

Enhanced supervision or surveillance? The use of CCTV in approved premises

Bernie Heath is concerned about the wholesale introduction of CCTV in probation hostels and the implications for high-risk offenders.

Increasing use is being made of CCTV within the 101 'approved premises' (probation hostels) in England and Wales. These hostels provide approximately 2,200 beds for adult offenders. Staffed 24 hours a day, they arguably represent the most intrusive, yet potentially the most constructive, intervention within the Probation Service's responsibilities. The purpose of hostels has historically been concerned with reform and rehabilitation but their function today is arguably more concerned with control with the boundaries between liberty and custody becoming increasingly blurred.

The explanation for this shift in emphasis is that the resident profile has changed in recent years largely as a result of the scarcity of suitable accommodation for released high-risk offenders. Figures demonstrate that the percentage of sex offenders alone has doubled between 1998 and 2004 and that 50% of residents are now on prison licence as opposed to community orders (Foster 2004). The capacity of hostels to manage difficult, damaged and potentially dangerous offenders has increasingly been recognised and this valuable resource has now been explicitly earmarked for those offenders representing a high or very high-risk with the core purpose of hostels described as "the provision of enhanced supervision as a contribution to the management of offenders who pose a significant risk of harm to the public" (National Probation Service 2005). Predictably therefore, the notion of enhanced supervision within hostels is concerned not only with constructive interventions that aim to rehabilitate but also punitive and restrictive measures concerned with control of offenders and protection of the public. In addition to standard rules such measures may include extended curfews, regular 'signing in', drug testing, electronic tagging, and the checking and recording of incoming post. Hostels are therefore becoming softer forms of prison whereby offenders lead a marked monitored existence – a change in emphasis that reflects Garland's (2001) notion of 'penal marking' with punishment continuing into the community.

Increased monitoring and surveillance is an essential part of restrictive measures but it is also about public reassurance. Consequently there has been a steady increase in CCTV cameras, initially funded by individual hostels and located around exits and entrances, to support security and aid verification of curfew arrangements. Whilst there

is legitimacy in the use of such measures, recent years have seen the expansion of extensive CCTV coverage into the semi-private space of all 101 hostels. These are being funded centrally, with the number of cameras ranging between 30 and 40 depending on the size of the building. Although individual bedrooms and bathrooms are excluded, all other areas (including corridors between bedrooms and bathrooms) are under constant surveillance with staff able to routinely observe residents via monitors usually positioned within their office. The extent of its usage is undoubtedly intrusive but nevertheless it has been introduced and accepted by staff, residents and unions with no obvious concerns raised in relation to human rights, its potential benefits or unintended consequences. It is also extraordinary that in an organisation that is concerned with evidence-based practice the use of such costly technology across the whole hostel estate is not subject to evaluation.

The use of CCTV within a confined space naturally bears comparison with Bentham's nineteenth century design of the panopticon prison which enabled covert observation of prisoners who were conscious of that surveillance. Foucault (1977) cited in Norris (1999:91) suggests such surveillance is corrective as not only does it enable a fast response to misdemeanours but it also facilitates individual self-control through 'anticipatory conformity'. In the case of hostels, such conformity is likely to be greater when misdemeanours can be proved on camera and used as evidence for breach and recall to prison.

As part of a planned piece of research, I made preliminary enquiries with a small number of hostel staff who indicated that a calmer atmosphere is evident, they feel safer since the introduction of whole scale CCTV, and there is less conflict and damage within the building. This feeling of safety and security was mirrored by a few offenders I spoke with – although the similarity to the Big Brother House was acknowledged – the difference being 'there are no winners and you can be voted out by the staff'. Other seemingly beneficial aspects of CCTV have been the ability to monitor the administration of medicines, prove an offender's presence or absence within the hostel, offer details as to what they were wearing or who they were with and thus include/exclude them from police enquiries – a significant change in role for probation staff.

CCTV does however have unintended consequences, one of which is that the 'watchers'

also become the watched and it is understandable that in the current blame culture it is used as part of an investigation into deaths or serious incidents to confirm that staff did all they could to avoid tragedy, or, on the other hand, could have done more. Its usage can be further extended to pick up staff misdemeanours, confirm the accuracy of timesheets and verify routine checking of the building and residents.

My initial enquiries indicate that few offenders anticipate or are warned of the extent of surveillance before their admission, and it may be the case that some offenders, uncomfortable with the gaze of the camera, may prefer to remain out of view and spend the majority of their time within their rooms. Alternatively they may want to be less conformist and spend their time outside the hostel environment. Individual responses to intensive CCTV surveillance therefore warrant further research and analysis.

Hudson (2001) has argued that our current 'risk society' tolerates threats to justice and rights and suggests that any new criminal justice interventions should be subject to a 'rights audit' whereby proportionality and fairness are considered. However, the concept of proportionality for certain categories of people has been eroded in the name of public protection, and the hostel population, now designated as 'posing a significant risk of harm to the public' would appear to have had their right to privacy diminished with apparently few misgivings. Currently the use of CCTV is not subject to legislation and is therefore regulated by good practice codes of individual agencies and the Data Protection Act which does not view privacy as a fundamental right but one that has to be balanced against other interests. Hudson warns against the steady erosion of rights, and counsels that the Probation Service, which is involved in the curtailment of rights, should question 'which rights of which parties are brought into question' or the extent to which their rights can be or should be diminished.

The role of hostels in managing dangerous individuals has now been repositioned which means that the restrictive aspects of enhanced supervision are prioritised over constructive measures. (Bridges 2007, Cherry & Cheston 2006.). CCTV is a useful tool but its main downfall is that it has the potential to discourage the active engagement of staff with offenders in favour of surveillance from a safe distance. Effective risk management relies on competent staff really getting to know offenders, building up trust and recognising and responding to behaviour that may trigger a harmful event, and this cannot be done from a distance. Hostels therefore relinquish rehabilitative and constructive measures which facilitate contact with high risk offenders at their peril, as regimes that are predominantly concerned with monitoring and surveillance cannot contribute to effective practice and public protection and can easily be undertaken by external contractors.

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