



ELECTRONIC MONITORING 2024

Report on the CEP Questionnaire on Electronic Monitoring

CEP Electronic Monitoring Group

2024

Preface

Electronic monitoring (EM) has transitioned from being a fringe experiment to a widely used supervision method in Europe, though its interpretation, scale, and governance differ significantly among countries.

In some nations, EM is seen as a community based sanction driven by probation services that support reintegration. In others, it is administered by prisons or police, reflecting an extension of custody into the community. Furthermore, in certain jurisdictions, private companies play a key role, raising concerns about accountability and sovereignty. These decisions are not merely technical; they reveal deeper philosophies of justice, whether focused on control, rehabilitation, or protection.

The data also highlight that technology is never neutral. Factors such as market concentration, procurement choices, and the use of RF, GPS, or specialised devices influence not only the functioning of EM but also public perceptions and the experiences of those subject to it.

The advantages of EM are clear: it reduces the need for custody, aids reintegration, and protects victims. However, it also presents notable challenges, including the risk of net widening, issues with technical reliability, ethical dilemmas, and sustainability. A critical lesson is that EM cannot operate in isolation. Its legitimacy relies on being integrated into broader correctional strategies, supported by professional oversight, and aligned with the Council of Europe's human rights standards.

This report establishes a comparative baseline, reflecting current practices and providing a foundation for future harmonisation and innovation. The goal moving forward is to ensure that EM evolves into a tool that balances security with dignity and control with the potential for rehabilitation, rather than becoming merely a symbol of surveillance.

Executive Summary

The 2024 CEP Questionnaire on Electronic Monitoring (EM) provides the most comprehensive overview to date of how EM is utilised across Europe. With responses from 28 jurisdictions, the findings reveal both common practices and significant differences in philosophy, governance, and scale.

Key Insights

- **Types of EM:** Pre-trial and court ordered EM have become mainstream practices, while alcohol monitoring, bilateral offender victim devices, and parole linked EM are still considered more experimental, representing a range of approaches from control oriented to rehabilitative.
- **Scale of Use:** Daily caseloads vary dramatically, ranging from fewer than 50 cases in some jurisdictions to over 17,000 in France. Poland, Belgium, and Portugal also report high volumes, highlighting EM's potential as a key component of supervision strategies.
- **Revocations:** The majority of revocations occur in the context of parole or early release, underscoring the tension between risk management and reintegration. Courts remain the primary authority for revocation decisions, maintaining the judicial character of EM.
- **Governance Models:** In most countries, probation services are responsible for installing and overseeing EM, framing it as a community based sanction.

- Where prisons or police lead, EM tends to be perceived as closer to custody. In certain jurisdictions, private companies play a significant role, raising questions about accountability.
- Technology & Market: Allied (G4S/Attenti) dominates the European EM technology market, with radio frequency (RF) monitoring most common in post-conviction contexts and GPS widely used in pre-trial supervision. This market concentration ensures reliability but may limit innovation and sovereignty.
- Safeguards: Many jurisdictions require mandatory professional assessments before imposing EM, particularly for high risk offenders, juveniles, or cases involving domestic violence, anchoring EM within broader correctional strategies.
- Emerging Uses: EM is increasingly applied in diverse contexts including temporary prison release, victim protection, and juvenile justice. While this adaptability is positive, it also risks 'mission creep' if not guided by clear principles.
- Transparency & Oversight: Independent inspections, data protection, and publication of EM statistics are inconsistent across Europe. Strengthening these safeguards is crucial for legitimacy and public trust.
- Benefits & Challenges: EM is valued for reducing custody, supporting reintegration, and protecting victims. Challenges remain, including technical failures, potential net widening, ethical concerns, and resource demands.

Strategic Takeaways

- Variation is the norm: The role of EM varies significantly across Europe, ranging from a minor supplement to a central component of the justice system.
- Governance choices are important: How EM is installed, monitored, and revoked shapes its interpretation, balancing rehabilitation and control.
- Technology has political implications: Procurement processes and market concentration affect not only the functionality of EM but also issues of sovereignty.
- Revocation carries symbolic weight: Revocation rates reflect not only compliance but also deeper philosophies regarding justice.

1. Types of Electronic Monitoring

The questionnaire asked respondents to identify which types of electronic monitoring are available in their region and their current status. Twenty-eight jurisdictions responded. The results reveal a clear divide between conventional and innovative approaches to EM.

Pre-trial and court ordered EM have become standard tools, with pre-trial EM operational as a permanent national measure in 46% of responding jurisdictions, and court orders or sanctions in 57%. In contrast, early release and parole linked EM, operational nationally in 74% of jurisdictions, reflects the predominance of EM in post-conviction settings.

Alcohol monitoring stands out as largely experimental: 88% of respondents categorise it as a permanent national measure where it exists, but it is not in use in a significant share of jurisdictions. Bilateral offender victim monitoring remains similarly niche, with 45% of jurisdictions reporting it is not in use.

Commentary: *EM is not a singular tool but rather a spectrum that reflects how justice systems balance security, proportionality, and innovation. Pre trial and court ordered EM reflect a philosophy centred on control and procedural certainty, while parole linked EM, alcohol monitoring, and bilateral programmes represent evolving concepts of rehabilitation, trust, and personalised intervention.*

2. The Daily Active Caseload of Electronic Monitoring

Twenty-four jurisdictions provided data on the number of individuals under EM as of 31 March 2024 (or the nearest available date). The variation is striking: France recorded the highest active caseload with 17,326 individuals, followed by Poland (7,150), Belgium (Flanders and Wallonia combined: 3,023) and Portugal (2,700). At the other extreme, several smaller jurisdictions reported fewer than 50 active cases.

This variation reflects both the extent of EM adoption and the differing roles EM plays within national correctional strategies. In some jurisdictions, EM is a widely used tool applied across pre-trial monitoring, court sanctioned measures, and parole. In others, its use remains limited or experimental. The concentration of large caseloads in France, Poland, Belgium, and Portugal underscores EM's potential to become a core supervisory component, while also raising important questions about capacity, resources, and long term sustainability.

Active Caseload Summary (31 March 2024)

Jurisdiction	Total Active Cases
France	17,326
Poland	7,150
Belgium (Flanders + Wallonia)	3,023
Portugal	2,700
Lithuania	1,233
The Netherlands	995
Finland	880

Jurisdiction	Total Active Cases
Türkiye	776
Sweden	718
Spain – Basque Country	300
Republic of Moldova	266
Norway	373
Estonia	145
Latvia	31
Croatia	27
Germany, Baden-Württemberg	13

Commentary: *The wide variation in caseloads, from a few dozen in smaller jurisdictions to over 17,000 in France, highlights EM's uneven role in European correctional strategies. For policymakers, the key issue is not only how many individuals are monitored, but why EM is scaled so differently across contexts.*

3. Revocation of Electronic Monitoring

Eighteen jurisdictions provided revocation data for the preceding 12 months. Revocation, meaning the EM programme or order is ended and another form of execution is decided upon, occurs most frequently in cases linked to early release or parole.

Four jurisdictions reported zero revocations across all EM types. Rates elsewhere varied significantly: Belgium Flanders reported 12% overall; Croatia 11%; Norway 11%; and Türkiye 41% (primarily in the 'other' category). This variation reflects not only differences in technical performance but also policy choices, supervisory frameworks, and offender risk profiles.

Courts are the primary decision making authority for revocations across all EM types, with the highest court involvement seen in pre-trial and court order contexts. In early release and parole cases, prison administrations play a more significant role (23% of jurisdictions), reflecting the correctional management origins of those decisions.

Commentary: *Revocation rates reveal how justice systems balance trust, supervision, and proportionality. High revocation levels in early release or parole contexts suggest EM is often tested at the limits of offender risk and system tolerance. Revocation thus becomes a mirror of governance choices: whether EM is primarily a tool of control or a rehabilitative measure where non-compliance is managed through graduated responses.*

4. Installation of Electronic Monitoring Devices

Twenty-seven jurisdictions responded to the question of which organisation is primarily responsible for installing EM devices and subsequent monitoring. Probation services are the dominant provider, particularly for pre-trial monitoring, court orders, and early release across Belgium, Estonia, Finland, France, Moldova, Montenegro, The Netherlands, Norway, Portugal, Sweden, and Türkiye.

Prison organisations take the lead in Austria, Croatia, Poland, and Luxembourg (for early release), and in Spain's Basque Country for parole linked EM. Police are the primary installer in Germany Baden-Württemberg, Jersey (pre-trial), Lithuania (pre-trial), and Romania. Private companies play a role in some jurisdictions, including in Baden-Württemberg (Ministry of Justice) and in parts of Catalonia's probation arrangements.

Commentary: *The authority responsible for installing EM devices is symbolically significant. Where probation services lead, EM is framed as a community based sanction aligned with supervision and reintegration. Where prisons or police dominate, EM is seen as an extension of custody or enforcement. The involvement of private companies adds a further dimension, raising questions about accountability and market dependency.*

5. The Manufacturer of the Electronic Monitoring Technology

In the majority of surveyed jurisdictions, Allied (G4S/Attenti) emerged as the predominant provider of EM technology, confirming its central role in the European market. Other providers identified include Buddi, Enigma, Geostatis, SCRAM, and Supercom, each present in one or a small number of jurisdictions.

RF based monitoring is most commonly applied in court orders/sanctions and early release or parole settings, while GPS based monitoring is used in equal proportion to RF in pre trial contexts, reflecting its enhanced tracking capabilities for defendants awaiting trial. Alcohol monitoring devices (primarily SCRAM) are used in specific, limited contexts.

Commentary: *The dominance of Allied (G4S/Attenti) across Europe ensures standardisation and reliability, but also raises concerns about innovation, procurement leverage, and technological sovereignty. The presence of smaller providers shows alternatives exist, but their limited uptake suggests barriers to diversification. Policymakers face the challenge of balancing efficiency with resilience by avoiding overreliance on a single supplier.*

6. Type of Technology in Use in Electronic Monitoring

The survey examined which EM technologies are deployed at each stage of the criminal justice process. The results confirm a clear differentiation by context and purpose.

RF (radio frequency) monitoring dominates post-conviction settings: it is the primary technology for court orders and sanctions (reported by 31% of jurisdictions) and for early release and parole (31%), where compliance with fixed home schedules is the primary objective. GPS monitoring is used in equal proportion in pre-trial supervision (17%), supporting mobility tracking and risk management for defendants who have not yet been sentenced.

Alcohol monitoring (primarily SCRAM continuous transdermal devices) is employed in 48% of jurisdictions that use it, but remains a specialised tool used in narrowly defined circumstances. Bilateral or dual device monitoring, equipping both the offender and a protected person, is applied in a limited share of cases (7% across monitoring types).

Commentary: *The choice of technology reflects both functional needs and judicial philosophy. EM is not just about whether to monitor, but how to align technology with the objectives of justice: compliance and structure in post-conviction cases, risk management and mobility tracking in pre-trial settings, and targeted protection in domestic violence or bilateral monitoring contexts.*

7. Mandatory Assessment for Electronic Monitoring

Professional assessment prior to imposing EM is a recognised safeguard ensuring that monitoring is applied proportionately and appropriately. Twenty-six jurisdictions responded on whether such assessment is mandatory.

Mandatory assessments are most consistently required for early release and parole (67% of jurisdictions), court orders (52%), and pre-trial EM (40%). Assessments are near universal for the following high risk or sensitive contexts:

- Monitoring of very dangerous post convicts
- Juvenile cases
- Front door and back door custody transitions
- Post release supervision
- Intensive supervision with EM
- Custodial sentences served in open prisons
- Domestic violence cases
- Cases involving arson
- Sentence modification procedures

Several jurisdictions, notably Belgium Flanders, Belgium Wallonia, Lithuania, and Spain Catalonia, do not require mandatory assessment as a standard condition, relying instead on judicial or administrative discretion.

Commentary: *Mandatory professional assessments act as a safeguard of proportionality and human rights, ensuring EM is tailored to individual risk, needs, and circumstances rather than applied as a default measure. Jurisdictions without mandatory assessments risk using EM expediently, potentially undermining legitimacy. Systems that embed assessment reinforce EM as part of a structured, evidence based supervision strategy.*

8. Imposing of Electronic Monitoring

Courts are the dominant authority for imposing EM, particularly in pre-trial and court order contexts (47% and 60% respectively). This reflects EM's framing in most systems as a judicially sanctioned restriction of liberty requiring due process protections.

In early release and parole cases, the picture shifts: prison administrations play a significantly larger role (40%), highlighting EM's function in these contexts as a risk management and reintegration tool rather than a punitive sanction. Probation services have a more limited but variable role in the imposition decision.

Commentary: *The authority responsible for imposing EM reflects the balance of power between judicial, correctional, and administrative actors. Courts emphasise legality and proportionality; prison services focus on reintegration and control; probation emphasises supervision and rehabilitation. EM is not only a technical measure, it is a governance choice whose meaning is shaped by the institution that applies it.*

9. Electronic Monitoring as a Standalone Measure

Best practice in EM consistently recommends combining supervision with rehabilitative and support measures. The questionnaire therefore asked what proportion of EM use is purely standalone, without any accompanying interventions.

Nine respondents provided percentage data. Results varied considerably: Belgium Flanders applies EM as a standalone measure in 100% of pre-trial and court order cases; Portugal reports 100% standalone use across pre-trial, court order, and early release categories but 0% for bilateral monitoring. Lithuania indicates that 40% of court order EM and 80% of early release EM operates without accompanying measures. Spain Catalonia reports that 32.26% of post-prison probation EM is applied without any other supervision.

Two further respondents noted qualitatively that standalone use occurs in specific contexts such as during treatment programmes or upon prison release. The relatively high rates of standalone use in some jurisdictions suggest that EM is not always embedded in the broader correctional support frameworks that good practice recommends.

Commentary: *Using EM as a standalone sanction rather than as part of a broader sentence raises proportionality questions: is EM being used as a genuine alternative to custody, or as an additional layer of control? Policymakers must ensure EM does not expand net widening but instead provides credible, rights based alternatives to imprisonment.*

10. Average Length of Electronic Monitoring

Fourteen jurisdictions provided data on the average duration of EM orders across different monitoring types as of 31 March 2024. Court orders or sanctions have the longest average duration (280 days) and the widest range (0–1,916 days, with the maximum reported by Spain Catalonia). Early release and parole EM has an average of 199 days, while bilateral monitoring averages 160 days. Pre-trial EM averages 128.5 days. Alcohol monitoring has the shortest average at just 26 days.

Average EM Duration by Type (Days)

EM Type	Average (days)
Court order or sanction	280
Early release and/or parole	199
Bilateral monitoring	160
Pre trial	129
Other (specified)	96
Alcohol monitoring	26

Commentary: *The duration of EM orders varies widely, reflecting different penal philosophies. Shorter periods emphasise EM as a transitional or rehabilitative tool; longer durations risk normalising extended surveillance. For policy, the key issue is proportionality: EM should be long enough to support reintegration but not so long that it becomes a substitute for indefinite control.*

11. Alcohol and Drug Testing When Electronic Monitoring Is Used

The questionnaire asked whether alcohol and/or drug testing is mandatory when EM is used. The results indicate that combining mandatory substance testing with EM is not standard practice in most European jurisdictions.

Mandatory alcohol or drug testing is applied in fewer than 25% of jurisdictions for most EM types. In the pre-trial context, 90% of responding jurisdictions report that testing is not mandatory. The exception is alcohol monitoring itself, where 19% require testing by alcohol and 25% require both alcohol and drug testing, reflecting the nature of the specialised device. Jurisdictions that do combine substance testing with EM include Latvia, Lithuania, Norway, and Sweden.

The Netherlands notes that testing is available as an option rather than a mandatory requirement, while Finland applies it selectively when intoxication is suspected for those in open prison placements.

Commentary: *Combining EM with substance testing illustrates the trend towards 'layered' supervision. While this can strengthen compliance and address criminogenic needs, it also risks overburdening individuals with multiple controls. Policymakers should weigh the benefits of integrated monitoring against the risk of punitive overreach, ensuring interventions remain targeted and proportionate.*

12. Home Visits

Unannounced home visits represent an important complement to electronic monitoring, reinforcing the human dimension of supervision. The survey asked whether the primary EM provider undertakes unannounced home visits during the monitoring period.

Unannounced home visits occur in over half of jurisdictions for court order and early release EM types (53% and 54% respectively). Pre-trial settings see a slightly lower rate (35%). Home visits are least common for bilateral monitoring (17%), where the device itself provides more continuous proximity data.

Jurisdictions consistently conducting unannounced visits include Austria, Estonia, Finland (in certain placement types), Germany Baden-Württemberg, Lithuania, Montenegro, Portugal, Republic of Moldova, Romania, Sweden, and Türkiye. Belgium Flanders, Croatia, Jersey, Luxembourg, Poland, and Spain Catalonia report no home visits as standard practice.

Commentary: *Home visits alongside EM reinforce the human element of supervision, balancing technology with personal contact. They provide opportunities for support, verification, and relationship building. Systems that rely solely on technology risk losing this rehabilitative dimension. EM works best when embedded in a broader framework of human supervision.*

13. Common Offences for Which Electronic Monitoring Is Used

Respondents were asked to identify the three most common offences for which EM is used across each supervision type. The results reveal how different jurisdictions conceptualise EM eligibility, and the range of offence categories considered appropriate for electronic supervision.

Drug offences feature prominently across multiple jurisdictions and EM types, appearing as a primary offence in pre-trial EM (Estonia, Latvia, Montenegro, Republic of Moldova, Portugal Funchal) and in court order or sanction contexts (Belgium Flanders, Estonia).

Violent offences, including assault, battery, sexual offences, and homicide, appear frequently in court order and early release contexts (Finland, Germany Baden-Württemberg, Montenegro, Sweden, Türkiye, Spain Catalonia).

Domestic violence and offences against the person are a significant driver of bilateral monitoring use, reported in Croatia, Belgium Flanders, Finland, Portugal, Republic of Moldova, Romania, and Spain Basque Country. Traffic offences and driving under the influence feature in Belgium Flanders, Jersey, Norway, and Portugal. Property crimes (theft, robbery, fraud) appear consistently as secondary or tertiary offences across jurisdictions.

A notable entry is the Netherlands, which reports 'not charging device' as the most common violation type, reflecting that EM revocation or additional intervention is triggered most often by device non-compliance rather than the original offence category.

Commentary: *The offences most associated with EM reveal how jurisdictions conceptualise its legitimacy. Some restrict EM to non-violent or lower risk cases, while others extend it to domestic violence or stalking, emphasising victim protection. Policymakers should ensure offence based eligibility criteria align with both proportionality and public trust.*

14. Criteria for Ineligibility for Electronic Monitoring

Several jurisdictions have defined specific criteria that automatically disqualify individuals from EM eligibility. These serve as a safeguard against inappropriate application and help manage public safety risks. Common exclusion criteria reported across jurisdictions include:

- No fixed or suitable accommodation
- Sentence exceeding a specified threshold (e.g., imprisonment longer than 12 months)
- Certain categories of sexual offence
- Assessed high risk of reoffending
- Risk to the victim from continued community presence
- Absence of consent from the monitored individual
- Requirement for institutional care or treatment
- Risk of contact with criminal associates
- Serious mental health conditions
- Lack of willingness to compensate victims
- No suitable third party support environment

Commentary: *Exclusion criteria highlight the limits of EM as a universal tool and reveal how systems balance inclusion with public safety. Transparent and consistent criteria are essential to avoid inequities and ensure EM is applied fairly. Policymakers should review and codify these criteria to prevent arbitrary exclusion or inclusion.*

15. Consent for Electronic Monitoring

The questionnaire examined whether securing the legal consent of individuals is mandatory prior to EM imposition. The results reveal significant variation by EM type and jurisdiction.

Consent is most consistently required for early release and parole EM (83% of jurisdictions), reflecting the voluntary, reintegrative character of this supervision type. For court ordered EM, 61% of jurisdictions require consent. In pre-trial contexts, 53% require it. Bilateral monitoring and alcohol monitoring show lower mandatory consent rates, at 40% and 20% respectively, with many jurisdictions reporting that consent is either not required or unknown.

Jurisdictions consistently requiring consent across most EM types include Austria, Belgium Wallonia, Denmark, Estonia, Finland, Germany Baden-Württemberg, Moldova, the Netherlands, and Portugal. Turkey reports no consent requirement across all EM types.

Commentary: *Requiring consent for EM underscores its voluntary, rehabilitative framing, while non-consensual imposition emphasises control. Both approaches carry symbolic weight: one highlights partnership, the other authority. Policymakers must consider how consent (or its absence) affects legitimacy, compliance, and respect for human rights.*

16. Rights of Victims

Victim notification is an important component of a rights compliant EM system, particularly when EM relates to offences involving a specific victim. The survey asked whether it is mandatory to inform relevant victims about the imposition of EM.

Victim notification practices vary considerably across jurisdictions and EM types. For bilateral monitoring, the form most directly connected to victim safety, 'always' notification is most frequently reported, by Montenegro, the Netherlands, Portugal, Portugal Funchal, Romania, Spain Basque Country, and Sweden. Finland always informs victims in domestic violence cases where bilateral EM is used.

Across pre-trial and court order contexts, notification is most commonly reported as 'sometimes', suggesting that many systems leave notification to judicial or administrative discretion rather than making it mandatory. A minority of jurisdictions, Estonia and Latvia for most EM types, report that victims are 'never' notified. Sweden's Intensive Supervision with EM programme requires notification at the court order and parole stage.

Commentary: *Integrating victim rights into EM practice, through exclusion zones, bilateral monitoring, or mandatory notification, reframes EM as a protective as well as supervisory tool. This expands its legitimacy but also raises ethical questions about balancing offender reintegration with victim safety. Policy should ensure victim centred EM is proportionate, transparent, and rights compliant.*

17. Ways of Using Electronic Monitoring

The questionnaire explored whether EM is used within prison environments, a less common but growing practice in some jurisdictions. Of 29 jurisdictions, 7 (24%) report using EM in prisons, while 72% do not. The majority practice is therefore to use EM exclusively in community settings.

Jurisdictions using EM in prison settings include Austria (6 prisons, 44 individuals), Finland (7 prisons, 510 individuals), Lithuania, Republic of Moldova (8 prisons, 31 individuals), Romania, Spain Basque Country (3 prisons, 300 individuals), and Sweden (2 prisons, 328 individuals).

Finland's model is the most extensive, supporting open prison placements, work and study permissions, and prison leaves under 24/7 EM.

Commentary: *The multiplicity of EM uses, pre trial, parole, standalone, victim protection, prison based, shows its adaptability. Yet this flexibility risks fragmentation if not guided by clear principles. Policymakers should articulate a coherent strategy for EM, ensuring consistency across contexts and avoiding 'mission creep'.*

18. Temporary Release from Prison and Electronic Monitoring

Temporary release from prison, such as for medical appointments, family visits, or work, is an established part of prison management in many European systems. The use of EM during such releases bridges the gap between custody and community.

Thirty-one percent of responding jurisdictions use EM for individuals on temporary release, while 55% do not and 14% report the status as unknown. Jurisdictions using EM in this context include Estonia, Finland, Lithuania, Montenegro, the Netherlands, Portugal, Republic of Moldova, and Romania. The Netherlands reports the highest number of individuals on EM during temporary release (105), followed by Finland (21 prisons, number unspecified per prison).

Commentary: *Using EM for temporary release highlights its role as a bridge between custody and community. It can build trust and support reintegration, but if over relied upon, it risks becoming a default condition that blurs the line between liberty and custody. Policy should ensure EM in this context remains transitional, not permanent.*

19. Using Electronic Monitoring for Other Purposes

Respondents were asked whether they currently use or plan to use EM in connection with terrorism and radicalisation cases. Of 28 jurisdictions, 9 (32%) currently use or plan to use EM for terrorism related cases, and 9 (31%) for radicalisation cases.

Crucially, respondents clarified that EM in these contexts is not applied automatically on the basis of the offence category alone. In most cases, it is imposed through standard mechanisms, pre-trial detention conditions or early release obligations, and requires a court order. Several jurisdictions confirmed that neither a terrorism conviction nor a finding of radicalisation automatically disqualifies an individual from EM eligibility.

Commentary: *Innovative uses of EM, in rehabilitation centres, intensive supervision, terrorism related post release, demonstrate creativity but also raise questions about scope. Policymakers must guard against EM becoming a 'catch all' solution, ensuring its use remains evidence based and proportionate.*

20. Electronic Monitoring in Other Sectors

Only 7% of respondents report using EM in sectors beyond criminal justice. Three jurisdictions answered positively: one uses EM in police related contexts, and two apply it in 'other' sectors, specifically domestic violence cases under civil protection orders and civil court issued protective orders.

No respondents report EM use in immigration or healthcare settings. This indicates that, while technically feasible, the extension of EM beyond criminal justice remains rare in European practice.

Commentary: *The extension of EM beyond criminal justice illustrates its technological versatility but also risks normalising surveillance in society. Policymakers should carefully delineate boundaries to prevent mission creep and protect civil liberties.*

21. Electronic Monitoring in the Juvenile Justice Sector

The use of EM within juvenile justice systems is relatively limited in Europe. Of 27 respondents, the majority do not use EM for juveniles in any monitoring context. Bilateral and alcohol monitoring with juveniles is almost entirely absent (95% and 90% of jurisdictions, respectively, report they are not in use for this group).

Where juvenile EM is used, it tends to be concentrated in specific, well supervised programmes. Belgium Flanders has 21 juveniles under pre-trial EM. The Netherlands has the largest juvenile EM caseload (254 individuals across pre-trial, court order, and parole contexts). Sweden uses court order EM for juveniles as part of Intensive Supervision (106 individuals). Lithuania reports 11 juveniles in parole linked EM. Germany Baden-Württemberg, Republic of Moldova, and Türkiye each report single digit juvenile caseloads.

Commentary: *Applying EM to juveniles raises heightened ethical concerns. While it can provide alternatives to custody, it also risks stigmatisation and developmental harm. Policy must ensure EM for juveniles is used sparingly, with strong safeguards and rehabilitative support tailored to the specific needs of young people.*

22. Independent Inspection and Scrutiny

Independent oversight is a critical safeguard ensuring that EM operates within a framework of rights, transparency, and accountability. Thirty-nine percent of responding jurisdictions report that their EM service is subject to independent inspection and scrutiny, while 42% report it is not and 19% are uncertain.

Among jurisdictions with independent oversight, the responsible bodies include Parliamentary Ombudsmen (Denmark, Finland, Norway), national audit offices (Denmark, Norway), court based supervision (Spain Catalonia), justice inspection agencies (Portugal, Türkiye), and data protection authorities (Estonia). Austria's EM is inspected by the Volksanwaltschaft (People's Ombudsman).

Commentary: *Independent oversight is crucial to ensure EM respects rights and operates transparently. Without scrutiny, EM risks being seen as opaque or overly punitive. Policymakers should embed regular, independent review mechanisms, spanning human rights, data protection, and operational effectiveness, to maintain legitimacy and public trust.*

23. Data Handling of Electronic Monitoring

The management of personal data generated by EM, including GPS location data, is a sensitive area requiring clear regulatory frameworks. Fifty-nine percent of respondents report having specific regulations or procedures governing access to EM data, while 30% do not and 11% are uncertain.

Jurisdictions with established data access frameworks include Austria, Belgium Wallonia, Catalonia, Estonia, Germany Baden-Württemberg, Latvia, Lithuania, Montenegro, the Netherlands, Norway, Portugal, Spain Basque Country, Sweden, and Türkiye.

Common principles include limiting access to authorised staff only (the Netherlands, Estonia), sharing data only with judicial or law enforcement authorities upon request (Montenegro, Portugal, Türkiye), and compliance with national data protection legislation such as GDPR (Belgium Wallonia, Sweden's Databrottslagen, Norway's Personal Data Act).

Commentary: *Robust data protection frameworks are essential for EM's legitimacy, given the sensitive nature of continuous location data. The significant proportion of jurisdictions without specific EM data regulations, or uncertain of their status, is a concern. Policymakers should prioritise the development and harmonisation of data protection standards for EM in line with GDPR and Council of Europe principles.*

24. Publishing Data on Electronic Monitoring

Transparency about EM use is fundamental to public trust and evidence based policy development. The survey asked whether jurisdictions routinely publish EM data. Thirty-five percent do so, while 54% do not and 11% are uncertain.

Jurisdictions that publish EM data include Belgium Flanders and Belgium Wallonia (via dedicated statistical publications), Denmark, Estonia (weekly overviews), Finland (as part of sanctions data), Latvia (annual probation service reports), Norway, Republic of Moldova (via social media), and Spain Catalonia (via an interactive Power BI dashboard). Portugal shares data internally but does not make it publicly available.

Commentary: *Transparency about EM use is essential for accountability, public understanding, and policy development. The majority of jurisdictions not publishing EM data represents a gap. Policymakers should commit to routine, accessible publication of EM statistics as part of their broader justice transparency obligations.*

25. Research on Electronic Monitoring

Internal research on EM since 2020 has been undertaken by 23% of respondents, while 62% have not conducted such research and 15% are uncertain. The jurisdictions that have undertaken research include Belgium Flanders (2023, examining electronic tagging outcomes), Belgium Wallonia (2022, studying EM in early release and parole), Norway (2024, a knowledge overview of EM effects), Portugal, and Spain Catalonia (2023, telematic control application).

A further 18% of respondents report that EM research is currently planned or ongoing, with studies covering recidivism (Denmark), the impact of EM on host environments (Belgium Wallonia), types of offences associated with pre-trial and parole EM (Croatia), and electronic surveillance futures (Portugal Funchal). Sweden's researcher Olof Bäckman is also conducting ongoing work in this area.

Commentary: *Research is essential to move EM beyond anecdote and assumption. Jurisdictions that invest in evaluation can refine practice and demonstrate legitimacy. Policymakers should prioritise funding for independent, comparative research to guide evidence based EM development across Europe.*

26. Council of Europe Recommendations on Electronic Monitoring

The Council of Europe's Recommendation CM/Rec(2014)4 on electronic monitoring provides a normative framework for EM, emphasising proportionality, human rights, and reintegration. The survey asked whether respondents' legal and policy frameworks meet these requirements.

Sixty-four percent of respondents report full or substantial compliance; 11% report partial compliance; and 25% do not know or their status is unclear. Several jurisdictions identified specific areas of partial compliance or gap:

- Luxembourg: Pre-trial EM is highly restrictive, prohibiting monitored individuals from leaving home except for court, police, or medical appointments. Revocation decisions in short sentence parole cases are made by the prison administration rather than a judge, potentially not meeting the judicial oversight requirement.
- Spain Catalonia: The Catalan model respects most CoE principles but does not uniformly comply with the recommendation that EM should always be accompanied by professional intervention addressing offender risks and needs. Judges can impose permanent EM as the sole obligation without accompanying support.
- Belgium Wallonia: Pre-trial EM is provided for in law but has not yet been implemented in practice.

Commentary: *The Council of Europe's recommendations provide a normative framework for EM, emphasising proportionality, human rights, and reintegration. Aligning national practice with these standards strengthens legitimacy and fosters convergence across Europe. Jurisdictions should conduct periodic self-assessments against the recommendation criteria.*

27. Benefits of Using Electronic Monitoring

Respondents were asked to identify the three main benefits of using EM. The responses converge on a consistent set of advantages, highlighting EM's value both for individuals and for the justice system as a whole.

Most Frequently Cited Benefits

- Reduction in prison population and custody costs: EM is consistently cited as a cost effective alternative to incarceration, freeing prison capacity and generating fiscal savings.
- Support for reintegration and desistance: By allowing individuals to remain in the community, maintain employment, sustain family relationships, and avoid the negative effects of prison exposure, EM supports the process of reintegration and reduces the long term harms of custody.
- Reduced risk of reoffending: Several jurisdictions specifically cite evidence that EM, particularly intensive supervision programmes, reduces recidivism compared to equivalent custodial sentences.
- Victim protection: In bilateral monitoring and exclusion zone contexts, EM provides direct protective benefits for victims, supporting public safety while avoiding the use of custody.
- Humane and proportionate supervision: EM is seen as a less stigmatising, more humane form of control than imprisonment, preserving individuals' social ties, accommodation, and legitimate activities.

- Graduated reintegration: EM enables a step by step return to full liberty, allowing prisons and probation services to monitor and support the reintegration process in real time.

Commentary: *EM's reported benefits, reduced custody, cost savings, victim protection, and reintegration support, demonstrate its potential as a versatile correctional tool. However, these benefits are contingent on context: without proper support, EM risks being punitive rather than rehabilitative. Policymakers should frame EM as part of a balanced penal strategy, not a standalone solution.*

28. Challenges in Using Electronic Monitoring

Respondents identified a wide range of challenges associated with the use and implementation of EM. These cluster into five broad categories:

Technical Challenges

- Device and infrastructure reliability: GPS signal failures (e.g., in underground transport), device battery life, software malfunctions, and network coverage gaps undermine system integrity.
- Device size and discretion: Several respondents note that current devices remain physically bulky, potentially visible to others and contributing to social stigmatisation.
- Procurement complexity: The tender and implementation process for EM technology is time consuming and often driven by commercial rather than client centred values.

Legal and Ethical Challenges

- Privacy and data protection: Increasingly stringent privacy requirements create tensions with the continuous surveillance inherent in EM, particularly for GPS data.
- Human rights compliance: Ensuring EM conditions do not amount to a disproportionate restriction of liberty, particularly for vulnerable groups, requires ongoing attention.
- Net widening: The risk that EM is imposed on individuals who would otherwise receive no sanction or a lighter one, rather than as a genuine alternative to custody.

Operational and Professional Challenges

- Case selection: Ensuring the right individuals are considered for EM requires robust assessment processes and professional training for probation officers, judges, and state attorneys.
- Stakeholder confidence: Officials need to be confident in handling alerts and responding appropriately to technical breaches without over or underreacting.
- Human element: Maintaining personal relationships with monitored individuals and combining EM with meaningful rehabilitative content is resource intensive but critical to effectiveness.

Social and Political Challenges

- Public understanding and media scrutiny: Negative incidents can be disproportionately sensationalised, undermining public confidence in EM despite its overall positive track record.
- Social stigma: Individuals under EM, particularly juveniles, may experience stigmatisation that counteracts rehabilitation goals.
- Political disagreements: Divergent political philosophies about the purpose of punishment can complicate the development of coherent EM policy.

Resource Challenges

- Initial implementation costs: Setting up EM infrastructure requires significant upfront investment that some smaller jurisdictions find prohibitive.
- Staff capacity: A shortage of specialists in EM device monitoring, combined with high workloads, can limit service quality.

Commentary: *Challenges, from technical failures to net widening and ethical concerns, highlight the limits of EM. Its effectiveness depends on governance, proportionality, and integration with broader supervision strategies. Policymakers should treat challenges not as deterrents but as prompts for careful design and continuous improvement.*

Conclusion

The 2024 CEP Questionnaire on Electronic Monitoring demonstrates that EM has moved from the margins of penal practice to a mainstream tool across Europe. Yet the survey also reveals striking diversity: in some jurisdictions EM is a central pillar of supervision, while in others it remains experimental or narrowly applied. This variation reflects not only differences in legal frameworks and resources, but also deeper philosophies of justice, whether EM is conceived as an instrument of control, a bridge to reintegration, or a means of protecting victims.

Several cross cutting themes emerge. First, governance matters: the authority responsible for imposing, installing, and revoking EM fundamentally shapes its meaning. Second, technology is not neutral: procurement choices, market concentration, and the balance between RF, GPS, and specialised devices reflect both functional needs and political priorities. Third, safeguards are essential: mandatory assessments, independent oversight, and transparent data handling are critical to ensuring proportionality, legitimacy, and respect for rights.

The benefits of EM, reducing custody, supporting reintegration, and enhancing victim protection, are clear, but so too are the challenges: technical reliability, net widening, ethical concerns, and sustainability. The lesson is that EM cannot be treated as a standalone solution. Its effectiveness depends on how it is embedded within broader correctional strategies, supported by professional supervision, and aligned with international standards such as the Council of Europe's recommendations.

Looking ahead, the findings of this questionnaire provide a comparative baseline for policymakers, practitioners, and researchers. They highlight opportunities for harmonisation, innovation, and evidence based development, while also reminding us that EM is not simply a technology but a reflection of societal choices about punishment, trust, and reintegration. By learning from one another's experiences, European jurisdictions can ensure that EM evolves as a tool that balances security with dignity, and control with the possibility of change.