

Creativity and effectiveness in the use of electronic monitoring as an alternative to imprisonment in EU member states

Professor Anthea Hucklesby
Centre for Criminal Justice Studies, University of Leeds, UK
A.L.Hucklesby@leeds.ac.uk



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Partners

Partner	Institution	Jurisdiction
Anthea Hucklesby	University of Leeds	England and Wales
Gill McIvor	University of Stirling	Scotland
Kristel Beyens	Vrije Universiteit Brussel	Belgium
Miranda Boone	Utrecht University,	The Netherlands
Frieder Dünkel	University of Greifswald	Germany

Aim and objectives

Aim

- to compare the operation of EM for adults in 5 jurisdictions in order to examine its use at all stages of the criminal justice process and its effectiveness in terms of providing an effective and humane alternative to custody and reducing prison populations.

Objectives

- Describe and explain the legal and policy context in which EM operates
- Identify the ways in which EM is employed in each jurisdiction
- Identify and analyse European frameworks, rules and decisions relevant to EM
- Explore the operation of EM in each jurisdiction
- Explore a range of outcomes including compliance rates and offending rates for defendants/offenders subject to EM
- Compare practices and outcomes between jurisdictions
- Identify best practice in relation to the implementation of EM; and
- Disseminate the findings and best practice to policy makers and practitioners.

Workstreams

1. Describes and explains the legal and policy context in which EM operates and identifies ways in which EM is implemented in each jurisdiction.
2. Identifies the ways in which EM is implemented and used in each jurisdiction and examines a range of outcomes including compliance and offending rates. It also explores conceptions of effectiveness in different jurisdictions and the role of policy transfer between EU member states.
3. Compares practices and outcomes between jurisdictions drawing out similarities and differences and drawing conclusions about best practice in the implementation of EM and effectiveness.
4. Disseminates the findings of the project.

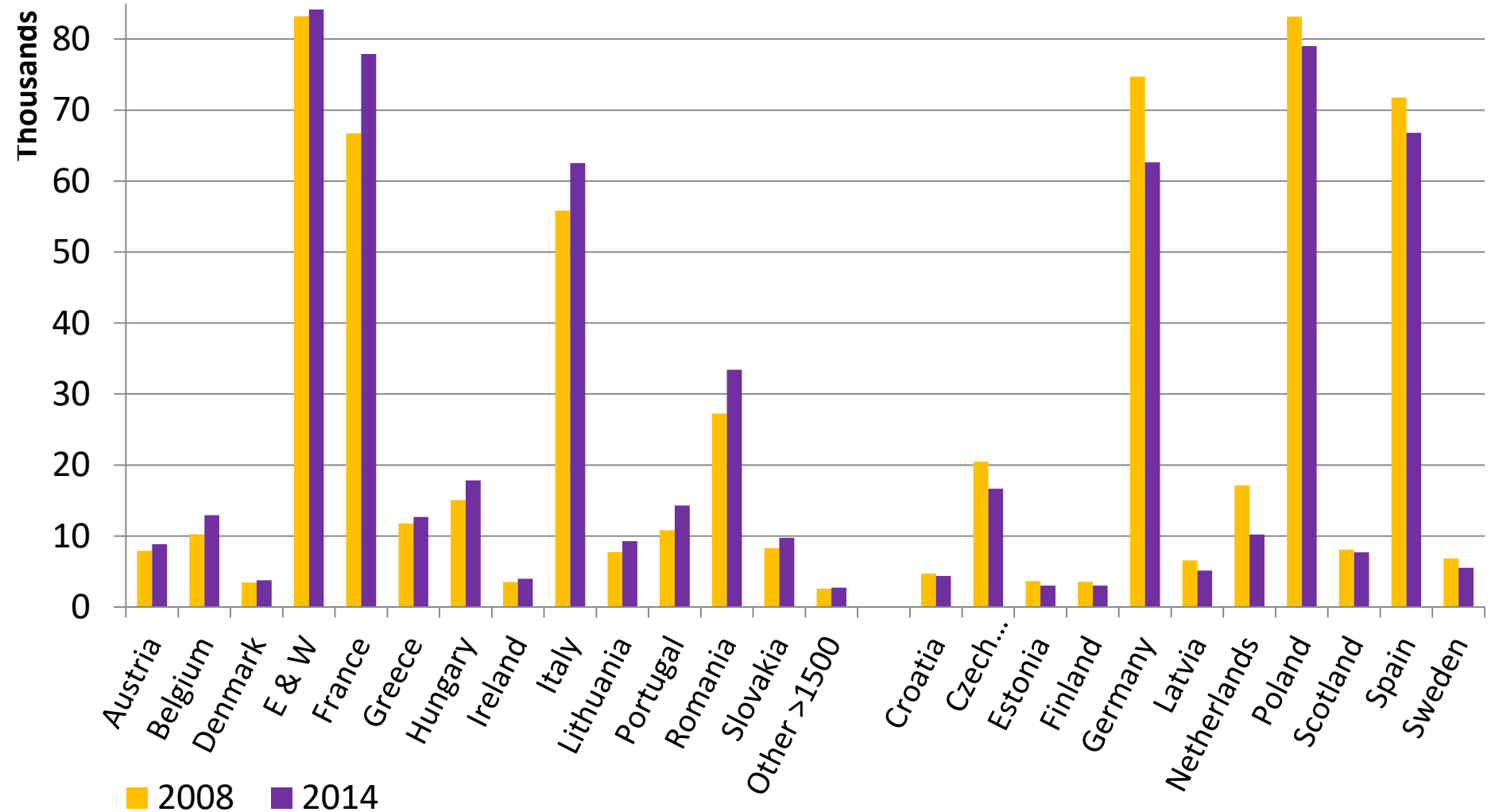
Timetable

- Start May 2014
- Empirical research Nov 2014-July 2015
- Dissemination Dec 2015-April 2016
- End April 2016

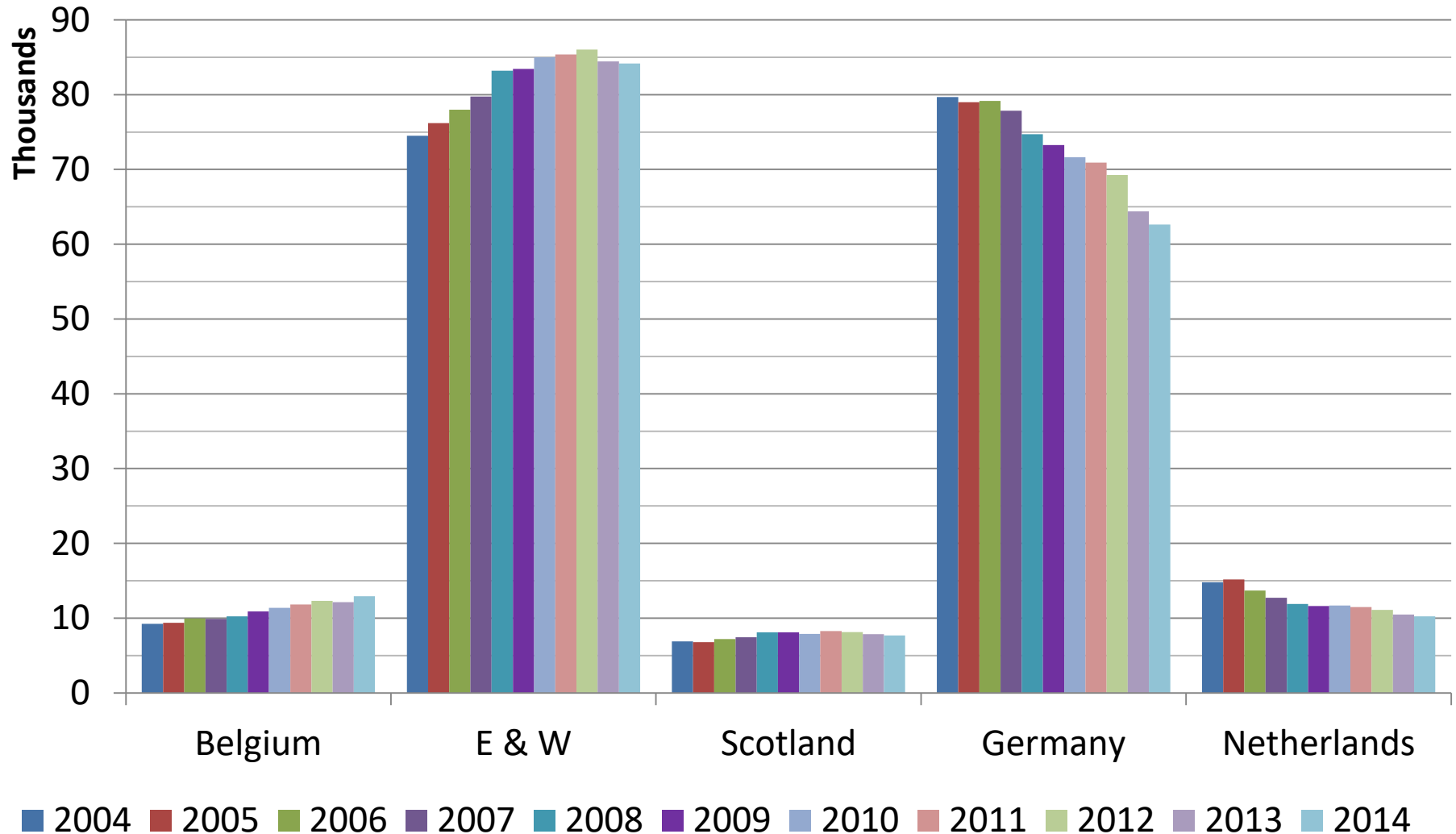
Outputs

- Reports
 - Final report
 - Jurisdictional reports
- Regional workshops
- Conferences in Brussels and London

Prison populations in EU member states 2008 and 2014 (SPACE1)



Prison populations 2004-2014 in partner jurisdictions (SPACE 1: 2012; 2014)



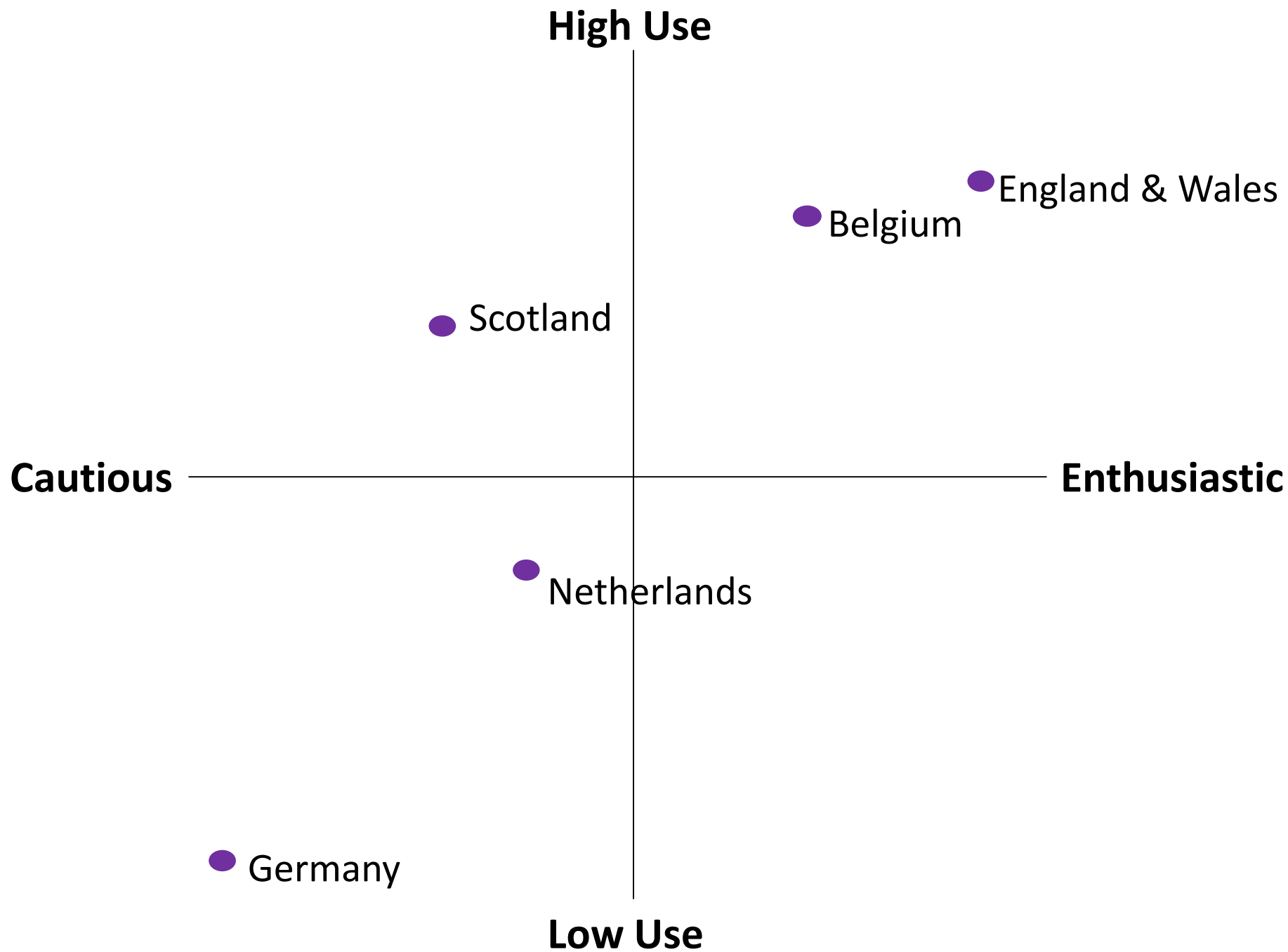
Background to the idea

- EM in England and Wales
 - Use
 - RF only
 - High proportion of standalone curfews
 - Large scale - 14,000 (March 2014)
 - Standardised - hours
 - Police use of GPS
 - Effectiveness
 - 'Habit-breaking'
 - Compliance rates vary
 - Sex, age, length of order, curfew hours



Comparative research

- EM is organised and used differently in all of the countries
- Comparative research will assist in identifying what works and best practice.



Availability of EM for adults

	Belgium	England and Wales	Germany	Netherlands	Scotland
Pre-trial	✓	✓		✓	
Court order	✓	✓	✓		✓
Execution/ alternative to a prison sentence	✓	✓		✓	
Early Release	✓	✓	✓	✓	✓
Post Release		✓	✓	✓	✓
Alcohol monitoring		✓ Pilot		✓ Pilot	

Jurisdictions compared

	Belgium	England and Wales	Germany	Netherlands	Scotland
Public/Private Sector	Public	Private	Public	Private - Public	Private
Technology	GPS/RF/VV	RF/GPS (police only)/ Alcohol monitoring	RF/GPS	GPS/RF/ SCRAM	RF
Tariff position	High	Mixed	High	High	Mixed
Probation supervision	Only if replace 3 years + prison sentence	Only if court order with other requirements	Always	Always except for 'Home Detention'	Only if condition of DTTO or parole licence or breach of CPO

Diversity of use

- Eligibility criteria
- Length of orders
- Curfew hours
- Rewards/Exit strategy

Research Design

- Documentary analysis
- Empirical research
 - Administrative data
 - Commencements in one year
 - Commencements in one day
 - Observations
 - Interviews

Key questions

- Creativity
- Effectiveness
 - Compliance
 - (Re)offending/(re)conviction
 - Public protection
 - Alternative to prison
 - Evidence of offending
- Efficiency
- Proportionality



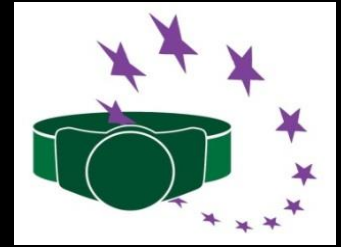
Additional areas of enquiry

- Diversity
- Consent
- Data usage
- Policy transfer activities
 - Role of private sector and CEP
- Potential to use EM as a mechanism to transfer defendants/offenders between member states

EU framework

- Council of Europe recommendations on EM (Recommendation CM/Rec(2014)4)
- Sets out basic principles related to ethical issues and professional standards enabling national authorities to provide just, proportionate and effective use of different forms of EM in the framework of the criminal justice process in full respect of the rights of the persons concerned.
- Compliance with the recommendations
- Investigate stakeholders' views on compliance and the CoE recommendations

Contact the project



- Website www.emeu.leeds.ac.uk
- E-mail
 - emeu@leeds.ac.uk
- or
 - A.L.Hucklesby@leeds.ac.uk

