



Supervisable

Experiencing probation and supervision in Germany

Howard League for Penal Reform

Key points

- The emergence of mass supervision (McNeill 2013) has largely escaped the attention of legal scholars and social scientists who are more concerned with mass incarceration reflected in prison growth or, as in Germany, the growing influence of custodial incapacitation measures, such as preventive detention after a prison term.
- Post imprisonment supervision has developed rapidly across Europe (McNeill 2013). In Germany, the extension of the measure 'supervision of conduct' has led to an increasing number of people being supervised by probation officers for years after release from prison.
- Statistics may highlight the scale and scope of supervision. They do not provide an insight into the supervisee's lived experience.

Supervision under community sentences has too often been perceived as at least better than prison (cf. discussion Graebisch and Burkhardt, 2014). What supervision means for those subjected to it was often overlooked.

- The views and narratives of those subject to supervision have largely been unheard. This has resulted in an incomplete understanding of the 'dynamics' of the supervision process which are just as much about how it is perceived by those experiencing it as by those who supervise it.
- Supervisable uses [photo voice](#)/photo-elicitation methodology to understand the views of those under community supervision. It aims to make community supervision more visible and relevant to public debate on probation and the supervision of conduct.

Introduction

Supervisable arose out of a meeting of the COST (European Cooperation in Science and Technology) Offender Supervision in Europe Group where it was felt that photovoice could be an effective tool to explore the experience of supervision from the participants' perspective. It would also serve to enrich and empower participants in a creative research project.

In Germany the number of people under 'supervision of conduct' (Führungsaufsicht) steadily increased from 24,818 in 2008 to 36,706 in 2014. The number of people instructed to stay in contact with a probation officer rose from 27,401 in 1963 to 182,715 in 2011 for the Western Federal States of Germany. There is little statistical data regarding the 'new' Federal States of Germany added after the reunification completed in 1990. Thus many of those under supervision remain invisible in the statistics. While the number of prisoners has declined since 2007, this is not due to an increase in the numbers sentenced to community sanctions as the fall has been largely balanced by the number of (open-ended) confinements in forensic psychiatric hospitals.

People experiencing supervision often have had negative experiences of education and have limited literacy skills (for the German experience see Tjetjmers and Henning, 2016) which can inhibit confidence and their ability to verbally articulate experiences and feelings. It is also likely that they have negative experiences of being interviewed either as research participants or under criminal investigation. Creative interventions can enable participants to increase their self-esteem and self-confidence as well as develop new skills with which to communicate and share their emotions and experiences with others.

The aim of this research is to engage with politicians, policy makers, practitioners and the public to communicate the meaning, use and effectiveness of community supervision.

Methodology

Photovoice is an established method developed initially by researchers working in health promotion. By using photographs taken and selected by participants, they are able to reflect upon and explore the reasons, emotions and experiences that have guided their choice of images. This visual approach is a potentially powerful research tool using an innovative and

engaging technique to examine community supervision as it is experienced. Supervisable aims to begin to bridge the gap in academic knowledge of how supervision is experienced and understood by those subject to it.

In Germany, people under community supervision in three sites (a halfway house, a resettlement and legal advice centre and an open prison) were invited to take a series of photographs focussing on the impact of community supervision, select specific ones and discuss their choices and motives with the researchers and fellow participants. Participants' focus group discussions about the photographs were transcribed and then analysed to draw out common themes and issues.¹

Experiences on supervision



Dennis² : *'With this construction site I only wanted to show that it is somehow work every day..., isn't it? This staying straight and not always be in the wrong ... make the wrong steps. That's the way I perceive it ..., isn't it?'*

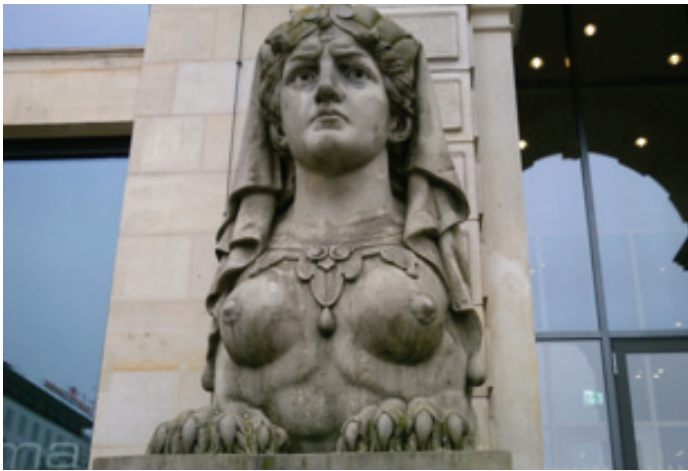


Dennis : *And it is somehow a way out, also... If one accepts the help it can also be a way out of the current situation in which one possibly is. Somehow again, you can also get help... What the [German] word 'Bewährungshilfe' [meaning probation] also implies, not just negative things, but it can also be, a real help...*

1 Most of the verbal contributions were in German, thus the interpretations given by the participants/co-researchers are translated. This is difficult especially with recorded speaking and everyday language. We have attempted not to change the character of what was said to make it easier for English readers e.g. *isn't*? it is used throughout to indicate where participants' are seeking affirmation of their ideas. However, a process like this is not possible without losing and unintentionally changing parts of the content and authenticity.

2 We asked the participants to choose an artist's name they wanted us to use. Some participants just chose to be known by a single letter eg K.

Ahm, in my case there have been situations in which I simply did not know how to go on and where a suicide attempt followed and so, and I have received the chance to find a way out by them [the probation service], to simply find a way out of a severe crises.



K: Well, this is, if you are under probation and things like that, then you often feel laid bare.

Sometimes like being caught or whatever. [...]

E: Strong claws you must have to pull through.

K: Yes, this is to be steadfast ... that there is no way around that one has to remain steadfast. Must.



E: This can happen that help has expired. Now one has to look... Service durability over. This is why we must not make problems. Otherwise it may not help.

Sascha: Otherwise one is only vegetating away.

Caroline: Do you feel now that the help is gone?

E: Consumed. Yees, as much help as could get for me. Thanks God got help from two good ... three people with my offending. And the rest of them I can smoke in a pipe.



K: Well, this is like the life, ok? And the heart over there, where this is, this practically symbolises our love. So first chaos and then like our love had smoothed this a bit. Yes and down there we have been. Down where the white is, is where we are.

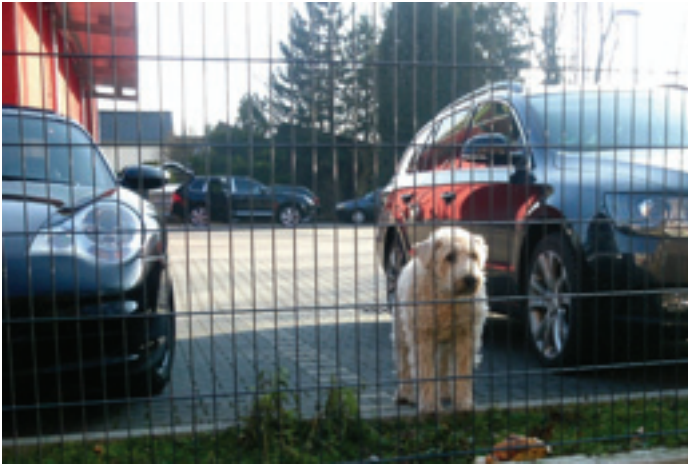
E: Searching for a way out.



Vivaldi: I have these shoes there just as a symbol, as a circle, meaning one currently goes round in circles. ... Well, because I feel like... not because of the [halfway] house or whatever, but in society and ... Currently walking around in circles.



Stephan: Yes, this photo is for example – walking head down, isn't it ... After prison. I didn't like myself anymore. Yes, I also lost self-confidence. What I see most are my feet.



Stephan: *This is me, isn't it? ... Behind bars. Outside, but still ... Well, everybody is able to control my life for five years more.*

And this is his situation as well, isn't it? ... But he [the dog] will be controlled for his whole life, where he is allowed to go to and where not. ...

And for [the probation officer] it is important that I am working. This means, this is again this stabilising factor. He then called me, completely startled, what I had done, what had happened there, why I didn't get a job.

All I could say then was: 'No work, no employment.'

He didn't ask me how I felt in this moment without work. All he was concerned about was that when [it] all goes wrong for me that I could ricochet. [...] So another stabilising factor has disappeared, right? ...

Each time I see my probation officer – they have these predefined questionnaires, these ones they use. [...] And I am, for instance, I am in the drawer [figurative for: category] "without social contacts", "without work"



Stephan: *Yes. I always have these aspirations. I would like to have such a spaceship – that will take me into outer space to a planet where I could start again.*

To return to the pedestrian right of way road sign (see cover image), was your interpretation the same as the photographer's? For Vivaldi it was taken ... *because when you're out of prison you are still directed and, ah, you are not allowed to decide on your own and so on. As if you were not allowed to have your own opinion, not your own thoughts, but just ... I would say, this lady – it is Justice.*

Conclusion

The photographs and quotations from the discussions demonstrate the effectiveness and the powerful nature of this method in terms of communicating research findings.

This pilot study using photovoice provides important insights on how supervision is perceived by its recipients. The professional perspective and intentions may often focus on help and support even though it's within a context of enforcement, yet for the participants of our study these were just two themes among others:

- Hopelessness and depression
- Waiting and lost time
- Limited freedom, control and permanent presence
- Barriers
- Rubbish and shit
- Trust and mistrust
- Regeneration, hope, new life, searching and aspiration
- Stigmatisation, social decline, reduced citizenship, access to the law and infantilisation
- Trauma

The study showed participants' wanted help with their immediate needs but they also disclosed their often unreachable aspirations. They were aware that they could not, or perhaps were not expected to, do it all themselves, thereby recognising the role of the probation service. They expressed their view that the support was not unconditional, that it was precarious and could be taken away if they did not behave appropriately. Participants also suggested that the supposedly helping hand of probation staff was infantilising guardianship and it was experienced as similar to incapacitation. Finally it was clear that the participants were sensitive about being stigmatised.

The study also revealed how supervisees were aware of a 'tick-box-approach' used by the probation service. Discussions suggested that it led to them close up and deny the trust that is an essential precondition for supporting improvement in their social situation but also for a process of desistance and risk analysis.

While the results of the study are necessarily preliminary, conclusions can be drawn with respect of the usefulness of photo-based methodology. The aspects that have been raised could of course have emerged without the use of any photo technique as well. But the use of the photovoice very quickly created an atmosphere that allowed the participants to go straight to the point – to the point they wanted to make. It gave them some time to think about the subject before the discussion in a playful as well as creative way. The photographs bridged the gap between researchers and the participants who were regarded as co-researchers. While the use of interviews in research with people under community supervision may be too similar to an interrogation or at least the meeting with the probation officer, photo techniques can make a difference. They may tease out creativity and can facilitate empowerment.

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About the Howard League for Penal Reform

The Howard League is a national charity working for less crime, safer communities and fewer people in prison.

We campaign, research and take legal action on a wide range of issues. We work with parliament, the media, criminal justice professionals, students and members of the public, influencing debate and forcing through meaningful change.

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