

Electronic Monitoring and Rehabilitation

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Council of Europe 2010 Probation Rules (Rec(2010)1)

57. When electronic monitoring is used as part of probation supervision, it shall be combined with interventions designed to bring about rehabilitation and to support desistance.
58. The level of technological surveillance shall not be greater than is required in an individual case, taking into consideration the seriousness of the offence committed and the risk posed to community safety.

Council of Europe 2000 Improving the Implementation of the European Rules on Community Sanctions and Measures (Rec(2000)22)

- Possible community sanction or measure: restriction on the freedom of movement by means of, for example, curfew orders or electronic monitoring imposed with observance of Rules 23 and 55 of the European Rules.
- Commentary:
 - 49. There is a need to survey these developments and consider their implications both for practical work with offenders and possible encroachments on personal integrity and human rights. Consideration should be given to the desirability of undertaking a study of the present and possible future uses of electronic monitoring.
 - 50. Nor should restrictions on freedom of movement be applied in the absence of some form of personal or social assistance. Thus, for example, house arrest and curfews with electronic monitoring without social assistance would amount to a breach of the European Rules.
 - 51. Social support, help and the specialised personal change programmes are seen as an integral part of intensive supervision with electronic monitoring.

Council of Europe 1992 European Rules on Community Sanctions and Measures (Rec(92)16)

23. The nature, content and methods of implementation of community sanctions and measures shall not jeopardise the privacy or the dignity of the offenders or their families, nor lead to their harassment. Nor shall self-respect, family relationships, links with the community and ability to function in society be jeopardised. Safeguards shall be adopted to protect the offender from insult and improper curiosity or publicity.
55. Community sanctions and measures shall be implemented in such a way that they are made as meaningful as possible to the offender and shall seek to contribute to personal and social development of relevance for adjustment in society. Methods of supervision and control shall serve these aims.

Early European evaluations

- Small but increasing numbers
- Relatively high completion / compliance rates
- Favourable opinions (judiciary, offenders, families, public)
- Unknown or absent impact on prison rates (net-widening? Front door? Backdoor?)
- Reduced costs
- Technical problems and technical advancements
- Variation in implementation among countries: stand alone versus combination with supervision, type of offenders, front door-backdoor, etc.
- No studies on re-offending or reconvictions

Other early studies

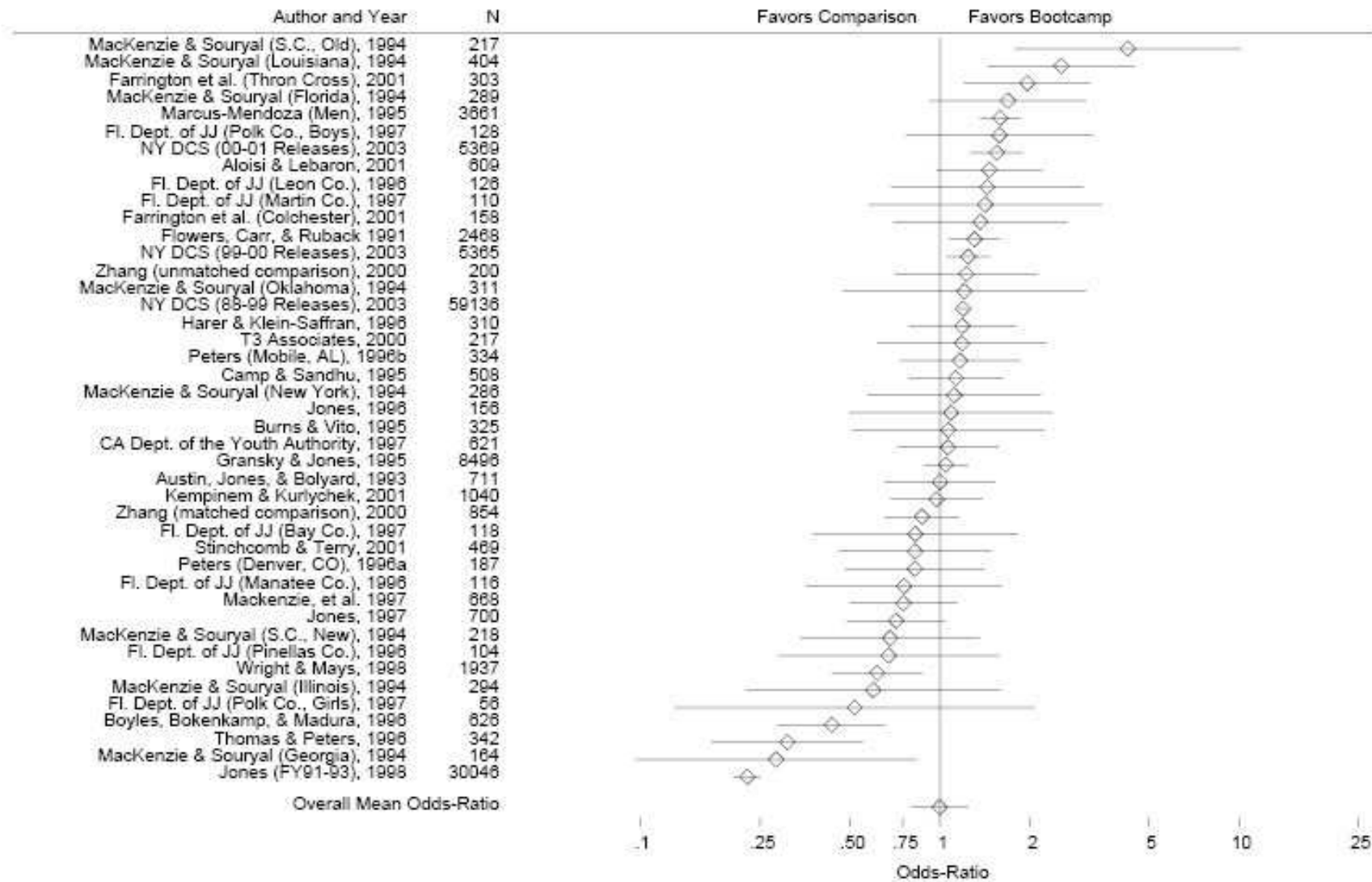
Mixed messages:

- Increased revocations
- Fewer breaches of other community sanctions
- No significant reduction of re-offending, occasionally even increased re-offending
- Possible reduction if combined with 'constructive' programme
- Possible reduction among moderately high-risk offenders, not on low risk offenders
- However, if controlled for risk no substantial impact
- Possible reduction among sex offenders
- Agreement about poor quality of most studies: small samples, short follow-up periods, no control groups

More recent studies

Mixed messages:

- Relative serious offenders
- Order less likely to be revoked
- Less re-offending and absconding
- GPS not superior to RF
- Electronic monitoring not superior to other prison diversion programmes
- Some suppression of offending during monitoring but not thereafter
- Temporary increase of public safety
- Supervision with electronic monitoring intermediate sanction between prison and community supervision
- Few studies, methodological quality limited



(Wilson, Mac Kenzie & Mitchell, 2005)

Current state of affairs

- Still (too) little is known
- Better tool to enforce supervision conditions
- Actual (independent) contribution to behaviour and behavioural change unknown
- Issue of stand alone vs. combination unresolved
- Trend: sex offenders and domestic violence dominating in the future
- Trend: life-long surveillance, capacity problems, other requirements