

HOME ALONE TWO

Crime, surveillance and tagging: the thin end of the white elephant

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Given the monumental failure of criminal justice policy in the United States it seems astonishing that anyone should travel west across the Atlantic for ideas. It is even more alarming when British Home Office officials not only do so but return enthused with a scheme that is largely discredited and currently subject to very considerable second thoughts. Yet this is exactly what has happened with 'tagging' - the electronic monitoring of offenders - which is due to reappear on the British scene.

The circumstances in which tags may be used are wide. The order may be made on its own, or in conjunction with another community-based penalty such as a Probation Order or a Community Service Order. All of which astonishes American experts and researchers who are watching, in some bewilderment, at the Home Office's apparent refusal to learn anything from the transatlantic experience. "An emphasis on targeting - and being aware of the limitations of the equipment - should be built in from the beginning" was the advice of Anne Schmidt, whose research over a six-year period provides the most objective picture of American experience. Professor Todd Clear, of the National Council on Crime and Delinquency, was more forthright. "Politicians here" he said "are saying 'How do we get out of this mess?' If we could start again from 1973 we would never do what we have done. It seems inconceivable that Britain is set to repeat exactly the same mistakes..."

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But memories are short. Tagging had a brief but inglorious start in Britain in 1990 when trials in Nottingham, London and North Tyneside were abandoned after six months as a costly failure. Then, the emphasis was on using it as a condition of bail, but the three Courts were only able to find 50 'suitable' offenders - of whom over half committed further offences or otherwise violated the bail conditions while tagged. Equipment failures were common and kept the press amused with

bizarre stories but serious consideration of the inherent limitations of any monitoring equipment was lost while the scheme was given a hasty burial.

Since then, Ministers and civil servants have become convinced that improved equipment has resolved the technical problems and that tags will be effective. Home Office Minister of State, David Maclean, said they were needed because "they punish offenders by restricting their liberty to come and go and they can reduce crime by requiring offenders to stay at home and away from trouble at certain times". He dismissed criticism as Luddite but as the £1.4 million pilot scheme nears the starting date it is noticeable that officials have become much more cautious.

Todd Clear has no doubts about what our expectations should be. "Given the continuing problems which occur with equipment" he says "tagging can probably tell you, about 90% of the time, whether an offender is at home. But not what he is doing there. And if he is not at home, it can't tell you where he is". The first point was the cause of some wry comment in a recent report from Florida. Tagging, it said, had taken drug dealers off the streets. But as most now seemed to be operating from home it was difficult to detect any clear advantage.

Lessons from the US

Two things should have been undertaken before Ministers decided to throw good money after bad but, as so often happens, the lure of the soundbite and the headline meant that decisions were made first and consideration came afterwards. The questions to be addressed, though, were fairly basic. What has been the experience over a decade of use in the USA? And, drawing on that experience, for whom is tagging most likely to be suitable and what can we realistically expect from any electronic monitoring scheme?

The main message is that electronic monitoring in the USA is a shambles. Its usage, which has always been proportionately small, has probably peaked and many expect it to decline. Schemes have certainly been closing, through being oversold or under used, or for financial reasons. There is no accurate national census but the most authoritative estimates are that there are currently around 600 separate schemes. They range from Sheriff schemes with only a handful of participants to state-wide home confinement operations with several hundred. Some have 24-hour monitoring and response arrangements; most do not. Over half have programmes that last six weeks or less, so most are very short-term

options that form part of a longer, community-based programme. And although 75,000 'tags' have been sold or leased the best estimates are that the daily population of the schemes peaked at around 40,000 and may now be nearer half that number.

Why? American research suggests that expansion was linked to four main factors - aggressive marketing by vendors

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who did not need to consider its impact on the criminal justice system as a whole; the promise to 'do something' about prison overcrowding, which offered politicians a possible solution to a difficult problem; a belief that it might be cost-neutral if offenders could be ordered to pay a rental fee for the equipment and what the researchers described as 'technofallacies' - a naive belief in the superiority of technology and completely unrealistic expectations of what it might achieve.

In fact, research by Joan Petersilia suggested that electronic monitoring had simply escalated costs without any public protection or other benefits which no doubt accounts for the fact that, probably, less than 1% of the supervised offender population are now tagged. As an example, Washington DC has 22,000 of its citizens on offender supervision programmes. At one stage, around 300 were electronically monitored. By February this year, that number had fallen to 58. The consistent advice from researchers and correctional staff in the USA is that electronic monitoring works only with a very narrow band of offenders - those with a settled address, no overcrowding, with no history of violence in the household ... **and those with a job**. Otherwise it is an expensive failure, which sucks resources from other parts of the criminal justice process (usually probation) and accelerates the path into prison.

Of course, the technology has improved since we last tried it. But the people, not surprisingly remain very much the same. There has been a complete failure - and it will be an expensive one - to learn from the lessons of the past. The thin end of the white elephant is, as a description of the pilot projects, no more muddled than the thinking which has brought electronic monitoring back on the agenda - and we shall pay the price.