



6TH EUROPEAN ELECTRONIC MONITORING CONFERENCE - ANALYSIS OF QUESTIONNAIRES

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Introduction

One of the aims of the conference is to gather and disseminate information about the use of electronic monitoring (EM) in different jurisdictions in Europe.

In January 2009, the CEP Secretariat sent out questionnaires to gather information about the use of different electronic monitoring programmes in Europe. A total of sixteen jurisdictions completed the questionnaire, either national or regional: Austria, Belgium, Denmark, England & Wales, France, Ireland, Netherlands, Norway, Portugal, Scotland, two regions in Spain (Catalonia and Madrid), Sweden and three cantons in Switzerland (Bern, Basel and Vaud).

Although Ireland hasn't yet EM programme, they will have it throughout 2009, the information provided was considered when ever it was possible. Czech Republic and Finland responded that they did not yet have electronic monitoring, but it was possible in the near future.

The information provided from Madrid (Spain) didn't allow us to fill in the entire questionnaire. So the information registered is the one that was able to be considered regarding the parameters that were being analysed.

The questionnaire is attached to this report.

All the information collected was analysed considering EM programmes into three basic types: front door schemes (including bail, court order, condition of court order and execution of prison sentence), back door schemes (including pre-release and post-release) and other schemes. The questionnaires asked a range of detailed questions such as area covered, status of programme, total number of participants, types of EM, EM costs, length of the order, revocation rate, monitoring periods and offender criteria. The second part of the questionnaire asked for a case study to illustrate the use of electronic monitoring in each jurisdiction. The case studies are attached to the report.

This report analyses the information provided by sixteen jurisdictions in response to the first part of the questionnaire. Copies of the completed questionnaires are available after the conference by e-mail on request from the CEP Secretariat.

Area Covered

In nine of the sixteen jurisdictions EM programmes are national. In Austria, Ireland, Spain (Catalonia and Madrid) and Switzerland (Bern, Basel and Vaud) the schemes are all regional. In Scotland only the bail scheme, which ended in 2007, was regional.

Table 1 show if the programmes are national or regional in each jurisdiction.

Table 1. Type of programme (national or regional).

Jurisdictions	National	Regional
Austria		X
Belgium	X	
Denmark	X	
England & Wales	X	
France	X	
Ireland ¹		X
Madrid (Spain)		X
Netherlands	X	
Norway	X	
Portugal	X	
Scotland	X	
Catalonia (Spain)		X
Sweden	X	
Bern (CH)		X
Basel (CH)		X
Vaud(CH)		X
Total:	9	7

1. Status of Programme

The majority of the presented EM programmes are permanent, even though many of them started out as pilots, for instance, Portugal and France. However some of the programmes are still pilots. In Austria there is a pilot in the two largest cities: Vienna and Graz. England & Wales have a pilot in back door schemes: Parole licence. The Netherlands although have a national programme with RF technology, they have a pilot with GPS connected to front door schemes. Norway started a pilot in September 2008 and it will last until the 1st of September 2010.

The EM programmes in Switzerland cantons are all pilots and Scotland had a pilot in bail schemes since 2005 until 2007.

Regarding other schemes of EM, Catalonia defined an EM programme that will run as a pilot, not yet started, for programmed outings and permission of 48 hours in ordinary regime of life with EM.

2. Start Date/End date

England & Wales was the first jurisdiction in Europe to introduce EM in 1989, when they introduced a pilot to use EM in case of release on bail. Sweden and the Netherlands followed in 1994 and 1995. Since then the use of EM has been introduced to several other European countries.

¹ The pilot in Ireland will be regional

Besides Ireland, the most recent countries that introduced EM were Austria and Norway both in 2008.

The use of EM in each country tends to increase once it has been introduced.

Some of the countries presented still have running programmes. The pilot in Austria started in January 2008 and lasted until 15th of October 2008.

England and Wales and Scotland are the jurisdictions that have other programmes outside the criminal system and they concern respectively to: immigration cases, intensive support and monitoring system for children and to prison. In Scotland this programme started as pilot and is permanent since 2008.

Also Sweden and Vaud Canton (Switzerland) have other schemes, e.g. in Sweden electronic monitoring is used within prison.

Table 2 represents the start year of EM in each country in the categories: pre-trial, front door, back door and other.

Table 2. The start year of electronic monitoring for each type of programme and jurisdiction.

Jurisdiction	Pre-trial	Front door²	Back door³	Other
Austria	-	2008	-	-
Belgium		1998		
Denmark	-	2005	-	-
England & Wales	1989	1995	1999	2004
France	-	2000	2006	-
Ireland			2009	
Madrid (Spain)	-	2000	2000	-
Netherlands	-	1995	1995	-
Norway		2008	2008	-
Portugal	2002	2007	2007	-
Scotland	2005	1998	2006	2005
Catalonia (Spain)	-	2000	2000	-
Sweden	-	1994	2001	2005
Bern (CH)	-	1999	1999	-
Basel (CH)		1999	1999	1999
Vaud(CH)	-	2004	1995	

3. Total Number of Participants

The questionnaire asked about the number of participants in each programme. Information about the total number of participants for each country in 2007 and 2008 are given in Table 3 below.

² Front door schemes includes court order, condition of court order and execution of prison sentence

³ Back door includes pre or early release and post release.

Table 3. The total number of participants in electronic monitoring in comparison with the population size.

Jurisdiction	population size (in thousands)	prison rate per 100 000 Inhabitants 2008	EM population rate per 100 000 inhabitants	participants 2007	Participants 2008
Austria	8,350	95	0.4	-	37
Belgium	10,584	95	6.3	1,919	2,124
Denmark	5,490	63	2.6	1,103	1,175
England & Wales	54,670	152	33.2	62,647	71,154
France	62,100	96	5.5	7,915	11,287
Madrid (Spain)				1,676	1,807
Netherlands	16,440	100	-	886	952
Norway	4,740	69	2.9	-	102
Portugal	10,640	104	4.8	578	790
Scotland	5,190	153	15.4	3,262	3,643
Catalonia (Spain)	7,200	136	1.1	247	238
Sweden	9,170	74	12.1*	3,301	3,580
Bern (CH)	950		2.4	103	70
Basel (CH)	452		1.8	42	30
Vaud (CH)	662			240	126
Total:				83,919	97,115

* The figures from Sweden include tagged inmates in electronic prisons. Excluded the electronic prisons the EM population per 100 000 inhabitants is 7.

The Table shows that the total number of participants in EM programmes in England & Wales is higher than in any of the other jurisdictions, a total of 71,154 participants in 2008. It is difficult to explain the large differences in numbers. The comparison is dependent on several factors, e.g.: the judiciary system, the system maturity, the size of the jurisdiction, when the programme is national or regional, the number of sentences, the range of EM programmes and the conditions of the EM programmes.

Table 3 also shows the EM population rate per 100 000 inhabitants and compare it to the prison rate in each country.

4. Daily caseload

Trying to collect information about the daily figures, the questionnaire asked about daily caseload's in the last three years.

Although all of the countries didn't answer we can conclude that daily caseload has been increasing. See for instance the information from England & Wales, France, Scotland or Sweden.

In table 4 is the information collected of daily caseload regarding the EM scheme: front door, back door and "other" schemes.

Analyzing these types of data we can conclude that EM has a privilege use in front door schemes. Some jurisdictions like Denmark or Catalonia (Spain) only have front door schemes and in other jurisdictions like England & Wales EM programmes are used transversally.

Analyzing the questionnaire from Madrid (Spain) it wasn't possible to distinguish the numbers relatives to front door and to back door schemes.

In most of the jurisdictions the daily caseload is increasing since 2006.

Table 4. The daily caseload of electronic monitoring

	Daily caseload 31 October 2006				daily caseload 31 October 2007				daily caseload 31 October 2008			
	Front door	Back door	other	TOTAL 2006	Front door	Back door	other	TOTAL 2007	Front door	Back door	Other	TOTAL 2008
Austria	-	-	-	-	-	-	-	-	15	15	-	30
Belgium	591	-	-	591	498	-	-	498	664	-	-	664
Denmark	98	-	-	98	118	-	-	118	144	-	-	144
England & Wales	10655	2 780	914	14 349	13251	2932	541	16724	15143	2662	400	18205
France	1 476	2	-	1 478	2 365	13	-	2 378	3411	19	-	3 430
Ireland												
Madrid (Spain)	-	-	-	900	-	-	-	1430	-	-	-	1820
Netherlands ⁴	-	-	-	-	-	-	-	-	-	-	-	-
Norway ⁵	-	-	-	-	-	-	-	-	68	68	-	136
Portugal	519	-	-	519	435	-	-	435	484	29	-	513
Scotland	415	253	9	677	412	319	6	737	403	393	5	801
Catalonia (Spain)	131	-	-	131	93	-	-	93	82	-	-	82
Sweden ⁶	544	-	110	654	590	-	120	710	650	-	460	1 110
Bern (CH)	27	9	-	36	11	8	-	19	17	6	-	23
Basel (CH)	7	5	-	12	4	3	-	7	6	2	-	8
Vaud(CH)	-	-	-	-	63	-	-	63	35	-	-	35
Total:	14 463	3049	1033	19445	20932	3275	667	26304	21122	3194	836	26972

5. Type of electronic monitoring technology

The questionnaire asked what type of electronic monitoring technique is used in each EM programme: radio frequency, voice verification, satellite tracking or others.

Radio frequency is used in all jurisdictions and is the type of technology chosen by Ireland.

Voice verification is used in England & Wales and in Catalonia (Spain): in England & Wales, VV is only used in “other” schemes, more precisely, in immigration cases (non criminal cases) and in Catalonia is attached to front door schemes, more precisely, as a condition of court order.

Regarding the latest information of European EM programmes the use of satellite tracking doesn’t register a significant difference: it’s being used in three countries, France, Netherlands and Spain (Madrid).

In France satellite tracking is being used both in front and back door schemes.

In Catalonia (Spain) they intend to use in a pilot for tracking monitoring for programmed outings and permission of 48hours.

In Madrid (Spain) they are using RF, satellite tracking and biometric verification system.

6. Costs of EM per day

⁴ Netherlands didn’t answer this question

⁵ Figures are from 10 February 2009.

⁶ The figures from Sweden include front door and back door schemes.

Wanting to evaluate the costs of EM and trying to relate them with the analyses of the answers to the question number 9 – *Who is delivering the service* – the questionnaire asked the costs of EM per day.

In the table below are the data given.

Table 5. The costs of electronic monitoring

Jurisdiction	Costs per day
Austria ⁷	-
Belgium	€38,65
Denmark	€100
England & Wales	€15
France	RF €12 and GPS €30
Ireland	.
Madrid (Spain)	€
Netherlands	€13,98
Norway	€100
Portugal	€18,83
Scotland	£3500
Catalonia ⁸ (Spain)	-
Sweden	€2
Bern (CH)	-
Basel (CH)	€42.9
Vaud(CH)	-

Regarding the answers that were given, with so discrepant values, we can assume that different parameters were considered.

Regardless the incapacity to clarify the parameters that were considered in all of the answers, after a request from the preparatory group we reach some information that can clarify the values presented.

- a. the value indicated as a cost in England & Wales is an average of the different costs related to the different schemes of EM; for instance they include the cost of RF and VV technology which has the more high value when it's related to the back door scheme pointed as "Detention & training Order – Juveniles"; in that cost wasn't considered the value related to the Immigration cases - which are with RF monitoring Induction/deinstallation, €145 and daily monitoring €7.75 and with VV, are, respectively, €248 and €2.15;
- b. Norway clarified that the value pointed considered the employees salaries (75%) and the costs with equipment, maintenance, travel expenses and so on;
- c. the cost per day indicated from Portugal considers all the costs related to EM such as equipment, staff salaries, travel expenses, house rents and so on;

⁷ although in Austria the pilot has already finished the values aren't yet available

⁸ Catalonia indicated a value of 238.998€per year which includes VV and RF

- d. in Sweden the value only considers the technical costs: purchase, support and communication;
- e. the Switzerland Basel canton pointed a cost of CHF 65 and they clarified, that was the value that the prison administration gets paid for the execution of EM.

8. Before EM is sentenced it's or it isn't made a previous report

The questionnaire asked if previously to EM a report was made and in case of an affirmative answer if it was made by the same service that was going to carry out the decision.

In England & Wales a risk assessment is or can be made by probation service at the request of court and EM is carried out in most of the jurisdictions by private sector. In Belgium, France, Portugal and in Switzerland cantons, it's the same service that evaluates and executes the EM decision; similar scheme is presented in Netherlands.

In Scotland a report/risk assessment is made by social workers or by Scottish Prison service which are a different service from the one that is going to execute EM decision.

In Norway EM is not sentenced and is the same service that evaluates EM situations and that is going to carry it out. Also in Sweden EM is not a sentence and the probation service performs the report on the application and executes it.

9. Who is delivering the service

One of the questions concerned who is involved in delivering the service in the following areas: supplying the equipment, installing the equipment, monitoring, enforcement (returning the offender to court or prison) and name of equipment manufacturer.

The answers revealed many differences and the involvement from the private sector varied from low to high.

England and Scotland are the example of jurisdictions where the involvement of the private sector is higher: a private company is responsible for supplying, installing and monitoring the EM programme, but enforcement is more often carried out by different authorities of the public sector.

In Switzerland there are a mix between the private and the public sector.

In some jurisdictions such as Austria, Denmark, Catalonia, France, Portugal, Madrid and Sweden, the participation of the private sector is almost only connected with the supplying equipment and electronic monitoring is mostly carried out by the Probation Service.

In almost of the jurisdictions a private company supplies the equipment and only in Sweden the equipment is supplied by public sector/probation service,

The responsibility for the enforcement of each programme varies a lot, see Table 6.

Table 6. The sector (public or private) delivering the service of electronic monitoring

	supplying equipment	installing equipment	Monitoring	Enforcement-decision to revoke
Austria	private company	public sector- prison service	Prison service	Prison service
Belgium	Private company	Public sector – probation	Probation Service	Probation: Public prosecutor
Denmark	private company	public sector -probation service	Dep. Prisons and Probation	Dep. Prisons and Probation
England & Wales	private company	private company	Private company	police; case manager, court ; prison service ⁹
France	private company	public sector - prison staff	Prison staff ¹⁰	court
Madrid (Spain)	private company	public sector	public sector	public sector
Netherlands	private company	private company	Private company	-
Norway	private company	public sector	Public sector – correctional services	EM staff advises the correctional services
Portugal	private company	public sector - Probation service	Public sector – Probation service	court
Scotland	private company	private company	Private company	courts and Scottish prison service, parole board
Catalonia (Spain)	private company	public sector	Staff prisons	judge
Sweden	public sector	probation service	Probation Service	Judicial board
Basel (CH)	private company	private company	Prison staff	prison staff
Bern (CH)	private company	public sector - Dept. probation	Public sector – officer	public sector - officer
Vaud (CH)	private company	public sector	Private sector	public sector – state administration

The Questionnaire also asked for the equipment manufacturer. The most common company was Elmo Tech. Other suppliers mentioned were G4S, ADT, Serco Ltd , Guidance Ltd and Securiton.

10. Intensity of electronic monitoring

The minimum and maximum length of using electronic monitoring varies among the jurisdictions and between the different schemes. Table 7 shows the maximum time for each jurisdiction. Generally the schemes with the longest possible time of using electronic monitoring are the pre-trial and the post release programmes, which in some cases does not have an upper limit. In the front door programmes the maximum times are shorter and usually not longer than one year. Although there are large variations among the jurisdiction concerning the minimum and maximum length of using electronic monitoring, the differences tend to be less in terms of average time (table 8). The average time is between 2-4 months in most jurisdictions regardless of the type of programme.

⁹ the decision to revoke EM depends on the type of programme/jurisdiction

¹⁰ with GPS technology the monitoring is shared by the private and the public sector

Table 7. Maximum length for electronic monitoring in different jurisdictions and for different programmes.

	PRE-TRIAL	FRONT DOOR			BACK DOOR		OTHER
Maximum Length of Order	Bail	Court Order	Condition of court order	Execution of Prison Sentence	Pre- or early release	Post release	Other
Up to 1 month			Catalonia				Catalonia GPS*
2-6 months		England & Wales	England & Wales	Denmark Norway Sweden Austria ¹¹	England & Wales Norway Scotland		Scotland
7-9 months							
10-12 months		Scotland	Scotland	France (tagging) Basel Vaud Bern Catalonia Belgium	Portugal Basel Bern Sweden		England & Wales**
13-24 months		Portugal					
25 months or more	Portugal				France (GPS)	France (GPS)	
No limit/not applicable	England & Wales France				Austria	England & Wales	Scotland

* Programmed leaves from ordinary programmes including EM. ** Detention & Training Order, Juveniles which means that half sentence in prison and half under supervision.

¹¹ The maximum length for first time offenders is 9 months.

Table 8. Average length of using electronic monitoring for different jurisdictions and programmes.

	PRE-TRIAL	FRONT DOOR			BACK DOOR		OTHER
Average Length	Bail	Court Order	Condition of court order	Execution of Prison Sentence	Pre- or early release	Post release	Other
Up to 1 month	England & Wales		Spain, Catalonia	Denmark			Spain, Catalonia
2-4 months		England & Wales Scotland	England & Wales Scotland	Vaud Sweden England & Wales Austria Bern Basel Norway Belgium	Austria England & Wales Sweden Basel Norway Scotland	England & Wales	England & Wales
5-6 months							
7-9 months	Portugal			Spain, Catalonia	Bern		
10-12 months							
13-23 months				France (GPS)	France (GPS)		
24 months or more							

11. Monitoring Periods

The questionnaire asked about the period of electronic monitoring every day. The period of electronic monitoring for the offenders depends on the content and the purpose of the programme. There is a great variety among the different jurisdictions. The level of monitoring period seems to be more a consequence of a level set by each jurisdiction than depending on the type of scheme selected. Whenever tracking technology is used, the period of electronic monitoring is 24 hours a day. Table 9 shows the monitoring periods, minimum and maximum, for each programme and jurisdiction.

Table 9. Monitoring periods (hours).

Jurisdiction	FRONT DOOR			BACK DOOR		OTHER	
	Bail	Court order	Condition of Court order	Execution of Prison sentence ¹²	Pre or early release	Post Release	Other
Austria				8	8		
Belgium				24			
Denmark				24	24		
England & Wales	2-***	2-12	2-12	2-12	2-12	2-12	
France				***	24 (GPS)	24 (GPS)	
Netherlands		24		24	24		
Norway				**	**		
Portugal	-24	-24			***		
Scotland		-12	-12		-12	24	-12
Spain – Catalonia			*	8			
Sweden				10-22	10-22		
Basel (CH)				9-23	9-23		
Bern (CH)				9-22	9-22		
Vaud (CH)					24		

* It depends on the execution plan. ** No minimum, but there is a requirement for the offender to be out of the house at least 15h per week. *** Not applicable

12. Revocation rate

Breaches of programme conditions can mean that electronic monitoring is being revoked. Among the responded jurisdictions the revocation rate was generally quite low (table 10). The revocation rate depends on the requirements of the programme, the level of control and the tolerance of breaches, which can be quite different in each jurisdiction. A low figure could mean that there is low level of breaches of programme conditions for that jurisdiction, but it could also mean the level of tolerance for breaches is high.

¹² The offender is sentenced to prison by court and electronic monitoring is a way to serve or execute the prison sentence, e.g. by decision from probation service.

Table 10. Revocation rate (percent %)

Jurisdiction	FRONT DOOR			BACK DOOR		OTHER	
	Bail	Court order	Condition of Court order	Execution of Prison sentence ¹³	Pre or early release	Post Release	Other
Austria				-	-		
Belgium				11			
Denmark				8			
England & Wales	< 1	10	12		14	-*	4
France	-			-	-	-	
Netherlands		-		-	-		
Norway				-	-		
Portugal	8	4			0		
Scotland		-	-		27	-	-
Spain – Catalonia			0	4-6			
Sweden				9	11		
Basel (CH)				7	1		
Vaud (CH)				8			
Bern (CH)				5	6		

* No available data but less than 14 %.

13. Offender Criteria

Most common type of offence

The questionnaire asked the jurisdictions about the criteria for an offender subject to electronic monitoring. Table 11 shows the most common offence for each programme in every jurisdiction. The type of offence is generally more serious in the back door programmes compared to the front door programmes, which is the result of the back door programmes normally being used at the end of a longer prison sentence.

¹³ The offender is sentenced to prison by court and electronic monitoring is a way to serve or execute the prison sentence, e.g. by decision from probation service.

Table 11. Offender criteria, most common type of offence

Jurisdiction	FRONT DOOR			BACK DOOR		OTHER	
	Bail	Court order	Condition of Court order	Execution of Prison sentence ¹⁴	Pre or early release	Post Release	Other
Austria				Assault, property, tax crimes	Assault, property		
Belgium				Property and drug offences			
Denmark				Traffic code, penal code ¹⁵			
England & Wales	-	Theft/handling stolen goods, motoring offences, burglary, violence etc	Theft/handling stolen goods, motoring offences, burglary, violence etc		Fraud and forgery, drugs, violence, robbery, theft and handling*	High risk offenders with records of violence or sexual offences	-
France				Tagging - Drugs, violence, driving with alcohol	Violence, sex offenders	Violence, sex offenders	
Netherlands		-		-	-		
Norway				Traffic, Property offences	Traffic, Property offences		
Portugal	property	Traffic offences			Murder, trafficking, property		
Scotland		Breach of bail, breach of peace, vandalism, theft and assault	Breach of bail, breach of peace, vandalism, theft and assault		-	-	
Spain – Catalonia			Minor offences	All types of offences			Sexual offences
Sweden				-	-		
Basel (CH)				-	-		
Bern (CH)				Penal code	Penal code		
Vaud (CH)				Drunk driving			

* No recent study. Figures are from 1999.

Significant excluded offences

In some jurisdictions offenders who have committed certain types of crimes are excluded from the possibility of having electronic monitoring. Jurisdictions were asked to provide information about the type of offence excluded from electronic monitoring. A few jurisdictions had exclusions for sexual offences: Austria (execution of prison sentence), England & Wales, Scotland (pre-release programme) and Norway (sexual and serious violent offences). In Denmark and Sweden offenders that commit crimes at or from home can be excluded.

¹⁴ The offender is sentenced to prison by court and electronic monitoring is a way to serve or execute the prison sentence, e.g. by decision from probation service.

¹⁵ 51 % traffic code and 39 % penal code.

Consent

The legal requirement of the offender and the fellow occupant before introducing electronic monitoring is related to both ethical and practical issues. Almost all jurisdictions require the consent of the offender and the fellow occupant for the use of electronic monitoring. The exception for require consent of the offender is England & Wales, where consent of the offender is not necessary for the front door programmes and the detention and training order for juveniles. In the post release programme the consent is required in some cases.¹⁶ The consent of the fellow occupants is required in all jurisdictions except for England & Wales in the bail scheme. Although consent is not legal required, courts ask to ensure consent of other affected. Neither is consent from fellow occupant required in the voice verification programme in Catalonia, Spain.

Age requirements

When comparing age requirements between different jurisdictions must be taken into account that the penal age varies. In most countries the use of electronic monitoring is addressed for adults. England & Wales and France also have programmes, which are intended for juveniles. England & Wales also has a special programme directed to juveniles (10-17 years); “Detention and Training order” which means that half sentence is spent in prison (up to six months) and half sentence is under supervision in the community.

Austria – adult

Belgium – min 18

Denmark – no age requirement

England & Wales – 10-17 years, Adults

France – Juveniles/Adult¹⁷

Norway – penal age 15

Portugal – above 16

Scotland – front door: none, most will be 16, backdoor: adult

Spain – no age requirement

Sweden – no age requirement

Switzerland (Basel, Bern and Vaud) – min 18

Alcohol testing, including alcohol remote control

The questionnaire asked about the use of alcohol testing in relation to the use of electronic monitoring. The use of alcohol testing differs between the jurisdictions from no alcohol testing at all to testing of every offender. Table 12 shows the use of alcohol testing in the jurisdictions.

Table 12. Alcohol testing in the programmes using electronic monitoring.

<u>Every offender</u>	<u>Some offenders</u>	<u>No testing</u>
Denmark	Austria	England & Wales
Norway	Netherlands	France
Sweden	Spain-Catalonia*	Portugal
	Switzerland**	Scotland
		Belgium

* Some offenders are tested when electronic monitoring is used as an execution of prison sentence, but no testing is done when electronic monitoring is used as a condition of court order or in the pilot of using tracking for programmed outings and leaves. ** Basel, Bern and Vaud.

No jurisdiction reported the use of alcohol remote control, but pilots have been made in both Sweden and the Netherlands.

¹⁶ Consent is required for some voluntary cases, but not where curfew requirement has been imposed by the Parole Board.

¹⁷ France has two programmes, which are both directed to adults and juveniles: bail programme and the execution of prison sentence programme (tagging). The tracking programmes are addressed to adults.

14. Electronic monitoring - linked to a support programme or stand alone?

Most jurisdictions reported that the use of electronic monitoring were linked to a support programme, such as supervision, requirement of work or study, treatment programmes, i.e. alcohol or drug therapy, psychological support or social advise. The exceptions when electronic monitoring is used as a stand alone were the use of court order in England & Wales, the court order for adults and the back door programmes in Scotland, the use of court order and execution of prison sentence in the Netherlands and electronic monitoring as a condition of court order in Catalonia, Spain.

15. Victims Aspects

The questionnaire asked if the victim was informed of the imposition of electronic monitoring on an offender. The answers showed a great variety between the jurisdictions. In England & Wales, Scotland, France, Belgium, the Netherlands, Sweden, Portugal the victims were informed in some cases. In Spain, Switzerland (Basel, Bern and Vaud), Denmark, Norway and Austria the victims were not informed by the imposition of electronic monitoring.

The questionnaire also asked for the use of bilateral electronic monitoring or using the electronic monitoring for victim's protection. When the technology is used not only for surveillance, but also for victim protection, which might be the case with e.g. domestic violence, we refer to it as bilateral electronic monitoring because there is a second person enrolled in the programme. The responses showed that there are very few programmes of using bilateral electronic monitoring in Europe. In Madrid, Spain electronic monitoring is used for monitoring of restraining orders since 2005. The decision is made by court and the programme is using both tracking technology combined with a receiver based on radio frequency for the victim. In Scotland electronic monitoring can be used to monitor compliance by offender who are restricted away from victims addresses. Portugal has recently started a pilot on domestic violence used in pre-trial using reversed tagging technology. In the Netherlands there have been a few cases of bilateral electronic monitoring in the front door programmes. In both Sweden and Norway proposals have put forward for a new legislation that allows electronic monitoring of restraining orders.

16. Studies on the use of electronic monitoring from 1 January 2007

Austria – Project study by the institute for the Sociology of Law and Criminology, www.irks.at (not open for public yet). Final report by the Ministry of Justice.

Denmark – Evaluation of EM with regard to the cooperation between involved authorities (Danish only). A qualitative study is planned on recivism.

England & Wales – London School of Economics are carrying out a data feasibility study on the question of the impact of electronic monitoring on reoffending. Their results of their study will be published by the summer 2009.

France – By the national school of penitentiary.

Norway – Evaluation ongoing, to be published in 2010 for the front door programme and 2011 for the back door programme.

Portugal – Study on costs and revocation. First evaluation on a domestic violence project.

Spain –

- Rosell et.al (2008) La utilització dels sistemes de control electrònic monitirat a la població penada de Catalunya, <http://www20.gencat.cat/portal/site/Justitia/menuitem>

Sweden –

- Brottsförebyggande rådet (2007:3). Extended use of electronic tagging in Sweden – the offenders and victims view, www.bra.se
- Brottsförebyggande rådet (2008). 2007 års reform för bättre utslussning i Kriminalvården, (swedish report). The last report is the first out of three in an ongoing evaluation of Release programmes. www.bra.se .
- Marklund, F. & Holmberg, S. (2009). Effects of early release from prison using electronic tagging in Sweden. Journal of Experimental Criminology 5:41-61

Switzerland, Vaud – Swiss government evaluation about keeping EM after 2009, www.probation-vd.ch/ (french).