

# Editorial

## Heraclitus' River and Recent Advances in Criminal Psychology

Alexander F. Schmidt<sup>1,2</sup> and Ruth E. Mann<sup>3</sup>

<sup>1</sup> Institute of Psychology, Social & Legal Psychology, Johannes Gutenberg University Mainz, Germany

<sup>2</sup> Department of Psychology, Medical School Hamburg, Germany

<sup>3</sup> Her Majesty's Prison & Probation Service, England and Wales, London, United Kingdom

Based on his doctrine of change being central to the universe, the Greek philosopher Heraclitus of Ephesus argued that nobody can step into the same river twice. Roughly 2,500 years later Canadian forensic psychologist Vernon L. Quinsey conjectured: "The universe is homogenous with respect to forensic institutions" (Harris, Rice, Quinsey, & Cormier, 2015, p. 18). According to the rules of syllogistic reasoning one might now be tempted to conclude that forensic systems worldwide are highly innovative places, constantly evolving with the aim to prevent criminality as successfully as possible. Strikingly, the debate that characterizes (scientific and common sense) discussions about rehabilitation has always oscillated between promoting rehabilitative approaches versus more controlling notions of "offender management" to tackle reoffending (Harris et al., 2015, chapter 1). Modern notions discussed on the forefront of offender rehabilitation theory can be traced back to (at least) already the late 19th century. For example, the description of the Ontario Reformatory at Penetanguishene for juvenile delinquents as laid out by its administrator remarkably resembles what contemporary strength-based offender rehabilitation approaches (e.g., the Good Lives Model; Ward, Mann, & Gannon, 2007) regard as conducive to prevent recidivism:

(...) there may be seen the effects of introducing the modern and humane system which looks upon a boy as needing moral training and influence more than rigorous discipline; interesting and useful work, with proper recreation, more than hard tasks; home comforts and surroundings more than solitary cell; healthy food more than prison diet; a respectable dress rather than prison uniform. (Christie, 1882, p. 80, as cited in Harris et al., 2015, p. 20)

(...) the major aim is to equip the offender with the skills, values, attitudes, and resources necessary to lead a different kind of life, one that is personally meaningful and satisfying (...) (Ward et al., 2007, p. 92)

Such strengths-based approaches, however, remain insufficiently tested by empirical research (see Marshall, Marshall, & Olver, 2017, for an overview) to convince the unbelievers that they are better than punitive, controlling approaches, or even cognitive-behavioral risk-based approaches. Yet, driven by behavioral scientists' aim to produce positive (i.e., publishable) evidence, a vast body of empirical data have been generated over the last 100 years on the fundamental question of "what works" in offender rehabilitation. And furthermore, this research has inevitably produced an informative but almost entirely overlooked byproduct as we now have a fair (and quite robust) idea of *what does not work* in offender rehabilitation (probably much better than we know what exactly it is that makes some offender rehabilitation programs work). However, we have arguably not yet sufficiently reflected on this evidence base to inform our understanding of the key features of successful versus unsuccessful approaches. Furthermore, by sticking to our academic ideals and humbly insisting in every study report we publish that "more research is needed" before anything is proven to achieve anything, we have played into the hands of those who wish to follow their intuition in deciding what kinds of approaches to invest in. As a consequence, the majority of Western jurisdictions continue to employ approaches that lack an evidence base – or worse even – have been found to have detrimental rehabilitation effects. In practice, the most prevalent

answer to criminal behavior in the last decades has strongly shifted toward the punitive and custodial side, casting doubt that we are achieving the academic ideal of empirically-informed progression of forensic systems.

As Editors, our shared interest in the division between empirical data and regular practice was the starting point for the present Special Section on recent advances in criminal psychology. We wanted to showcase research which we saw as having a direct implication for criminal justice practice. To begin, in their review of recent meta-analyses and systematic reviews, Barnett and Fitzalan Howard (2018) have used systematic review to compile robust evidence for both ineffective and detrimental (i.e., harmful) secondary and tertiary crime prevention approaches. Their review spans methodologically rigorous studies involving relevant control groups across a range of offense categories. Notably, as laid out above, most of the ineffective prevention approaches are regularly used in contemporary legislations and public sectors. Considering some intriguing theoretical notions, Barnett and Fitzalan Howard then hypothesize about the underlying psychological causes why these ill-designed approaches might not work in reducing criminal recidivism. Alongside their clear conclusions, we hope that their principles for failing interventions might function as a Trojan horse to facilitate dissemination of these seemingly counterintuitive results. Certainly, in our view, they have demonstrated an innovative approach to deriving additional principles of effectiveness from the vast offender rehabilitation literature. Indeed, the fact that in some instances people in criminal justice systems are subjected to mandatory rehabilitation regimens that are actually harmful in terms of reducing the very reasons that initially led to their placement is a vexing ethical (and potentially judicial) dilemma.

Our second shared editorial interest is in sexual offending research, and we wished therefore to highlight work that brought new insights to the understanding (and management in case of offenders) of people who do (or do not) commit such offenses. Specifically, as sexual offending frequently leads to lay and professional reactions that resemble moral panics (e.g., Ewing, 2011; Harper & Hogue, 2016; Rogers & Ferguson, 2011) we sought to add some intriguing empirically informed perspectives on the topic. Given that there is a constant increase in detection rates for sexual offenders who use, produce, and/or trade child sexual exploitation materials (i.e., child pornography), the comprehensive overview by Babchishin, Merdian, Bartels, and Perkins (2018) is timely. It pulls together principles from the fast-growing literature into this type of offending to clarify what practitioners and researchers alike need to know about this heterogeneous subgroup of individuals who sexually victimize minors and how these subtypes relate to other child sexual abusers. Babchishin and colleagues strongly

recommend to distinguish offenders who exclusively use child sexual exploitation materials from child sexual abusers who also commit contact offenses against minors. Additionally, the fact that a majority of child sexual exploitation material offenders exhibit a remarkably low (official) reoffending risk is probably still not well known or believed. The data gathered here may not appeal to all belief systems, but they provide an impressive state-of-the-knowledge summary of the current research. Finally, the authors consider specific risk assessment measures and face the challenge to outline treatment recommendations for this increasing group of sexual offenders who largely present with low risk but create high anxiety among policymakers. Those trying to tread carefully between these two somewhat contradictory facts will assuredly welcome the careful attention to the issues found in this article. Those involved in research will appreciate the clarity with which present research gaps are pinpointed.

Among the most widespread misconceptions about sexual offending is the idea that every individual with pedophilic sexual interests is a child sexual abuser and every child sexual abuser is someone exhibiting pedophilic sexual preferences. In fact, less than 40% of sexual offenders against children can be considered to exhibit actual pedophilic preferences (e.g., Schmidt, Mokros, & Banse, 2013; Seto, 2009). Historically, most research on sexual interest in children has been based on convicted child sexual abusers, which may have biased these estimates – potentially many non-offending individuals with pedophilic preferences could be living their lives with no need of concern from the criminal justice system. Only recently, research has turned to individuals with pedophilic interest from non-forensic community populations (e.g., Cantor & McPhail, 2016; Dombert et al., 2016). Based on the above-mentioned stereotype, men with pedophilic sexual interests are among the most stigmatized group in the field of mental disorders (Jahnke, Imhoff, & Hoyer, 2015). Specifically, stigmatization of men with pedophilic sexual interests is probably the only stigma in the field of stigma research that is regarded as socially desirable behavior (Imhoff, 2015). In the present Special Section, Jahnke (2018) gives a thoughtful overview on the counterintuitive repercussions that are linked to stigmatization of individuals with sexual interest in children and their perception of stigmatization stress. Jahnke's intriguing focal idea is based on the notion that stigmatization stress is indirectly linked to increased risk of future child sexual abuse. So, people who stigmatize pedophilic sexual *interest*, equating it with child sexual *abuse*, run the risk of creating the very outcomes they profess to condemn. Importantly, she not only identifies stigma-related problems for this specific population but then outlines clear guidelines for therapists willing to work with these individuals. It is difficult for men with sexual

interests in children to find therapeutic help, as most therapists have not been trained to deal with this particular group and, thus, are hesitant to take up this clientele. This understandable reluctance is dovetailed by a remarkable dearth of treatment-specific literature on this topic, particularly as the prevailing clinical notion is that pedophilic preferences cannot be changed (but note a remarkable book by Schwarze & Hahn, 2016, that hopefully will be made accessible to an international readership soon; this book describes various relevant treatment aspects from the perspectives of skilled therapists, men with these sexual interests, and their relatives and friends).

Sexual offender risk assessment is a highly relevant and popular research topic but research has somewhat stagnated of late, with the main “big hitter” assessment tools becoming so settled and accepted that the search for new risk factors could be said to lack enthusiasm. So we are delighted to include an article in this Special Section that opens up a new area within the risk assessment literature. Lehmann, Dahle, and Schmidt (2018) provide an overview of how crime scene behavioral indicators can inform the forensic assessment of sexual offenders. Importantly, they show how crime scene behavior substantially increases the validity of risk and sexual deviance assessments above and beyond standard actuarial approaches in the field. They introduce two specific assessment instruments to the reader along with forensic validation strategies that will be particularly helpful in cases where historical actuarial data are lacking (e.g., first-time offenders or offenders who only recently have migrated from other countries). As this line of research is a rather recent development, the authors discuss first implications for risk assessment, risk management, and treatment and identify important research gaps.

Given the strong normative and moral connotations in forensic contexts, societies tend to cherish criminal prevention approaches that are primarily fueled by, on the one hand, humans’ normative desire to punish social transgression and, on the other hand, their preferred (lay) theories of how to influence human behavior. This has ever since paved the way for debates that are much stronger based on ideology than on empirical evidence. Criminal justice agencies therefore are still woefully prone to following their hearts in deciding what they should and shouldn’t do with the people in their care. However, interventions based on common sense and moral panic run the risk of fitting the description of correctional quackery (Gendreau, Smith, & Thériault, 2009). Such approaches are characterized by intuitive appeal coupled with an inability to effectively reduce reoffending or – even worse – iatrogenic increases in reoffending rates.

Coming back to Heraclitus, one might indeed get the impression that larger parts of forensic systems are stepping

in the same river twice (or even more often) and, thus, might be more accurately described as revolving instead of evolving systems. This is particularly obvious in the field of sexual offense prevention (e.g., Ewing, 2011) where (a) the emotional involvement of the public is high, (b) the felt need for politicians and policymakers is pressing, (c) the evidence for effective interventions is absent (e.g., Dennis et al., 2012), rather weak (e.g., Schmucker & Lösel, 2015), or indicates detrimental effects (e.g., Mews, Di Bella, & Purver, 2017), (d) empirical research is particularly difficult due to generally low recidivism base rates (e.g., Hanson, Thornton, Helmus, & Babchishin, 2016; Mews et al., 2017), while (e) the most prolific treatment theory indicates that treating low-risk offenders might actually be detrimental in terms of recidivism rates (Bonta & Andrews, 2016). We do not seek to criticize those who bow to pressures (a) and (b) above; instead, we have to sympathize with the difficulty of knowing what the right or best thing to do is, given the problems outlined in (c) to (e). It seems to be an obvious fact that empirical research alone is not the sufficient answer to all these conundrums. But it is the only way we can move forward in our understanding of what works, what doesn’t work, what helps, and what hinders. Therefore, in summary, we regard it as important to target and rigorously evaluate empirically accessible theoretical claims from crime prevention programs (Oberlader, Schmidt, & Banse, 2018). However, as data alone usually do not convince policymakers in changing the status quo, we wish to emphasize the importance of rigorously extracting patterns from available research, and viewing these patterns with an applied focus through the lens of psychological theory. Accordingly, we hope that the combination of empirical data and explanatory principles outlined in this Special Section will inform practitioners and decision makers, as well as scientists seeking to close research gaps. The shared vision for all must be the potential to continually adjust the course of criminal justice systems toward more effective crime prevention.

## References

- Babchishin, K. M., Merdian, H. L., Bartels, R. M., & Perkins, D. (2018). Child sexual exploitation materials offenders: A review. *European Psychologist, 23*, 130–143. <https://doi.org/10.1027/1016-9040/a000326>
- Barnett, G., & Fitzalan Howard, F. (2018). What doesn’t work to reduce reoffending? A review of reviews of ineffective interventions for adults convicted of crimes. *European Psychologist, 23*, 111–129. <https://doi.org/10.1027/1016-9040/a000323>
- Bonta, J., & Andrews, D. (2016). *Psychology of criminal conduct* (6th ed.). London, UK: Routledge.
- Cantor, J. M., & McPhail, I. V. (2016). Non-offending pedophiles. *Current Sexual Health Reports, 8*, 121–128. <https://doi.org/10.1007/s11930-016-0076-z>

- Christie, R. (1882). *Fifteenth annual report by the inspector of prisons and public charities upon the common goals, prisons, and reformatories of the province of Ontario*. Ontario, Canada: Legislative Assembly of the Province of Ontario.
- Dennis, J. A., Khan, O., Ferriter, M., Huband, N., Powney, M. J., & Duggan, C. (2012). Psychological interventions for adults who have sexually offended or are at risk of offending. *Cochrane Database of Systematic Reviews*, 12, CD007507.
- Dombert, B., Schmidt, A. F., Banse, R., Briken, P., Hoyer, J., Neutze, J., & Osterheider, M. (2016). How common is males' self-reported sexual interest in prepubescent children? *Journal of Sex Research*, 53, 214–223. <https://doi.org/10.1080/00224499.2015.1020108>
- Ewing, C. P. (2011). *Justice perverted – sex offense law, psychology, and public policy*. Oxford, UK: Oxford University Press.
- Gendreau, P., Smith, P., & Thériault, Y. L. (2009). Chaos theory and correctional treatment – common sense, correctional quackery, and the Law of Fartcatchers. *Journal of Contemporary Criminal Justice*, 25, 384–396. <https://doi.org/10.1177/1043986209344552>
- Hanson, R. K., Thornton, D., Helmus, L. M., & Babchishin, K. M. (2016). What sexual recidivism rates are associated with Static-99R and Static-2002R scores? *Sexual Abuse: A Journal of Research and Treatment*, 28, 218–252. <https://doi.org/10.1177/1079063215574710>
- Harper, C. A., & Hogue, T. E. (2016). Press coverage as a heuristic guide for social decision-making about sexual offenders. *Psychology, Crime & Law*, 23, 118–134. <https://doi.org/10.1080/1068316X.2016.1227816>
- Harris, G. T., Rice, M. E., Quinsey, V. L., & Cormier, C. A. (2015). *Violent offenders: Appraising and managing risks* (3rd ed.). Washington, DC: American Psychological Association.
- Imhoff, R. (2015). Punitive attitudes against pedophiles or persons with sexual interest in children: Does the label matter? *Archives of Sexual Behavior*, 44, 35–44. <http://doi.org/10.3389/fpsyg.2014.00085>
- Jahnke, S. (2018). The stigma of pedophilia: Clinical and forensic implications. *European Psychologist*, 23, 144–153. <https://doi.org/10.1027/1016-9040/a000325>
- Jahnke, S., Imhoff, R., & Hoyer, J. (2015). Stigmatization of people with pedophilia: Two comparative surveys. *Archives of Sexual Behavior*, 44, 21–34. <https://doi.org/10.1007/s10508-014-0312-4>
- Lehmann, R. J. B., Dahle, K.-P., & Schmidt, A. F. (2018). Primer on the contribution of crime scene behavior to the forensic assessment of sexual offenders. *European Psychologist*, 23, 154–166. <https://doi.org/10.1027/1016-9040/a000324>
- Marshall, W. L., Marshall, L. E., & Olver, M. E. (2017). An evaluation of strength-based approaches to the treatment of sex offenders. *Journal of Criminal Psychology*, 7, 221–228. <https://doi.org/10.1108/JCP-04-2017-0021>
- Mews, A., Di Bella, L., & Purver, M. (2017). *Impact evaluation of the prison-based Core Sex Offender Treatment Programme*. London, UK: Ministry of Justice.
- Oberlader, V. A., Schmidt, A. F., & Banse, R. (2018). Methodische Herausforderungen in der Evaluation von Straftäterbehandlungsprogrammen [Methodological challenges in evaluating offender rehabilitation programmes]. In M. Walsh, B. Pniewski, M. Kober, & A. Armbrorst (Eds.), *Evidenzorientierte Kriminalprävention in Deutschland. Ein Leitfaden für Politik und Praxis* [Evidence-based crime prevention in Germany. A guideline for politics and practice] (pp. 313–332). Wiesbaden, Germany: Springer VS.
- Rogers, D., & Ferguson, C. J. (2011). Punishment and rehabilitation attitudes toward sex offenders versus nonsexual offenders. *Journal of Aggression, Maltreatment & Trauma*, 20, 395–414. <https://doi.org/10.1080/10926771.2011.570287>
- Schmidt, A. F., Mokros, A., & Banse, R. (2013). Is pedophilic sexual preference continuous? A taxometric analysis based on direct and indirect measures. *Psychological Assessment*, 25, 1146–1153. <https://doi.org/10.1037/a0033326>
- Schmucker, M., & Lösel, F. (2015). The effects of sexual offender treatment on recidivism: An international meta-analysis of sound quality evaluations. *Journal of Experimental Criminology*, 11, 597–630. <https://doi.org/10.1007/s11292-015-9241-z>
- Schwarze, C., & Hahn, G. (2016). *Herausforderung Pädophilie – Beratung, Selbsthilfe, Prävention* [The challenge of pedophilia – counseling, self-help, prevention]. Köln, Germany: Psychiatrie Verlag.
- Seto, M. C. (2009). Pedophilia. *Annual Review of Clinical Psychology*, 5, 391–407. <https://doi.org/10.1146/annurev.clinpsy.032408.153618>
- Ward, T., Mann, R. E., & Gannon, T. A. (2007). The good lives model of offender rehabilitation: Clinical implications. *Aggression and Violent Behavior*, 12, 87–107. <https://doi.org/10.1016/j.avb.2006.03.004>

Published online May 14, 2018

#### Alexander F. Schmidt

Social & Legal Psychology  
Johannes Gutenberg University Mainz  
Binger Str. 14-16  
55122 Mainz  
Germany  
alexander.schmidt@uni-mainz.de

#### Ruth Mann

Her Majesty's Prison & Probation Service  
England and Wales  
London  
United Kingdom  
ruth.mann@noms.gsi.gov.uk



Alexander F. Schmidt was a Professor for Legal Psychology at the Medical School Hamburg, Germany, and now is a senior lecturer at the Johannes Gutenberg University Mainz, Germany. His primary research interests include criminal psychology with a particular focus on sexual offender assessment and indirect latency-based measures of (paraphilic) sexual interests.



Ruth Mann is a psychologist working for Her Majesty's Prison and Probation Service, England and Wales. Her research interests include the assessment and treatment of sexual offending, rehabilitation of people convicted of crime, and prison culture.