

Offender Supervision in Europe

COST Action IS1106



PRESS RELEASE

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LEADING ACADEMICS CALL FOR NEW APPROACH TO PUNISHMENT

A network of over 60 leading researchers from across 23 countries has highlighted the emergence of ‘mass supervision’ in European criminal justice systems. Rather than providing a less expensive and more effective approach to punishment, in most countries supervision has grown *at the same time as* imprisonment, creating more expansive and more expensive penal systems which penetrate more deeply into the lives of increasing numbers of people.

The network (COST Action IS1106 Offender Supervision in Europe, see www.offendersupervision.eu) has spent four years reviewing existing research and developing 6 pilot studies exploring different aspects of offender supervision, whether imposed in lieu of a sentence, as a sentence or after a custodial sentence.

The Vice-Chair of the network, Professor Kristel Beyens, of the Free University of Brussels said,

“We now know that expansion and diversification of supervision across Europe is not, in general, impacting significantly on prison populations. We also have emerging evidence from our own work that, contrary to common public perceptions, supervision is a painful experience, even when it is experienced as fair and helpful. The net of penal control is expanding and drawing more people in -- and we urgently need to address and arrest that expansion.”

The researchers have called for European countries to apply two core principles to the development of their justice systems:

1. Decisions about imposing and revoking supervision (like decisions about imprisonment) must be bound by proportionality. No one should be subject to more demanding or intrusive supervision than their offending deserves.
2. Supervision must be delivered in ways that actively minimize unintended and unnecessary pains both for those subject to supervision and for others affected by it (for example, family members).

The researchers also found that some social groups (e.g. people with mental health problems, foreign nationals, etc.) are commonly excluded from supervisory sanctions and measures and thus accelerated through the criminal justice system and into custodial sanctions and measures. They argue therefore supervision need to be made

more accessible to these marginalized and vulnerable groups in appropriately targeted cases.

The pilot studies suggest that work to ensure people comply with supervision needs to be done in ways that are true to the spirit of the law and the intent of the sanction or measure and not just to its formal requirements. Efforts to improve the practice of offender supervision must attend carefully to fairness and helpfulness. There is now strong evidence these two qualities support engagement, minimize pains and help to secure positive outcomes in terms of citizens' integration and inclusion and help to reduce reoffending.

The network of researchers, noting the relative neglect of the topic in the social sciences to date, have called for more new research funding to move beyond pilot studies and seriously examine how supervision is experienced by those that it directly affects (not just 'offenders' but also families, communities and victims), on how key decisions about supervision are made and with what impacts, and on how practice is shaped and structured and how it can be best reformed.

Professor Fergus McNeill of the University of Glasgow (UK), Chair of the Action, concluded:

“We have spent four years studying a rarely examined aspect of criminal justice systems where fundamental relationships between the state, civil society and citizens are tested. These institutions, cultures and practices are mirrors into which we must look, even if we don't always like what we see. Working across 23 countries has forced us to examine our own justice systems and to see the possibilities for positive change more clearly”.

Notes

1. **England and Wales:** Ministry of Justice (2014) figures show that in March 2014 in England and Wales, 218,671 people were under probation service supervision; the prison population that month averaged 84,443¹. Following more recent reforms, this number is expected to increase by at least 45,000 due to the extension of post-release supervision to those completing a prison sentence of under 12 months².

2. **Scotland:** In the mid-1970s, less than 3,000 probation orders were imposed in Scotland. By contrast, in 2013-14, 20,363 new community sentences were commenced alongside a further 1,025 new cases of mandatory post-release supervision. In addition, a further 2,489 people began some form of 'voluntary throughcare' (most of these being short-sentence prisoners not subject to mandatory post-release supervision)³. In the same period, the average daily prison population was 7,851⁴.

3. The **final report of the Action** is published today, having been previewed at an international conference at the Free University of Brussels on 11-12th March 2016 attended by researchers, policymakers and probation leaders from across the

¹ See: <https://www.gov.uk/government/statistics/prison-population-figures-2014>, accessed 21st September 2015.

² See:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/305741/offender-management-statistics-october-december-2013.pdf, accessed 24th October 2015.

³ See: <http://www.gov.scot/Resource/0047/00474323.pdf>, accessed 21st September, 2015.

⁴ See: <https://www.holyrood.com/articles/news/scotlands-prison-population-seven-year-low>, accessed 21st September, 2015.

continent. The conference also featured an exhibition of photographs (and curated by the artist Carolyn Kardia), and a performance (by Louis Abbott of the Scottish band, Admiral Fallow) of songs inspired by these images. Both the photographs and the songs have been produced through workshops involving people with experience of being supervised, of practising supervision and of studying supervision.

Further information

Access the final report here:

<http://www.offendersupervision.eu/wp-content/uploads/2016/03/Final-Report.pdf>

Access information about the conference here:

<http://www.offendersupervision.eu/wp-content/uploads/2016/02/OSE-Brussels-Conference-Programme.pdf>

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