

Whose EM is it, Anyway?

Mike Nellis

University of Strathclyde

The Proposition

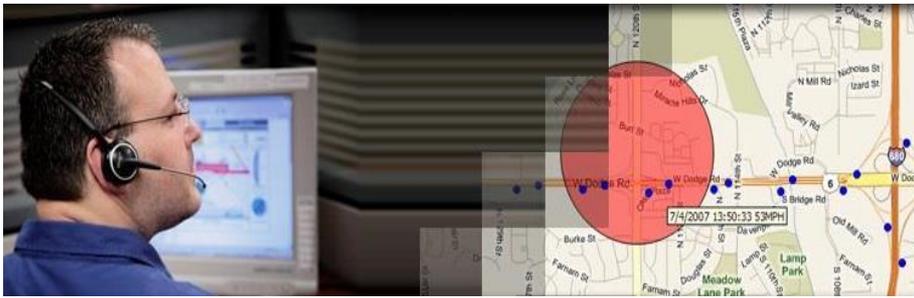
- That criminal justice/penal reform groups and professional bodies need to take a more active part in debate about the place of electronic monitoring technologies in broader penal strategies.
- The EM question is not going away.
- The Ministry of Justice gets away with bad policy on EM in part because of complacency , indifference and sometimes hostility from the reform sector.
- Only centre right think tanks attempt to set policy agenda around EM – not all bad – but tend to be overconfident about its contribution.
- There are some positive things to be said for EM.

Downgrading Probation

- “Some individuals do not meet with their probation officer face-to-face. Instead they are supervised by telephone calls every six weeks or so from junior professional staff carrying 200 cases or more. I find it inexplicable that, **under the banner of innovation**, these developments were allowed”.
- Dame Glenys Stacey, Chief Inspector of Probation, Annual Report 2017, p6

“New generation tagging contract boosts British economy”

- “New satellite technology that will help track the movements of offenders in the community is set to be delivered by two British businesses this is going to be done with world class British technology designed and built by the kind of business we want government to work with more ... All four [preferred bidders] faced-off strong international competition to deliver the contracts ... With Buddi forming part of today’s government announcement it sends an important message to the market - Government is serious about making our contracts accessible to Small and Medium Enterprises (SMEs) (Ministry of Justice Press Release 2013) - repeated by Chris Grayling to Parliament



Possibly this

Actually This



New World, Big Numbers

- “New World” = 75,000 on GPS per day by 2020, starting 2015.
- This was one of three Policy Exchange (2012) scenarios - 34,000; 75,000, 140,000 per day
- Ministry of Justice “took up” the middle option - or was it theirs to start with? – but never publicly said.
- It was unacceptable to contemplate such a vast increase in EM (or to dismiss RF as obsolete) without public debate or sentencer/ agency consultation – the MoJ does not “own” EM or “dicate” policy from above.
- Policy Exchange – false baseline of 25,000 on RF?

The End of the (New) World?

- New World was a fiasco - £60m spent from 2012, only £5million wasted, say MoJ (at PAC) it was a necessary leaning experience.
- Well no – we could have told them
- NAO has documented the design and implementation failure – but not political responsibility
- New World failed without any external criticism – so that's okay, penal reform groups need not engage
- + MoJ is being modest and sensible now....
- But that may not always be so

Who owns (Ideas About) EM?

- MoJ was being unacceptably secretive – that in itself should be exposed and challenged - but traded on complacency and indifference of penal reform groups.
- This cedes authority to centre right think tanks.
- EM is potentially so dangerous that shaping the form, scale and pace of its future development should not be left to the MoJ and the centre right – who see it in isolation from penal policy more generally (tho' they see the value of integrated practice) and – to date – want large scale use (for commercial reasons?)
- Reform sector should own EM for itself – think aloud, write it down – work with MoJ but don't defer to it.

Europe Does It Better

- Doesn't do everything right in respect of EM but probation services – and the CEP – have had a shaping/taming influence.
- ATTEMPT to use EM in integrated ways, to manage prison numbers, and to serve rehabilitative and reintegrative purposes.
- The Council of Europe ethical recommendation in February 2014 presumed EM was here to stay and could be regulated
- Anthea Hucklesby et als (2016) EU funded comparative research on EM policy and practice in 5 jurisdictions indicates enough satisfaction with EM to want to use it more in 4 of them.
- Recognition and respect for the evidence-base for EM
- Much to learn – but England and Wales must chart its own path – the reform sector should be informed by European experience
- NB – the EM industry anticipates more growth in Europe than the US over the next five years (from a Swedish business consultancy on the future of “telecommunications”)

Politics, Technology and The Left

- “The fourth industrial revolution” – more automation and AI is real - threatening middle class occupations – and will create a climate in which EM stays on the agenda and is pushed by the “EM industry”.
- Several strands of the left say embrace this, but shape the way it goes. Not easy ... but vital.



Today ... and Tomorrow?

- Not for me/us – not for today – to say what EM policy should be
- Task is to persuade you that you the reform sector must take a position on this – and better understand what other stakeholders want.
- The PI has made a welcome start.
- What that position/ those positions may be is for you at a later date.
- How to take this forward?

