies. But the challenge is also for BME communities to identify and change power relations that allow perpetrators to go unreported and unpunished.</p> <p>Finally, it is of interest to note that this discussion has only involved five people. I have reflected upon this and wonder whether one reason for this limited participation is that the discussion has moved away from managing individuals to reflecting on wider social issues. In some way the discussion has moved from the dominant (in relation to thinking about issues related to sex offenders) psychological penological paradigms to more sociological considerations. Perhaps, this highlights the need for academics, policy makers and practitioners to integrate both disciplinary perspectives into thinking about sex offenders. The sex offender (of all ethnicities) is not apart from his/her community s/he is a part of the community.</p>