



National Audit Office

The Electronic Monitoring of Adult Offenders

REPORT BY THE COMPTROLLER AND AUDITOR GENERAL | HC 800 Session 2005-2006 | 1 February 2006

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SUMMARY AND CONCLUSIONS



1 Electronic monitoring of a curfew has become an integral part of the criminal justice system, used at various stages of criminal cases: as a condition of bail; as a sentence of the court (Curfew Orders); and as a condition of early release from prison (the Home Detention Curfew scheme). Since electronically monitored curfews were rolled out throughout England and Wales their use has increased sharply, from 9,000 cases in 1999-00 to 53,000 in 2004-05. In 2004-05, the Home Office spent £102.3 million on the electronic monitoring of curfews. This report focuses on the two most common uses of electronic monitoring, Curfew Orders¹ for adults and Home Detention Curfew,² which account for nearly 80 per cent of electronic monitoring cases.³

2 The Home Detention Curfew scheme is a tool available to the Home Office to help manage the prison population; changes to the scheme could be made which would release additional prison spaces. The Home Office keeps the Home Detention Curfew scheme under regular review but, at the time of publication, no decisions have been made to make any changes to the scheme.

3 Electronic monitoring is used to monitor compliance with a curfew, requiring the curfewee to remain in their home for a specified number of hours a day.⁴ Typically, offenders are fitted with an electronic tag around their ankle which sends a regular signal to a receiver unit installed in their home. The equipment notifies the

monitoring agencies if the offender is not at home during their curfew hours. The National Offender Management Service⁵ (the Service) oversees the use of electronic monitoring. Private contractors provide and install the monitoring equipment, and are responsible for monitoring the curfewees.

4 This report examines the cost effectiveness of electronic monitoring and covers:

- Whether breaches of curfew are detected and dealt with promptly and effectively.
- The cost of electronic monitoring compared to custody and the costs of electronic monitoring to the wider criminal justice system.
- The impact of an electronically monitored curfew on the curfewee's offending behaviour.

5 Using curfew orders as a community penalty or as a means of early release of a convicted offender from prison can be more cost effective than custody, and may also help in the rehabilitation of offenders by keeping them with or allowing them to return to their family or other structured environment. A 90 day curfew period, for example, is around £5,300 cheaper than the same period of custody. On average, 90 days on Home Detention Curfew costs £1,300, and an Adult Curfew Order of the same length costs £1,400, compared to 90 days custody which costs

1 A Curfew Order is a community sentence imposed by the courts. The courts specify the hours of the day when an offender must remain at home. If the curfewee breaches their curfew they are returned to court for re-sentencing.

2 Home Detention Curfew allows selected short sentence prisoners to spend up to the last four and a half months of their custodial sentence in their community, subject to an electronically monitored curfew. It was introduced across England and Wales in January 1999.

3 The report does not cover Northern Ireland, which does not use electronic monitoring, or Scotland where electronic monitoring is the responsibility of the Scottish Executive. Paragraph 4.23 provides more details.

4 Home Detention Curfew lasts for at least 9 hours a day (although 12 hours is the most common period). Curfew Orders imposed by courts are for between 2 and 12 hours a day. For curfews which are a condition of bail, the number of hours is at the discretion of the judge or magistrate.

5 The National Offender Management Service brings together the work of the Prison and Probation Services in the criminal justice system. Established in 2004, the Service focuses on the end to end management of offenders and is responsible for interventions to reduce reoffending and reconviction and protect the public.

around £6,500. Maintaining public confidence in electronic tagging as a means of controlling or punishing offenders is heavily dependent on the effectiveness of those engaged in the process. For Home Detention Curfews, prison governors need to assess prisoners' suitability for release and do it in a timely manner. For all curfews, it is critical that contractors fit tags on time and monitor their operation carefully, acting promptly to notify where breaches arise so that appropriate action can be taken quickly. The Home Office needs to monitor contractors' performance pro-actively given the significant role they play in ensuring curfews are complied with in practice.

6 Our review suggests that if prison assessment processes were improved so that all prisoners assessed as suitable for Home Detention Curfew were released when eligible, the National Offender Management Service could save over £9 million a year. In addition, whilst it appears that curfews are monitored effectively and the equipment works, the processes of all the relevant criminal justice agencies need to be reviewed to ensure that there are minimal delays at the beginning and end of the process. Also given the vital part which contractors play in maintaining public confidence in curfews as an effective control or punishment, the Home Office should be more rigorous in the regular audits which it conducts with the contractor. Our findings are set out in more detail below.

Main conclusions of our report

The electronic monitoring of offenders provides overall value for money

7 Electronically monitored curfews are considerably cheaper than custody. Ninety days in custody costs nearly five times as much as 90 days on Home Detention Curfew or Adult Curfew Order. The new contracts for electronic monitoring, which came into force in April of 2005, are also cheaper than the previous ones, providing an average saving of £950 per person monitored. Electronic monitoring equipment and systems are robust and perform well in relation to what they are expected to achieve.

However, the effectiveness of electronic monitoring is potentially undermined by delays in fitting tags and delays in responding to breaches. The Home Detention Curfew system could also be made more efficient, resulting in a potential saving to the Home Office of £9 million.

Delays in fitting electronic tags and monitoring equipment could potentially undermine the effectiveness of the curfew

8 Under contracts put in place in April 2005, the two contractors (Securicor Justice Services Ltd and Premier Monitoring Services Ltd) are required to visit curfewees by midnight on the day the curfew starts in order to install the equipment.⁶ Our examination of 62 cases found that 97 per cent of visits by the contractors were completed within the contractual time limit although only 85 per cent of offenders were actually tagged on time. Delays were more common for Adult Curfew Order cases where only 81 per cent of our sample had tags fitted on time compared to 89 per cent for Home Detention Curfew cases. The National Offender Management Service is currently reviewing processes in this area in order to identify and rectify the cause of delays across the whole criminal justice system.

Our testing of the monitoring equipment suggests it is robust in recording curfew violations but the time taken by the criminal justice system to respond to breach notifications varies widely

9 Two members of our team wore tags for a week and recorded their movements for comparison with contractors' records. They also made attempts to tamper with the monitoring equipment including attempts to remove the tag. In both instances the equipment proved robust and withstood tampering although one absence was recorded when one team member took a bath. This exception is thought to have arisen due to the metal bath which was filled with water obstructing the signal to the receiving equipment.⁷

⁶ The exception is Curfew Orders, where the curfew starts on the day it was ordered by the court. In this case, the deadline is midnight on the second day of the curfew period.

⁷ Despite the equipment proving robust, there have been reported incidents which have raised questions about reliability. In two separate incidents, juvenile offenders Robert Clegg and Peter Williams committed murder whilst subject to an electronically monitored curfew as part of their Intensive Supervision and Surveillance Programme. We examined the contractors' records of these two cases and the Home Office's subsequent investigations. In both cases the equipment itself worked, although there were questions about the suitability of the offenders for an electronically monitored curfew and about how promptly the contractors and other agencies had responded to violations. We examine the promptness and suitability of responses to reported violations in more detail at page 18. The Probation Inspectorate also reported on the Peter Williams case in more detail: *Inquiry into the supervision of Peter Williams by Nottingham City Youth Offending Team*, HM Inspectorate of Probation.

10 Our case file reviews of 105 breaches showed that around 43 per cent occurred due to unauthorised absences, 13 per cent due to equipment being tampered with, 23 per cent due to the householder withdrawing consent to having monitoring equipment on their premises or the offender refusing to have a tag fitted, and 19 per cent for other reasons such as the offender being arrested for another offence. For our sample of cases, we found that contractors generally initiated breach action where appropriate.

11 The majority (65 per cent) of Home Detention Curfew breaches in our sample were reported to the Home Office within 24 hours of the breach but 22 per cent took between 24 hours and three days, and 13 per cent over three days. Delays can increase the risk that an offender absconds and potentially increases the risk to the public. Our analysis of 40 Home Detection Curfew breach cases at the Home Office indicated that around 55 per cent of the offenders were returned to prison within seven days of the breach being reported but in over a quarter of cases, return to prison took between 8 days and two months, and for 10 per cent of the cases between 2 months and a year, because it took time for the police to find and arrest the offender. In three of the 40 cases the offender was not yet in prison at the time of our work.

12 When an offender breaches the conditions of an Adult Curfew Order, the courts determine what action should be taken. Contractors are generally required to notify the courts within five working days (three days if further enquiries into the breach are not needed). In our review of 35 cases, 11 (31 per cent) met the 5 day requirement with the remainder exceeding it, with notification taking over two weeks in five cases.⁸ Once the contractor notifies the court of the breach, the court arranges a hearing date. However on occasions there are lengthy delays between the contractor notifying the court of a breach and the court making a hearing date available. Such delays between the date of the breach and the date of the court hearing are potentially damaging for two reasons. Firstly, the offender may not be electronically monitored during this period (for example, if the breach is caused by cutting off the tag), leading to a higher risk of further breaches and re-offending. Secondly, if it becomes known that there are often long delays between breach and being returned to court, this may create the impression that curfewees can breach their curfew with impunity. Her Majesty's Court Service has recognised

this problem and has introduced a national strategy (expedited enforcement) to reduce the time between the court hearing and breach trigger action. This strategy encompasses all criminal justice agencies responsible for the enforcement of community penalties.

Electronically monitored curfews may be having a positive impact on reducing reoffending but further research is required to establish this

13 The primary purpose of electronic tagging is to monitor a curfew and reduce the opportunities for offenders to commit further crimes during their sentence. We checked our sample of 103 offenders on curfew against the Police National Computer and found that 10 per cent of our sample of Home Detention Curfew cases had been reconvicted for an offence committed during the period of their curfew, as had 42 per cent on Adult Curfew Orders. Our analysis also showed that those who breached their curfew were more likely to have committed an offence whilst on tag than those who had complied with the curfew. The latest Home Office statistics on re-offending, published in December 2004, indicate that 51.2 per cent of offenders who completed a community penalty in 2001 were reconvicted of another offence within 24 months, and 58.2 per cent of those discharged from prison were reconvicted within 24 months. Using data from the Police National Computer we identified that 12 per cent of the offenders in our sample on Home Detention Curfew were reconvicted for offences committed either while on tag or within 24 months of the end of their curfew. This is considerably lower than the national reconviction rates for all those discharged from prison. (Our sample size is, however, small and should be treated with caution. The Home Office's figures suggest that the re-offending rate for offenders on Home Detention Curfew is 4 per cent.) Some of the difference between the reconviction rates could be explained by the assessment criteria for Home Detention Curfew release (those likely to re-offend are not released), - however this may not account for the whole difference. Therefore further research is needed in this area. In addition the rate of reconviction for those in our sample given Adult Curfew Orders was 48 per cent and hence slightly lower than the national reconviction rate for those completing community penalties. Again, whilst the difference we found is not statistically significant, further research is required to explore this potential relationship between Adult Curfew Orders and a reduction in re-offending.

⁸ Of the remainder, there was no breach report on the contractor's file in 10 cases, and the remaining nine cases took between 5 working days and 2 weeks.

14 For Home Detention Curfews in particular, release on curfew provides ex-prisoners with a structured return to normal life, providing the opportunity to find employment and to return to their family. Curfew Orders also provide offenders with an opportunity to break patterns of offending behaviour relating to, for example, excessive consumption of alcohol or shoplifting, by keeping them home at certain times of the day, and reduce their contact with others who may encourage criminal behaviour. Most offenders we spoke to were positive about their experience of being on a curfew citing that they could have slipped back into a criminal routine if they had not had the structure provided by an electronically monitored curfew. However, a minority were concerned that employers would not offer a job to someone wearing a tag, and others could only find work on night shifts which conflicted with their curfew period. A few offenders were also uncertain as to whether they could change their curfew hours to fit the times they were at work or to allow time to travel to and from work. Whilst most offenders reported that their relationships had improved or at least remained neutral it was noted that for a small percentage, wearing a tag can also create tensions in the household. Similarly some householders withdrew their consent to having an offender curfewed in their house, which may in some cases cause disruption to monitoring.

There are significant variations between prisons in the proportion of offenders recalled for breaching Home Detention Curfew which suggests the initial assessments made by prisons could be improved, bearing in mind the variety of reasons for breaches and different populations in different prisons

15 Our analysis of the proportion of prisoners released on Home Detention Curfew in 2004 and subsequently recalled, showed that recall rates were less than 10 per cent of offenders in 13 prisons, between 10 and 20 per cent in 41 prisons, and more than 20 per cent in 13 prisons. The prisons with the highest recall rates were either for female prisoners or young offender establishments whereas those with the lowest rate of recalls were generally open or other lower security establishments where prisoners may have been more thoroughly tested as to risk and reliability before the curfew was put in place.

16 Our review of the assessment process showed, however, that improvements could be made. For example we identified that in over a quarter of cases, prison staff responsible for monitoring the offender's behaviour in custody had not provided written comments on the assessment form. Probation staff responsible for conducting the home visits considered that they were not always able to assess the offender's family environment or to explain the implications of a curfew to other family members. Probation staff in Gwent had revised their procedures to improve the consistency of home visits to reduce the likelihood of the curfew failing due to withdrawal of consent by the householder.

Electronically monitored curfews are much cheaper than custody

17 Home Detention Curfew (during which the offender is electronically monitored) is considerably cheaper than custody. The magnitude of this saving depends on the length of time an offender is on electronically monitored curfew instead of remaining in custody. A 90 day curfew period, for example, is around £5,300 cheaper than the same period of custody. These savings reflect, in part, the cost reductions negotiated by the Home Office when it re-tendered the electronic monitoring contracts in 2005.

18 Further savings of £9.3 million a year could be achieved, however, if offenders who have been granted Home Detention Curfew were released on time. Home Office data indicate that only 59 per cent of offenders were released within two days of their eligibility date. Our interviews with staff suggested delays arise usually because the prison governor or, in contracted-out prisons, the Home Office controller, was waiting for information about the offender to complete the Home Detention Curfew assessment, including reports from external probation officers and other prisons and the offender's history of previous convictions, which should already be on a prisoner's files. However, where they are not, the prison needs access to the Police National Computer, which lists prior convictions. Only 43 out of the 113 prisons which release prisoners on Home Detention Curfew had this access meaning that the remainder had to rely on either the local police or another prison to supply this information. By encouraging courts, prisons and probation staff to share information more readily, the Home Office could streamline the assessment of prisoners to minimise the time they spend in custody when Home Detention Curfew is an appropriate alternative.





RECOMMENDATIONS

19 The National Offender Management Service should:

Improve the co-ordination between contractors and the criminal justice system by:

- a** Reviewing the existing processes that exist involving the National Offender Management Service, contractors and Her Majesty's Courts Service to ensure effective commencement and enforcement of curfews.
- b** Clarifying for prison governors, Home Office controllers, chief probation officers and the contractors who should authorise an offender's absence during a curfew period and when this is appropriate.
- c** Writing to the local Criminal Justice Boards and encouraging them to invite the contractors to attend their meetings. This already takes place in some areas but there is scope to extend this more widely.
- d** Routinely enforcing the 24 hour target set for the Recall and Release Section of the Home Office to send appeal papers to offenders who have been recalled to prison.

Monitor the performance of contractors by:

- e** Auditing a random selection of curfewee cases each month with reference to the full file, as well as auditing Key Performance Indicators, so as to establish more fully the extent to which the contractors have complied with the conditions of their contracts, and to assess the quality of service provided.

Improve the assessment process for Home Detention Curfew by:

- f** Requiring prison and probation staff to complete Home Detention Curfew assessments before a prisoner becomes eligible for release wherever possible. Local managers within the Prison and Probation Services should monitor progress on cases, and actively chase prisons and probation officers for the required information.
- g** Providing prison governors and Home Office controllers who are releasing offenders on Home Detention Curfew with ready access to prisoners' up to date criminal records. Options for achieving this include incorporating criminal records into the data held on the National Offender Management Information System, which is currently in development, or checking that this data is included on a prisoner's file on their reception into a prison, or providing access to the Police National Computer to all prisons.



- h Requiring prisons to undertake the criminal record check for an offender before the rest of the Home Detention Curfew assessment is carried out so that an early decision to refuse release can be made where the criminal record check reveals sufficient information.
- i Commissioning long-term research of curfewees to determine the impact that the curfew itself has on reconviction rates, and why some people are more likely to breach their conditions and commit further crimes. Some of this data could be used to inform curfew release decisions.
- j Providing prison governors and Home Office controllers with regular feedback on the reasons why offenders they released on Home Detention Curfew breached their curfew conditions, in order to better inform future decision making.
- k Requiring prison governors and Home Office controllers to meet their obligation to complete an assessment fully before deciding to release a prisoner on Home Detention Curfew.
- l Writing to Chief Probation Officers to remind them of their obligation during home visits to confirm that households understand what a curfew involves and whether they are likely to support the offender whilst tagged. One approach would be to encourage probation staff to adopt the checklist approach to home visits adopted by Gwent Probation Area.

PART ONE

Electronic Monitoring is a key part of the criminal justice system



1.1 Electronic monitoring is used to monitor a curfew for people on bail, offenders serving part of their sentence in the community, or, on occasion, to maintain contact with asylum seekers while their applications are being considered. Over 225,000 people in England and Wales have been subject to electronic monitoring since the scheme began in 1999 and over 10,900 were being monitored at the end of September 2005. The electronic monitoring equipment cannot stop someone breaking their curfew, but the equipment should notify the authorities of breaches so that appropriate action can be taken.

1.2 Electronic monitoring is mainly used to monitor offenders as part of their community punishment and this use has been the focus of our report.⁹ As **Figure 1 overleaf** shows, the most common uses of electronic monitoring are:

- **Home Detention Curfew.** Offenders sentenced to at least three months imprisonment are released between two weeks and 4.5 months early, on condition that they are subject to a curfew at their home address. Prisoners are only released if the prison governor (or in contracted-out prisons, the Home Office controller) is satisfied that they do not pose a risk to the public. Sex offenders and offenders serving sentences for certain other offences considered to be of particular concern to the public

are presumed unsuitable for Home Detention Curfew. Registerable sex offenders and those serving extended sentences for serious violent offences are statutorily excluded from Home Detention Curfew. The curfew must last for at least nine hours a day, but in practice almost all run for 12 hours overnight.

- **Adult Curfew Orders.** Courts can sentence offenders aged 16 or over to a curfew order, for up to six months.¹⁰ The court sets the days and hours when the curfew will operate, taking into account the times when the offender is most likely to offend, and times when they are at work, education or training. The curfew lasts a minimum of two and a maximum of 12 hours on the days when it is in operation.

1.3 The main benefits of Home Detention Curfew, as identified by the Home Office,¹¹ are:

- To provide order and structure in the lives of offenders, and in particular to aid the transition from prison to life in the community.
- To allow offenders to either work, or look for work, while keeping their families together.
- To reduce pressure on the prison population.

⁹ We have not examined the suitability of electronic monitoring for people on bail or for asylum seekers because numbers on these programmes are currently very small. Appendix 1 provides further details of our audit approach.

¹⁰ Until April 4th 2005, an Adult Curfew Order was a community penalty under the Criminal Justice Act 1991, consolidated in the Powers of Criminal Courts (Sentencing) Act 2000. From April 4th 2005, the Criminal Justice Act 2003 came into force, which brought in a new Community Order with a range of possible requirements, one of which is an electronically monitored curfew requirement. This requirement may be imposed along with a range of other requirements, such as unpaid work or drug rehabilitation.

¹¹ Home Secretary, House of Commons 20 November 1997, Hansard columns 453-454.

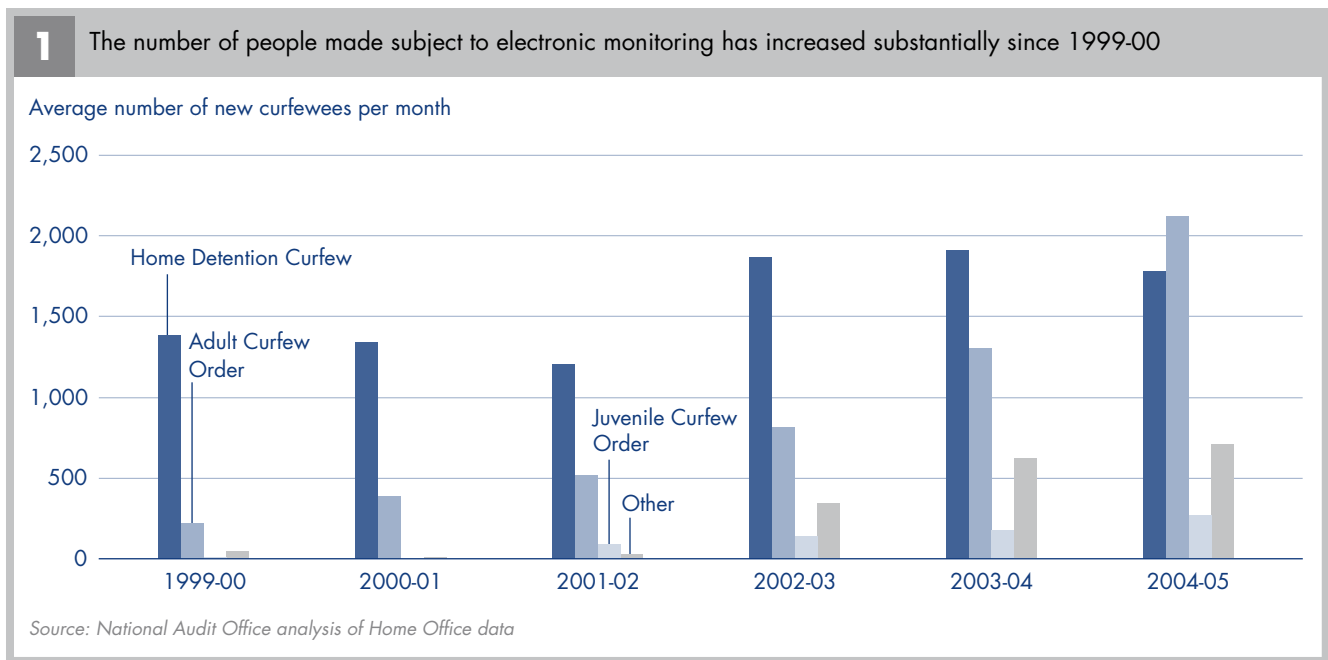
1.4 Following earlier pilots in bail cases the Home Office introduced electronic monitoring through the Criminal Justice Act 1991. Electronic monitoring was piloted under this legislation from 1995. The Crime and Disorder Act 1998 extended the use of tagging to monitor offenders on Home Detention Curfew, and the National Probation Service let contracts in late 1998 to three companies to supply and install the equipment, monitor offenders and to notify relevant authorities whenever any violations of the curfew occurred.¹² Electronic monitoring was then rolled out throughout England and Wales in January 1999 when the contracts began to operate. The Scottish Executive has also introduced electronic monitoring. The technology is not yet used in Northern Ireland. The main type of electronic monitoring involves fitting a tag around the ankle of an individual and installing a monitoring unit in their home. Details of the different types of electronic monitoring used by the Home Office are in Appendix 2.

1.5 The average number of new electronically monitored curfewees each month has increased from 1,600 in 1999-2000 to 4,900 in 2004-05 (see Figure 1). The main increase since 2003 has been in the number of offenders on an Adult Curfew Order with electronic monitoring where take up is now widespread across England and Wales. The number of offenders on Home Detention Curfew remained broadly the same between 2002 and 2004 when most prisoners eligible for release were being assessed.

1.6 Most offenders (67 per cent) on an Adult Curfew Order had been convicted of offences dealt with by magistrates (Figure 2). The offences included drink-driving, assault and breaches of a community sentence. By comparison, the offenders released early on Home Detention Curfew were likely to have committed crimes (72 per cent) which can require trial in front of a judge and jury. Such offences included burglary, motor vehicle theft and false imprisonment.

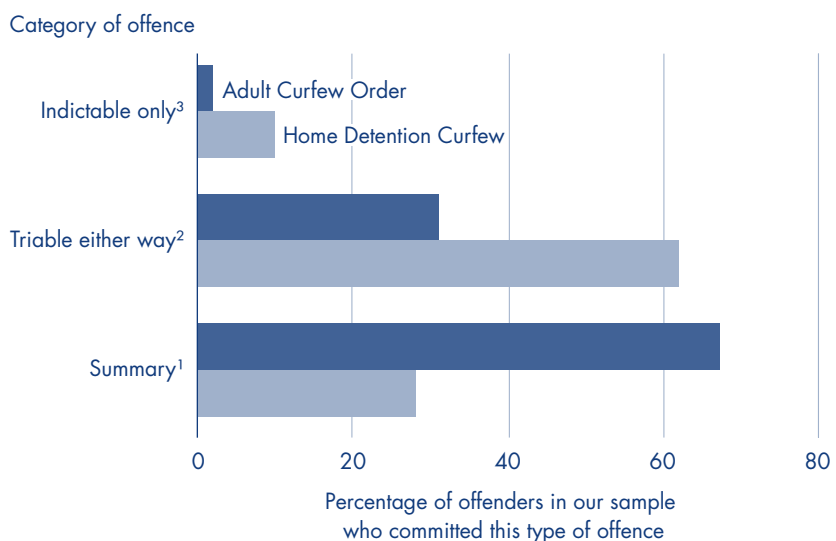
The contractors responsible for electronic monitoring liaise with a large number of criminal justice organisations

1.7 The contracts for electronic monitoring were re-tendered in 2005, and the Home Office appointed two companies, Securicor Justice Services Ltd and Premier Monitoring Services Ltd, to provide and install the equipment, monitor each subject's compliance with their curfew, and to report any breaches. The contractors provide progress reports and management information to an Electronic Monitoring Team within the National Offender Management Service and are responsible for co-ordinating their work with the Home Office, National Probation Service, HM Prison Service, contracted-out prisons, police and the courts (Figure 3).



¹² The three companies were Securicor Custodial Services Ltd (covering Northern England), Premier Monitoring Services Ltd (covering the Midlands, Wales, London and Eastern England), and General Security Services Corporation (GSSC) of Europe Ltd in Southern England. The contract with the latter was transferred to Reliance Monitoring Services Ltd, a former sub-contractor, when GSSC of Europe Ltd ran into financial difficulties.

2 Offenders on Home Detention Curfew are more likely to have committed an indictable offence than those on an Adult Curfew Order



NOTES

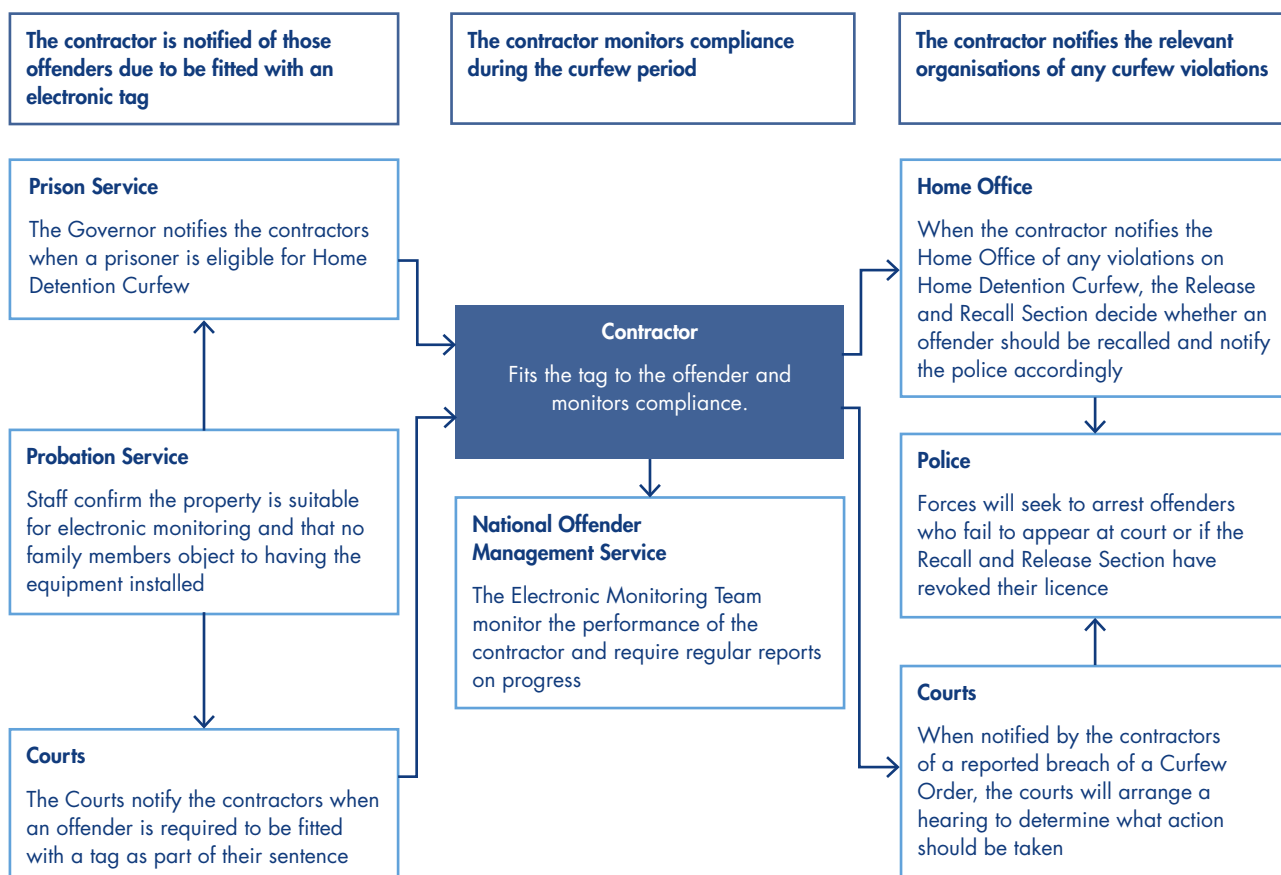
1 Summary offences are the least serious type of offence, and are only tried by magistrates, not by a judge and jury. They include offences such as driving while disqualified, drink driving, common assault and battery, road traffic offences, and breaches of community penalties or suspended sentences.

2 Offences triable either way may be tried either by magistrates or, if the magistrates' court or the defendant chooses, by a judge and jury. These include offences such as shoplifting, some less serious types of burglary, theft of a motor vehicle, dangerous driving, wounding or inflicting grievous bodily harm, and most drug offences.

3 Offences which are "indictable" are so serious that they can only be tried by a judge and jury. Indictable offences found in our sample include false imprisonment, robbery, and conspiracy to defraud.

Source: National Audit Office analysis of Police National Computer data

3 The contractors co-ordinate their electronic monitoring of offenders with a range of organisations



Source: National Audit Office

1.8 The contractors have to communicate regularly with other parts of the criminal justice system in order for electronically monitored curfews to work effectively. Offenders released on Home Detention Curfew must be tagged by midnight on the day of release from prison. For Adult Curfew Orders, the tag must be fitted by midnight on the first day of the curfew, unless the curfew starts on the same day it was made, in which case the offender must be tagged by midnight on the day of the second curfew period. Similarly, the Release and Recall Section of the Home Office¹³ must be notified within 24 hours¹⁴ if an offender appears to have breached their Home Detention Curfew. If an offender appears to have breached their Adult Curfew Order then the courts must be informed within three working days¹⁵ of any breach so that action can be taken where appropriate.

The Service is beginning to scrutinise the performance of contractors more effectively and this should continue throughout the whole of the contract

1.9 The contracts require the contractors to supply the National Offender Management Service with performance data each month. Under the old contract, contractors' compliance with the requirements of the contract was measured against 37 different performance measures, such as the requirements to fit the electronic tag on time, to check the equipment used for each offender every 28 days, and to inform the Home Office and courts of breaches of the curfew as required (see paragraph 1.8 above for details of these requirements). Under the new contract, different financial deductions are set for failures to meet each specific service requirement, based on a percentage of the charge the contractor makes in the relevant month.

1.10 The contractors are required to prepare and submit a detailed report of their compliance with the performance measures each month. The validity of the systems and processes used by the contractors to capture this performance data has been fully audited by the National Offender Management Service, prior to the commencement of the new contracts. Following receipt of the monthly reports by the National Offender Management Service a detailed audit of the supporting information for a

random selection of performance measures is undertaken. In addition, a monthly meeting is held with contractors in order to interrogate and discuss all aspects of performance. Under the new contract the National Offender Management Service will have direct real time access to the contractors' management information databases. This will allow them to obtain detailed performance information in a range of areas independently.

1.11 The scrutiny of each contractor's performance under the old contracts varied. Each month the National Offender Management Service selected a sample of cases to check: 5 per cent of all new starts that month, and 10 per cent of ongoing cases. The National Offender Management Service official responsible for monitoring Premier Monitoring Services Ltd checked the paperwork for every case in the sample, whereas the officials monitoring Securicor Justice Services Ltd and Reliance Monitoring Services audited a proportion of the sample and extrapolated results from this sub-sample.

1.12 Under the old contract, contractors incurred points for unsatisfactory performance which, once weighted to take account of the volumes of curfewees, were then multiplied by £3,500 (increased year-on-year in line with inflation) to calculate the deduction to be made. In 2004, Securicor Justice Services Ltd had a deduction of £58,260, Premier Monitoring Services Ltd £66,370 and Reliance Monitoring Services Ltd £262,000. This represents 0.2 per cent of the total amount paid to Securicor Justice Services Ltd in 2004, 0.2 per cent of that paid to Premier Monitoring Services Ltd, and 1.5 per cent of that paid to Reliance Monitoring Services Ltd. The most frequently occurring performance points for each contractor in 2004 were due to failure to carry out a violation visit on time.

1.13 By the end of June 2005 the National Offender Management Service had not finalised a strategy setting out which records they would check or which checks would be made. The team responsible for undertaking external checks was below complement, consisting of one Higher Executive Officer working to one part-time Senior Executive Officer. The full complement would comprise two Higher Executive Officers and one part-time Senior Executive Officer working to a Grade 7 manager. By September 2005, the team was fully staffed, but a permanent Grade 7 manager had not yet been recruited – this post was held by a consultant. In the interest of

13 This section is responsible for revoking the licences of offenders who have breached the conditions of their Home Detention Curfew and recalling them to prison.

14 The contractors report breaches twice a day to the Home Office, at 10am and 5pm.

15 If further investigations are required to establish whether a breach actually occurred, the contractor must report the breach to the court within 5 days of the breach.

securing value for money, a permanent member of staff with the appropriate skills and experience should be appointed to this post as soon as possible. Now that the resource shortfall is being addressed, more rigorous audits of contractor's performance are being put in place.

Electronically monitored curfews are much cheaper than custody

1.14 Under contracts put in place in 2005 the Home Office expect the average contractual cost of monitoring each person to fall from £1,943 to £992. This reduction is equivalent to a saving of £49.5 million per annum, based on the 53,230 people who were monitored in 2004-05. The procurement team used the re-tendering exercise to correct anomalies identified in the previous contracts. For example, the team changed the payment mechanism so that the contractors are now paid on the basis of a price per curfewee per day. Therefore contractors are paid only for curfewees that they are actually monitoring.

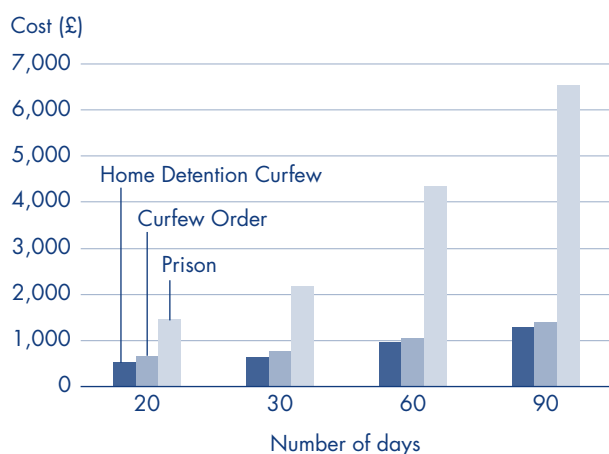
1.15 The electronic monitoring contracts cost the Home Office £102.3 million in 2004-05, an average of £1,943 per curfewee. The large volume of offenders released on Home Detention Curfew and Adult Curfew Orders accounted for 78 per cent of this expenditure. Apportioning this cost between the number of offenders

tagged does not, however, represent the total cost of electronic monitoring per person as it does not take into account the time spent by prison, probation and court staff in administering each case, or the costs of police time spent dealing with offenders. We interviewed key staff and monitored their work in order to determine the typical time spent dealing with such offenders and estimated the additional costs to be £334 per curfewee on Home Detention Curfew, and £417 per curfewee on an Adult Curfew Order.¹⁶

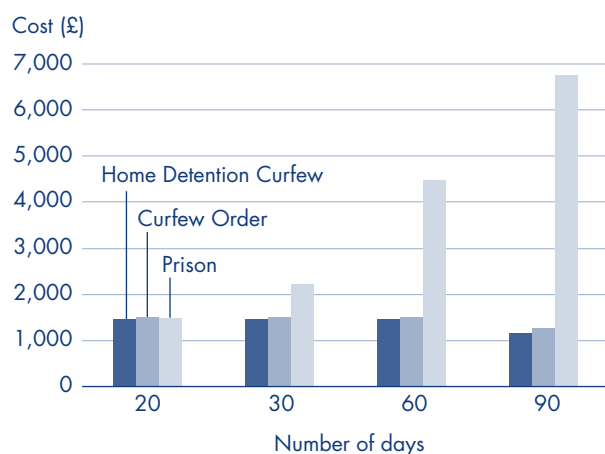
1.16 The only alternative to Home Detention Curfew is to keep a prisoner in custody. The Prison Service estimates the cost of custody to be £74.84 per prisoner each day.¹⁷ Our comparison of the costs of a Home Detention Curfew, Adult Curfew Order, and custody indicate that custody is typically more expensive. On average, 90 days on Home Detention Curfew costs £1,300, and an Adult Curfew Order of the same length costs £1,400, compared to 90 days in custody which costs around £6,500. Based on a curfew of this length, the cost per curfewee per day is £14 (Home Detention Curfew) and £15 (Adult Curfew Order). Under the old contracts, electronically monitored curfews were cheaper than custody for offenders tagged for 30 days or more. Under the new contracts, a curfew will, in practice, always be a cheaper option than prison (see Figure 4).

4 Comparison of the costs of electronic monitoring and custody per offender

Under the new contracts



Under the old contracts



Source: National Audit Office analysis of contracts and focus groups with criminal justice staff

¹⁶ These figures comprised staff costs of dedicated Home Detention Curfew clerks in prisons, probation staff, prison governors, prison officers, and court staff, and police time involved in dealing with breaches. They are an average of the cost of breach and non-breach cases, based on average breach rates.

¹⁷ The Prison Service Annual Report 2005 quotes £74.31. In practice, however, not all prisons release prisoners on Home Detention Curfew, such as high security establishments. Once those prisons who do not release prisoners on Home Detention Curfew are taken out of the equation, the cost per prisoner day is £74.84.

PART TWO

The equipment used for electronic monitoring is robust, but delays sometimes occur in taking action on breaches



2.1 Our key findings are:

- Contractors carried out most installation visits within the contractual deadline, but we found that delays in actually fitting the tag occurred in 10 per cent of cases.
- Based on testing by two members of our staff, the technology (equipment and monitoring systems) appears robust.
- Contractors respond to breaches of curfew appropriately in most instances, but there is a wide variation in the criminal justice system's response to notifications of breach.

Most offenders are fitted with a tag within 24 hours of the start of their curfew, but we found that delays occur in 10 per cent of cases

2.2 An offender subject to electronic monitoring ought to be fitted with a tag and have the necessary equipment installed in their place of curfew as soon as possible. Typically the contractors are obliged to visit the curfewee's place of residence in order to fit the tag, install the monitoring unit in their home and get the system up and running by midnight on the day the curfew starts. Delays give the offender an opportunity to break their curfew conditions without detection.¹⁸

2.3 Across our entire sample, covering the old and new monitoring contracts, 90 per cent of curfewees were fitted with a tag on time. Our examination of 216¹⁹ cases under the old contracts found that 98 per cent of installation visits were carried out according to the contractual requirements and 92 per cent of curfewees were tagged on time. As **Figure 5 overleaf** shows, nine offenders (four per cent) were not fitted with a tag until three or more days after their curfew started, and four (two per cent) were not fitted with a tag at all. In the four cases where the tag was not fitted, the offender was not at home or did not make themselves available for the installation. These were all Home Detention Curfew cases so the offender was returned to prison.

2.4 Our review of the 18 cases (8 per cent of the sample) where the tag was not fitted on time found that in two cases the reasons were not documented. In the other cases:

- **The contractor had difficulties fitting the tag** (8 cases or 4 per cent). Contractors had been unable to gain access to the home, the offender was not present, or the offender had refused to wear the tag. When an offender is not at home to have the tag fitted, the contractors are not obliged to find the offender, and have no power to arrest the offender for breach of curfew. In such circumstances offenders should be recalled to prison if on Home Detention Curfew, or summonsed to court for breach of Adult Curfew Order. It is not possible for the offender to have their tag fitted in prison or at

¹⁸ The exception is Curfew Orders which start on the day they are made, when the deadline is by midnight on the second day. The contractors' performance is measured on a monthly basis by the Home Office through a Key Performance Indicator.

¹⁹ We also examined a further 12 cases where there was not enough information on the file to determine when the tag was fitted.

court in advance of release. The offender needs to be in their home so that the monitoring company can place the receiver and calibrate the monitoring equipment appropriately. Contractors would make at least two attempts to complete the installation.

- **The contractors had received the notification late, or the information was incomplete or inaccurate** (2 cases or 1 per cent). The contractors had been given the wrong address, or had received notification after the curfew period had started (this was because the court had originally sent notification to the wrong contractor).
- **Installation problems** (2 cases or 1 per cent). In one case the tag proved to be faulty, and in another the equipment had been installed but not set up centrally so that the monitoring could begin.
- **Random Alternative Monitoring** (4 cases or 2 per cent). In four cases there were difficulties getting a telecommunications provider to install a telephone line. The contractor used random alternative monitoring (RAMS) when waiting for a landline to be installed. This is an approved form of interim monitoring. However the use of Random Alternative Monitoring is small as most monitoring units now incorporate an internal mobile phone.

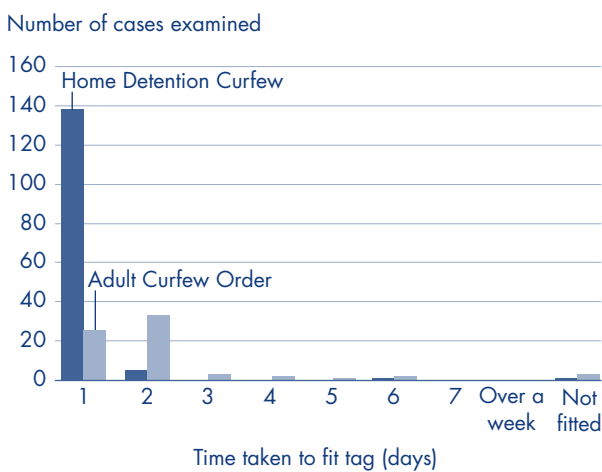
2.5 The service levels for the new contract from April 2005 (which were agreed before the contracts came into operation) stated that the contracts can be terminated if the contractor completed fewer than 95 per cent of installation visits by midnight on the day the curfew starts.²⁰ Our examination of 62 cases under the new contracts found that 97 per cent of visits by the contractors were completed within the contractual time limit although only 85 per cent of offenders were actually tagged on time. Delays were more common for Adult Curfew Order cases – amongst this group 81 per cent of the sample had their tags fitted on time, compared to 89 per cent of Home Detention Curfew cases. The contractor is required to report such cases to the court (for Adult Curfew Orders) or the Recall and Release Section of the Home Office (for Home Detention Curfew) for action.

The technology is robust: the equipment and monitoring system work

2.6 There has been considerable media speculation about whether it is possible to remove electronic tags without detection. Tags are easy to remove simply in the sense that they can be cut off using a pair of scissors. This is built in to the design of the tag to avoid potential serious injury to an offender should, for example, the tag get caught in machinery. We found no way of cutting the tag off without alerting the contractors. However, some offenders may believe that a tag can be cut off with impunity due to the fact that it can take some time for an offender to be summonsed to court once a breach of an Adult Curfew Order has been reported.

2.7 We tested the reliability and robustness of the equipment ourselves with two members of our audit team wearing tags for a week and keeping diaries of their movements. Comparison of the contractors’ records against their diaries showed the equipment was reliable overall. The equipment proved robust and withstood our attempts to tamper with it. However, the equipment did record an 18 minute absence when one person was taking a bath (**Figure 6**). This problem arose because the signal was obstructed by the cast iron bath filled with water in combination with the positioning of the receiver by the contractor when the equipment was installed. The

5 The time taken to fit an electronic tag from the date the curfew period starts



Source: National Audit Office examination of contractors’ records

²⁰ The exception is when a Curfew Order starts on the day it is ordered by the court. In this case, the contractors must fit the tag before the curfew has spent 24 hours on curfew.

6 Our testing of the equipment confirmed it is reliable overall

Common questions¹

Can the offender remove the tag without anyone noticing?

Does the tag work under water or in the bath?

Can the offender move the receiver outside the curfew area so that they can stay in close proximity when the curfew period begins?

Does the system get false reports that the monitoring unit is being tampered with if music is playing, or if someone accidentally knocks the unit?

Results of our testing

No. The tags were fitted around the ankle, tight enough to slip two fingers beneath the strap. The tag could not be slipped off, nor could they be accidentally torn – they did not break when they were pulled. When we cut the tags off at the end of the week, the contractors had accurately recorded the violations.

Yes on the majority of occasions. The contractors tested the equipment in the bathroom when it was installed to confirm it would work. The equipment did work when one member of the team took a bath but it recorded an 18 minute absence for the other person. The problem probably arose because the second person's bath was metal, which obstructed the signal.

No. The contractor had noticed when the receiver was moved and the equipment had properly notified a violation when the curfew period began.

No. We played music in the same room as the monitoring unit, knocked into the unit and dusted it, to simulate some of the reasons given by curfewees when the system shows that they have tampered with the monitoring unit. None of these incidents were recorded as violations, although deliberate actions such as unplugging the monitoring unit or turning it upside-down were recorded as violations.

Source: National Audit Office

NOTE

¹ The suggested questions came from our discussions with offenders, prison staff and contractor staff.

contractor explained that it would normally contact the offender by telephone during the apparent absence to confirm whether they were at home during this period. If after visiting the property the reason for the absence was verified the violation would be removed from the record. The tags include an optical fibre in the strap so that the contractors will be notified if the strap is cut through. The electronics cannot be accessed without breaking the tag open (which will stop the equipment working and hence result in the receiver notifying the contractor) and the receiver cannot be opened without damaging the electronics (which will also result in the contractor being notified).²¹

2.8 Contractors undertake regular equipment maintenance which ensures the integrity of the equipment and systems. Our examination of contractors' records for 2004 identified 6,990 cases where the system alerted the contractor that the equipment needed checking (this represents 13 per cent of the total number subject to tagging). Securicor Justice Services Ltd and Reliance Monitoring Services Ltd recorded around 30 such alerts for every 100 offenders on Home Detention Curfew, and 24 such alerts for every 100 offenders on an Adult Curfew Order. However, the majority of these alerts were in relation to, for example, monitor moves, unplugging of the equipment, or the need to change the battery. We were not able to tell from the contractor's records what proportion of recorded equipment alerts result in a failure of the monitoring equipment.²²

²¹ Despite the equipment proving robust, there have been reported incidents which have raised questions about reliability. In two separate incidents, juvenile offenders Robert Clegg and Peter Williams committed murder whilst subject to an electronically monitored curfew as part of their Intensive Supervision and Surveillance Programme. We examined the contractors' records of these two cases and the Home Office's subsequent investigations. In both cases the equipment itself worked, although there were questions about the suitability of the offenders for an EM curfew and about how promptly the contractors and other agencies had responded to violations. We examine the promptness and suitability of responses to reported violations in more detail at page 18. The Probation Inspectorate also investigated the Williams case, and published their findings: *Inquiry into the supervision of Peter Williams by Nottingham City Youth Offending Team*, HM Inspectorate of Probation.

²² Figures provided by Group4Securicor suggest only 3.7 per cent of equipment was returned to their UK manufacturer for repair or maintenance. It should be noted that we have not had the opportunity to audit this figure.

2.9 The Home Office requires the contractors to visit each offender's home once every 28 days throughout the period when they are wearing a tag to confirm the equipment is functioning properly (for example that the batteries are satisfactory and that nobody has tampered with the equipment). Our analysis of the contractors' records indicates that this requirement was not routinely carried out. Although the 2004 performance data for Securicor Justice Services Ltd showed no performance points were incurred for not completing checks every 28 days, Premier Monitoring Services Ltd incurred 563 performance points and Reliance 491 performance points in that year. Our file examination also confirmed that the three contractors had not carried out the checks in 50 out of the 185 Home Detention Curfew cases we examined (27 per cent), or in 32 out of 100 Adult Curfew Order cases. Our interviews with contractors indicate that carrying out the 28 day equipment checks was not seen as a priority – the overriding priority was to fit tags on new curfewees promptly and to react promptly to breaches. Under the old contracts, there was a lower financial deduction for not completing the 28 day check than for many other areas of work, and the new contracts now place a greater weight on this issue. Group 4 Securicor report that they undertake the monthly 28 day equipment check every time they are on site for other reasons and that on average they visit each curfewee every 15 days.

Contractors generally respond to breaches of curfew appropriately, but there is a wide variation in the time taken by the criminal justice system to respond to notifications of breach

A large proportion of offenders are likely to violate the conditions of their curfew

2.10 Violations of curfew conditions by an offender should be dealt with appropriately by the criminal justice system. The prison governors we interviewed confirmed that each prisoner due to be released on Home Detention Curfew is informed that if they do not comply with the terms of their curfew, they will be recalled to prison.

Similarly, an offender on an Adult Curfew Order will be returned to court if they fail to comply with the conditions specified in their Order.

2.11 The Home Office contracts for electronic monitoring in operation until April 2005 specify two types of curfew violation and what action the contractor should take:

- **Level one violation.** The violation is sufficiently serious that the contractor must instigate breach action immediately. A level one violation includes: being absent for an entire curfew period, damaging or tampering with the equipment, and physical assault or threats of violence to any of the contractor's staff.
- **Level two violation.** Although such violations are a concern, they are not sufficiently serious to warrant immediate breach action. Such violations include: being absent for a part of a curfew period²³ and tampering with, or minor damage to, the monitoring equipment. Two level two violations will result in a breach. **Figure 7** summarises what actions should be taken for a single level two violation.

2.12 In practice, a large proportion of offenders are likely to violate their curfew conditions to some extent whilst subject to electronic monitoring. The Home Office does not collate data on the number of violations recorded by contractors. This is because a violation can mean a very short absence or minor movement to the monitoring unit which does not constitute or contribute to a breach. An evaluation of Home Detention Curfew found that 61 per cent of respondents to an offender survey reported that they had experienced a curfew violation.²⁴ Our file examination found that the contractors had made telephone calls in response to 2,230 apparent violations for the 185 offenders on Home Detention Curfew, and 794 telephone calls for the 100 offenders on an Adult Curfew Order. In addition, the contractors made 330 visits to the 185 offenders on Home Detention Curfew and 258 visits to the 100 offenders on an Adult Curfew Order. Such numbers indicate that the contractors are responding to violations positively.

²³ The contracts specify the maximum period an offender can be absent before a violation becomes a breach. We have not included the period of time specified in the contract to minimise the chances of an offender using this information to abuse the system.

²⁴ K Dodgson, P Goodwin, P Howard, S Llewellyn-Thomas, E Mortimer, N Russell and M Weiner, *Electronic Monitoring of released prisoners: an evaluation of the Home Detention Curfew Scheme*, Home Office Research Study 222.

7 What action the contractors should take for less serious violations of a curfew (under the first contracts, in force January 1999-April 2005)

Nature of the violation	What action is required from the contractor
An absence of between 2 minutes and less than 5 minutes	The contractor does not need to telephone the offender. A record of the absence should be placed on the offender's file, although absences of less than 5 minutes do not count towards cumulative absences.
An absence of between 5 minutes and less than 15 minutes	The contractor must telephone the offender within 15 minutes of the equipment registering their return. The identity of the person answering the telephone must be verified by asking questions unique to the curfewee (such as bank details or family information). A visit will not be necessary for any absence of less than 15 minutes unless it results in a level 2 violation for cumulative absence.
An absence of over 15 minutes	Once the absence has lasted 15 minutes, the contractor must make a telephone call to the address within a further 15 minutes, whether or not the offender's return has been registered. If there is no answer, or if the person answering the telephone states that the curfewee is present but cannot come to the telephone, a violation must be assumed. If the unauthorised absence exceeds a specified period of time, the contractor must undertake a personal visit within four hours to verify the facts and to invite the offender to make a statement. ¹
The offender has tampered with the equipment	When the equipment registers a tamper alert, the contractor must telephone the offender within 15 minutes and undertake a personal visit to carry out any repairs or to replace the equipment.

Source: National Audit Office summary of Home Office contracts for electronic monitoring

NOTE

¹ We have not included the period of time specified in the contract to minimise the chances of an offender using this information to abuse the system.

Breaches can take a long time to action

2.13 Our case file review confirmed that the contractors generally initiated breach action where appropriate. Out of the 70 case files we examined²⁵ where Home Detention Curfew had been breached, 24 cases (34 per cent) involved unauthorised absences, 14 breaches (20 per cent) were for tampering with the equipment, in 14 cases (20 per cent) the householder withdrew their consent to having the monitoring equipment on their premises, and 18 cases (26 per cent) were due to other reasons (such as being arrested for another offence). Out of the 35 case files for offenders on an Adult Curfew Order, 21 cases (60 per cent) were due to unauthorised absences, 10 cases (35 per cent) due to withdrawal of consent or refusing to have the tag fitted, and the remainder (5 per cent) for other reasons. Withdrawal of consent is not automatically classified as a breach, as it may not be the fault of the offender that they cannot stay at the curfew address. If the offender finds alternative accommodation, and this is authorised by the court or prison, then monitoring can continue with little or no disruption.

2.14 Recalling offenders on Home Detention Curfew is relatively straightforward. The contractor notifies the Release and Recall Section in the Home Office who authorise the recall and notify the police. The priority that police forces attach to arresting an offender who has breached their Home Detention Curfew depends on the seriousness of the offence and the offending history of the individual: several forces confirmed to us that prolific and persistent offenders will be a priority. Forces replying to our survey did not think that dealing with Home Detention Curfew breaches had any negative impact on their operational effectiveness, and 72 per cent noted that such breaches accounted for a small proportion of the incidents they dealt with in 2004-05.

²⁵ Home Office figures show that the breach rate for Home Detention Curfew in the calendar year 2004 was 15.5 per cent. Breach rates are not collected nationally for Adult Curfew Orders, but research commissioned by the Home Office in 2001 found that in the year December 1999-December 2000, a third of offenders breached their Adult Curfew Order. However, the court ordered the continuation of the Curfew Order in almost half of those cases, meaning that over 80 per cent of Curfew Orders in this year were completed. *Evaluation of the national roll-out of curfew orders*, Home Office, 2002 (RDS Online Publication 15/2002).

2.15 Most breaches of Home Detention Curfew result in prompt return to prison, but significant delays can occur. In 45 out of the 70 case files we examined (64 per cent) the contractors notified the Release and Recall Section within 24 hours of the breach.²⁶ In 16 cases (23 per cent), notification took between 24 hours and 3 days. In nine cases (13 per cent), however, the notification took over three days.²⁷ Where there is a delay in notifying the Release and Recall Section, there is a danger that the offender has absconded or is at large, potentially presenting a risk to the public. For five of these cases, there was no information in the files to explain the delay. For the remaining four cases, some delays were the fault of the contractor, for example where staff at the monitoring centre failed to file breach reports promptly, or there were delays in visiting the curfewee which meant contractors could not verify that the equipment had been damaged. Other delays were due to the contractor being unable to enter the curfew address, or because a decision was made to delay reporting the breach because the curfewee was absent at the hospital with his daughter, who was suddenly taken ill and later died.²⁸ Few of the police forces we surveyed knew how long it took them to apprehend adult offenders who breached the conditions of their Home Detention Curfew. Our analysis of 40 cases at the Release and Recall Section indicate that half were returned to prison within seven days of the breach being reported (**Figure 8**).

2.16 A prisoner recalled to custody for violating the terms of their curfew has the right to appeal the decision. The Recall and Release Section of the Home Office should send each offender their relevant appeal papers as soon as possible after their return to custody – the longer the wait, the less opportunity an offender has to appeal the decision before they are due to be released on licence. Our examination of 40 breach cases dealt with by the Release and Recall Section found that only one offender was sent their papers within five days of their return to custody, and 10 cases took more than 40 days (**Figure 9**). Where the outcome of an appeal is in favour of the offender, delays in sending appeal papers may result in the offender being in prison for longer than needed. Around 5 per cent of

recalled prisoners appeal their recall to prison, and appeals are successful in 8 per cent of these cases. If the Release and Recall Section had returned the prisoner's appeal papers within two days in all cases where the time taken to return the papers was in fact 30 days or more, the National Offender Management Service would have saved at least £6,200 per year in total.²⁹

2.17 When an offender breaches the conditions of an Adult Curfew Order, the courts hold a hearing to determine what action should be taken. The contractors must report the breach directly to the courts within five working days.³⁰ Our analysis of 35 cases where the offender had breached the conditions of their Adult Curfew Order found that the time taken to notify the courts could be considerable. Whilst the courts were notified in 11 cases within five days, nine cases took between a week and two weeks and five cases took more than two weeks. In 10 cases there was no breach report on the contractor's file, so it was not possible to determine when the breach was reported to the court. Once the contractor notifies the court of the breach, the court arranges a hearing date. However on occasions there are lengthy delays between the contractor notifying the court of a breach and the court making a hearing date available. According to the contractors' records we examined, it took on average a further 11 days from the date of the report until the court hearing. Delays between date of breach and date of court hearing are potentially damaging for two reasons. Firstly, the offender may not be electronically monitored during this period (for example, if the breach is for cutting off the tag), leading to a higher risk of further breaches and re-offending. Secondly, if it becomes known that there are often long delays between breach and being returned to court, this may create the impression that curfewees can breach their curfew with impunity. Her Majesty's Court Service has recognised this problem and has introduced a national strategy (expedited enforcement) to reduce the time between the court hearing and the breach. This strategy encompasses all criminal justice agencies responsible for enforcement of community penalties.

26 Under the terms of their contracts, the contractors report all breaches to the Home Office at 10am and 5pm each day.

27 Five of these cases were monitored by Premier, three by Securicor and one by Reliance.

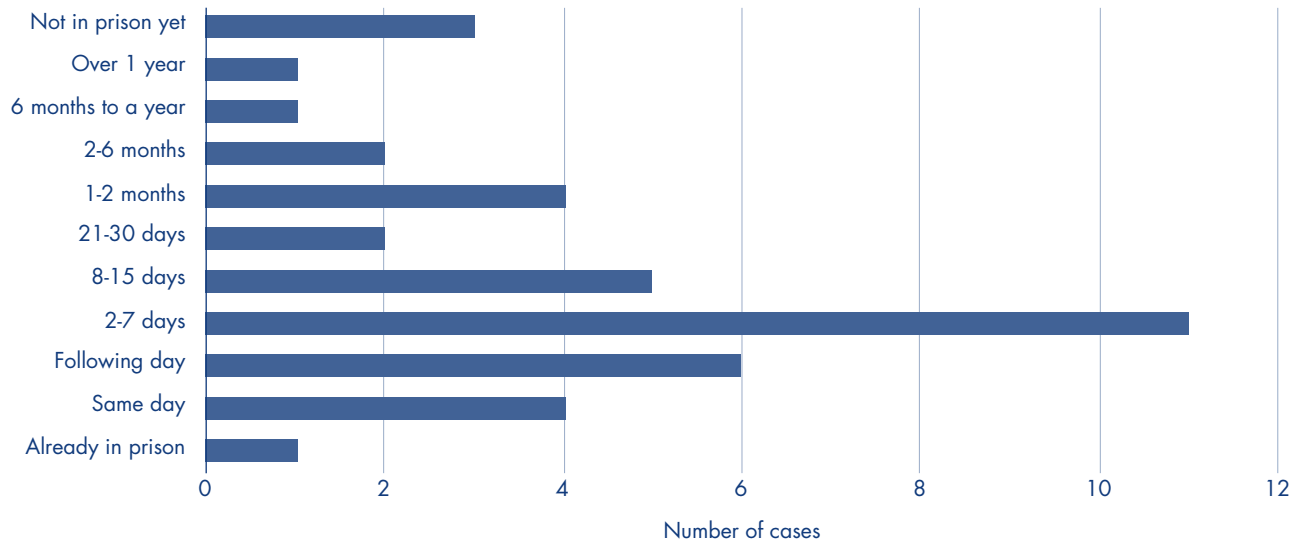
28 Given the circumstances, the Home Office later decided not to recall the curfewee to prison.

29 This is based on the assumption that if appeals papers were forwarded within 48 hours the appeal would be completed and the offender released within 10 days of their return to prison. Of the eleven offenders who appeal successfully each year, a quarter (between 2 and 3) would have to wait 40 days for their appeal papers, therefore spending 30 unnecessary days in prison, at an extra cost of £1,554 per offender. A further 18 per cent (2 offenders) would have to wait over 30 days for their papers, therefore staying in prison for 20 unnecessary days, at an extra cost of £927 per offender.

30 This is the time limit if they need to make further enquiries to confirm that a breach has occurred, for example visiting the curfewee to examine the equipment. If further enquiries are not required, the time limit is three working days.

8 In half of the cases we examined, the offender was recalled to prison within a week of breaching their Home Detention Curfew

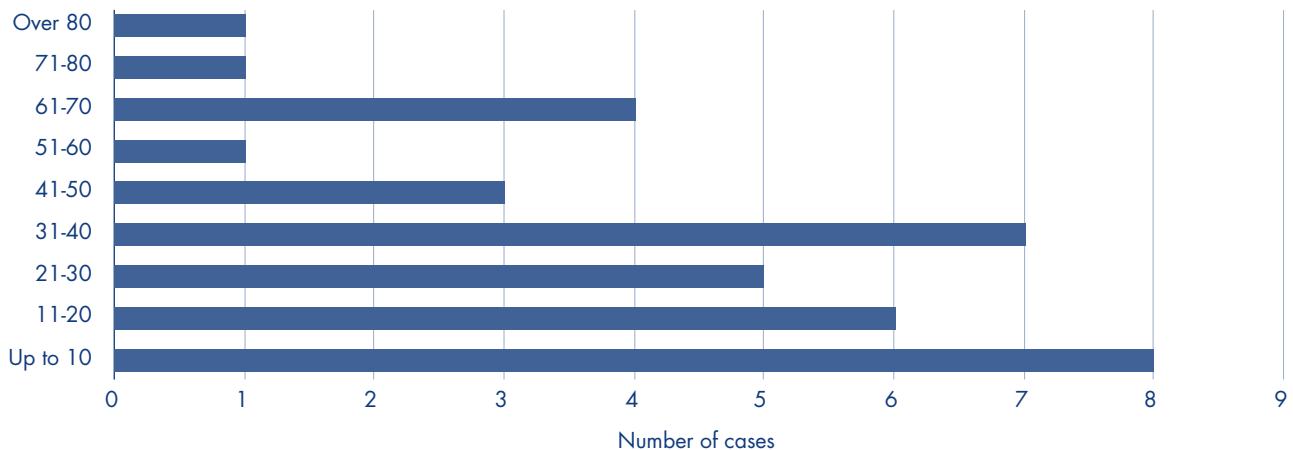
Time taken to recall the offender to custody



Source: National Audit Office examination of 40 Home Office files

9 The Recall and Release Section of the Home Office sent appeal papers to offenders within 10 days of their return to prison in only 20 per cent of cases

Time taken to send appeal papers (days)



Source: National Audit Office examination of 40 files

NOTE

In three cases the offender remained at large and in one case there was insufficient documentation to confirm whether the papers had been sent.

PART THREE

In most cases, being on an electronically monitored curfew has a positive effect on curfewees' lives



3.1 Our key findings are:

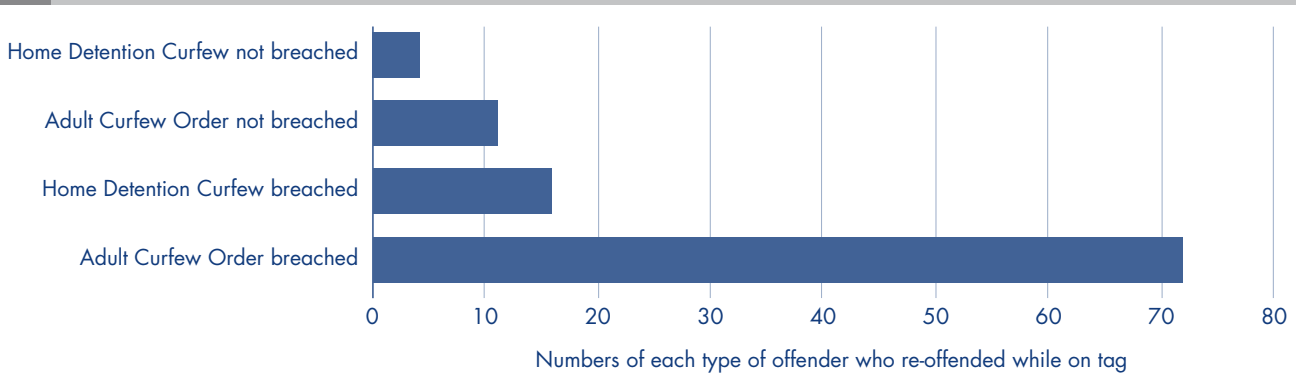
- Offenders who breach their Adult Curfew Order or Home Detention Curfew are more likely to have committed further crimes whilst tagged than those who complied with their curfew.
- Electronically monitored curfews may have a positive impact on reducing re-offending but further research is required to establish this.
- Most offenders had positive experiences of living on a tag.
- Most people find that electronically monitored curfews have a positive/neutral effect on relationships although in a minority of cases having a person on tag in a household can create pressure on families.

Offenders who breach their Adult Curfew Order or Home Detention Curfew are more likely to have committed further crimes whilst tagged than those who complied with their curfew

3.2 The primary purpose of electronic tagging is to monitor a curfew and reduce the opportunities for offenders to commit further crimes during their sentence. We checked our sample of curfewees against the Police National Computer and found that 10 per cent of our sample of Home Detention Curfew cases had been reconvicted for an offence committed during the period of their curfew, compared to 42 per cent of those on Adult Curfew Orders. (The sample size is small and should be treated with caution. It also contained a disproportionately high number of breach cases. The Home Office's figures suggest that the re-offending for offenders on Home Detention Curfew is 4 per cent.) When broken down by type of offender (i.e. whether they breached or not) our analysis shows that those who breached their order were more likely to have committed an offence while on tag³¹ than those who complied with their curfew (**Figure 10 overleaf**).

31 Committing a further offence is not in itself a breach for offenders on a Curfew Order. In the case of offenders on Home Detention Curfew, the Release and Recall Section at the Home Office will usually recall an offender to prison if they are charged with a further offence.

10 Offenders who breached their Home Detention Curfew or Adult Curfew Order were more likely to have offended while on tag than those who complied with their curfew



Source: National Audit Office analysis of Police National Computer data on 103 offenders

Electronically monitored curfews may have a positive impact on reducing re-offending but further research is required to establish this

3.3 The main purpose of electronic monitoring is to monitor compliance with a curfew. An electronically monitored curfew can be simply punitive, in the case of an Adult Curfew Order. However, an electronically monitored curfew also sets a framework for possible rehabilitation, although it does not deliver the rehabilitation directly. In particular, Home Detention Curfew provides ex-prisoners with a structured return to normal life, the opportunity to find employment and to return to their family. Similarly, Curfew Orders provide opportunities to offenders to break patterns of offending behaviour relating to, for example, excessive consumption of alcohol, or shoplifting, by keeping them at home at certain times of the day. The Curfew Order may also reduce their contact with others who may encourage criminal behaviour. As a consequence, electronic monitoring could reduce the likelihood of someone re-offending. Most offenders we interviewed were positive about their experience of being on a curfew and some reported that they were able to combine their curfew with employment. However, others were concerned that employers would not offer a job to someone wearing a

tag, and others could only find work on night shifts, which conflicted with their curfew period. A few offenders were confused as to whether they could change their curfew hours to fit the times they were at work, or to allow time to travel to and from work.

3.4 The Home Office monitors the proportion of offenders reconvicted within two years of completing their sentence as a proxy measure of the re-offending rate.³² Latest figures, published in December 2004, indicate that 51.2 per cent of offenders who completed a community penalty in 2001 were reconvicted of another offence within 24 months, and 58.2 per cent of those discharged from prison were reconvicted within 24 months.³³

3.5 According to the data from the Police National Computer for our sample of cases, 12 per cent of offenders on Home Detention Curfew were reconvicted for offences committed either while on tag or within 24 months of the end of their curfew. The rate of reconviction for those on Home Detention Curfew is therefore considerably lower than the national reconviction rates for all those discharged from prison. Whilst some of the difference between the reconviction rates could be explained by the assessment criteria for HDC release (those likely to re-offend are not released), this probably would not account for the whole difference. Therefore further research is needed in this area.

³² The number of offenders who have actually committed further offences after they have been sentenced. The re-conviction rate is not complete as it does not include offences which were not detected, where the police did not identify the offender or which have not yet come to court.

³³ K Spicer, A Glicksman, *Adult reconviction: results from the 2001 cohort*, Home Office, December 2004. Community sentence reconvictions are measured from the start of the sentence.

3.6 The rate of reconviction for those given Adult Curfew Orders is 48 per cent³⁴ and hence also lower than the national reconviction rate for those completing community penalties. It is difficult to make a comparison between these figures because the group of offenders selected for an Adult Curfew Order will be a sub-group of the group of offenders selected for all community penalties. While the difference we found is not statistically significant, further research is required to explore this potential relationship between Adult Curfew Orders and a reduction in reoffending.

Most offenders had positive experiences of living on a tag

3.7 Our interviews with offenders found that most had a positive experience of living on a tag (**Figure 11**). This was especially the case with those on Home Detention Curfew who cited the ease with which they could have slipped back into their old criminal routine without the structure provided by an electronically monitored curfew. Respondents on a Curfew Order, especially those who had expected to go to prison, on the whole viewed the Curfew Order positively as they believed people had put trust in them and given them a second chance. A large proportion of those interviewed also felt that too often prison was an education in criminal activity and therefore electronic monitoring was more effective at halting the development of a criminal career. In general most offenders found the tag itself satisfactory to wear and the monitoring box satisfactory to live with. In addition they found contact with the contractors good and in most cases offenders considered that the contractors' staff were helpful and courteous.

11 Many curfewees felt that being on tag had a positive effect on their lifestyle

“It puts everything into perspective again... you get slowly back into what you were doing before.”

Curfewee on Home Detention Curfew

“You learn more about other crimes [in prison] and I think it gives you a taste to do other crimes because you're sat listening to other people.”

Curfewee on Home Detention Curfew

Source: NAO/MORI interviews with curfewees and members of their household

While most people find electronically monitored curfews have a positive or neutral effect on relationships, in a minority of cases having a person on tag in a household can create pressure on families which may lead to a disruption of monitoring

3.8 Compared to prison, those offenders we interviewed who were on Home Detention Curfew were generally quite positive about the social impact of electronic monitoring, especially those living with a partner. Parents were grateful for the opportunity to be with their children and young males generally felt they had got closer to their family. A Home Office survey of 256 offenders on Home Detention Curfew in 2000 established that whilst 67 per cent stated the curfew had made no difference to their relationship with others, 22 per cent said relationships had improved.³⁵

³⁴ The confidence level is 9 per cent. We included a disproportionately high number of breach cases in our original sample in order to have sufficient breach case files to examine. Figures were weighted to reflect the national average breach rate on the basis of data reported in Isabel Walter's *Evaluation of the national roll-out of curfew orders*, Home Office Online Report 15/02, and Home Office figures on breach of Home Detention Curfew.

³⁵ K Dodgson, P Goodwin, P Howard, S Llewellyn-Thomas, E Mortimer, N Russell and M Weiner, *Electronic Monitoring of released prisoners: an evaluation of the Home Detention Curfew Scheme*, Home Office Research Study 222.

3.9 For some offenders wearing a tag can create tensions in the household. For example individuals who might have become used to their partner being absent in custody have to adapt to having them curfewed in the house each day (**Figure 12**). Offenders have to get used to wearing a tag and following a regime to ensure they are in the house during the curfew periods. The two members of our team fitted with a tag for a week noted that it took time to get used to the new arrangements (**Figure 13**). The offender participating in our reference panel commented that he found it difficult to wear Wellington boots at work because of the tag around his ankle.

3.10 Breach rates for Home Detention Curfew are higher among female offenders than male. In the year ended December 2004, the average Home Detention Curfew recall rate for the female estate was 20 per cent, compared to an average in the male prison estate of 15 per cent. The Home Office has not commissioned any research into the reasons for this difference. The Women’s Team at the Prison Service explained that the higher breach rate could arise because women can have greater responsibilities within their home than male curfewees. Factors such as the prevalence among female offenders of poly-substance abuse, vulnerability to individuals with a controlling influence (such as a pimp), and child care issues³⁶ may also explain the high breach rate among this group.

3.11 Contractors have to refer individuals back to court or to the Recall and Release Section of the Home Office for possible revocation action if the householder has withdrawn their consent to have an offender curfewed in their home. Withdrawal of consent was the reason given in twenty of the 105 files (19 per cent) we examined which contained sufficient information to establish the reason for either breach or revocation action (**Figure 14**). The householder was usually a partner, but some householders in our files were parents, siblings, friends or landlords of the curfewee. An offender would not be recalled if they could find alternative accommodation, supported by probation and approved either by the prison governor (Home Detention Curfew) or the court (Curfew Order) within a reasonable timescale which would cause little or no disruption to monitoring.

12 Living with someone who is tagged can create pressures for other household members

“It’s at the night times I have to go everywhere on me own, when we’re invited she [the curfewee] can’t come or go out obviously so it’s a bit difficult to have a proper relationship.”
Partner of curfewee

“I couldn’t go off my doorstep and she [the curfewee’s daughter] was out playing and fell over and I couldn’t go out... so it put my daughter in danger... I couldn’t go out and check on her properly.”
Curfewee with young children

“I think me and him’s [the curfewee] more closer before than what we are now. We have niggles and arguments and things whereas before we never used to... I’m worried sick about [the curfewee breaching the curfew] in case he goes back to prison.”
Wife of curfewee

Source: NAO/MORI interviews with curfewees and members of their household

13 Our experiences of wearing a tag

- Most of the time you forget that you are wearing the tag as it is very light.
- The tag can be uncomfortable in bed, making it difficult to sleep.
- You cannot fit boots over the tag, and if you wear a skirt it is very visible. Even in trousers, it is visible when you sit down.
- The tag gets sticky and rubs the skin when the weather is hot.
- If there are children or animals in the house, you have to stop them knocking the monitoring unit over. If they do, the system could show that the equipment has been tampered with.
- Other household members have to be told not to unplug the monitoring unit – this is counted as tampering with the equipment.

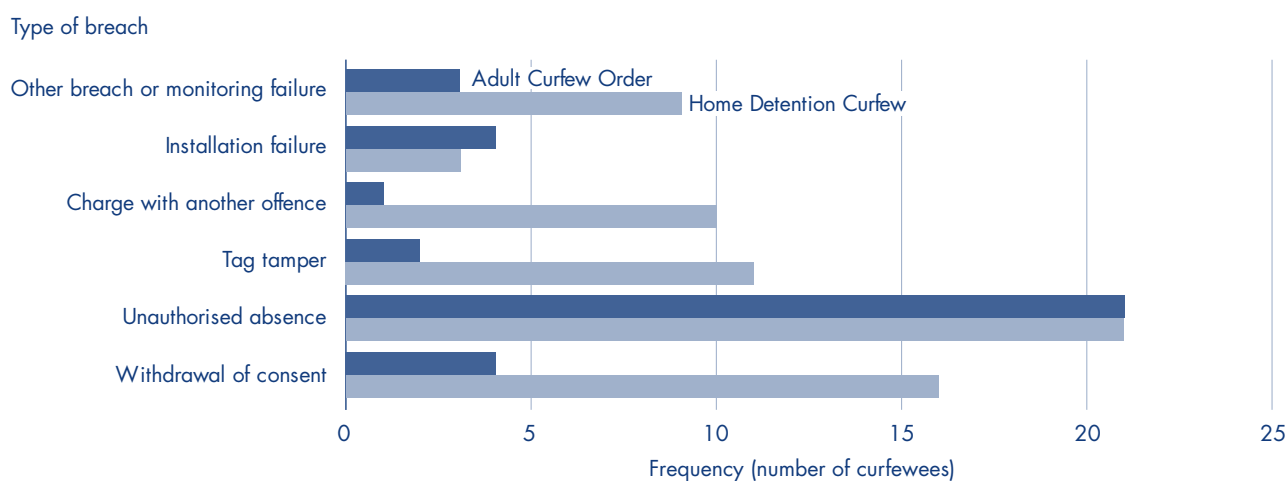
Source: NAO evidence

36 *Unjust Deserts – Thematic Review of Unsentenced Prisoners* (HMCIP 2000); *Statistics on Women and the Criminal Justice System* (2002).

3.12 Our visits to the contractors' call centres confirmed that staff frequently receive distressed calls from offenders or their families in need of welfare support. As a result, Group 4 Securicor now gives its call centre staff diversity training to help them deal more effectively with difficult situations. It also has a full-time training manager, and is developing a telephone link between their call centre and the local Samaritans, providing call centre staff with the ability to refer callers on to the Samaritans where appropriate. The voluntary sector could also be involved with providing training to call centre staff in how to deal with difficult situations.

3.13 In order to minimise the tensions that can arise within a household when someone is tagged, it is important that everyone is aware of the likely risks beforehand. Home Office research found that respondents to their survey of offenders were evenly split on whether they felt well informed (51 per cent) or poorly informed (49 per cent) prior to release.³⁷ Those who felt poorly informed were more likely to say they had violated their curfew conditions (57 per cent compared to 37 per cent).

14 Withdrawal of consent from the householder was the second most frequent reason for the curfewee being returned to court or reported to the Recall and Release Section for possible recall to prison



Source: NAO examination of 99 Home Office files

³⁷ K Dodgson, P Goodwin, P Howard, S Llewellyn-Thomas, E Mortimer, N Russell and M Weiner, *Electronic Monitoring of released prisoners: an evaluation of the Home Detention Curfew Scheme*, Home Office Research Study 222.

PART FOUR

Electronic monitoring could be used more cost-effectively



4.1 The Home Office has reduced the costs of electronic monitoring with the introduction of revised contracts from April 2005. Nevertheless, better management of all the organisations involved in electronic monitoring could reduce costs further. Our key findings are:

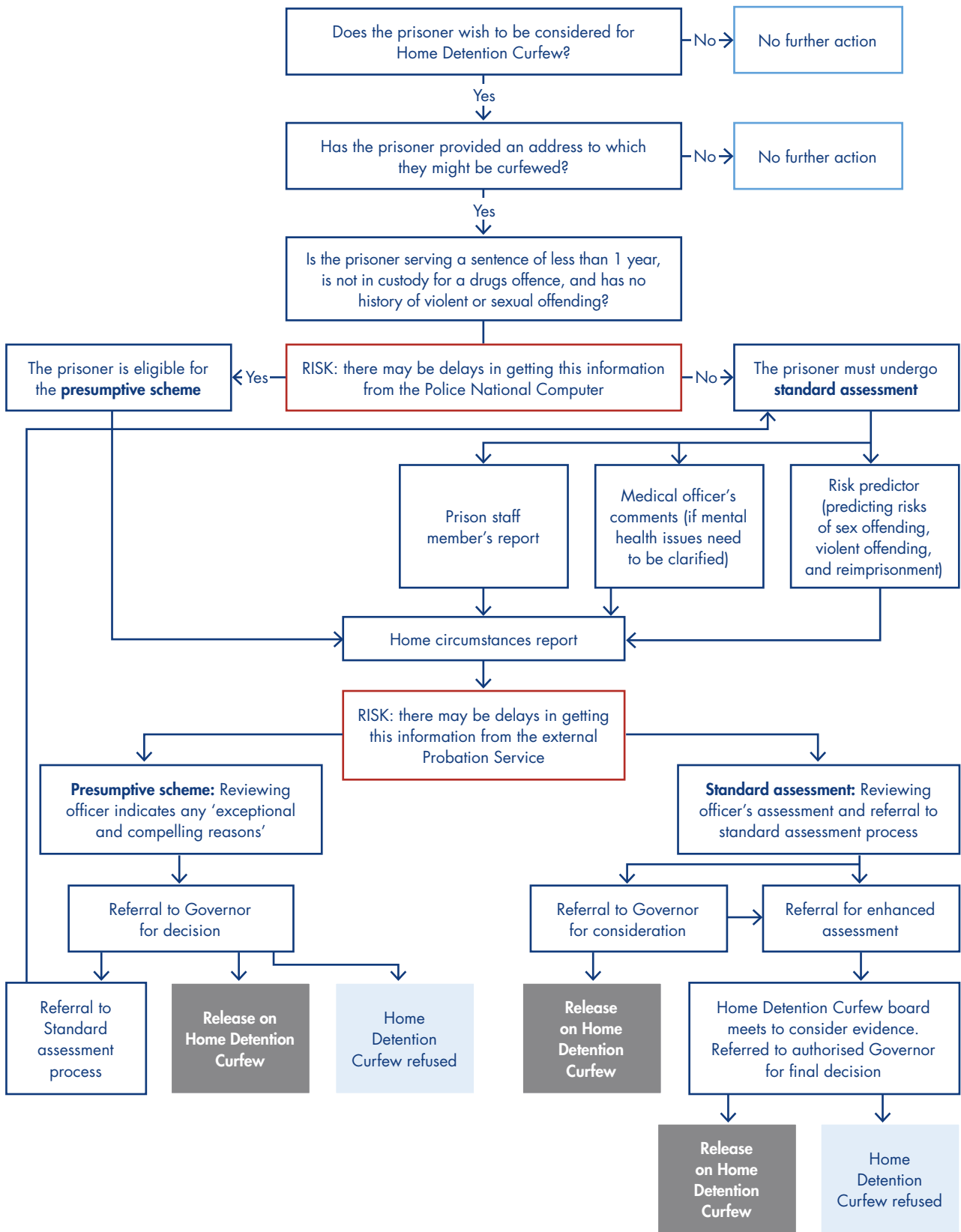
- Variations between prisons in the proportion of offenders recalled for breaching their Home Detention Curfew suggest that the initial assessments by prisons could be more consistent.
- Delays in getting the necessary paperwork to enable Home Detention Curfew can mean that prisoners are released after their eligibility date, which means that prisoners spend more time in prison, at greater cost to the taxpayer.
- Work is sometimes duplicated or carried out unnecessarily as part of the Home Detention Curfew assessment process, leading to wasted time and resources.
- Prisoners who were convicted in England and Wales cannot be granted Home Detention Curfew if their home address is in Scotland.

Variations between prisons in the proportion of offenders recalled for breaching their Home Detention Curfew suggest the initial assessments could be more consistent

4.2 The prison governor's decision as to whether to release a prisoner on Home Detention Curfew is essentially subjective.³⁸ Their decision is based on an assessment of the prisoner's ability to comply with the curfew conditions and the risk of re-offending during the curfew period, which is informed by consideration of the prisoner's behaviour in custody, medical condition, previous offending history, an assessment of the suitability of the offender's home and an assessment by the relevant Probation Area of whether the curfew conditions should take account of the concerns of victims or the offender's family. **Figure 15 overleaf** summarises the assessment process.

38 For the purposes of Parts 3 and 4 of this report, the word 'governor' should be taken as referring both to governors of Prison Service prisons and Home Office Controllers of contracted out prisons.

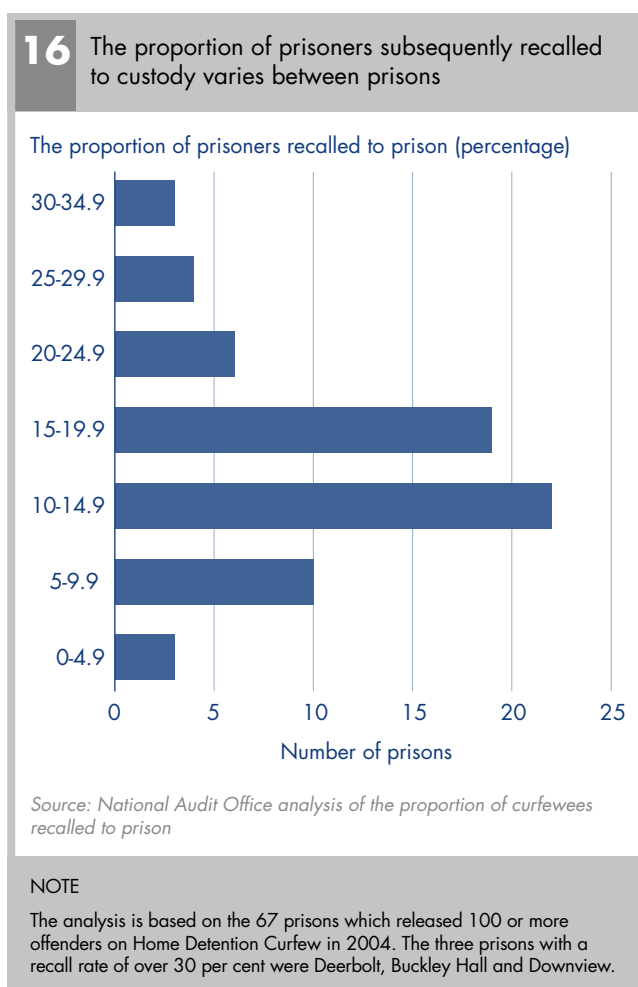
15 The assessment process for Home Detention Curfew



Source: National Audit Office

4.3 Although prison governors receive training and guidance on the assessment process, they do not regularly receive feedback on whether the offenders they released completed their curfew successfully and hence whether, with hindsight, their decisions were well founded. Our analysis of the proportion of prisoners released on Home Detention Curfew in 2004 and subsequently recalled indicates wide variations between establishments.

Figure 16 shows that in thirteen prisons, fewer than 10 per cent of offenders released on Home Detention Curfew were recalled for breaching their conditions, whereas three prisons had a recall rate of over 30 per cent. These three prisons are all either female prisons or young offender establishments. Prisons with the lowest rate of recalls are generally open or other lower security establishments where prisoners are likely to have been more thoroughly tested as to risk and reliability



before they are released on Home Detention Curfew. However, this does not explain all of the variation in recall rates between prisons. The variation is therefore likely to be a result partly of the type of prisoner (for example, the recall rate is much higher among female offenders in general – see paragraph 3.8), partly of the type of prison (it will be easier to make a robust assessment of offenders at certain types of prison), and partly of variation in the way in which individual governors use Home Detention Curfew and the information available to them.

4.4 The assessment process is relatively complex and it can be difficult for the prison governor to decide whether to release someone if the evidence available is incomplete or not sufficiently clear. Information is sometimes lacking from the following:

- **Prison staff responsible for monitoring the offender's behaviour in custody.** Our case file review found that prison staff had provided written comments³⁹ on the assessment form in 74 per cent of cases. In 17 cases (17 per cent of the full sample) the offender was released on Home Detention Curfew despite the absence of this information.
- **The Medical Officer.** Medical Officers had only provided comments in two out of the 100 assessments we examined. The form does state that such comments are 'normally only required when mental health issues need to be clarified'. However, in three cases we examined, other reports on the file from the relevant Probation Area indicated that the offender had mental health issues.
- **Probation staff responsible for conducting the home visit.** The assessments require probation officers to visit the premises, interview the offender and other members of the household, and take into account any other relevant factors (such as the likely views of the victims of the original crime). However, probation officers explained to us that they are not always able to assess the offender's family environment or to explain the implications of a curfew to other family members. **Figure 17 overleaf** illustrates how probation staff in Gwent revised their procedures to improve the consistency of their home visits, improving the assessment of home circumstances and thus reducing the likelihood of the curfew failing due to withdrawal of consent.

³⁹ The Prison Service noted that in the absence of written comments the assessment may have proceeded on the basis of an oral discussion of the offender's case. However, it is important that such discussions are noted so that there is a full audit trail of the decision.

17 An example of how probation staff in Gwent have sought to improve the consistency of their home visit assessments

Gwent probation staff became concerned that the standard of their home circumstances reports varied and convened focus groups of resettlement staff to discuss how they could improve their approach. The Probation Area developed a new form to standardise their approach, which includes a series of questions and prompts. The form has 13 sections, including one requesting details about the family or other residents at the address. It also instructs the probation officer to explain to the other residents that 7 days notice is required to change a Home Detention Curfew address.

The form was introduced in mid 2004, and feedback from prisons has been positive. Prisons report that the structure of the form helps them find the information they require more easily. Gwent probation also report that the form has improved efficiency as it can be emailed between the central resettlement unit within Gwent probation to the probation officer tasked with the visit, and then on to the relevant prison.

Source: National Audit Office focus group at Her Majesty's Prison Cardiff

Delays in getting the necessary paperwork to enable Home Detention Curfew can mean that prisoners are released after their eligibility date

4.5 Each prisoner likely to be eligible for Home Detention Curfew will have an eligibility date. If the prisoner is granted Home Detention Curfew, this is the date on which the prison should release the prisoner. Finalising the paperwork so that prisoners can be released on their eligibility date can alleviate pressure on overcrowded prisons. Our report on prisoner overcrowding established that the number of people in custody in England and Wales amounted to 76,100 in May 2005 and that 48 per cent of prisoners in local prisons experienced overcrowding in 2004.⁴⁰

4.6 Between July 2004 and June 2005, 18,800 adults were released from prisons on Home Detention Curfew. The National Offender Management Service does not monitor what proportion were released on their eligibility date, although they do monitor the average time spent on tag which gives them an indication of whether offenders are being released on time. We requested detailed data from the Home Office and found that, in June 2005, fifty-nine per cent of offenders given Home Detention Curfew were released within two days of their Home Detention Curfew eligibility date.⁴¹ Out of the 100 prison case files we examined, 58 prisoners were granted Home Detention Curfew and only 28 (48 per cent) were released on their Home Detention Curfew eligibility date. Twelve further prisoners were released within a week and six had to wait more than four weeks (**Figure 18**). In total, the 30 prisoners not released on their eligibility date spent an additional 427 days in custody, equivalent to a cost of £28,660 (based on the difference between the estimated cost of electronic monitoring and the Prison Service's cost of custody). If this performance was replicated across England and Wales, delays in releasing prisoners would have cost the Home Office around £9.3 million from July 2004 to July 2005.⁴²

4.7 The Prison Service's guidance on Home Detention Curfew⁴³ states that the assessment process should typically commence 10 weeks before the eligibility date. This timetable should give the governor two weeks before the eligibility date to decide whether a prisoner can be released. The National Offender Management Service does not routinely measure how long Home Detention Curfew assessments take to complete and there is no central performance data available. Our review of 72 prison files, however, established that the median time taken to complete the assessment was 27 days, considerably shorter than the 10 week timetable (**Figure 19**). Only four assessments took longer than 10 weeks.

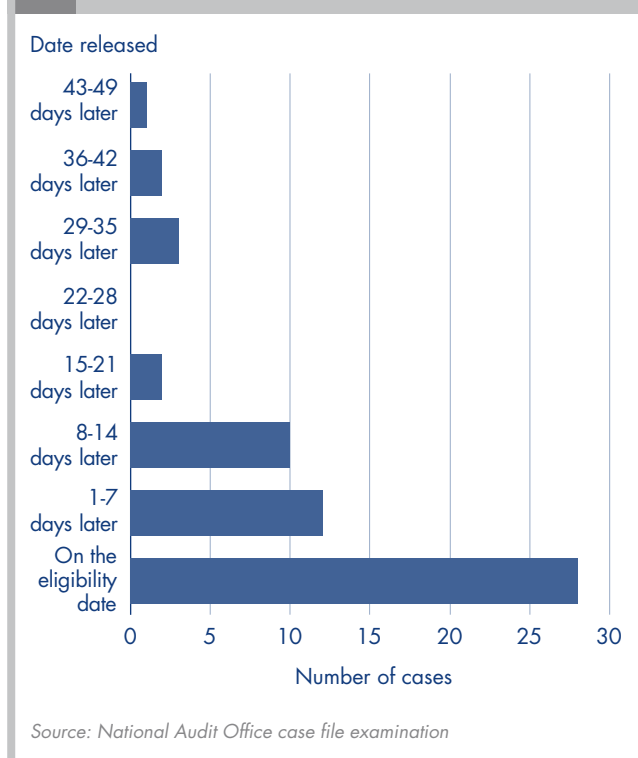
⁴⁰ *Dealing with increased numbers in custody*, HC 458, Session 2005-06. Overcrowding is defined as a situation where two prisoners share a cell designed for one, or three share a cell designed for two, and can also occur in dormitory accommodation.

⁴¹ The Home Office records the number of offenders released within two days of their eligibility date to allow for those offenders whose eligibility date falls on a weekend and who will therefore have to wait until the following Monday to be released on Home Detention Curfew. The data extracted from our case file review follows this principle.

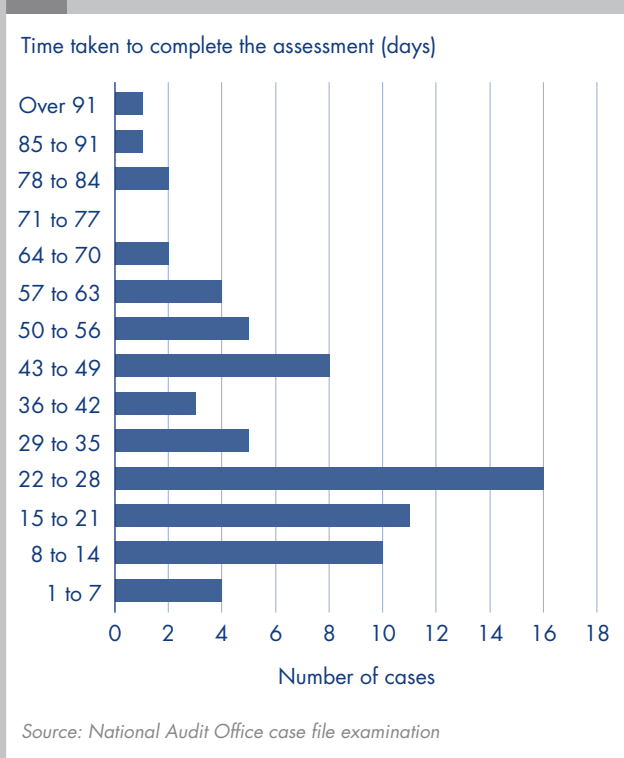
⁴² This is based on a charge per Adult Subject Day for Home Detention Curfew of £7.23, as against a cost per prisoner day of £74.84 (Her Majesty's Prison Service Annual Report and Accounts 2004-2005, adjusted to remove those prisons who have not released any offenders on Home Detention Curfew in the year to May 2005).

⁴³ Prison Service Order 6700.

18 The number of prisoners released on Home Detention Curfew on, or after, their first eligibility date



19 The time taken to complete a Home Detention Curfew assessment



4.8 From our visits to prisons and focus groups with those involved in electronic monitoring, we identified three key reasons why a prisoner may be released later than their Home Detention Curfew eligibility date:

- Prisons have to complete a Home Detention Curfew assessment more quickly for prisoners with a custodial sentence of less than nine months.
- The assessment process is not always started early enough.
- The assessment can be held up awaiting information from key parties.

Prisons have to complete a Home Detention Curfew assessment more quickly for prisoners with a custodial sentence of less than nine months

4.9 A 10 week timetable for a Home Detention Curfew assessment is only applicable for prisoners with a custodial sentence of over nine months. This is because once the time available for release on licence and the

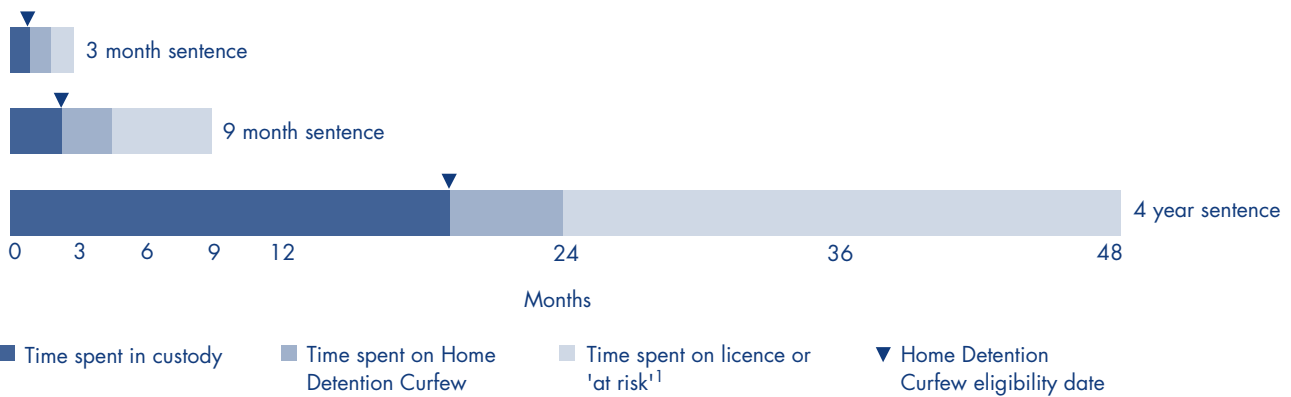
time for Home Detention Curfew is taken off a custodial sentence of less than 9 months, the eligibility date is less than 10 weeks from the start of the sentence (**Figure 20 overleaf**). There were 7,950 prisoners sentenced to six months in custody in 2004 and 7,600 sentenced to three months in custody, meaning prisons only had 6.5 weeks and 4 weeks respectively to complete Home Detention Curfew assessments for these offenders.

4.10 The Prison Service has introduced a shorter assessment process for low risk offenders.⁴⁴ Under this scheme, it is presumed that offenders are suitable for Home Detention Curfew if they:

- are serving a sentence of less than 12 months;
- are not serving a sentence for a violent, sexual or drugs related offence;
- have not been convicted of a violent or sexual offence within the last 3 years; and
- have no history of sexual offending.

44 PSI 19/2002, PSI 39/2002.

20 There is less time available for a Home Detention Curfew assessment for prisoners with a short custodial sentence



Source: Prison Service Order 6700

NOTE

1 For adults on sentences of less than 12 months, the offender is referred to as 'at risk' for this period. They are not under any supervision, but if convicted of any further offences during this period they will be required to return to prison to serve the remainder of their sentence in custody. For sentences of 12 months or over, the offender will be on licence from the point of release from prison up until the ¾ point of their sentence, and under probation supervision. After this ¾ point, they will be 'at risk' until the end of their sentence.

If they fulfil all these criteria, then the assessment process is simplified to include only the home circumstances report from external probation and an assessment by the reviewing officer in the relevant prison. The assessment will be passed directly to the governor, who will then either authorise release on Home Detention Curfew, refuse Home Detention Curfew, or refer the prisoner for the standard assessment process, which also takes account of any previous history of behaviour on a tag.

The assessment process is not always started early enough

4.11 A prison may be unable to commence a Home Detention Curfew assessment on time because it does not have the necessary information. Our report on overcrowding in prisons⁴⁵ established that the high number of prisoners in custody has increased the number of prisoner movements between establishments. Around 5,000 prisoners were moved on 'overcrowding drafts' in 2003-04. The prison governors and administrative staff we interviewed explained that the 'originating' prison often did not send the necessary Home Detention Curfew paperwork when the prisoner was transferred to them. As a consequence, the prison has to request the information be sent or to re-start the assessment process.

4.12 The prison governor must examine previous convictions in order to determine whether a prisoner is eligible for Home Detention Curfew and, hence, whether an assessment should be undertaken. According to the Prison Service guidance,⁴⁶ if an offender has committed any of the offences specified in **Figure 21**, the prisoner is 'presumed unsuitable for release on Home Detention Curfew, unless exceptional circumstances exist'.

4.13 Details of a prisoner's previous convictions are held on the Police National Computer. However, only 43 out of the 113 prisons which released offenders on Home Detention Curfew in 2004 have direct access to this computer system. Those prisons without direct access have to request the information from other sources, such as other prisons, the police or a Probation Area. As a consequence, delays can arise – we found one example where the local Probation Office declined to send such information in case it contravened data protection legislation.⁴⁷ At Her Majesty's Prison New Hall, the Home Detention Curfew assessment team reported that the biggest cause of delays to completing a Home Detention Curfew assessment was obtaining records of previous convictions. The prison does not have access to the Police National Computer, so the team have to ask the nearest prison with access to print off and post the relevant documents to them. This process can take up to six weeks.

45 *Dealing with increased numbers in custody*, HC 458, Session 2005-06.

46 Prison Service Order 6700, paragraph 5.8.1.

47 Chelmsley Wood Probation Office.

21 Offences likely to preclude a prisoner from being released on Home Detention Curfew

- Homicide
- Explosives offences
- Possession of an offensive weapon
- Possession of firearms with intent
- Cruelty to children
- Sexual offences

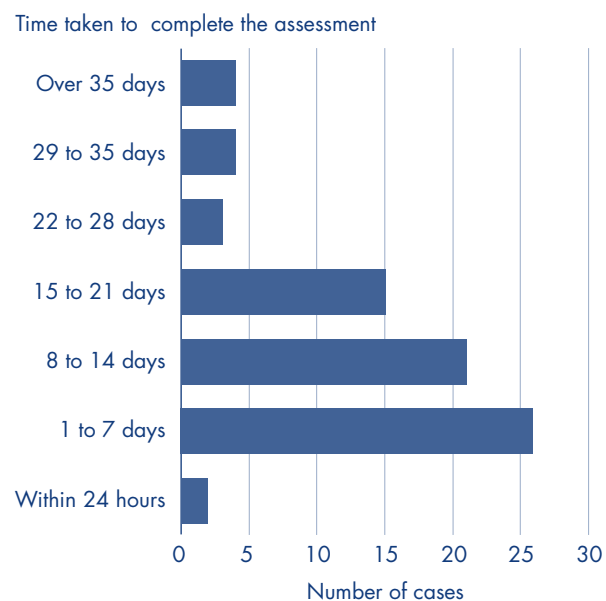
Source: Prison Service Order 6700

The assessment process can be held up awaiting information from key parties

4.14 The Home Detention Curfew assessment process requires a member of staff from the relevant Probation Area to visit the address nominated by the prisoner to confirm it is suitable and that the householder and other members of the family are content for the offender to be curfewed at the address. The factors taken into account include the proximity of the address to any victims of the crime committed by the prisoner and whether other members of the household are likely to support the offender during the Home Detention Curfew. According to a two-week activity sampling exercise reported in the Home Office's *Assessing Prisoners for Home Detention Curfew: A Practitioner's Guide*,⁴⁸ each home circumstances assessment took a probation officer an average of 4 hours 15 minutes. Our focus group discussions with practitioners confirmed this estimate to be broadly realistic.

4.15 By the time a probation officer has arranged a suitable date for the home visit and fitted the task around other work priorities, two weeks or more have typically elapsed before the assessment is complete. Of the 75 prison files we examined where a home circumstances report was requested and there was sufficient information to determine how long it took to complete, 49 (65 per cent) were returned within 14 days (**Figure 22**). Four reports took more than five weeks to be returned, and one took over 11 weeks. In that instance, Liverpool prison requested the report from Saltley Probation Office nearly two months before the offender's Home Detention

22 The range in the time taken by Probation Areas to complete their part of the Home Detention Curfew assessment



Source: National Audit Office case file analysis

Curfew eligibility date. No reply was received after two weeks, and a reminder was sent. The completed report was returned to the prison the day before the prisoner's eligibility date. It then took another nine days to process the rest of the assessment and release the prisoner, more than one week after his Home Detention Curfew eligibility date.

4.16 For offenders undergoing the shorter presumptive assessment scheme the National Offender Management Service should consider setting up a dedicated Service at a regional level to carry out all home circumstances checks in a particular region. If the offender's sentence is over twelve months and they are undergoing the standard assessment scheme, they will be supervised in the community by a Probation Officer when they are released. It may therefore be more appropriate for the allocated local Probation Officer to conduct the home circumstances checks to give continuity of contact for the offender with the same Probation Officer.

48 *Assessing Prisoners for Home Detention Curfew: A Practitioner's Guide*, Home Office Research, Development and Statistics Directorate, December 2000.

Work is sometimes duplicated or carried out unnecessarily as part of the Home Detention Curfew assessment process, leading to wasted time and resources

Assessments can sometimes be completed even though there is already sufficient evidence to demonstrate the prisoner would not be granted Home Detention Curfew

4.17 Better co-ordination of the different organisations involved in electronic monitoring could simplify procedures and reduce unnecessary work. Prison governors typically request prison staff and Probation Area assessments of a prisoner before they will determine whether Home Detention Curfew is appropriate. Although such an approach ensures the decision is fully evidence based, an interim assessment could identify those cases where it is clear Home Detention Curfew is inappropriate and avoid the Probation Area having to undertake a home visit.

4.18 Prison governors did not grant Home Detention Curfew in 42 out of the 100 prison files we examined. In cases where Home Detention Curfew was not granted, home circumstances checks were requested in 59 per cent of cases, and of these cases at least 12 per cent (three cases) were turned down for reasons that were not to do with information provided in the home circumstances checks. In January 2005, Liverpool prison modified their Home Detention Curfew assessment process to include an interim assessment by the prison's internal probation officer to determine whether the Probation Area needs to undertake a home visit. The prison's internal probation officer will gather all the relevant information available internally and, if they feel that the prisoner is unlikely to be granted Home Detention Curfew, they will send the paperwork directly to the governor for a decision on the information available. In most instances, the governor follows the recommendation of the internal probation officer, but if the governor at that stage decides that the offender might in fact be suitable for Home Detention Curfew, a home circumstances check would then be requested. The prison estimated that it was able to save the National Probation Service undertaking around two visits each month.

4.19 If the results of our file examination were replicated across England and Wales, 12 home visits out of every 100 Home Detention Curfew assessments are likely to be nugatory. Based on the typical 4 hours and 15 minutes probation staff time required to complete a home visit, the staff cost of each visit is around £55. Multiplying the incidence of nugatory visits by the 32,086 prisoners assessed for Home Detention Curfew in 2004 and multiplying this by £55 suggests the National Offender Management Service could save £211,770 a year by introducing an interim assessment. There should not be any additional resource demands made on prisons as all the available evidence is normally gathered and summarised at this stage in any case.

Confusion over who can authorise an offender's absence for a curfew period can increase the burden on courts and prisons

4.20 Offenders subject to electronic monitoring can request permission to be absent for part of a curfew period. According to the contracts for electronic monitoring issued in April 2005, such absences can include:

- emergency medical treatment;
- job interviews;
- attendance at court as a witness;
- attendance at weddings and funerals of family members; and
- other circumstances where the Home Office has agreed that an absence may be authorised.

The absences must be for no longer than 24 hours, and the contractor must notify the Home Office each time they have granted such an absence.

4.21 The participants in our practitioner focus groups considered the existing guidance on granting absences unclear. Prison staff and contractor staff had different understandings of who could authorise which kind of absence. These results were confirmed in our interviews with prison governors, some of whom stated that they were being asked to authorise one-off absences that should have been dealt with by the contractors.⁴⁹

⁴⁹ Contractors have clear guidelines as to under what circumstances authorised absences should be granted.

4.22 Courts are often asked to authorise variations to an Adult Curfew Order. While we did not hear of any instances of courts being asked to authorise absences which could have been authorised by the contractor, court staff did report that dealing with variations to Adult Curfew Orders took a long time. At Bristol Magistrates Court, for example, administrative staff reported that the court made around 100 Curfew Orders per month, but they also dealt with around 40 requests for a variation to curfew hours per month. Court staff also reported that making a variation to a Curfew Order typically took around 30 minutes – often longer than it took to issue the original Order.

Prisoners cannot be granted Home Detention Curfew if their home address is in Scotland

4.23 The Home Office's contracts with Securicor Justice Services Ltd and Premier Monitoring Services Ltd cover England and Wales and do not include Scotland or Northern Ireland. The Scottish Executive has its own contract with Reliance Monitoring Services Ltd to run electronically monitored restriction of liberty orders, conditions of probation or drug treatment and testing orders, and conditions of parole licences. They have also recently introduced electronic monitoring as a condition of bail in certain circumstances. There is currently no electronically monitored early release from prison scheme in Scotland, but provision for such a scheme is made in the Management of Offenders Bill which, if passed, is expected to come into force in early 2006. There is no memorandum of understanding between the Home Office and the Scottish Executive to monitor prisoners on behalf of each other. As a consequence, any prisoners in England and Wales with a home in Scotland are not entitled to Home Detention Curfew. Five out of the 607 prisoners assessed at Moorland prison were refused Home Detention Curfew because their home was in Scotland.

APPENDIX 1

Our audit approach

1 This appendix summarises how we collected the evidence for this report.

Review of case files

2 We reviewed a representative random sample of files for individual cases of Home Detention Curfew and Curfew Orders, to collect the following information:

- how long it took to assess and release prisoners on Home Detention Curfew;
- how long it took to tag curfewees;
- how often contractors checked the equipment;
- how often curfewees violated the terms of their curfew, and the contractor, Home Office's and courts' response to these violations;
- whether the curfewees had re-offended either during their curfew period, or afterwards (this data was gathered by entering the names and personal details of our sample curfewees through the Police National Computer, to determine whether they had been convicted of any offences committed after the start of the curfew period).

3 The sample consisted of:

- 100 files from the following prisons who release offenders on Home Detention Curfew: HMP Liverpool, HM Young Offenders Institution Feltham, HMP New Hall (a women's prison), HMP & Young Offenders Institution Moorland and HMP Cardiff.
- 40 files from the Release and Recall Section at the Home Office, which deals with prisoners released on Home Detention Curfew who have breached their curfew.
- 290 files from the contractors, which breaks down as follows:
 - 100 files for those on Curfew Orders, of which 35 were breach cases
 - 190 files for those on Home Detention Curfew, of which 78 were breach cases.

Costing

4 We calculated the average cost of a Curfew Order or Home Detention Curfew for 20, 30, 60 and 90 days, under both the original contracts and the contracts which began on 1 April 2005. These costs included the costs of electronic monitoring to the rest of the criminal justice system, which were obtained through focus groups, interviews and surveys with staff in prisons, courts, local probation areas, police forces and the Electronic Monitoring Team in the National Offender Management Service. These costs were compared to cost of custody over the same periods, as calculated by the Prison Service.

Focus groups

5 We conducted four focus groups with front-line staff in the criminal justice system to identify the processes behind Curfew Orders and Home Detention Curfew, the resources devoted to electronic monitoring, areas of good practice and bottlenecks which could cause delays, either in releasing prisoners on Home Detention Curfew, sentencing offenders to Curfew Orders or dealing with breaches of Curfew Orders. Two focus groups dealt with Home Detention Curfew, and were held at HMP Liverpool and HMP Cardiff, with the following attendees:

- Home Detention Curfew Clerks at the prison.
- Prison Officers responsible for assessing the suitability of prisoners for Home Detention Curfew.
- Probation Officers based at the prison.
- Probation Officers working in the local area.
- Field Monitoring Officers from the contractors.
- Police Officers.

Two focus groups dealt with Curfew Orders and were held at Bristol Magistrates' Court and Birmingham Magistrates' Court, with the following attendees:

- Clerks of the courts
- Probation Officers working in the local area
- Police Officers
- Field monitoring officers from the contractors

Interviews

6 We conducted structured interviews with the contractors' Directors, the Electronic Monitoring Team at the National Offender Management Service, and governors at ten prisons. These interviews covered the reliability of the electronic monitoring equipment, relations with the rest of the criminal justice system, the performance management system in the contractors and how the contractors had performed against it, the procurement of the new contracts, the assessment of prisoners who are eligible for Home Detention Curfew, and breach rates.

Qualitative research with curfewees

7 We commissioned MORI to interview 18 curfewees and their families about the effect that being electronically monitored had on their offending behaviour, employment prospects and family life. The interviewees were all adults on either Curfew Orders or Home Detention Curfew, came from all five contractor areas, from a range of urban, suburban and rural localities and were selected to be representative of the wider curfewee population in terms of gender and ethnicity. A report of the results of this research is available at Appendix 4.

Survey of Chief Constables

8 We commissioned MORI to survey all the Chief Constables in England and Wales. We received 36 responses from the 43 Chief Constables surveyed. The questionnaire gathered data on the police resources used in relation to electronic monitoring, and to obtain their opinions on the effectiveness of electronic monitoring in preventing further offences by the curfewee.

Review of contracts and performance data

9 We compared the key performance indicators and pricing structures of the original electronic monitoring contracts with those in the contracts which came into force on 1 April 2005. We analysed reports from the contractors which recorded their performance against contract, including equipment failures, and the resulting performance deductions.

10 To further test the reliability of the equipment, we arranged for two team members to be tagged for a week, one by each of the current contractors. The team members kept a detailed record of all their movements. This was compared to the computer-generated record produced by the contractors, to check that they had registered all events, and that they had not generated false reports of violations. The results can be found in Appendix 3.

Reference panel

11 We set up a reference panel to advise us on the scope of the study, our methodology and to discuss the practical implications of our recommendations. The reference panel consisted of:

- Chief Superintendent Andy Adams, Essex Police Force
- Chief Inspector Chris Macintosh, Essex Police Force
- Mark Depulford, Office for Criminal Justice Reform.
- Andrew Fleming-Williams, Treasurer, Prison Reform Trust.
- Harry Fletcher, Assistant General Secretary, National Association of Probation Officers.
- Robin German, Curfewee.
- Janet Males, Magistrates Association.
- Professor Mike Nellis, Professor of Criminal and Community Justice, University of Strathclyde. Professor Nellis is evaluating the Home Office's pilot of satellite tracking.
- Jane Seddon, National Offender Management Service HQ.

APPENDIX 2

The three main types of electronic monitoring used by the Home Office

Type of equipment

Electronic tagging



How it works

The subject wears a tag, usually on their ankle, which is approximately the size of a large digital watch. In the tag is a transmitter which sends signals at regular intervals to a receiver unit installed in the curfew address (either the subject's home or a hostel). These signals are in turn sent on to a central computer. If the subject moves out of range during the curfew period there is a break in the signal which is registered by the central computer.

Usage in 2004-05: 52,800 people were fitted with a tag.

Satellite tracking



The tracked subject wears a tag around their ankle and a tracking device on their belt. The tag is similar to the one used for electronic tagging, and the tracking device is essentially a portable receiver which uses global positioning by satellite to calculate the person's location and to relay this information to a monitoring centre. Staff at the centre regularly check the location of the person and can notify the relevant authorities if the individual enters any excluded areas. Satellite tracking is being tested in three regions: Greater Manchester, Hampshire and the West Midlands.

Usage in 2004-05: 90 people were monitored by satellite tracking.

Voice verification



The person is invited to record a number of specified phrases which can be stored on a central computer. The subject is telephoned at home at random times during the curfew period and asked to answer a number of computer-generated questions. The voice print is checked against the record to confirm the identity of the subject.

Usage in 2004-05: 310 people were monitored by voice verification.

APPENDIX 3

A comparison of our diary of events with the records from the electronic monitoring contractors

1 Two members of the NAO study team were tagged and monitored for one week by the contractors. Each person was subject to a 7pm to 7am curfew, had the tag fitted around their ankle and a monitoring unit installed in their home, which transmitted details of their movements to the contractor's monitoring centres. The team members kept a detailed diary of their movements that week in order to compare it to the contractors' electronic records. Each person did all they could to disrupt the working of the system in order to check that the system worked.

2 As **Figure 23 overleaf** shows, the Securicor system logged the team member's movements accurately. The one instance where the curfewee was in the house despite being shown as absent should in a real life situation have been verified by a phone call from the contractor. We did not require the contractors to make telephone calls or visits because of the disruption this would cause to team members and their households. Crucially, the system recognised when the curfewee had left the house or tampered with the equipment, so a breach of the curfew conditions would have been recorded. The results of the Premier test are shown in **Figure 24 overleaf**. All of the violations were recorded correctly, and there were no false reports of violations - specifically, activities such as getting dressed, having a bath, dusting round the monitoring unit or accidentally knocking the monitoring unit were not recorded as deliberate tampering with the equipment, or as absences.

23 A comparison of the team member 1's diary and Securicor's records

Date (2005)	Time	Diary	Contractor's record (Securicor's records show all movements of the curfewee)	Agrees?
19 June	19:00 – bedtime	In house or on patio	19:00 Installation	✓
20 June	06:00	Shower	06:37 Left home	✓
	06:36	Left house	19:51 Return home	✓
	19:51	Returned to house		
	20:19	Took bin out		
	20:21	Returned		
21 June	07:06	Left house Returned home	07:06 Left home 17:48 Return home	✓ ✓
	17:56	Ate dinner on patio		✓
	19:15	Tag bleeped		
22 June	07:15	Left house	07:18 Left home	✓
	17:56	Returned home	18:01 Return home	✓
	22:00	On patio and in garden	18:25 Left home	✓
				18:37 Return home
23 June	06:40	Left house Out all night	06:48 Left home	✓
24 June	17:15	Returned home	17:13 Return home	✓
	18:10	Left house	18:14 Left home	✓
	18:30	Returned home	18:26 Return home	✓
	20:03 – 20:32	In bath	20:05 Left home 20:23 Return home	✓ X ⁵⁰
25 June		In house all day – out as far as patio or front door		
	19:46	Turned box off	19:48 AC Power loss	✓
	19:49	Turned box on	19:49 AC Power restored	✓
	19:49	Pulled plug out – shown time as 19:49	19:50 AC Power loss 19:52 AC Power restored	✓ ✓
26 June	09:17	Left house	09:19 Left home	✓
	15:20	Returned	15:20 Return home	✓
	16:04 – 16:06	To bottom of garden		
	16:07 – 16:11	Loud music		
	16:12	Shook box		
	16:14	Nudged box	16:12/16:15/16:18/16:19 Monitor moved	✓
	16:14 – 16:16	Put box upside down		
	16:18	Knocked box off shelf		
	16:30 – 16:33	Unplugged and took box for a walk	16:22 AC Power loss	
	16:41	Moved box to middle of garden	16:23/16:24 Monitor moved 16:25 AC Power restored	✓ ✓
			16:30/16:37 Monitor moved	✓
	16:41 – 16:42	Went up and down from patio	16:46 Strap Cut	✓
	16:45	Broke off "tamper cover" and white prongs		✓
		Took off tag & glued it back on		✓
17:00	Cut off tag		✓	
	Untagged by Securicor	17:47/17:49 Monitor moved Decommission	✓ ✓	

50 The team member was in the house but in a cast iron bath – the unit could not transmit signals through the bath to the monitoring unit, so the system had logged her as being out of the house. In these circumstances the contractor would have rung and ascertained her whereabouts. We did not require the contractors to make telephone calls or visits because of the disruption this would cause to team members and their households.

24 A comparison of the team member 2's diary and Premier's records.

Date (2005)	Time	Diary	Contractor's record (Premier's records only show violations, visits by their staff and phone calls between the contractor and the curfewee)	Agrees?
15 May	21:00	Induction by Premier Field Monitoring Officers. Fitted tag to left ankle, installed monitoring unit in living room, checked the range of the equipment, and that the tag could transmit signals from the bath.	21:00 Live induction SMU – Living Room PID – Left Ankle Bath Calibration – 72/69, Plastic Ranges – 50/50	✓
16 May	02:20	Changed clothes, jolting tag, to replicate accidental tamper	No entry	✓
16 May	11:26	Put socks on, may have accidentally jolted tag	No entry	✓
16 May	–	In flat all day except for 5 minutes at 11.30 am (not during curfew period).	No entry	✓
		Music playing on stereo system (curfewees have claimed this shows up on the system as a tamper with the monitoring unit)	No entry	✓
16 May	21:55	Took socks off, may have accidentally jolted tag.	No entry	✓
17 May	08:35	Left home	19:00 – 01:46 PID absent during curfew	✓
18 May	01:50 approx	Returned home		
18 May	08:35 19:55 approx	Left home Returned home	19:00 – 19:54 PID absent during curfew	✓
19 May	08:30 21:05 approx	Left home Returned home	19:00 – 21:03 PID absent during curfew	✓
19 May	22:02 – 22:03	Tried to pull off tag (didn't succeed) to replicate accidental tamper caused by catching tag on furniture etc	No record	✓
20 May	08:30 21:30 approx	Left home Returned home	19:00 – 21:31 PID absent during curfew	✓
20 May	22:16	Left home	22:16 – 01:46 PID absent during curfew	✓
21 May	01:46 approx	Returned home		
21 May	14:20	Left home	19:00 – 00:27 PID absent during curfew	✓
22 May	00:29 approx	Returned home		
22 May	01:00 – 01:25	At home, in bath	No record	✓
22 May	13:10 – 14:29	Unplugged monitoring unit, to replicate deliberate tamper	13:10 – 14:29 MU Power off	✓
22 May	15:31	Picked up monitoring unit and turned it upside-down to replicate deliberate tamper	15:31 – 15:32 MU Tilt detected	✓
22 May	15:34	Dusted monitoring unit to replicate accidental tamper	No record	✓
22 May	15:36	Knocked into table which monitoring unit was on, to replicate accidental tamper	No record	✓
22 May	15:38 – 15:44	Unplugged monitoring unit, put it in bag and carried it around the block	15:38 – 15:43 MU Power off 15:40 – 43 MU Tilt detected 15:40 – 15:43 SMU Tilt with mains off	✓ ✓ ✓
22 May	15:45	Cut tag off with scissors	15:45 PID tamper	✓
22 May	16:50	Tag de-installed by Premier Field Monitoring Officers	16:50 De-installation	✓

APPENDIX 4

The results of qualitative research with curfewees and their families

1 We commissioned MORI to carry out qualitative research with curfewees and members of their household to explore their experiences of electronic monitoring.

2 Two of the key strengths of qualitative research are that it allows issues to be explored in detail and enables researchers to test the strength of people's opinion. Qualitative research is *illustrative* rather than *statistically representative* however, and does not allow conclusions to be drawn about the extent to which views are held. In addition, it is important to bear in mind that the comments made are based on perceptions rather than facts.

Summary of MORI's findings

Experiences of being on curfew

3 Those interviewed on a Home Detention Curfew were generally positive about their experience and preferred it to finishing their sentence in prison. Younger males in particular were quite happy with Home Detention Curfew and viewed it as a good method of easing them slowly back into society after prison. This was especially the case with those who had completed previous custodial sentences and who cited the ease in which they could slip back into their old criminal routine without any structures imposed. The restrictions Home Detention Curfew gave were seen to help the offender establish a more controlled lifestyle rather than the extreme transition of immediate release. Due to the fact that Home Detention Curfew was perceived as essentially an early release from prison, it was generally viewed as a *'bonus'*.

"It puts everything into perspective again... you get slowly back into what you were doing before"

Male, Home Detention Curfew, 18-24

4 Respondents on a Curfew Order, especially those who had expected to go to prison, on the whole viewed the Curfew Order positively as they believed people had put trust in them and given them a second chance. In some instances, those on Home Detention Curfew viewed a Curfew Order as the lenient *'easy option'* and that the offender had got away with the crime – as the punishment has a lower impact and is less severe than prison.

"[People on a Curfew Order] see it as they're getting away with it... they're getting a tag... so what! When you've been to prison and you're sent down them steps in the court room, that's what hits you, you're not going home for a long time, that's what hit me."

Male, Home Detention Curfew, 18-24

5 However, a large proportion of those interviewed felt that too often prison was an education in criminal activity to offenders, therefore electronic monitoring was more effective at halting the development of a criminal career.

"You learn more about other crimes [in prison] and I think it gives you a taste to do other crimes because you're sat listening to other people"

Female, 25-34, Home Detention Curfew

There was widespread agreement that electronic monitoring was a more effective punitive measure than fines. If people could afford the fine, it was not seen as an effective punishment, and where people could not pay the fine, it was likely that their family would suffer the financial consequences. Electronic monitoring was generally viewed as more effective than community service. However, a few respondents felt that it should still be combined with community service as they felt that curfewees were not learning the humbling lessons that community service teaches.

6 Although the majority preferred electronic monitoring to other forms of punishment, there were some exceptions. Some cases disliked the lack of flexibility in monitoring, where they were expecting *'freedom'* but didn't have the independence to achieve it.

The impact on employment and education

7 In most of the interviews, the curfewees knew that they could change the hours of their curfew for employment purposes and had utilised this if needed. However, not all curfewees knew this and some were highly sceptical whether in reality they would be able to do so. This led to some on Home Detention Curfew feeling frustrated that they were given the opportunity to leave prison earlier but that they didn't have the flexibility to gain employment. They would have benefited from more effective communication detailing the flexibility available.

8 Those on a treatment scheme for drug misuse felt electronic monitoring had reduced their employment opportunities because, once they had received their treatment, there was not enough time in the day left to work.

"Because I'm on a DTTO... I can't work. I was working evenings like... And now I can't work."

Male, 18-24, Curfew Order

Some parents on curfew complained that, because of childcare in the day, they were missing out on 'evening school' education due to curfew hours.

9 Those who lived in rural areas felt that their employment possibilities had suffered due to the longer travel time needed to and from their workplace being restricted by the curfew hours.

10 Some curfewees also felt that employers would be less likely to offer them a job if they found out they were tagged.

"If you went to a lot of employers and they knew you was on tag, you know you'd probably get the odd few that would go yeah OK but like you know... there wouldn't be many would there?"

Female, 35-44, Home Detention Curfew

The impact on family and social life

11 Compared to prison, those on Home Detention Curfew were generally quite positive about the social impact of electronic monitoring, especially those living with a partner: one curfewee felt that '*prison was tearing us apart*'. However, although quite positive overall, a number of respondents noted strains on their relationships due to the sudden impact of spending a lot of time with someone after time apart.

"We've spent 13½ months apart and now we've been forced into a house for twelve hours, forced back together for such a long time... it's still taking us time to adjust back to each other"

Male, 18-24, Home Detention Curfew

12 A number of households reported rising tension and stress due to the increased time spent together in the house. Parents who were electronically monitored were grateful for the opportunity to be with their children; however, a large proportion of these felt that the lack of flexibility with curfew hours caused a number of problems relating to childcare. Parents reported difficulties in keeping order over their children as they could not leave the house to collect/discipline them. In addition to this, some parents felt that the safety of their children was jeopardised because they felt uncertain dealing with emergency situations due to the restrictions, therefore putting their child in danger.

"I couldn't go off my doorstep and she was out playing and fell over and I couldn't go out... I feel like her life's in danger cos of me."

Female, 35-44, Home Detention Curfew

13 Young males, especially those who were parents, generally felt very positive about the impact of electronic monitoring on their family life, as they had got closer to their family. However, the parents of young offenders felt burdened with looking after a curfewee and said that '*all they're [the criminal justice system] doing is passing the buck*' and suffered from increased anxiety levels and perceived imprisonment due to the perception of responsibility for curfew administration.

"I felt like a prisoner in my own flat"

Household interview (parent)

14 Some curfewees mentioned feeling guilty because they felt they were imposing a form of curfew on their partners who generally stayed in the house with them.

15 As with their working life, those who lived in rural areas found that monitoring had a greater impact on their social life due to the travel time needed to socialise with others.

The impact of the curfewees' background

16 Those on curfew did not generally feel that their gender or disability had greatly affected their experience of curfew. The curfew did impact on religious attendance; however people chose to practice at home instead of at the mosque/church.

"Our prayers are late in the evening in summer, but obviously I can't go at the mosque, as I have to do it at home"

Male, Asian, 45-59

One Asian respondent felt that offenders from a white background were given higher priority to electronic monitoring than other ethnicities. However, most respondents did not feel that their ethnicity had affected their experience of being tagged.

17 In a similar vein to parents' concerns regarding the effect of curfew on their children's safety, there was also apprehension regarding the care of ill relatives. Because this is not 'employment' they felt unable to change the hours of their curfew. This led to anxiety as the correct level of care could not be offered.

"She had to drive herself [to hospital], it was in the evening and she was vomiting, she was really ill... I couldn't leave."

Male, 35-44, Curfew Order

The tagging equipment

18 In general, respondents found the tag itself satisfactory to wear. A few mentioned it being 'a bit uncomfortable', especially in warm weather and 'bulky', saying that it had given them blisters. A few women mentioned that the actual tag was not very feminine and was quite difficult to hide, leading to embarrassment for themselves and their family in public areas such as school or swimming baths. There was widespread agreement that they should be made more visibly pleasing and less obvious. The style of a watch, worn around the wrist⁵¹ was mentioned as an acceptable alternative. Some respondents also claimed the tags were too sensitive, with reports of even the slightest knocks causing it to beep.

"Always the thing on my leg going off, had to change that twice, the machine has gone off a few times"

Male, 18-24, Home Detention Curfew

19 Most respondents found the monitoring box satisfactory; however, a number had experienced problems. It was quite rare for a box not to have been replaced in its time; in one instance, Premier ended up supplying seven different boxes due to faults.

20 Those interviewed stated that they had not attempted to tamper with the equipment as the risks of being discovered were too high. A number of tampering methods were mentioned by curfewees, such as 'put it on the cat', 'slipped off', 'tin foil on it' but they were commonly hearsay and there was a degree of scepticism as to whether these methods would really work.⁵²

The providers

21 In summary, the contact with the companies who provide electronic monitoring (Premier/Securicor) had been good and in most cases respondents found representatives to be helpful and courteous, 'they seemed really friendly and quite down to earth' (curfewee tagged by Premier). However, one issue noted for both providers was that on occasions it was very difficult to get hold of them, with waiting times of around 20-25 minutes. In the case of emergency, this delay was felt to be unacceptable. A couple of the respondents felt that Premier had reacted unsympathetically in emergency situations which had caused a breach of curfew (i.e. children or grandchildren being rushed to hospital).

22 A number of curfewees and household members mentioned examples where their provider (both Securicor and Premier) had visited the house unannounced late at night⁵³ to check the monitoring box. In some instances this shocked or scared the respondent and highlights a potential area where communication could be improved.

"She came quite late at night, think it was about 11 o'clock when they came to check the box, which we're we didn't know they were actually coming. So it would've been nice if we'd known because obviously you don't expect somebody knocking on the door at that time"

Household interview (Securicor)

51 Contractors will only fit tags to wrist in exceptional circumstances (such as when the curfewee is pregnant) as there is a risk that the curfewee could slip the tag off over their wrist.

52 Figure 6, in Part 2 of this report explains how the equipment is designed to withstand tampering.

53 Under their contract with the Home Office, the providers are only permitted to visit curfewees during curfew hours, which usually start at 7pm.