

Dynamics between denial and moral panic: The identification of convicted sex offenders in the community

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Abstract

In this contribution the authors describe the main findings of a research study conducted in the Netherlands on the return of sex-offenders to the community. The study questioned how crisis situations can develop following the identification of a sex-offender in the community. The study consisted of an analysis of ten cases in which the return of a convicted sex offender to the community or the 'discovery' of a sex-offender in the community resulted in community unrest and attracted media attention. Interviews were conducted with professionals involved in supervising those individuals convicted for sexual offences as well as the individuals themselves. Contrary to the situation in both the United States and the United Kingdom, criminal records in the Netherlands – as in most of continental Europe – are predominantly seen as a private matter and are not made public to those outside the criminal justice system. The article also examines the role of the local Mayor who has a central role in managing the local negative reactions to return of those convicted of sexual offences back into the community in the Netherlands. The findings produced from the data are analysed applying a social construction approach that utilizes the concepts of 'moral panic' and denial. The authors found that the return of a those convicted of sexual offences can lead to a

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range of responses varying from anger and panic to secrecy and denial. Ultimately the authors found that greater transparency led to more positive outcomes in these cases.

Keywords

denial, moral panic, probation, public protection, sex offenders

Introduction

In October 2012, one year after his death, an ITV documentary alleged that Sir Jimmy Savile, the BBC celebrity and showbiz personality, had been a sexual predator who for decades had exploited his BBC status to abuse teenage girls. After this public disclosure a dramatic transition took place, in which the popular entertainer Savile was seen as a prolific sexual predator (Furedi, 2013; Silverstone, 2014). This led to a widespread investigation into a number of high-profile celebrities and politicians in England and Wales. What is interesting from both a theoretical and societal perspective is how Savile managed to hide his secret for so many years. The Saville case could be seen as a striking instance of denial particularly during the decades leading up to the disclosure in 2012. Also, since it is now believed that many individuals in authority knew about the abuse before Saville's behaviour became a public scandal (Furedi, 2013), the Saville case also provides an example of the nature of the social reaction at the moment of the disclosure of 'facts' became known to a broader audience.

In this contribution the authors discuss the main findings of a study conducted in the Netherlands on the return of those convicted of child sexual abuse into the community (Boone et al., 2014). The study consisted of an examination of ten cases in which the return of an individual to the community or their identification caused a great deal of community unrest and attracted much media attention. The central question of the study was how such crises develop. Interviews were conducted with those involved in supervising convicted sexual offenders in the community such as police officers, mayors, probation officers, neighbours and housing corporations as well as with four convicted sexual offenders themselves. The data was then analysed applying a social construction approach that utilized 'moral panic' and 'denial' as key concepts. It became clear that the identification of a sexual offender into the community can lead to a variety of responses ranging from anger and panic to secrecy and denial.

Method

The authors conducted a media analysis of Dutch cases of individuals convicted of the sexual abuse of children and whose return to the community caused a negative reaction in their neighbourhoods and subsequently attracted much media attention. This was done by using the *Lexis Nexis* database and the *Google* search engine, using the terms 'sexual offender' ('zedendelinquent') and 'neighbourhood unrest' ('onrust buurt') as the main search criteria. The research covered the period between January 2000 and the start of the research, in December 2011. Twenty-

two cases initially surfaced in which the identification of a convicted child abuser in the neighbourhood resulted in massive media attention, meaning 20 newspaper articles or more in a period of one week or longer. Of these 22 cases, twelve cases were selected according to the extent of the reaction (the more publicity, the better), the geographical spread and the identifiability of the individuals involved in the case as the main criteria. Two cases were excluded because an insufficient number of the parties involved were willing to cooperate, so the eventual study concerned ten cases, centred around ten convicted sexual offenders.

Firstly, an overview of the facts of each case based on media coverage was generated and follow-up interviews arranged with the main parties involved in the management of the return of the individual to the community including community police officers, the probation officer, the mayor and the individual themselves, all of whom were male. Depending on the individual case, the authors also approached other parties that were involved, such as activists or housing providers. In total, 63 persons were approached, of whom 48 agreed to be interviewed. During the interviews, the individual's account of the process was the main focus of attention. The interviews were recorded and transcribed and analysed in MAXQDA, a qualitative data-processing system. Table 1 is an overview of those individuals interviewed in each case and their reason for the lack of cooperation in some cases.

In order to ensure their privacy, offenders were not approached directly, but instead the researchers asked their probation officer or a community police officer to pass on an introductory letter to them. It was therefore up to the individual themselves to decide whether or not they wanted to participate in the research by subsequently contacting the researchers. In one case the person in question had died. In total, four of the ten sex offenders agreed to be interviewed, of which three were conducted face-to-face and one in written form because the individual in question was living abroad. The others indicated via the contact person that they did not want to cooperate. In one case the son of the sexual offender was interviewed. The research was hindered somewhat by difficulties in interviewing those probation officers involved in the supervision of the cases either because they were no longer involved, had retired, or had not received permission to talk to the researchers.

To structure the material, the authors identified three stages in the development of crisis situations surrounding the process of the identification of convicted sex offenders within their localities. The first stage is that of *secrecy*, in which the convicted sex offender conceals their past behind a wall of silence. What is interesting about this phase is that although the case may not as yet come to the attention of the public, some individuals involved in the criminal justice system are nevertheless aware of the criminal past of the convicted sexual offender as well as the former victim(s). Key questions that arise during this phase are: Do people share this knowledge and with whom? Do they use this information to take additional supervision measures? How do they experience this knowledge? Are they allowed to share this information and why do they not share it with a wider audience? In the second stage of a crisis the individual's offence(s) is revealed. In this phase the authors attempted to reconstruct the process of disclosure. Who was involved in the disclosure and in what manner? What were the motives of individuals or

Table 1.

Case	Respondents	Reasons for not cooperating
1	Police: police inspector; Sexual offences detective and community police officer (2) Mayor Offender (in written form)	Probation officer in question had already retired and could not be traced Sexual offender answered in written form because he was living abroad
2	Community police officer Mayor Offender	No probation officer, since the offender had not been subjected to a probation order
3	Police: police inspector and community police officer Probation officer Mayor Neighbour (active in disclosure) Son of the offender	The offender had emotional problems with being interviewed
4	Community police officer Mayor and civil servant Therapist Case manager	No supervision The offender had emotional problems with being interviewed
5 ^a	Probation officer Mayor and staff member Offender Therapist Case manager	
6	Community police officer Probation officer Volunteer at COSA (Circles of Support and Accountability) Head of media and communication, Probation Service Director of Housing Corporation Neighbour (active in disclosure)	Mayor involved had died
7	Community police officer location A Community police officer location B Civil servant at the municipality Director of housing corporation Counsel for the offender	Probation officer did not obtain permission from supervisor Sexual offender had died
8	Community police officer location A Community police officer location B Probation officer location A Probation officer location B Mayor	Those neighbours directly involved could not be found The offender had emotional problems with being interviewed
9	Community police officer Mayor Therapist	Probation officer had already retired and could not be traced The offender had emotional problems with being interviewed

(continued)

Table 1. (continued)

Case	Respondents	Reasons for not cooperating
10	Community police officer location A Community police officer location B Probation officer location A Probation officer location B Mayor Case Manager Neighbour	

^aCases 4 and 5 occurred in the same municipality, more or less during the same period. Therefore we spoke to some of our respondents concerning both cases.

organizations in becoming involved in this process of disclosure? What exactly is disclosed and how is this presented in the (social) media? Two kinds of disclosure were discerned: active and passive. Active disclosure is caused by the offender himself, for example by returning to the same neighbourhood where they are already known as a sexual offender after having served their sentence, or by drawing attention to themselves by again committing a sexual offence. In the case of passive disclosure it is not about an act by the individual themselves, but about 'discovery' by the community through sources such as the internet, former contacts or so-called 'paedophile hunters' who trace sex offenders in order to 'warn' and 'protect' society. The *response* to the disclosure, including the outcome of the crisis, is the third stage although this phase sometimes runs parallel with phase two. Central in this phase is what happened after the disclosure. Who responded and in what manner? In the literature on moral panic, as will be discussed later, it is suggested that public responses to disclosures of paedophilia and sexual offences are sometimes disproportionate and always follow a similar pattern that involves a strong condemnation of the person involved. Our cases show a great deal of diversity, however. Besides anxiety and condemnation, help and protection were also offered to the individual offender. However, in some cases the individual disappeared from the community and the authorities were unable to trace them.

Before going into detail on those three stages in the development of a crisis situation surrounding the identification of a sex offender in society, we will first consider the characteristics of the cases that were included in the study and the legal framework for the surveillance of sexual offenders in the Netherlands.

The cases

The research involved both cases in which a convicted sex offender was discovered upon his return into the community, and cases in which the background of the offender was discovered after they stayed in a neighbourhood for a certain period. Disclosure occurred in some cases long after the sentence had been served. In case 4, for example, this was not until 14 years after the crime was committed. Throughout that time the convicted sex offender had lived in the neighbourhood

without causing any problems. He had been following intensive therapy together with his family and a social worker regularly monitored them. The seriousness of the cases also varied a great deal. They ranged from the systematic abuse of children in a summer camp or institution to a once-only abuse of a minor by an adolescent. Finally, the legal context of the cases differed, which could have made a difference for the responses by the people and organizations involved in supervising the offenders. In some cases, offenders were still under the supervision of the probation service at the moment that the crisis occurred. If the behaviour of the offender could for example be characterized as a breach of the conditions attached to their conditional release, the probation service had a legal reason to intervene. In a case in which the probation period had recently expired, the probation service did not have the legal authority to, for example, prohibit a former detainee from organizing summer camps for children. These situations and difficulties have led to the implementation of a number of legislative changes that should make it easier in the future to respond to the types of incidences which we studied (section 3). In Table 2 we present some key characteristics of the cases involved: the nature of the offence; the year and the nature of the latest conviction; the reason for the offender being identified.

The legal context

Contrary to the United States and other common law countries (Naylor, 2011; Padfield, 2011), criminal records in the Netherlands and most of continental Europe are predominantly seen as a private matter and are not made public to those outside the criminal justice system (Jacobs and Larrauri, 2012). Retaining the confidentiality of criminal records is seen as an important precondition for rehabilitating offenders (Jacobs and Larrauri, 2012). In a special issue of the *European Journal of Probation*, Martine Evans characterized this difference as the general public's right to know versus the offender's right to be forgotten (Herzog-Evans, 2011: 2). According to the American notification regulation, criminal agencies have to guarantee that everybody can familiarize themselves with the criminal past of sexual offenders. Names, addresses and other personal data relating to these criminals are often distributed via the internet and are made accessible to everybody (Thomas, 2003). The Multi-Agency Public Protection Arrangements (MAPPA) in the United Kingdom do not go as far as the American notification system, but give those managing sex offenders in the community the authority to make discretionary disclosures to third parties who are not otherwise involved. Information about an offender and his/her offence can be made known to relevant individuals in cases where a potential risk to children is identified (Buchanan, 2008). The system of far-reaching notification has met with important criticism in the literature on the grounds that it adds to public feelings of fear and anxiety (Maguire and Kaufman Singer, 2011) and does not contribute to diminishing recidivism. On the contrary, research indicates that notification and the responses can thereto lead to deep feelings of stress, depression and hopelessness by offenders that affect their potential to function successfully in society and so may actually enhance the possibility of recidivism. Stress is identified in several studies as a direct reason for recidivism and in particular restrictions on housing are considered to

Table 2.

Case	Nature of latest offence	Latest conviction	Reason for disclosure
1	Abuse of 12-year old child in a summer camp	240-hour community service order and one year imprisonment (April 2004)	Television broadcast in 2007
2	Abuse of two minor boys and possession of child pornography	240-hour community service order (Winter 2010)	Suspicion of new abuse
3	Abuse of two grandchildren and their friend	22 months imprisonment of which six were conditional (2009)	Disclosure of the new residence of the offender after his release from prison
4	Abuse of mentally-ill children in an institution	1996. Nature and severity of the sentence unknown	Circulation of letters by a paedophile hunter in 2010
5	Abuse of a young child in the neighbourhood	2010. Nature and severity of the sentence unknown	Lived in the same neighbourhood as the offender in case 4 Mayor disclosed his presence at a neighbourhood meeting organized to solve the crisis in case 4
6	Abuse of a nine-year old girl in the neighbourhood	Six months imprisonment (2007)	Return to his former residence after the completion of his sentence
7	Abuse of a four-year old boy	15 months imprisonment of which 6 were conditional (2008)	Return to his former apartment after the completion of his sentence
8	Abuse of a nine-year old girl in the neighbourhood	Two years imprisonment of which six months were conditional (2010)	Disclosure of the offender returning to his former neighbourhood
9	Abuse of a minor adolescent	Twelve months imprisonment of which six were conditional (2008)	Paedophile hunter circulated letters while the offender was waiting for the completion of his sentence
10	Abuse of three minor boys	30 months imprisonment of which 10 were conditional	New offence in 2008

be a significant factor that contributes to such feelings of stress (Tesbury and Zgoba, 2010; Lasher and McGrath, 2012).

The Dutch system of supervising sexual offenders differs radically from the notification system that is in use in the United States and the United Kingdom. In the Netherlands, judicial data are primarily retained to inform court and prosecution officials (Boone, 2011, 2012). These can also be made available to individuals and agencies outside the criminal justice system, but only in the event of a 'limited category of official functions demanding a high level of integrity and responsibility'. This category is broadly limited to the police, prison staff and security agencies.

These employers are directly supplied with information from the Judicial Documentation System and they have the freedom to decide how they weigh this information and how they will allow this information to influence their decision to employ somebody or not (Boone 2011, 2012). In all other situations, potential employers can require a certificate of conduct relating to an applicant. This certificate can be granted or refused, but none of these decisions will include details of a criminal record (Boone, 2012).

In 2009, however, new legislation was introduced in the Netherlands that decreed that the local mayor has to be informed about the return of a serious sexual offender into their community. The main aim of this policy was to prevent public order disturbances when such individuals returned into society. The mayor receives information from the Criminal Registration Agency and the police and, on the basis of this information, he or she has to decide whether or not to intervene. Within the Dutch political system, the decision to inform the mayor is an obvious one as he or she is responsible for maintaining public order in the municipality and in that position he or she functions as the head of the police force. The mayor is not elected, as is the case in many common law countries, and is relatively immune to public opinion. Their legal opportunities to intervene when they informed about the presence of a convicted sex offender in the community are somewhat limited though (Boone et al., 2014; Huls and Brouwer, 2013). The only general measure which is available to them is to intensify the level of supervision by the police. In some, very limited circumstances, they can impose an order prohibiting the offender from approaching a certain location. Only when the convicted offender rents a house and acts 'contrary to how a good tenant should behave' can the mayor force them to move, but these opportunities are very limited.

According to Dutch privacy law, the opportunities to share criminal information with third parties are also somewhat restricted. The mayor can only share the information which he or she receives about the offender with, for example, schools or neighbours when there is a sufficient, serious risk. This can be in the form of a protection of public order, but only in the case of a direct disturbance. Probation officers in the Netherlands can only share information with the permission of their client or in case of a very urgent concern, for example a suspicion of child abuse. However, the probation service and the police can share information with each other based on a nationwide voluntary agreement that was signed between the probation service and the police in 2011. On the basis of this agreement, the police should be informed by the probation service of any (sexual) offenders who are being supervised in their district and of any special conditions that are being imposed. The task of the police is then to provide the probation service with additional information concerning the behaviour of the individual under supervision (Van de Bunt et al., 2011).

Theoretical concepts

Those convicted of sex offences belong to the *folk devils* of society, especially when the abuse involves children (Jenkins, 1992, 1998). The social construction of sex offenders as highly dangerous, mentally abnormal, and morally contaminated

individuals as well as the low community tolerance for any recidivism whatsoever poses challenges for the integration of persons convicted of sex offences into the community (Petrunik and Deutschmann, 2008: 499). In criminological literature often the social control of sex offenders is characterized as 'exclusive', disproportionate and exaggerated. It was Edwin Sutherland who first identified this at the beginning of the 1950s. Sutherland wrote about the fear of sexual psychopaths in the United States in response to a few severe sex offences that received much media coverage. In many American states precipitate psychopath laws were established that were a product of panic and hysteria (Sutherland, 1950a: 553–554). Many of those laws turned out to be nothing more than hollow phrases. Sutherland accused those hastily constituted commissions of experts (psychiatrists) who contributed to formulating those laws of skilfully exploiting the fears of the population. Those experts had an interest in dramatizing the issue of sex offences and they wilfully contributed to its social construction (Sutherland, 1950b: 144 ff.).

Without relativizing Sutherland's contribution, Stanley Cohen had a very significant influence on the criminology of social constructions of social problems. Following in the footsteps of Sutherland, he analysed the dynamics of social reactions to problems. For this he used, for the first time in 1972, the new concept of *moral panic*, which even today holds an almost magical attraction for social scientists and commentators. According to Cohen, politicians, policy makers, civilians and so on are sometimes panic-struck when they are confronted with offending by persons such as football hooligans, drug users, paedophiles or muggers, who they perceive as a severe threat to society (Cohen, 1972).

Cohen applied the concept of moral panic in *Folk Devils and Moral Panics* (1972). In this study he analysed how society reacted to the conflict between two youth gangs, the Mods and the Rockers. He thought that the societal reaction was 'fundamentally flawed' and yet, at the same time, 'intriguing'. He argued that using lies and half-truths, the media creates a completely undue image of reality. Cohen wondered about the negative attitude of society (the media, the police, politics, etc.), which is disproportionate in comparison to what occurred in reality. The hypersensitivity of the establishment towards the youth he called '*community sensitization*' (Cohen, 1967: 280). In his book he did not provide a ready-made definition of *moral panic*, but offered a broad description. A moral panic is thus described as:

A condition, episode, person, or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or . . . resorted to; the condition then disappears, submerges, or deteriorates and becomes more visible. (Cohen, 1972: 9)

Erich Goode and Nachman Ben Yehuda (2013: 33–41) define the five most important characteristics of moral panic that are mentioned in the literature.

Firstly, in case of moral panic, there are concerns or worries about the behaviour of a certain individual or a group of individuals who are, secondly, considered to be an enemy (*folk devil*). Within society there is a high degree of consensus about the objectionable aspect of the behaviour of the *folk devil*, which is the third characteristic. Moral panics about paedophilia, drug abuse, terrorism, food poisoning, and so on, are evident examples thereof (see Jenkins 1992: 99). The fourth characteristic is the 'disproportionality' of the societal reaction: 'the term moral panic conveys the implication that public concern is in excess of what is appropriate if concern were directly proportional to objective harm (Goode and Ben Yehuda, 2013: 36)'. The final characteristic is the volatility or transiency of the exorbitant societal reaction. In other words, the moral panic is short, but powerful. The attention of the public, the media etc. dissolves just as quickly as it emerged. The crisis does, however, leave a lasting footprint, for example in the expansion of criminal provisions or an increase in legal maximum sentences.

Instead of an exaggerated response, an event can also be met with silence. Cohen paid attention to both of these possible responses in his works. If a moral panic can be defined as a societal overreaction, the counterpart within the spectrum of societal reactions is denial, which could be seen as a societal underreaction. Denial is a wrongful and undue negation: a reaction should have followed, but it did not (Cohen, 2001). Garland describes a moral panic in this regard as a 'hysterical outburst' and denial as a 'hysterical silence' (Garland, 2008: 25). So instead of an exaggerated reaction there is also the option of not speaking about the behaviour or phenomenon. This for example occurred with the sexual abuse of children by Jimmy Savile, priests within the Catholic Church and the use of doping in competitive cycling.

Cohen (2001) discerns three different kinds of denial in cases of criminal offences and atrocities. In the first instance there are those persons who are not fully aware of the behaviour as they do not know what has happened. Secondly, there are those individuals who do know but deny the fact. Lastly, there are those persons who know about the existence of the behaviour in question, but look the other way or argue it away. They keep themselves aloof and actually do not want to know about the conduct.

This third group makes use of justifications and rationalizations (Cohen, 2001: 51 et seq.). The seriousness of the facts and one's own responsibility to take action are trivialized. In order to persist in the justness of one's own narrative, the subject of denial is brought up as little as possible (Katz, 1979). Cohen calls this *collusion*. The denial is maintained and strengthened by the explicit or implicit agreement to support each other in the denial (Cohen, 2001: 64–68). Zerubavel (2006: 4) speaks about *conspiracies of silence*, where it is jointly decided to avoid certain topics. All of this results in the outside world having no inside knowledge of what is going on in professions, sport, the Church, and so on (Van de Bunt, 2010).

From the examples given above, the question that arises, however, is how moral panic and denial relate to each other. Is denial the total opposite of moral panic and can we only speak of denial when all the characteristics of a moral panic point the

other way? Or can denial be characterized as the other side of the same coin of moral panic, a similar hysterical response to behaviour that causes great unease in society? The results of our study seem to suggest the latter.

Findings

Secrecy phase

In this study we have discerned three stages in the course of the process of identification. The first stage is the stage of secrecy and silence. In this stage there are always individuals who know what has happened: the victims, the probation officer or caseworker, the community police officer, etc, in this respect the secret is an open secret. Those people who know about the identity of the convicted offenders are not allowed to share this information with significant others, such as neighbours or the head of the local school. Dutch law prohibits this; however, in the recent past various programmes were set up with the intention of sharing information about convicted sex offenders who want to reintegrate into society after their conviction. In past years the sharing of information has been facilitated between the police and probation service. The police will be informed by the probation service about sex offenders who return to society. The difficulty for the police, however, is that they are not allowed to discuss the presence of the sex offender openly with residents of the neighbourhood in which the sex offender resides. The acquired knowledge is burdensome for the police; police officers shy away for the serious consequences their revelations will have for themselves as well. Precisely because of the social sensitivity of everything related to sexual offending and paedophilia in particular, the stakeholders know that disclosing their knowledge can have enormous and uncontrollable consequences. This does not only apply to the convicted sex offender, but also to others involved such as, for example, the offender's family, victims or local residents. Probation officers have other reasons not to share this information. Establishing a relationship of trust is an important condition for doing their jobs and this trust can be damaged if they share information about the offender with other officials or persons. In several cases, however, this silence was accompanied with the suspicion that new offences were being committed. In other cases the convicted sex offender lived an (apparent) peaceful and crime-free life for years, without any suspicion of new abuse, before his past was raked up.

In three cases the convicted sex offender was released from prison, without the mayor and the police being informed about this. Under the new legislation (see above), this should no longer happen, because mayors and participating municipalities are systematically informed about the release of this category of offenders. In this regard it is very interesting that most of the mayors we interviewed would rather not be informed, because they are not allowed to inform the community. According to them, their position would be weakened when the community discovered that they already knew about the presence of the sexual offender before the general public became aware of this. The following quotes will illustrate this point.

- Interviewer: So what did they think you should have done over and above that?
- Respondent: Well. Inform more parents nevertheless But then again, how should you do that? Because you can't just say: 'he's doing it again'. You are not allowed to say that. That was quite strange, I must say. You expect them to be glad that you have done everything that you were able to do. But councillors are not that discerning, I know that by now. (B1)
- Respondent: 'You knew, mayor, that there was a paedophile living in the street and you didn't tell us' And that is out of order, because you cannot hold back such important information as a mayor Luckily the public prosecutor was able to say that I could not be made aware of this and that I could not have known of it either, so that was clear by then. That meant that some status was regained . (B4)

Disclosure phase

This brings us to the process of the disclosure, the second stage in the process of identification. In this stage the secret of the sex offender is revealed. It is the moment when the 'true' identity of the sex offender is disclosed to everyone. In relation to the phenomenon of active disclosure, the stubbornness of convicted sex offenders in their desire to return to their previous home is surprising and evokes a negative reaction among local residents. As mentioned above, the legal grounds for compelling an ex-offender to move are very limited. Decisive action by the mayor can make a difference however. In one of our cases, the mayor visited the convicted sex offender several times in prison and informed him how the local media covered his case and how the neighbourhood would respond if he returned. As a result, the offender accepted the offer of a comparable house in another neighbourhood (case 7). In another case the sex offender returned to his house across the road from a playground. In contrast to the neighbours, the mayor was of the opinion that the offender could remain in the neighbourhood. Professionals agreed that he was not a paedophile sexual offender and there was only a small chance of recidivism. As a gesture to his neighbours, the mayor decided to move the playground.

Disclosure can also occur through other persons, for example through those who have known about the history of the offender or those who have made it their full-time job to trace convicted sex offenders (so called 'paedophile hunters'). Sometimes it also occurs through people who have accidentally discovered the abuse. In line with the moral panic theory, these persons use moral justifications in defence of their role in the process of disclosure, but they may also have personal motives themselves. Some may have been victims of sexual abuse, have a business conflict with the offender or they want to be the centre of (journalistic) attention. Allies are mobilized by circulating letters, marking or making public the place of the sex offender's residence or by spreading messages on social media. A catalysing factor is the detailed information about the sexual abuse that can be found on a Dutch governmental website containing all verdicts (www.rechtspraak.nl) or in other open sources. When the public media

become involved and start congregating in front of the sex offender's home or that of the victim, while reporting on a daily basis about the abuse or about the social upheaval, the crisis situation is complete. In the reports on our cases it turns out that the media boosted the upheaval and that they depicted the case as more sensational and more serious than it might have been in the first place.

A problem in preventing or managing a crisis situation is that the parties involved (the mayor, a community police officer, a probation officer) do not have clear lines of authority to gather information and use this information to take action, as is explained in section 3. The three actors each have their own responsibilities, which in turn determine their position regarding releasing information. The mayor, for example, is responsible for maintaining public order in his or her community. On this basis he or she can intervene if a social upheaval occurs after the disclosure of the identity of a sexual offender. In some cases the mayor does this, for example by arranging neighbourhood meetings. However, there are no grounds for intervening in cases where a threat to public order is not present and the same holds true for the community police officer. In cases in which the community police officer supervises the requirements for release together with the probation service, the situation is clear. As soon as the period of monitoring by the probation officer is over, the police officer does not have any investigative powers and has to rely merely on their powers of persuasion to obtain some information from the sex offender. For the probation officer as well, the opportunities to obtain information are also drastically diminished if they are not backed by his or her responsibility of supervising compliance with special conditions. Therefore, some officers find creative ways to give substance to the responsibility they feel to protect the public.

Respondent: I visited (...), just unexpected without prior notice. I said, 'I am so-and-so and I have been trained for the vice squad. I know about the subject matter and we will just call a spade a spade, but I have heard such and such'. I said: 'I am here for two things. I am here to ensure the safety of the people in the apartment building and in the neighbourhood, and at the same time to ensure your rights as well. Returning to the first matter, I will keep it short but sweet. If I notice that you are doing things that are obviously untoward, that you are assaulting children, I will be on to you like a pit-bull, and I will not let go. Then I will make sure you are convicted.' (W2)

Responses: from moral panic to denial

In the stage after the disclosure, several responses became evident. The characteristics of moral panic that were described earlier were evident in the case. Also in cases where the abuse was limited or a once-only event, it is often followed by a disproportionate response including the perpetrators' houses been plastered with red paint, aggravating letters distributed to all neighbours, cars torched and sexual offenders are often depicted in the media without any nuances. A probation officer vividly sketches the role of the media in the construction of disproportionality in one of our cases.

- Respondent: Oh, I was at home and suddenly I heard the voice of my client on TV. I looked up and saw that their house was on the screen. That's how I found out. I then called my supervisor and then all of the sudden you're in the middle of some kind of wasps' nest. (...)
- Interviewer: Did you go to them right away?
- Respondent: Yes, immediately the next day. It was crazy. Wires were still lying around and journalists' cars were still parked there. It was very crowded in the very narrow street. It was awful; it was like some sort of celebrity lived there. It was crazy.
- Interviewer: How did those people respond?
- Respondent: They 'freaked out'. The welfare services were called immediately and the emergency service of the mental health services. You don't want to do this to your worst enemy. It has such an impact. (R5)

Another aspect of disproportionality is that negative responses are sometimes not limited to the offender himself, but also affect the family members of the offender, even after he is returned to custody.

- Respondent: In the beginning they all pitied her. We tried to help her. We took care of the little one. He just stayed here to play. Afterwards we found out that madam was visiting him and still had contact with him. Then we were thinking, like, 'Hello, what's this all about?' We give you all support and what we can do for you, and then you take advantage of it. She just took advantage of the situation. Then we dropped her. Then we also tried to chase her away.

Nevertheless, the rejection might not be as severe as the concept of *moral panic* suggests (see also Brown et al., 2008). In many cases there is support for the convicted sexual offender and recognition that 'a convicted sex offender has to live somewhere', that 'everyone deserves a second chance' or that 'hunting down the sex offender increases the probability of new abuse'.

In two cases, for example, the offender's religious community tried to offer support. In case 3 the sex offender was offered the possibility of asking for forgiveness from the community. In the same case as was mentioned before, the son helped his father to find a new home. In some other cases support is offered without the offender's knowledge. While the offender in case 1 was on the run in fear of being 'lynched' by the upset parents of the victims, he received a thank-you note from different parents for having provided their children with such a nice holiday.

In some cases, people from the residential area of the offender had conversations with the individual and kept an eye on them, although formal Circles of Support and Accountability were not evident in our cases. In case 10 the offender maintaining good contacts with a few people from the neighbourhood was seized upon by the mayor as a reason for not making him move; the mayor spoke about an informal network surrounding the sex offender and the significantly reduced risk of recidivism because of this. Another strategy that was applied by the mayor to alleviate

negative reactions was by arranging neighbourhood meetings; he invited neighbours in the locality to a meeting and discussed with them, in a closed session, the background, risks etc. of the convicted sex offender.

In four of our cases, however, we would characterize the responses of the authorities as a renewed form of denial. The situation of secrecy revived after the crisis had come to an end. A remarkable example is the case in which a mayor arranged a new home for an individual convicted of a sexual offender in another city without informing his colleague. Also in three other cases, probation officers, police officers or mayors did not inform their colleagues in other cities about a forced or voluntarily move by the offender and when we came to interview them, they had no idea about the actual place of the offender's abode.

Ending of the crisis situations

How did these crisis situations end? In the four cases discussed it would seem that the situation ended badly for the individual sexual offender in that they disappeared into anonymity once again (1, 4, 8 and 9). In three cases the results were less dramatic in that the sexual offender, albeit against their will, was allocated alternative accommodation (5, 6, 7). In three cases we would define the ending of the crisis as more positive in that the upheaval faded and they were able to continue living in their accommodation (2, 3, 10). For society as well, the first situation seems to be the least favourable. The *moral panic* is accompanied by a *state of denial*. The secrecy may continue and result in a new case of abuse without someone being informed, or being able to intervene. On the basis of the small number of cases in our study it is not possible to make any judgements about how or by whom the differences in the resulting situations can be explained. In general, however, we suggest that more transparency could lead to better outcomes. In our three cases with positive outcomes there was much more openness in the actions of especially the mayors as well as in the attitude of the offenders. Thanks to this transparency it was possible to discuss alternatives and solutions. In the Dutch context, a restricted form of notification seemed to lead to better results for both offenders as the neighbourhood then complete secrecy, is our careful conclusion.

Discussion

The main question of our study was how crisis situations develop after the disclosure of the convicted offender's past. We expected – from the criminological literature on moral panic and the reintegration of sex offenders in the community (Cohen, 1972; Jenkins, 1992, 1998; Petrunik and Deutschmann, 2008) – that we would predominantly encounter situations that we could best describe with the concept of moral panic; however, one of the most striking results of our study is that we found a smooth transition between moral panic and denial as responses to the crises we studied. Crisis situations often derive from situations of secrecy. In most of our cases, the offenders had already lived in the neighbourhood for a certain period before their past became known to a larger audience. Some individuals already knew

about their past; the secret actually was an open secret. In some of our cases also the local police officer or a probation officer was familiar with the former behaviour and conviction although they are not allowed to spread this information to other people. According to the current legislation, Dutch mayors have to be informed about the re-entry of convicted offenders into their locality. Sometimes this re-entry results in an outcry and sometimes this is not the case. The more interesting question is, therefore, why do some of these situations come to attract media and public attention and others do not? According to the definition by Goode and Ben Yehuda (2013) it all starts with the behaviour in question and the social definition thereof, but we came to the conclusion that the seriousness of the case is not a decisive factor. Both very serious as well as less serious cases are included in our research and we are convinced that there are still many tinderboxes in our society and other societies that could potentially flare up. Think about the Saville case in the UK or the worldwide abuse committed by priests of the Catholic Church. The disclosure of a case is sometimes driven by individuals who may have very personal motives to reveal it. Whether these 'moral entrepreneurs' succeed in mobilizing a greater audience again depends on many random factors. How a situation of crisis developed could be much better predicted in our cases on the basis of the actions by the local authorities, and specifically the mayor in the Dutch context. Could he or she stick to the principles of the rule of law ('everybody deserves a second chance', 'everybody needs a place to live') and at the same time convince the population that their safety and the safety of their children is not in danger? What was absolutely helpful in this context was that the rejection of the 'folk devil' was not as significant as the theory of *moral panic* suggests. In every case we observed counterforces of people who provided support to the convicted sex offender and who eventually helped the local authorities in their efforts to defuse the crisis.

A second question posed in this contribution is how the situation of 'relative secrecy or openness' influences the development of the crises. In the existing literature much attention has been paid to the notification system that is in use in the United Kingdom and the United States and the dramatic impact that this has on the process of the social reintegration of sexual offenders into the community (Logan, 2009; Tewksbury, 2005; Van de Bunt et al., 2011). In our study we observed far-reaching examples of social exclusion after 'the discovery' of the sexual offender in the community. On the other hand, we described cases in which the situation of silence and secrecy was resurrected after the crisis had been diffused, a situation in which the abuse could easily be able to reoccur. The Dutch solution in which only the mayor is informed about the identity of the convicted offender (restricted notification) is probably an acceptable alternative to far-reaching notification on the one hand and total secrecy on the other. On the other hand, most of the mayors rejected this preferential treatment because they were afraid it would damage their position if their constituents found out they already knew about the presence of the convicted child-abuser long before this was discovered by a larger audience. Since the course of our cases was very erratic and unpredictable and the opportunities to intervene were very limited, we agree with the mayors that they will probably not be able to prevent crises. But they will at least be prepared in

case a new crisis occurs and they can try their best to prevent the former perpetrator from reoffending.

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