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Circles of Support and Accountability: the case for their use in Scotland to assist in the community reintegration and risk management of Sexual Offenders

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Introduction

Much public, professional and political concern has, and continues to be, focused on the release of sexual offenders back into the community. It could be argued that this is the most sensitive, contentious and indeed risky aspect of offender community reintegration and rehabilitation. Attention has rightly been given to the development of effective programmes within prison and the community which complement each other, and the development of protocols and systems for enhancing community protection. However, it is our contention that, despite the current public protection arrangements which are in place across Scotland, there is still a need and indeed demand for an improved framework of support, monitoring and re-integration for offenders within the community, particularly after release from prison or other residential provision. This article is therefore aimed at outlining the case for **'Circles of Support and Accountability'** (hereafter referred to as Circles) as a means of enhancing the range of measures available in the community for reducing the risk of re-offending by *certain* convicted sexual offenders, and ensuring that the framework of community protection in Scotland more closely matches those being delivered in other parts of the UK. The article builds on a previous article published in the July 2008 edition of the Scottish Journal of Criminal Justice Studies (Richley & Kirkwood, 2008).

Circles is a model of intervention that assists in the monitoring and community re-integration of certain sexual offenders. The model, which emanates from Canada where it commenced in 1994 (Wilson, McWhinnie, Picheca, Prinzo & Cortoni, 2007), has been delivered in England and Wales since April 2002 (Quaker Peace and Social Justice, 2005). Offenders are ideally identified during their custodial sentence as benefiting from such an intervention and a "Circle" of members of the Community, usually trained volunteers, is formed to support and monitor them on release. To date, over 60 Circles have been successfully delivered in England and Wales using a combination of paid professionals and highly trained volunteers. A Circle of Support and Accountability provides a useful addition to the established Risk Management Procedures and can complement these with the overall aim of reducing re-offending, managing risk and assisting community re-integration.

The need to improve the range and effectiveness of strategies for monitoring and reducing the risk posed by convicted sexual offenders in the community requires no justification. In addition there are the public's concerns in relation to sexual offenders within communities and how much information regarding these individuals is made available. Central to this discussion is the apparent impasse between media reported demands for provision of fuller information and involvement of local communities, and the concerns of professionals that such provision will result in the 'outing' of offenders and consequent inability to maintain ongoing contact and monitoring or treatment provision (see Brown, Deakin & Spencer, 2008; Scottish Parliament, 2006). It is considered that Circles offer a positive means of reconciling some of these issues by providing opportunities for suitable members of local communities to become involved in the rehabilitation of offenders as well as monitoring their attitudes and behaviour in the interests of public safety.

In 2001 the Report of the Expert Panel on Sex Offending (also known as the Cosgrove Report; Scottish Executive, 2001) drew attention to the need to involve local people in the development of an effective community safety strategy to combat the risk of sexual offending:

"The final strand in this approach to community safety is the need to empower and involve local people in making their communities safer places to live. In the past, action by communities has not always been constructive or safe. It is therefore important that the management of sex offenders commands public confidence and that communities are encouraged to become involved in a constructive fashion" (p. 12).

The fundamental aim of a Circle is to reduce the risk of further offending by the 'core member'. The underlying premise in this approach is that such risks can be reduced by combating core members'

social isolation and providing ongoing contact with a small group of people who offer support and assistance on the basis of an identified support agreement with explicit behavioural expectations.

The relevance of this approach is supported by findings such as those from a Canadian study in 2000 which examined characteristics of sexual offence recidivists:

"Compared to non-recidivists, those who had committed further offences generally had poor social support, attitudes tolerant of sexual assault, antisocial lifestyles, poor self-management strategies and difficulty cooperating with community supervision. They also showed increased anger and subjective distress, as recorded by community supervision officers, just before reoffending" (Hanson & Harris, 2000, cited in Loucks, 2002).

The potential contribution of Circles in community risk management is further recognised by Professor Hazel Kemshall (2002) in her contribution to the recent Scottish Executive Social Research on risk assessment and risk management of sexual and violent offenders.

More recently, in 2006, a sub-committee of the Justice 2 Scottish Parliamentary committee was set up to enquire into, and report on, issues surrounding housing, sentencing and information sharing regarding sexual offenders who offend against children. In its report, the sub-committee discussed the use of Circles of Support and Accountability within the Scottish context. The sub-committee recommended "that the Scottish Executive considers the potential of Circles of Support and Accountability projects and, if found to be effective, instigates pilot projects within Scottish communities" (Scottish Parliament, 2006). The Scottish Executive responded with the following statement:

"The Scottish Executive agrees that there is a role for the voluntary sector and volunteers in relation to the support of offenders in the community. We will keep in touch with the developments in England and Wales and are happy to examine the evidence of the effectiveness of Circles of Support which becomes available and consider how this might be progressed in Scotland" (Scottish Parliament, 2007, p. 8).

In response to this apparent positive message in relation to the potential for Circles in Scotland, the authors of this article, as well as other colleagues, on behalf of the Scottish Circles Steering Group, submitted a proposal to pilot Circles within Scotland to the Scottish Government in September 2007. The Government responded to this by commissioning a "feasibility study" into the potential for Circles in Scotland early in 2008. This study was undertaken by the Scottish Centre for Crime and Justice Research and is now available online (Armstrong, Chistyakova, Mackenzie & Malloch, 2008). In parallel with this submission a great deal of awareness raising and promotional work was undertaken within Scotland to promote the idea of Circles themselves, and the notion of having them piloted. This included a seminar at the Glasgow School of Social Work delivered by Dr. Robin Wilson, the Canadian Psychologist who was instrumental in setting up and evaluating the original Circles in Canada.

In June 2008 Kenny MacAskill, the Cabinet Secretary for Justice, formally responded to the proposal to pilot Circles within Scotland. Despite what we believe to be compelling evidence that Circles can make a real contribution to risk management and sex offender community re-integration in Scotland, the message from Mr MacAskill was that he was not prepared to fund the initiative at this time. Reasons given included that he felt there were concerns over the use of volunteers with this offender group, and that, in his opinion, "it was crucial that the MAPPAs [Multi-Agency Public Protection Arrangements], which formally commenced in April 2007, were allowed to develop without the additional requirements that the integration that Circles would place on them". The following section outlines the existing evidence of Circles in relation to community safety and offender reintegration, and the specific issues raised by the Cabinet Secretary in relation to MAPPAs and concerns around the involvement of volunteers.

Evidence of effectiveness

The majority of the existing evidence for the effectiveness of Circles comes from two projects, one in Canada and one in the Thames Valley in England. Evaluation of the Canadian Circles (Wilson,

Picheca & Prinzo, 2005) involved a rigorous methodology, whereby 60 Circles core members were matched *a priori* to 60 members of a control group in terms of criminality, risk of re-offending, engagement in sex offender treatment programmes and time of release from prison. This ensures that the groups are as similar as possible from the beginning, so that any differences in the follow-up are most likely due to the intervention rather than other factors. Analysis of reconviction data found that the comparison group re-offended more frequently and faster than the Circles group. For sexual crimes, re-offence rates for the Circles group were significantly lower (70% lower) than that of the comparison group and significantly lower than the predicted rate of re-offending; the sexual re-offence rate for the comparison group was not significantly lower than the predicted rate. Furthermore, the Circles group had a significantly lower violent re-offence rate compared with the comparison group. Also, of the three incidents of re-offending among the Circles group, qualitative analysis showed that the severity of these offences was less than the severity of the offence for which they were originally imprisoned (e.g., an obscene phone call rather than a violent rape); there was no such reduction in severity of the offences among the comparison group. Overall this is strong evidence that the Circles were effective at reducing re-offending.

Survey data also indicated that the Circles improved core members' emotional well-being, helped them to integrate into society, and that core members believed the Circle reduced their chances of re-offending. Regarding community perceptions, a small survey of general members of the community found that 68% of respondents would feel safer if a sex offender in their local area was in a Circle than if he was not. Together this "underscores the ultimate position that [Circles] have a marked positive effect on the community integration and long-term functioning of high-risk sexual offenders [...]" (Wilson, Picheca & Prinzo, 2005).

Evaluation of the Thames Valley Circles Pilot found that, after three years, none of the 20 Circle core members had been convicted of a new sexual offence (Quaker Peace and Social Justice, 2005). However, eight of the core members were detected to have engaged in recidivist behaviour (i.e., behaviour that suggested they were about to commit an offence). As a result of this, three core members were recalled to prison, one breached his Sex Offence Prevention Order and received a new Community Rehabilitation Order, one was suspended from the Circle for three months and was then successfully reinstated into the Circle, and three were managed within the auspices of the MAPPA (Multi Agency Public Protection Arrangements) and were held to account within the Circle. Of this recidivist behaviour, seven of the eight incidents (86%) were detected by the activities of the Circle.

Bates, Saunders and Wilson (2007) conducted a follow-up study on the Thames Valley project, investigating information on 16 core members. They found that none of the core members had been convicted of a new sexual offence, suggesting the Circle may be reducing the likelihood of re-offending. Furthermore, of the ten core members exhibiting recidivist behaviour, in six cases this was detected by the Circle and information was passed on to relevant professionals for action, potentially preventing further victimisation. Four core members were recalled to prison for breaching their parole license, which the authors suggest shows the effectiveness of the public protection arrangements, within which Circles plays an important part.

This provides good evidence that offending behaviour is potentially being prevented through the work of the Circles, as indicated by the absence of reconvictions for sexual offences. Furthermore, it suggests that the public is being protected and the core members are being held to account, as the activities of the Circles are detecting behaviour that might otherwise go undetected and taking action to deal with the behaviour either within the Circle or through more formal criminal justice processes, intervening before a new sexual offence occurs. The testimonies of professionals also suggested that the Thames Valley Circles have legitimacy in terms of policing, treatment and risk management, and the thorough training and vetting of volunteers ensures they are working to a reliable standard (Quaker Peace and Social Justice, 2005, 2008).

The recent independent feasibility study by Armstrong et al. (2008) also sought the views of stakeholders in statutory agencies. Stakeholders they spoke to in England were convinced of the effectiveness of the Thames Valleys Circles, and stakeholders surveyed in Scotland were supportive of the model, which they saw as filling a gap in service provision. The authors suggested that Circles bring an added dimension in terms of the support and supervision of offenders, as they can help the core members develop positive social relationships and engage in constructive activities that may reduce re-offending more than traditional treatment approaches. They also highlighted the role that

Circles can play in helping core members to integrate into society and that the involvement of the community may help to change simplistic media representations of sexual offenders.

Armstrong et al. also explored the evidence in relation to the use of volunteers. They outlined many positive known benefits for the involvement of volunteers in the management and re-integration of this offender group, as well as potential concerns that should be taken into account. The benefits included the active involvement of communities (which could also reduce people's fear of crime), the many agencies in Scotland that already involve volunteers, and the trust that could be established between volunteers and core members. Some of the concerns included the availability and recruitment of volunteers, volunteer collusion with core members, the negative impact of Circles on volunteers, and exit strategies.

In relation to the potential negative impact on Circles volunteers, Armstrong et al. highlighted that there was actually no evidence of this occurring, nor any research on this specific topic. They stated the following: "we note this as an unfortunate gap in the research that deserves attention, perhaps not before pilots are initiated, but in assessing the long-term impacts of this approach" (p. 47). This suggests that the lack of research is not a barrier to the instigation of Circles pilots in Scotland, but rather is something that should be taken into account within any pilots, and indeed the purpose of pilot initiatives is to gain knowledge on important issues such as this. Furthermore, the independent research by Armstrong et al. found that none of the volunteers they interviewed identified their own safety as a major concern and there were no serious safety incidents concerning Circles volunteers to date in the Thames Valley. It is arguable that any harm that had occurred to Circles volunteers would have come to light by now. In relation to this issue, the researchers came to the following conclusions:

"[...] the key issues around volunteering in Circles are now well known, and in Hampshire and Thames Valley have been successfully managed through establishment of formal training and supervision processes. By 'successful' we do not mean to make an evaluative judgement of the content of training and supervision; rather, we mean that all of the participants and stakeholders in the HTVC Circles feel satisfied that there are adequate structures in place for dealing with known issues, and clarity about whom to contact if new questions arise. This satisfaction among volunteers, core members, project staff, and liaison personnel in local statutory agencies and MAPPAs about the adequacy of volunteer management and supervision is reinforced by the fact that to date there have been no harms to volunteers or others" (p. 49).

The researchers also stated the concern about recruiting enough appropriate volunteers for Circles in Scotland. Again, this is a question that would be addressed through the setting up of pilot schemes. As Circles has been successfully implemented elsewhere, and Scotland already has many services that involve community volunteers working with offenders, there is good reason to expect that this is an issue that can be overcome.

Conclusion

This paper has sought to demonstrate the need and benefit for at least piloting Scottish Circles of Support and Accountability. The research cited above provides strong evidence to suggest that Circles have a part to play in assisting risk management and community re-integration of certain high risk sexual offenders. The 2005 Management of Offenders (Scotland) Act has made a number of changes to the management of this high risk offender group, which, in parts, mirrors those in England and Wales. The newly developed MAPPAs and VISOR strategies for managing sexual and violent offenders in Scotland can easily be complemented by Circles, and indeed having Circles within the portfolio of risk management and community re-integration strategies can only assist in increasing community safety; the feasibility of this has been demonstrated by the operation of Circles in England and Wales.

Whilst the feasibility study commissioned by the government is an extremely thorough piece of work it does not, and indeed does not claim to, take into account the original proposal to Pilot Circles. It also highlights concerns relating to volunteers but provides little or no evidence that these are issues in reality. As a result of numerous presentations and workshops at conferences, including the Scottish Association for the Study of Offending, the Association of Chief Police Officers (Scotland),

the Scottish Prison Service and the National Organisation for the Treatment of Abusers, we have evidence, albeit anecdotally, that there is a real groundswell of interest in Circles in and, more importantly, a belief that they should be provided an opportunity to demonstrate that they can be effective in Scotland. Whilst the response from the Cabinet Secretary advised that the Government was unprepared to fund Circles at this time, there was encouragement in terms of deferring to “local partners” to make their own judgements and decisions as to whether Circles would be appropriate in their area. At the time of writing the Scottish Circles Steering Group are considering their response to the Government in relation to this issue. Notwithstanding this however we are of the opinion, more than ever, that there are currently no obvious reasons why Circles should not be progressed in Scotland, to assist in the community re-integration and management of this offender group. We would also contend that, given the overwhelming evidence that Circles can and do “work”, that not having them as part of a portfolio of risk management and community reintegration measures actually increases the chance of creating more victims.

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August 2008

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