Nottingham Trent University

Psychology

COPE Centre for Crime, Offending, Prevention and Engagement

SOCAMRU Sexual Offences, Crime and Misconduct Research Unit

NTU Psychology

Recommended Terminology Concerning People with a Criminal Conviction

1. Overview

This guide to terminology has been created to support staff and students in understanding helpful and appropriate ways to refer to people who have previously been convicted of a criminal offence. It has been put together with input from a survey of NTU Psychology staff, best practice guidance from the American Psychological Association, The Marshall (Language) Project, Her Majesty's Prison and Probation Service, academic journals, research, and individuals with a vested interest in the use of language that supports rather than excludes.

In the last 40 years, there has been a move away from stigmatising and labelling language, particularly in relation to disabilities and health conditions. The progression towards person-first language has been slower in the criminal justice arena, but this is now gaining momentum. This guidance supports this evolution while recognising that mistakes will be made. However, through practice and engagement, people will increasingly use appropriate and supportive language when discussing crimes and people convicted of them.

It is important to highlight here that this guidance, in promulgating appropriate terminology to describe and communicate with and about people who have previously been convicted of a criminal offence, is not seeking to excuse or justify previous actions, but neither does it seek to downplay the damage caused by an offence.

2. Why does it matter?

This is an important step in reminding us all of the importance of language and labels. It matters because some terms can be inaccurate and damaging, and they can have an impact on a person's wellbeing (Blagden et al., 2014; Winder et al., 2021). Such language negatively and substantively changes the way others react to someone, affecting offers of help and support for them (Lowe & Willis, 2020). These terms are also copied by other people when they are used (Jacobs et al., 1998), perpetuating damage and undermining prevention efforts. They also contribute to the social 'cursing' of groups of people (see Kellezi et al., 2019; Winder & Underwood, 2021) and affect individuals' struggles in overcoming what becomes a tainted 'master status' (Becker, 1963) and a spoiled identity (Goffman, 1963).

Finally, it may not be apparent to anyone who does not work in this field, but many individuals who have committed serious offences have been traumatised by what they have done (Evans et al., 2007), a condition known as perpetration-induced traumatic stress (MacNair, 2002). This trauma can be notable and debilitating (MacNair, 2015), and the concept of perpetration as a cause of trauma is discussed in DSM-5. Moreover, while serving a custodial sentence is an appropriate punishment for many offences, further traumatic experiences arising as a direct consequence of living in a prison environment will often be inflicted upon people (see Crewe, 2011; Leeder, 2012; Sykes, 1958, 2007).

Language that compounds these traumas is unhelpful and unnecessary, and it can also be harmful. This gives a responsibility to us as researchers, teachers, and practitioners to promote the use of helpful and accurate labels that contribute to prevention and rehabilitation efforts, and which are underpinned by values of humanity and decency.

3. Recommended Terminology

We aim for language that is accurate and does not obscure the person. We do not seek to *humanise* people with criminal convictions since people with convictions are *already* human. We do, however, seek to use language that is not dehumanising.

The following are some practical examples of appropriate terms.

Type of Criminal Conviction	Appropriate Terminology
Currently serving custodial sentence	People/person in prison. Imprisoned people/person. Incarcerated people/person.
Previously served a custodial sentence	Formerly imprisoned people/person, Formerly incarcerated people/person.
Convicted of an offence	People/person convicted of [type of offence]; do not write about an individual convicted of offence**s** (i.e., the plural) unless a person has been convicted of more than one offence.

3.1 Language that can be offensive, damaging, unhelpful and othering.

- Any term that conflates the person with the act (e.g., *rapist* or *murderer*) should be avoided.
- Simplified labels obscure the truth. For example, there are a range of sexual offences that are obscured by terms such as 'paedophile'; it is also often the case that these terms are used inaccurately. In this instance, paedophilia is a diagnosis of someone having an enduring sexual attraction to children; this does *not* however mean they have acted or will act on this unchosen attraction, and thus it does not indicate that they have committed a sexual offence (WHO, 2018, section 6D32p).
- Any language that aligns the current identity of a person with their historical actions should also be avoided, such as *offender*, *perpetrator*, *ex-offender*, or *ex-prisoner.*
- Avoid terms that suggest a homogeneous group that is defined and stigmatised on the basis of criminal behaviour that may have taken place once or infrequently, or many years in the past (e.g., *sex offender* or *murderer*).
- Terms that are derogatory or contain negative value judgments or have superfluous overtones should not be used. Such terms include: *inmate*, *convict*, *felon*, *nonce*, *in denial*, *deviant*, *delinquent*, and *criminal*.

3.2 Avoid Othering

Language should avoid the implication that people with a conviction are somehow different from 'normal' society. Inclusive language and attitudes include:

- Recognising that people with a criminal conviction and those in prison are part of society, not separate or separated from it;
- Recognising that people with a criminal conviction (whether in prison or the community) can and do make a positive contribution to society;
- Only differentiating between convictions where relevant – e.g., sexual/non-sexual, spent/unspent convictions (for more on this, see Unlock's website);
- Avoiding mentioning a person's conviction when this is not appropriate or relevant;
- Respecting the subjectivity or positionality of the person. For example, some people may regard prison as home. Respect the reality of imprisonment/punishment for that person rather than trying to sanitise it.

3.3 Avoid Doing to / Managing

- People are not cases to be managed or problems to be treated; they are individuals with goals and personal agency; that is, the ability to initiate and carry out actions to achieve goals in one's life.
- Do not undermine people's agency by describing them as passive objects rather than active participants. For example, using terms such as 'educating prisoners', rather than 'prisoners' learning'.
- Organisations may aim at 'rehabilitation' in general, but individuals themselves are not 'rehabilitated' or 'reformed'.

3.4 Don't be Possessive or Judgmental

Avoid using language which establishes a structural position over people when working with them. For example, avoid 'our service users' or 'beneficiaries'. Also avoid projecting values and making assumptions. For example, the assumption that people in prison are dangerous and continue to be so on release. Around one in five adults in the UK has a criminal conviction and, clearly, they are not identifiable visually, so please be aware of the damaging effect that words may have on people. This includes avoiding sweeping statements about news events or crimes which are not based on evidence and being cognisant of the effects that such declarations can have on people.

4. Concluding statement

It is important to see people with criminal convictions as contributing members of the community and society, not as problems, as dangerous, as liars or as unreliable. People with convictions are not a homogeneous group and should not be treated as such. Society is formed, at least in part, by our attitudes and behaviours. If we want people to be part of society, then we must help to create that space for them through our words and actions.

When we are not called mad dogs, animals, predators, offenders, and other derogatory terms, we are referred to as inmates, convicts, prisoners, and felons— all terms devoid of humanness which identify us as "things" rather than as people. These terms are accepted as the "official" language of the media, law enforcement, prison industrial complex, and public policy agencies. However, they are no longer acceptable for us. …We are asking everyone to stop using these negative terms and to simply refer to us as PEOPLE. PEOPLE currently or formerly incarcerated, PEOPLE on parole, PEOPLE recently released from prison, PEOPLE in prison, PEOPLE with criminal convictions, but PEOPLE.

–Eddie Ellis (2020), *An Open Letter to Our Friends on the Question of Language*

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