Book Reviews

**Electronically Monitored Punishment: International and Critical Perspective***
Edited by Mike Nellis, Kristel Beyens and Dan Kaminski
Abingdon, UK: Routledge, 2013
ISBN: 978-1-84392-273-5, 292 pages, hardback, £80.00

This book is an essential and timely publication that should be read by practitioners and policy-makers, from main grades to senior management, interested in fully understanding the complexities of electronic monitoring (EM). EM and Home Curfew (to give it its full title) has been available to PBNI since its inception on 1 April 2009, coming under the Criminal Justice (NI) Order 2008. More recently a piloted GPS scheme was undertaken by the Probation Service in the Republic of Ireland. As an operational manager responsible for EM, I would encourage staff across the criminal justice system to read this book.

Professors Nellis, Beyens and Kaminski have international reputations as leading authorities on EM and criminal justice, ensuring that this publication contains a range of essays that will educate, inform and, it is hoped, provoke debate. I make this assertion after three years of limited use of EM in a community supervision setting, and I agree with Mike Nellis that EM ‘is not simply a device … it is also “socio-technical” in that it requires human input’ (p. 7).

The book starts with the historical development of EM across the world, including an analysis of the technology against the social/cultural and political context of various countries. We see its origins in the USA in the 1980s: a society proud of its innovation and ‘can do’ approach embraces EM and begins a path towards ‘techno-utopianism’, but never reaches it because

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that same society ‘never manages to match or challenge the more ... reassuring appeal of punishment ... in US penal practice’ (p. 37). Thus the USA continues to have one of the largest prison populations in the world. Ironically, South Korea’s special probation unit using GPS EM with banks of monitors for live/real-time supervision of sex offenders was created in response to the recognition that custody was not working. However, while South Korea pursued this technical alternative to custody with enthusiasm, it did not adopt any new welfare model along with it, and its ‘command & control’ approach is viewed as closest to the embodiment of a futuristic dystopia more akin to the writings of George Orwell than of Arthur C. Clarke.

Between these essays lies the debate within the European nations. Across Belgium, Holland and France we can define similar patterns in the evolution of EM. A compelling factor was the increase in prison populations and the seductive political argument of EM as an overwhelmingly cost-effective alternative to custody – a claim that many of the authors say is not easy to disprove but difficult to measure. However, it is the chapter on the parallel development of EM in England, Scotland and Wales that will strike the most resonance with practitioners, as it provides a frank review of the fortunes of the UK Probation Service over the past 20 years.

EM was eagerly seized upon as a ‘vote winner’ by the then Conservative government as a vehicle for many of its policies: a means to reduce the prison population and public sector expenditure, but also presented as more punitive community punishment in contrast to ‘soft’ social-work-values-led approaches to crime and poverty. Not surprisingly, NAPO greeted its implementation with a degree of wariness, not least because the Home Secretary Michael Howard’s demands for a more punitive penal system were seen as a direct attack on probation (p. 66). Despite equivocal results from three pilot schemes, EM continued with consistent government backing. Under the Labour government the implementation of EM as ‘stand alone’ orders and its use with home detention curfews (HDCs), an early release from prison option, saw EM increase from several hundred orders in the mid-1990s to almost 15,000 by 2002. This figure continues to grow, despite research regularly advocating its use alongside community supervision as being more effective in reducing recidivism, and two government audit inspections describing the current approach as ‘unimaginative’ and as failing to realise EM’s potential.

By contrast, Sweden’s (and to a lesser extent Australia’s) experience of EM has involved carefully thought-out programmes of treatment and
supervision, underpinned by a strong rehabilitative ethos and very limited private sector input, and has had significant results. In one study of released prisoners under EM as part of their post-custody supervision, their reconviction rate after three years was 26% compared to the control group’s 38%. The Swedish model of high-level support and control is interestingly perceived by some offenders as far more daunting than custody, given that during electronic monitoring alcohol is prohibited and random drug tests are the norm.

Given the limited public debate in regard to the value and merits of EM in current practice, the next part of the book has a series of debates that scholars and practitioners will enjoy. Nellis examines the ethical challenges of EM. He addresses concerns that EM does little to reduce offending for low-risk and first-time offenders. He identifies that in many cases it has no direct impact on custody and only serves to draw more people into the criminal justice system. He argues that we should be morally compelled to seek alternatives to custody given the damage that custody inflicts on the individual and society. The argument is developed to include the point that community sanctions should be more demanding (not just punitive for the sake of it) in order to act as a deterrent and protect victims. The issue of exclusion from communal areas as opposed to home detention raises the debate over the need for EM to be intermittent and that it is essential that offenders be afforded some element of respite, and so too their families.

Craig Paterson provides a global perspective on the rise of the ‘techno-corrections industry’, examining how corporate interests have long held disproportionate influence across many countries and their governments. While it is easy to conjure perceptions of the ‘corporate menace’, he illustrates the political process that allows ideology to usurp logic or empirical evidence and the worrying trend for politicians to use evidence to ‘legitimize rather than inform their policy’. Perhaps the most interesting chapter is by Professor Anthea Hucklesby, who reports on a study she conducted on the experiences of both offenders and staff. In this piece she identifies the ongoing problems of the parallel model, identified in Chapter 3, notably the lack of communication between monitoring staff and probation, how the quality of the supervisory/monitoring relationship is directly proportional to levels of compliance, and that for all the research conducted on EM, surprisingly little has been undertaken on the actual experiences of offenders during and after their tagging.

The book ends with Professor Marc Renzema providing an overview of evaluative research on EM, or rather a clear and honest summation of its
problems. He identifies the ‘slippery’ nature of EM and the almost impossible task of evaluating something that is perceived so differently by the public, government and criminal justice agencies. As the chapter continues Renzema becomes increasingly cynical regarding not just EM, but the lack of empirical study. He argues that any research, to be valid, requires an almost homogeneous test group of similar age, class, etc. in order to attempt to quantify recidivism or desistance.

An overall reading of this book left me with a strong conviction that EM for low-risk clients is unfair and for high-risk/PPANI offenders it can be almost redundant given the levels of active supervision. There is, however, a medium-range population of offenders where EM, used imaginatively and as part of an integrated programme of supervision, could provide the means to maintain the family, employment and community ties recognised by many of the authors as necessary for rehabilitation and reintegration.
Youth Justice in Context: Community, Compliance and Young People*
Mairéad Seymour
Abingdon, UK: Routledge, 2013
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This book examines young people’s compliance with community supervision, an area of criminal justice theory and practice that has been subject to limited empirical research. It explores the interventions, knowledge and skills required to engage young people to promote compliance with statutory supervision and to develop the skills they need to desist from offending behaviour. The ultimate aim of promoting compliance is to reduce recidivism. The material presented in the book is based on empirical research that was generated through qualitative interviews with professionals and young people. The research was conducted with three statutory agencies in the Republic of Ireland and Northern Ireland: Young Person’s Probation (YPP), a specialised division of the Probation Service in the Republic of Ireland, the Probation Board for Northern Ireland (PBNI) and the Youth Justice Agency (YJA) in Northern Ireland.

The context of youth justice practice in both jurisdictions, including the social and legal changes that preceded current legislation, is provided, and is situated within the wider context of the European Conventions. The process for supervision of Community Orders is described and explored in relation to accountability to the judiciary and standards of enforcement. Particular reference is made to Youth Conference Orders and the restorative underpinning whereby the victim is included in the conferencing process. Common to all three statutory agencies is the young person’s understanding that a report will be completed to aid in sentencing and that breach proceedings will be initiated to return the order to court for non-compliance.

The book draws on wider research evidence, which highlights the fact that stringent enforcement of non-compliance does not promote increased compliance in young people. Given the often multi-faceted problems experienced by young people involved in offending behaviour,

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this book helpfully examines the theoretical underpinnings of working with young people and the complexity of such work. The skills that promote compliance (often over protracted periods of time), theories of engagement and specific links to desistance are explored. The evidence is clear that young people in conflict with the criminal justice system need to be engaged in supportive, holistic and empathetic programmes of support.

Practitioners identify young people who are subject to community supervision and viewed as ‘persistent offenders’ as among the most disenfranchised young people in society. This underlines the need for practitioners to utilise their skills of engaging young people in a supervision process that incorporates the needs of completing a Court Order while developing a supportive ‘working relationship’. The importance of congruence between a supervisor’s words and actions for young people subject to supervision is highlighted. This is achieved through practical support such as reminders to attend appointments. The importance of developing social and emotional supports in local communities through engaging with training, employment, therapeutic interventions, families and peer influences alongside the promotion of pro-social diversionary activities is also highlighted. An important finding from practitioners and young people interviewed for this study is that if the young person believed that their supervisor would ‘stick’ with them, they were more likely to engage with them over a period of time and show increased compliance.

It is acknowledged that there is an inherent power imbalance in a supervisory relationship; however, it is argued that this can be redressed by the practitioner through the supervision process. This does not negate the practitioner’s accountability for maintaining agency standards of enforcement, assessment of risk of reoffending and managing the required level of public protection from further offending behaviour. The meaning of compliance is also debated – a young person attending appointments but not engaging may be deemed acceptable initially, depending on the practitioner’s view of their ability to engage. This reinforces the fact that each young person is supervised, on an individualised basis, from a holistic viewpoint with the order being enforced accordingly.

This research also emphasises the importance of ‘front-end compliance’ – i.e. ensuring, from the start, a young person’s understanding of what is expected of them to maintain compliance with the court order, and the consequences of non-compliance. This appears to
increase a young person’s motivation to engage, and further, a young person will be more likely to comply if they feel included in completion of the order (communicative approach) rather than told what to do. The importance of attending to procedural justice is also critical. These findings and associated theories emphasise the importance of promoting ‘ownership’ in a young person towards successfully completing the order.

Having worked within the Youth Justice Team in PBNI for the past three and a half years, I found this book insightful and focused on identifying the complexity of promoting compliance with young people on community supervision. The author ensures throughout this complex and theory-based research project that knowledge is applied in a manner that is accessible and understandable for the reader. This book is a must-read for social work students or practitioners seeking to promote understanding of working with young people and promoting compliance with community supervision on statutory Court Orders.