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Sex Offenders vs. People with Sexual Offences: Putting the Person Before the Offence

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Abstract. Recent statistics outlined within the Crime Survey for England and Wales estimated that 773,000 adults were victims of sexual assault between 2019 and 2020. Owing to such prevalence, research into perpetrators of sexual offences and how they are perceived within the general population is vital. The present study explored whether the label assigned to said perpetrators ('sex offenders' or 'persons with sexual offences') would alter public perceptions of this offender group, whilst controlling for participant age and enjoyment of sadomasochistic sexual acts. Moreover, the personality traits of openness and neuroticism were modelled as potential moderating factors. A total of 186 participants completed an online questionnaire containing measures for perceptions of sexual offenders, engagement in sadomasochistic sexual activities, openness and neuroticism, prior to data being analysed through correlation and moderation analyses. Of interest, the label assigned to people with sexual offences had no significant relationship with public perceptions. Moreover, neither enjoyment of sexual sadomasochism nor participant age were significantly related to perception data, and neither openness nor neuroticism moderated said relationships. Therefore, it was concluded that public perceptions of people with sexual offences might be more deeply rooted in society than was originally thought, indicating that the key to improving public perceptions of sexual offenders, and therefore improving their chances of reintegration into society, lies in educating the public in order to reduce the misconceptions surrounding the dangers posed by those who have committed sexual offences.

Keywords: Sex Offenders; Forensic Psychology; Sadomasochism; Stigma

Introduction

Better understanding the public's perception of individuals who have committed sexual offences is vital for their effective reintegration back into society (Katz-Schiavonne et al., 2007; Rothwell et al., 2021). Such reintegration can however be hindered by the stigma which comes along with the use of defining terms such as 'sex offender' (Willis, 2018), with such stigma also impacting policies and legislations pertaining to this group (Church et al, 2008). One such theory thought to underpin the generation of such stigma is that of Labelling Theory (Bernburg, 2009).

Use of the term 'sex offender' more than tripled between 1990 and 2008 (Harris & Socia, 2014), and remains a common term amongst the public, media, and within professional settings today (Willis, 2018). In therapeutic settings, such terms can be harmful and allow individuals to internalise poor beliefs about their own self-worth (Levenson, 2016; Matsueda, 1992; Reavis et al., 2013; Willis & Levenson, 2016); leading them to be branded as deviant and unmanageable. If an individual is labelled as a sex offender, they are assumed to be dangerous, perverted, and unlikely to respond to treatment (Harris & Socia, 2014; Katz-Schiavonne et al., 2008; Levenson et al., 2007). Being provided a label that denotes deviancy can lead to involvement in deviant groups and behaviour owing to rejection from conventional peers, an inability to find employment, and self-withdrawal from pro-social peers because of the shame or embarrassment (Willis, 2018). Such isolation might contribute to seeking out deviant peer groups for acceptance (Bernburg et al., 2006), which, combined with associated financial hardship maps onto suggestions that such labels can increase the likelihood of future offending as a means of defence, attack, or adaptation (Bernburg, 2009; Lemert, 1967).

Sexual Offending: The Stigma and its Consequences

Professionals who work closely with individuals with sexual convictions exhibit more positive attitudes towards them than those who do not (Hogue, 1993; Lea et al., 1999; Melvin et al., 1985). This may be due to such individuals getting to know this offender group as individuals beyond the stigma of their label; thus, allowing them to form more accurate and unbiased perceptions. This means that exposure to individuals being rehabilitated following a sexual offence may have a significant impact on perceptions. Conversely, the media has a great deal of control over public perceptions in criminal cases, as they may choose to either publish speculation about the actions and intentions of the accused or purely factual information (Greer & Reiner, 2013). Individuals labelled as a 'sex offender' are subjected to greater stigma than those with other deviant labels (Harris & Socia, 2016; Imhoff, 2015) as they become

feared for their *chronic* and *predatory* offenses (Klein, 2015) despite frequent suggestion that individuals with sexual convictions generally have lower rates of recidivism than other types of offenders (Levenson & Shields, 2012). For example, the public believe that over three quarters of individuals with sexual convictions are likely to commit further offences (Levenson et al., 2007) due to them not being receptive to rehabilitation (La Fond, 2005).

This has implications for jury settings (Krauss, 2016), wherein pre-existing attitudes of jurors towards individuals with sexual convictions have been shown to be more influential in decision making than actual facts presented in the case (Taylor, 2007), with prosecutions more likely to occur when the facts of the case reflect the community beliefs and attitudes about sexual offences (Lievore, 2004). Recently, 36% of participants asked if they would release an offender having read his risk assessment said that they would release him when his crime was not disclosed but only 17% would release him when he was labelled as a sexually violent predator (Scurich et al., 2016). However, it is thought that while these deliberations may influence the strength of a judgement, it is unlikely to influence its direction (Bornstein & McCabe, 2005). Clearly, countering misinformation and better informing jurors on the nature of sexual offenders is necessary in such cases (Taylor, 2007).

Moreover, this has legislative impact, such as the requirement to register as a *sexual offender* is developed based on the public belief that these individuals are more of a danger to society than other offenders (Beck et al., 2004; Sample & Bray, 2003). In the general population, the term 'sex offender' is significantly more associated with agreement with statements about policies to control said group, relative to those termed 'people who have committed a crime of a sexual nature' (Harris & Socia, 2014). These findings offer support for the suggestion that the attitudes of the public are shaped by the stigmas attached to the term 'sex offender', however it is acknowledged that this may, in part be a result of the grammar used. 'Sex offender' is a noun whereas 'people who have committed a crime of a sexual nature' uses a verb, with some suggesting that using different linguistic categories can evoke different responses (Semin & Fiedler, 1988).

One example of a means of avoiding the societal stigma of labelling an offender can be seen in Australia. Australian law enforcement sent young offenders to a rehabilitation programme as opposed to subjecting them to the stigma that comes from going to court, owing to studies indicating recidivism rates were significantly higher in those who went to court (Little, 2015). These rehabilitation pathways are community focussed and encourage offenders to take

responsibility for their actions amongst their societal peers and those who they have victimised (Johnstone, 2011), and is referred to as reintegrative shaming. Reintegrative shaming is a social process which involves an offender listening to members of the community expressing their disapproval at a criminal act rather than the offender themselves, allowing the offender to make amends and re-join the community to prevent re-offending (Braithwaite, 1989). This approach to law enforcement in young people has been effective in supporting young people in reintegrating into their communities and preventing further offending, suggesting that this is an example of good practice which other countries may be able to apply (Little, 2015) and may therefore be beneficial for individuals with sexual convictions being reintegrated into the community.

Sadomasochism and Sexual Assault

One factor thought to influence perceptions of people with sexual offences is engagement in sadomasochism for sexual pleasure. The term bondage, domination, sadism, and masochism (BDSM) is used to define any consensual sexual activity which incorporates an eroticised exchange of power and the involvement in giving or receiving painful or intense sensations (Barker et al., 2007; De Neef et al., 2019). Around forty-seven percent of a recent sample reported having enjoyed BDSM-themed activities, 7.6% consider themselves a BDSM practitioner and 69% had BDSM fantasies (Holvoet et al., 2017). Furthermore, 72% of male students and 59% of female students have had fantasies of being tied up, and 65% of males and 58% of females have had fantasies about tying up a partner (Renaud et al., 1999); suggesting that engagement in BDSM is prevalent in society.

Despite this, some researchers from feminist-legal perspective have argued that BDSM reflects a wider rape culture which accepts and normalises male sexual aggression against women (Buchwald et al., 1994) and whereby non-consensual violence and dominant traits translate into everyday life (Yost, 2010). Such claims ignore the emphasis of consent, safety, and communication between individuals taking part in BDSM (Klement et al., 2017; Turley & Butt, 2015), who on the whole report to be less accepting of rape myths, sexism, and victim blaming (Buchwald et al., 1994; Klement et al., 2017), and so would be expected to view sexual offenders in the same way as the general public, if not more negatively. Moreover, whilst anti-sadomasochism feminists take the traditional stance that BDSM represents the societal inequalities between males and females, BDSM within the community is viewed as an example of healthy sexual agency (Deckha, 2011). Nevertheless, it is easy to see how such misconceptions might

perpetuate the taboo nature of BDSM and exaggerate faux-links with perceptions of people with sexual offences (Dietz, 1990).

It is important, however, to note that BDSM play which results in actual bodily harm is illegal in the UK as being physically harmed is something which cannot be considered consensual in UK law. While there are calls to decriminalise these behaviours, this may be problematic as it would put some individuals at risk of abuse (Cowan, 2013). Therefore, there are some elements of BDSM play which cross the boundary into being considered sexual offences or assault under current UK law. For the purposes of the present study, sexual offending refers specifically to sexual activities, which may or may not cause actual bodily harm, where consent has not been given.

Personality Traits and Perceptions

A further factor thought to influence perceptions of people with sexual offences is personality. The big five model, or five factor model, of personality traits is the most widely accepted model of the core personality traits: extraversion, openness to experience, agreeableness, conscientiousness, and neuroticism (Roccas et al., 2002), however for practical reasons, this present study focuses only on openness to experience and neuroticism. Openness has been found to correlate positively with values which emphasise emotional and intellectual autonomy, the pursuit of novelty and change, and acceptance and cultivation of diversity when compared against the theory of values (Schwartz, 1992). Individuals high in openness are generally imaginative, intelligent, open-minded, and sensitive while their low-scoring counterparts are more conventional, down-to-earth, and insensitive. Those high in neuroticism are generally anxious, angry, depressed, and insecure, while their low-scoring counterparts are calmer, poised, and emotionally stable (Roccas et al., 2002). In the context of individuals with sexual convictions, it can therefore be expected that such attitudes associated with individual variation in facets of personality might predict perceptions of this offending group.

Taken together, this study aims to further validate whether the label given to an individual with sexual convictions can predict the general population's perceptions of that offender group, with the hypothesis that the term 'sex offender', relative to 'individual with sexual convictions' will evoke more punitive and negative perceptions. Second, we predict that this relationship, will in part, be moderated by personality traits associated with openness to experience and/or insecurities and anxiousness. Such relationships will also control for variation in enjoyment of sadomasochism, which is hypothesised to share a negative correlation with perceptions of this offender group.

Methods

Participants

Assuming an anticipated small-to-medium effect size (to ensure observed effects are of practical importance) and an alpha level of .05, sample size calculations using G*Power (version 3.1.9.2) suggested a minimum of 85 participants were required to have 80% power in our planned analyses. In total, 186 participants ($M_{\text{age}} = 30.60$ years, $SD_{\text{age}} = 10.72$, 71% female) took part in the study after responding to an online advertisement that was snowballed through social media networks (e.g., Twitter) belonging to the research team. All participants were required to be English-speaking, aged 18 years of age or over, and residents of the United Kingdom (UK) to ensure relevance of legislation pertaining to sexual offences within the UK.

Materials

Demographics

Participants were asked to report their age and sex, and were asked to confirm that they were residents of the UK.

Perceptions of Sex Offenders Scale (PSOS; Harper & Hogue, 2014)

The PSOS comprises 20 items that measure perceptions of people who have committed sexual offences across dimensions of sentencing and management (10 items; e.g., “The death penalty should be reintroduced for sex offenders”), stereotype endorsement (5 items; e.g., “Most sex offenders are unmarried men”), and risk perception (5 items; e.g., “Only a few sex offenders are dangerous”). Each item was rated on a 6-point Likert scale (0 to 5) from “Strongly Disagree” to “Strongly Agree”. After reverse-scoring necessary items, we summed item responses to create total scores for each subscale, sentencing and management ($\alpha = .91$), stereotype endorsement ($\alpha = .78$), and risk perception ($\alpha = .22$). For the purposes of our experimental conditions, half of our participants received this scale with the original wording pertaining to ‘sex offenders’, whilst the other half received this scale with altered wording pertaining to ‘people with sexual convictions’.

The Sadomasochism Checklist (TSC; Weierstall & Giebel, 2017)

The TSC comprises 24 items that measure the extent to which an individual gains pleasure or enjoyment from taking part in sadomasochistic sexual acts (e.g., “Spanking your partner”). Each item is rated on a 5-point Likert scale from scale of “0 - None at all” to “4 - Extremely” ($\alpha = .95$).

The Big Five Inventory (BFI; John et al., 1991)

The BFI comprises 44 items that measure the presence personality traits that encapsulate openness to experience, conscientiousness, extraversion, agreeableness, and neuroticism. Items are measured on a 5-point Likert scale from “1 - Disagree Strongly” to “5 - Agree Strongly”. After reverse-scoring necessary items, we summed item responses to create total scores for each subscale, however for the purposes of this study, only the factors of neuroticism (8 items; e.g., “I see myself as someone who is depressed, blue; $\alpha = .84$) and openness (10 items; e.g., “I see myself as someone who is original, comes up with new ideas”; $\alpha = .68$) were analysed.

Procedure

After clicking on the study link, participants were randomly allocated into one of two experimental conditions, whereby the wording of the PSOS would either pertain to ‘sex offenders’ or ‘people with sexual convictions’. Participants were then asked to enter their demographic information before completing the PSOS, TSC, and BFI. Afterwards, participants were debriefed and asked to affirm their consent to take part in the research. On average, the study took around 12 minutes to complete and this procedure was approved by a UK institutional ethics committee prior to data collection.

Results

Descriptive statistics for the total sample are shown in Table 1. and include skewness, kurtosis, Kolmogorov-Smirnov, and Shapiro-wilk statistics. A *t*-test was used to investigate whether the label given to an offender (either ‘sex offender’ or ‘person with a sexual conviction’) impacts the way they are perceived by members of the general public; suggesting that there was no significant difference in perception scores between label type ($t(182) = 0.436$, $p = .663$).

Table 1.*Descriptive statistics of study variables*

	Mean (SD)	Skewness (SE)	Kurtosis (SE)	Kolmogorov- Smirnov	Shapiro-Wilk
Perceptions (A)	48.02 (12.38)	0.06 (0.25)	0.08 (0.50)	0.07 ($p = .200$)	0.99 ($p = .907$)
Perceptions (B)	47.24 (11.96)	0.31 (0.31)	-0.12 (0.25)	0.06 ($p = .200$)	0.99 ($p = .408$)
Neuroticism	26.53 (6.31)	-0.36 (0.18)	-0.30 (0.36)	0.08 ($p = .006$)	0.98 ($p = .017$)
Openness	37.37 (5.06)	-0.03 (0.18)	-0.01 (0.36)	0.07 ($p = .053$)	0.99 ($p = .366$)
Sadomasochism	41.49 (17.93)	1.58 (0.18)	1.84 (0.36)	0.21 ($p < .001$)	0.80 ($p < .001$)
Age	30.60 (10.72)	1.01 (0.18)	0.23 (0.36)	0.16 ($p < .001$)	0.89 ($p < .001$)

Note. Group A = ‘sex offender’ label; Group B = ‘people with sexual convictions’ label.

Prior to running our moderation analyses, we ran correlations to assess whether our key variables were associated with one another (see Table 2). Here, the specific label given to the offender group was not correlated with any of our focal variables. However, openness was negatively correlated with both the expression of negative perceptions and neuroticism, and positively correlated with both the expression of enjoying sadomasochism and age. Neuroticism only shared a (negative) correlation with age.

Table 2.*Pearson correlations between study variables.*

	Label	Neuroticism	Openness	Sadomasochism	Age
Perception	-.03	-.07	-.18*	.08	-.01
Label		.09	.07	.01	.03
Neuroticism			-.15*	-.02	-.37**
Openness				.18*	.24**
Sadomasochism					.09

*Correlation is significant at the 0.05 level.

**Correlation is significant at the 0.01 level.

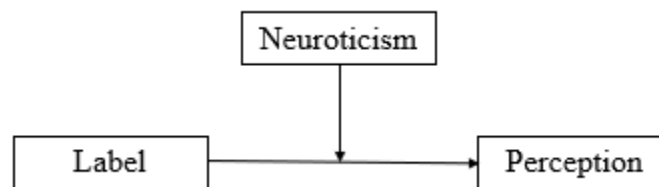
Finally, we ran two moderation analyses using Model 1 of the PROCESS macro for SPSS (version 3.3; Hayes, 2018). In these analyses, our focal predictor was the label assigned to the perpetrator and our dependent variable was our participants’ perceptions of them. The two models differed by whether they were moderated by neuroticism (see Figure

1.) or openness (see Figure 2.), and each controlled for the age of the participant and their enjoyment of sadomasochism. All regression coefficients for moderated models reported here are unstandardized in line with Hayes (2018) and were bootstrapped using 5000 re-samples. Confidence intervals were not bias corrected.

Model one (neuroticism; Figure 1.) was not statistically significant, $F(5,178) = 0.77, p = .573$. Neither label, $b = 9.43, 95\% \text{ CI } [-6.17, 25.03], t = 1.19, p = .235$, nor neuroticism, $b = 0.03, 95\% \text{ CI } [-0.39, 0.44], t = 0.13, p = .898$, significantly predicted perceptions of offenders. Moreover, neuroticism did not significantly moderate the relationship between the given label and offender perceptions, $b = -0.38, 95\% \text{ CI } [-0.96, 0.20], t = -1.29, p = .198$.

Figure 1.

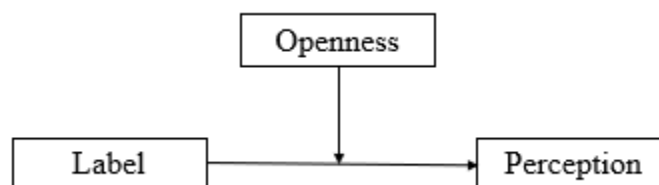
Neuroticism as a moderator.



Model two (openness; Figure 2.) was also not statistically significant, $F(5, 178) = 1.07, p = .381$. Neither label, $b = -2.72, 95\% \text{ CI } [-35.26, 29.82], t = -0.17, p = .869$, nor openness, $b = -0.51, 95\% \text{ CI } [-1.11, 0.08], t = -1.71, p = .088$ significantly predicted perceptions of offenders. Moreover, openness did not significantly moderate the relationship between the given label and offender perceptions, $b = 0.06, 95\% \text{ CI } [-0.80, 0.92], t = 0.13, p = .894$.

Figure 2.

Openness as a moderator.



Discussion

This study explored whether the label that was used to depict an individual with sexual convictions had an impact on the way in which the general public perceived them, and whether this was further moderated by the personality traits of neuroticism and/or openness. Despite theory suggesting otherwise (Harris & Socia, 2014), our key finding suggested that the general population held similar perceptions of an offender regardless of whether they were referred to as ‘sex offenders’ or ‘persons with sexual convictions’. As such, this might indicate that stigmatisation of individuals who have committed sexual offences is far more deeply rooted in society than research (Klein, 2015) has previously thought. Negative and stigmatic perceptions of people with sexual offences makes it difficult for them to re-join society after serving their prison sentences and/or undergoing rehabilitation (Willis, 2018), and so understanding the ways in which these stigmas are created, maintained, and reinforced is needed. Improving the rehabilitation outcomes of people with sexual offences would reduce the likelihood of reoffending, and so might help to prevent further victimisation and societal costs and resource expense (Lievore, 2004). A key application of this data might therefore be in the educational arena wherein we begin to change the societal stigmas surrounding those with sexual convictions on issues such as the rehabilitation success and how recidivism rates are generally over-estimated (Levenson & Shields, 2012; Rothwell et al., 2021).

A second finding of this study was the lack of a significant relationship between sadomasochism and perceptions of individuals with sexual convictions. Stigmas surrounding sadomasochism and the BDSM community have previously contributed to the general public’s assumptions that members of these groups may be more sympathetic to those who commit sexual offences (Dietz, 1990). Members of the BDSM community strongly dispute this accusation, as their sexual preferences and activities are largely centred around consent and trust, with data from this study supporting this claim. This finding is an important first step in enabling sexual freedoms for individuals engaging in sadomasochistic practices and reducing stigmas and negative attitudes that may be associated with these sexual preferences. Additionally, facilitating conversation about sexual preferences is important in creating a sexually positive community, which might further help decrease victimisation of sexual offences owing to the creation of better outlets to discuss and understand deviant sexual interests and form healthy sexual expression (Williams et al., 2015a; 2015b).

Finally, there was a statistically significant negative relationship between the personality trait of openness and perceptions of people with sexual convictions, suggesting that those who scored highly in the measure for openness tended to have fewer negative attitudes towards individuals with sexual convictions and their opportunities for rehabilitation. These results reflect previous research documenting negative relationships between openness and the support of harsh punishment (Colémont et al.,

2011). This is a positive finding as it suggests that there is scope to improve public perceptions of people with sexual offences through developing openness in individuals and the wider community. Further research exploring this relationship would be valuable in identifying ways in which it can be utilised to improve perceptions of people who have committed sexual offences in order to enable their rehabilitation and reintegration into society.

Results of this study are discussed in light of a core methodological limitation. First, non-significant results for the effect of label might be explained through un-measured variables such as the profession, lifestyle, and/or life experiences of participants. Previously, parents have been shown to be more likely to view individuals with sexual convictions negatively due to the risk they believe the offenders pose to their children (Klein, 2015). Furthermore, those working in professions involved in rehabilitating or supporting offenders (Hogue, 1993; Lea et al., 1999; Melvin et al., 1985) or students of those professions (Rothwell et al., 2021) have been shown to be more likely to exhibit positive attitudes towards them while those who work in law enforcement, such as police officers, have been found to have significantly more negative perceptions (Socia & Harris, 2016). These differences in experiences can have a significant impact upon perceptions of sexual offenders and may offer an explanation for the results of the present study deviating from those of existing literature. Future research into perceptions of sexual offenders should be mindful of this, controlling for these individual differences such as profession, exposure to sexual offenders in the past, including prior victimisation, and having children, in order to ascertain how different factors influence perceptions.

Conclusion

Taken together, these findings suggest that public perceptions of individuals with sexual convictions are significantly more complex than previously thought. Such public perceptions may not necessarily depend on stigmas attached to the label of 'sex offender' or on an individual's own sexual preferences or fantasies, but instead may be more deeply rooted in societal misunderstandings and misconceptions of the dangers associated with this offender group. The importance of better understanding this lies in the significant impact that such negative perceptions have on an individual's opportunities to be reintegrated into society after serving a conviction, and in turn impacts on their quality of life and chances of reoffending. As has been suggested recently in Rothwell et al. (2021), there is an important potential for education in forensic psychology to improve the general public's understanding and acceptance of individuals with sexual convictions, and offender groups more generally.

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Availability of data and material

The data that support the findings of this study are available from the corresponding author upon reasonable request.

Author's contributions

NS and DF worked together to develop the concept of the study. NS developed the methodology, collected the data, ran the preliminary analyses, and drafted the manuscript. DF supervised at all stages of the process and re-drafted and edited the manuscript prior to submission.

Conflict of Interest

The authors declare no conflict of interest.

Informed Consent

All procedures followed were in accordance with the ethical standards of the responsible committee on human experimentation (institutional and national) and with the Helsinki Declaration of 1975, as revised in 2000. Informed consent was obtained from all participants for being included in the study.

Ethics Approval

University of Derby research ethics committee has approved this study. The procedures used in this study adhere to the tenets of the Declaration of Helsinki.

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