

## Penal Reform and Comparative Research: The Case of Offender Supervision

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Criminologists, punishment scholars and penal reformers/abolitionists all tend to focus their attention and energy on the institution of the prison. Clearly, there is plenty to be concerned about both in terms of the overuse of imprisonment and the often brutalizing conditions in which people are contained. However, a few US researchers and reformers have recently begun to pay belated attention to the emergence of ‘mass probation’ or ‘mass penal control’ alongside ‘mass incarceration’ (see, for example, Phelps, 2013) -- especially as ethnographic work (e.g., Goffman, 2014) suggests such widespread supervision can have substantial impacts both on individuals and entire communities.

On the other side of the Atlantic, one of us (McNeill) is the chair of a European Union-funded research network on Offender Supervision in Europe ([www.offendersupervision.eu](http://www.offendersupervision.eu)). The network was established in 2012 to examine and explore what we term ‘mass supervision’ (McNeill, 2013; McNeill and Beyens, 2013). The network is now midway through its four-year program of activities, firstly examining and analyzing what we know about supervision in Europe, then developing new conceptual frameworks and methods for studying supervision.

Although the primary objectives of the network are scientific, one of our key aspirations is to engage constructively and critically with those political, policy and practice communities grappling with delivering justice efficiently and effectively in fiscally straitened times, and with the challenges of communicating the meaning, legitimacy and utility of supervision to an insecure public.

Lately, these policy and public facing aspects of our work have been preoccupying some of us in the network. Even if reforming the use of prisons and prison conditions is difficult, at least that challenging project starts from a position of some sort of public understanding of what a prison is. To be sure, public understanding of imprisonment may be faulty in key respects – and is more likely to be informed by media and/or cultural representations than by academic research. But at least people have seen ‘The Shawshank Redemption’ or ‘Orange is the New Black’ and therefore it is possible to start a conversation about representation and misrepresentation, and thus about what prisons are, and what they are for.

For scholars of probation, parole or community corrections, even that baseline understanding is largely absent. There are precious few films, TV series or books that provide cultural representations of supervision; or at least there are few that have reached the same sorts of audience as works in the prison genre. As a consequence, scholars and reformers of supervision are in the difficult position of trying to stimulate serious public deliberation about a set of institutions and practices that are, in effect, culturally invisible.

The importance of that cultural invisibility is hinted at in a research project by the other author of this piece (Maruna). In a paper reviewing evidence about public support for probation, Maruna and King (2008) argued that advocates for community supervision were wrong to think they can garner greater support by toughening up the rhetoric and practice of community sanctions. No matter how intensive, community supervision will

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never be able to compete with the high walls and razor wire of prisons in terms of sheer punitive bite. Instead, their research on public opinion suggested that other narratives might have greater purchase. In particular they presented findings around the popularity of public narratives around ‘redemption’ and ‘second chances,’ and showed that belief in ‘redeemability’ is associated with support for community sanctions (and opposition to mass incarceration). They argue that advocates of community sanctions, therefore, would do well to highlight their redemptive or reparative potential -- an approach later taken up (at least in part) by the Scottish Prisons Commission (2008) partially in response to this research. The cultural invisibility of supervision, therefore, is important partly because it constrains the capacity of reformers to tap into and mobilise these cultural tropes – and to engage effectively with the inescapably emotive and expressive aspects of punishment (and therefore of penal reform).

Comparative research has particular salience here. Seeing how punishment (and supervision) is done in other places tends to provoke questions about how it is done ‘here’. The Scottish Cabinet Secretary for Justice, for example, in advancing the case for reducing the use of imprisonment in favor of reparative forms of community sentencing, is fond of posing the question of why the Scots incarcerate their fellows at nearly twice the rate of their Irish or Norwegian cousins.

For scholars of supervision however, there is a further problem. While there may be consensus amongst us that our justice systems imprison too much, we are also deeply concerned about the expansion of supervision itself – and our review suggests we know far too little (in Europe) about how supervision is experienced, how decisions about supervision are made, and about how practices of supervision are constructed and governed (see, for example: <http://www.offendersupervision.eu/blog-post/probation-myths-realities-and-challenges>). We also know surprisingly little about its impacts – both on imprisonment rates (but see Phelps, 2013) and on the people subject to it (but see Durnescu, 2011). ‘Buying into’ supervision as a means of penal reduction is, as the Scots would say, ‘a pig in a poke’ (i.e. we don’t really know what we are buying).

So, perhaps the biggest contribution that an international research network on supervision can make to penal reform is to tackle supervision’s invisibility. We might conceive of that as a purely academic project, writing books and articles and hoping that they reach a wide audience and provide a richer academic representation of supervision. Certainly this is part of what we intend to do; after all, it is what we as academics are best placed to do.

However, we are also inclined to stimulate and work with and through other forms of cultural representation too. For example, in just one of our evolving projects, entitled ‘Supervisable’, academics and artists will work with supervisees to depict in photographs what supervision means to them, and to curate those images. We hope that this work – alongside other forms of representation – will form part of an exhibition that will accompany our network’s final conference in Brussels in March 2016.

Though small in scale, this sort of project – particularly in representing (we expect) a wide range of different experiences in different jurisdictions – might be the beginning of a much larger program of work that combines serious scientific work with cultural engagement in pursuit of progressive penal reform. From previous projects and parallel projects with which we have been involved, both together and separately, we remain

convinced of the importance and the potency of this mix. Science, art and reform needs to travel together.

**Note:** Fergus McNeill's co-edited text (with Kristel Beyens) on 'Offender Supervision in Europe' will be featured in a launch/reception at the American Criminology Conference this year. If you'd like to meet Fergus and discuss the network, please come to the reception at the Palgrave stand, which is booth #10, between 3 and 4pm on Friday 21<sup>st</sup> November.

## References

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