



# International Perspectives on Working With Those Who Have Sexually Abused

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# The context of sexual abuse

- Sexual offending is a commonplace occurrence in modern society with research indicating that a significant cross section of the global population, but particularly women and girls (World Health Organisation, 2021; Dworkin, Krahe and Zinzow, 2021).
- Sexual abuse has individual, interpersonal, community and societal levels (McCartan and Kemshall, 2021).
- It impacts every level of the socio-ecological model and interplays across them. This means that it is as much about the actions and behaviours of individuals as it is about cultural beliefs and attitudes, and the ways that our communities frame and respond to the issue as well as how we consider it within all our relationships and interactions.
- Across Europe the number of perpetrators entering and being managed by the Criminal Justice System is continually increasing as a result of a “perfect storm” created by
  - increased social/traditional media reporting;
  - increased visibility of the offences;
  - increased trust in the criminal justice system to take victims seriously and respond appropriately;
  - the impact of high profile as well as historical cases; &
  - More putative government policies, practices and strategies.

Prevention of sexual abuse

The “service user” voice.

Victim issues & needs.

Community and social engagement.

Alternatives to traditional criminal justice

Desistence.

Treatment vs management.

Consider the “Key Performance Indicators

Training, selection and support of staff

Life-course perspectives

The “service user” voice.

Treatment vs management.

## **Emerging issues/debates in the field of sexual abuse**



Arrest & Prosecution

Risk assessment of individuals

Incarceration/prison

Treatment

Community management

Registration & disclosure/notification practices

Data sharing within and between countries

## Inconsistent Risk assessment, Treatment & Management practices across Europe



**Recommendation CM/Rec(2021)6  
of the Committee of Ministers to member States  
regarding the assessment, management and reintegration of persons accused or  
convicted of a sexual offence**

*(Adopted by the Committee of Ministers on 20 October 2021  
at the 141<sup>st</sup> meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Having regard to the European Convention on Human Rights (CETS No. 5) and the case law of the European Court of Human Rights;

Having regard also to the work carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and in particular the standards it has developed in its general reports;

Noting that sexual offences cause significant and lasting harm, including physical and mental harm, to victims and their immediate environment and that therefore it is vital to reduce sexual reoffending through targeted risk assessment and individualised treatment and intervention plans in order to achieve successful social reintegration;

Noting further that sexual offences also have a serious impact on society in terms of health and wellbeing and the cost to public services in the areas of both health and criminal justice, and increasingly have national, international and transnational implications;

Aware that assessment, treatment and interventions in the management as well as the reintegration of persons who are accused or convicted of a sexual offence are a challenge for many prison services and probation agencies of the Council of Europe member States and beyond;

Noting that there are disparities among jurisdictions regarding the definitions of different sexual offences, the age of sexual consent and the types of sanctions applicable, which have developed over time due to cultural, social and legal differences; there are nevertheless universally accepted principles across the Council of Europe member States regarding assessment, treatment and intervention in the management and the reintegration of persons accused or convicted of a sexual offence;

Having regard to the standards contained in the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201) and in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210) and in the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No.108), as amended by its Protocol (CETS No. 223);

Having also regard to the standards contained in the recommendations of the Committee of Ministers of the Council of Europe, which relate to specific aspects of penal policy and practice and in particular Recommendations: Rec(2006)2-rev of the Committee of Ministers to member States on the European Prison Rules and CM/Rec(2010)1 on the Council of Europe Probation Rules;

## Recommendation CM/Rec(2021)6 of the Committee of Ministers to member States regarding the assessment, management and reintegration of persons accused or convicted of a sexual offence

(Adopted by the Committee of Ministers on 20  
October 2021)

[https://search.coe.int/cm/Pages/result\\_details.aspx?  
ObjectID=0900001680a4397a](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680a4397a)



# Council of Europe Countries

# Participants & contributors

- The invited experts were
  - Kieran McCartan (UK)
  - Marianne Fulgjestved (Denmark)
  - Harvey Slade (UK)
- The Recommendation was drafted by the Council for Penological Co operation (PC CP) between 2019 and 2020.
  - Iliana Tava
  - Martina BARIĆ (Croatia);
  - Nathalie BOISSOU (France);
  - Annie DEVOS, Chair of the PC-CP in 2020 - 2021 (Belgium);
  - Anna FERRARI (Italy); Robert FRIŠKOVEC (Slovenia);
  - Vivian GEIRAN (Ireland);
  - Attila JUHÁSZ, Vice Chair of the PC CP 2018-2019 (Hungary);
  - Manfred KOST (Germany);
  - Nikolaos KOULOURIS (Greece);
  - Dominik LEHNER, Chair of the PC CP 2018-2019 (Switzerland);
  - Maria LINDSTRÖM (Sweden); Laura NEGREDO LÓPEZ (Spain);
  - Nadya RADKOVSKA, Vice-Chair of the PC-CP in 2020-2021 (Bulgaria).
- Other relevant organisations, including the
  - Kresimir Kamber from the Registry of the European Court of Human Rights
  - Hugh Chetwynd from the Committee for the Prevention of Torture Secretariat (CPT).
  - European Union,
  - the United Nations,
  - Confederation of European Probation (CEP),
  - EuroPris,
  - European Forum for Restorative Justice
  - International Association for the Treatment of Sexual Offenders (IATSO),
  - National Organisation for the Treatment of Abuse (NOTA),
  - Les Centres Ressources pour les Intervenants auprès des Auteurs de Violences Sexuelles (CRIAVS),
  - NL-ATSA (Netherlands, chapter of Association for the Treatment of Sexual Abusers)
  - Association for the Treatment of Sexual Abusers (ATSA).

# Overarching principles



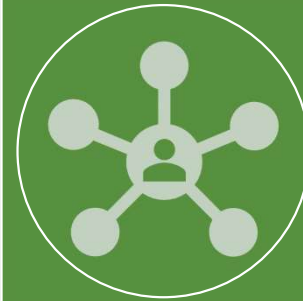
Risk levels and  
risk  
management



Person-centred  
approach



Professional  
practice



Multi-disciplinary  
approaches



Evidence-based  
practice





- **RISK ASSESSMENT**
- **MANAGEMENT, INTERVENTIONS AND TREATMENT IN PRISONS**
- **MANAGEMENT, INTERVENTIONS & TREATMENT UNDER PROBATION**
- **DATA COLLECTION, INFORMATION SHARING AND WORK IN PARTNERSHIP**
- **VICTIMS AND COMMUNITY SUPPORT**
- **STAFF SELECTION AND TRAINING**
- **MEDIA & COMMUNICATIONS STRATEGY**
- **RESEARCH, EVALUATION & DEVELOPMENT**

## Structure & main recommendations



# Impact on UK



The recommendations from the Council of Europe emphasise the importance of developing good processes and practices in the assessment, treatment and management of people accused or convicted of a sexual offence, most of which the UK already adheres to. For example:

- the UK champions evidence-based practice, partnership working and robust data sharing conventions
- the UK are moving towards a more service user informed and trauma-informed service, with prisons moving towards a more rehabilitative culture and probation reconsidering, in the light of unification, the balance between accountability and support in risk management
- additionally, the use of public health approaches and person-first language is increasing across the UK in line with a resurgence in life course criminology and its links to harm reduction and desistance.

However, the UK needs to develop and do more work around the role of restorative justice when working with people accused or convicted of a sexual offence as well as continue to develop policy and practice linked to sexual abuse harm reduction processes



**Considerations  
for research  
and practice**

# Questions?

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