



House of Commons
Committee of Public Accounts

The electronic monitoring of adult offenders

**Sixty-second Report of
Session 2005–06**

*Report, together with formal minutes,
oral and written evidence*

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The Committee of Public Accounts

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Mr Alistair Carmichael MP (*Liberal Democrat, Orkney and Shetland*)
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The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at <http://www.parliament.uk/pac>. A list of Reports of the Committee in the present Session is at the back of this volume.

Committee staff

The current staff of the Committee is Mark Etherton (Clerk), Christine Randall (Committee Assistant), Emma Sawyer (Committee Assistant), Pam Morris (Secretary), and Luke Robinson (Media Officer).

Contacts

All correspondence should be addressed to the Clerk, Committee of Public Accounts, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 5708; the Committee’s email address is pubaccom@parliament.uk.

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Summary

Electronic monitoring, also known as tagging, allows offenders who might otherwise be imprisoned to be released on curfew, with restrictions imposed on their liberty. In England and Wales, courts use Curfew Orders as one element of a community sentence, with or without other measures. Prisoners are also released prior to their normal release date on Home Detention Curfews¹. Electronic monitoring is also used as a component of sentences for juveniles; however this report focuses on their use for adult offenders only. These account for nearly 80% of electronic monitoring cases. Curfew restrictions vary; but generally they require offenders to be at a given “curfew address” for up to 12 hours, usually overnight. Contractors use monitoring equipment, at curfew addresses, and devices attached to offenders’ ankles to monitor compliance with curfew conditions.

Curfews can help with the rehabilitation of offenders by allowing them to have contact with their families and to work or attend education or training. They cost some £70 less per day on average than keeping an offender in prison and help limit the prison population.

Any failures in the system can result in dangerous offenders being free to re-offend, because the tag itself cannot prevent offenders from re-offending. In one tragic case a youth offender on tag was convicted of murder. In order to minimise the risks to the public, the system has to be robust enough to prevent the release of offenders who are likely to re-offend whilst on curfew. Satellite tracking, which is being piloted, is likely to be useful in providing evidence of an offender being in a particular location when a crime is committed. The use of electronic monitoring is also being piloted for monitoring the whereabouts of asylum seekers.

Prison governors are responsible for releasing prisoners early under Home Detention Curfew and they make the final decision as to whether prisoners are suitable for early release. Early release of prisoners could be made more efficient, potentially saving up to £9 million a year, whilst retaining the required levels of caution to minimise the risk to the public.

The rehabilitative effect of living on a curfew needs to be further researched. It is likely that it could be improved by giving offenders and their families better information and providing greater access to work, training and education.

Two contractors have managed electronic monitoring since April 2005 when the Home Office re-tendered the contracts. The new contracts, which cost 40% less than the original contracts, include tougher financial deductions for poor performance, which have successfully improved the performance of the contractors.

On the basis of a Report by the Comptroller and Auditor General,² the Committee examined the Home Office, the National Offender Management Service and the two contractors on the robustness of electronic monitoring and its use in rehabilitating offenders.

1 Home Detention Curfews are used to release prisoners early and Adult Curfew Orders are used by courts as an alternative to prison.

2 C&AG’s Report, *The electronic monitoring of adult offenders* (HC 800, Session 2005–06)

Conclusions and recommendations

- 1. Keeping offenders on electronically monitored curfews is some £70 cheaper, per offender per day on average, than prison.** If the risks to the public are minimised, through tagging only those offenders least likely to re-offend, and their rehabilitation is at least as effective as prison, then electronically monitored curfews offer a cost effective alternative to prison.
- 2. Home assessments are sometimes carried out for prisoners who are ineligible for Home Detention Curfew, at a total additional cost of some £200,000 per year.** Such nugatory assessments also give prisoners and their families false hope that they are going to be released early. Prisons should carry out interim eligibility assessments to exclude those ineligible before they ask Probation Officers to carry out home assessments.
- 3. 60% of the prisons that release prisoners on Home Detention Curfew do not have access to the Police National Computer to check criminal records.** Their records therefore have to be posted from a prison with access to the Police National Computer, which can delay the release of prisoners. The Home Office should implement a timetable for providing all prisons that release prisoners on Home Detention Curfew with access to the Police National Computer.
- 4. Home Detention Curfew eligibility assessments are not routinely sent with prisoners when they are transferred between prisons.** We recommended in a previous report that all records should be transferred with prisoners when they are moved between prisons³. Until all records are available electronically to all prisons, the Prison Service should transfer all paperwork associated with eligibility assessments with prisoners, to prevent duplication of effort and to help prisoners to be released on their eligibility date.
- 5. Governors are not provided with feedback on whether prisoners whom they have released early have successfully completed their curfew.** Governors should be provided with information on any prisoners they released under Home Detention Curfew who have offended whilst on curfew or breached their curfew conditions. Such feedback would help them improve their decision-making on releasing prisoners whilst at the same time minimising the risks to public safety.
- 6. There is insufficient evidence available to determine whether electronic monitoring helps to reduce re-offending or promote rehabilitation.** The Home Office should carry out further research to establish the role that electronic monitoring could play in minimising re-offending. It should make the results of the research available to courts and prisons, which make decisions on whether to place offenders on curfews.
- 7. Families of offenders placed on curfew are only given limited advice on living with a curfewee, prior to the start of the curfew.** When faced with the realities of an

3 44th Report from the Committee of Public Accounts, *National Offender Management Service: Dealing with increased numbers in custody* (HC 788, Session 2005–06)

offender confined to their address, some families withdraw their consent for their home to be used as a curfew address. Probation Officers should explain fully the requirements of providing a curfew address to the family when they carry out home assessment visits, assisted by a standardised checklist, so that the family can give fully informed consent. On-going support could be offered to families, such as through voluntary groups.

8. **Prisoners released on Home Detention Curfew are not able to continue with any education or training which they were undertaking in prison.** The National Offender Management Service should ensure that Probation Officers work with prisons to help offenders continue with their education when they are released on Home Detention Curfew.
9. **Offenders given Adult Curfew Orders are not given specific help to access education and training or to find work.** The Home Office should set out measures that Probation Officers should take to help offenders on Curfew Orders access education, training or work to complement any rehabilitative remedies ordered by the courts.
10. **In the sample reviewed by the NAO, 52% of prisoners eligible for Home Detention Curfew were released after their eligibility date.** If this performance was replicated across England and Wales, delays in releasing prisoners would cost £9.3 million in unnecessary custody costs. Delays occur when prisoners are given short sentences because prisons sometimes have as little as a month in which to carry out assessments before the eligibility date. When courts impose a short sentence, they should carry out the eligibility assessment for Home Detention Curfew at the time of sentencing.
11. **There is no target for returning to court offenders who breach Adult Curfew Orders.** The Home Office should set a target for returning these offenders to court, monitor performance against that target and take action where it is not met.
12. **The Home Office has recently obtained real-time access to the contractors' databases.** The Home Office should use this access to carry out independent monitoring and auditing of the contractors' performance and it should publish information on their performance where this does not undermine the effectiveness of curfews.
13. **The Home Office made ex-gratia payments totalling some £8,000 to two offenders because it could not prove whether they had intentionally damaged monitoring equipment.** The Home Office should instruct contractors to retain monitoring equipment when there is a dispute over the reason for an apparent breach, so the facts of such cases can be proven. It should incorporate it into any future contracts.
14. **The contractors have improved their performance after incurring financial deductions for failing to meet all the requirements in their contracts.** The Home Office should build on the successful use of financial deductions by making further use of them in these and other contracts with private companies, in particular by

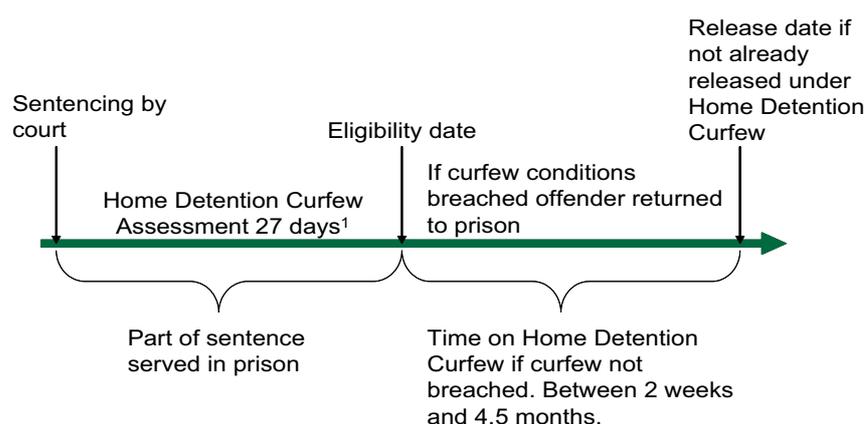
including financial deduction for contractors for those points of performance which they consider to be the most important.

15. **The Home Office negotiated a 40% reduction in the price of the contracts when it renegotiated them in April 2005.** The Home Office team responsible for the negotiations should produce a good practice guide to disseminate lessons learned from this experience to other contract managers within the Home Office.

1 Releasing prisoners on Home Detention Curfew

1. Home Detention Curfew (HDC) can be a cost effective method of reducing the numbers of offenders in custody. Prisoners can be released under HDC if their sentences exceed three months, and their prison governor is satisfied that they do not pose a risk to the public. Providing that prisoners are suitable for release, they should be released as soon as they reach their eligibility dates. The system has to be robust enough to minimise the risks to the public of releasing offenders who may re-offend whilst on HDC. To achieve this, offenders who are serving sentences for certain crimes are presumed ineligible or may be excluded from HDC, depending on the severity of the crime. The prison carries out eligibility assessments before prisoners are released on a HDC and Probation Officers check the suitability of the curfew address provided by the prisoner before release. Offenders are returned to prison if they do not adhere to their curfew conditions; these are typically 12 hour overnight curfews (**Figure 1**).⁴

Figure 1: Home Detention Curfews allow prisoners to serve part of their sentence at home



1. The mode time taken in cases reviewed by the National Audit Office

Source: National Audit Office

2. When prisoners are released on HDC they are confined to an address for a pre-determined period in every 24 hours. To be released on HDC prisoners must have provided a suitable address in which they will be confined. Probation Officers visit the proposed address to check its suitability and check that the house holder has agreed to the offender being curfewed at that address. Prisons often put in requests for Probation Officers to carry out home assessments when they start their own eligibility checks. In some cases this has resulted in Probation Officers carrying out home assessments for prisoners who were not eligible for HDC. This has taken up valuable probation resources, costing an additional £200,000 a year, and may have given false hope to prisoners and their families. In these circumstances, an interim assessment of available records should have indicated that the prisoner was ineligible for Home Detention Curfew. Delaying the

request for a home assessment until after the prison had carried out an interim assessment would have saved money and avoided needlessly raising the expectations of prisoners and their families.⁵

3. Prisons review prisoners' criminal records to check whether they are eligible for release under HDC. Criminal records are held on the Police National Computer (PNC); however, only 44 of the 113 prisons that release prisoners on HDC have access to the PNC. The 69 prisons (60%) without access have to request the details from their nearest prison with access to the PNC, which then posts details to the requesting prison. This has introduced additional delays into the assessment procedure. The Home Office is liaising with the Police Service over improving access to the PNC.⁶

4. When prisoners were transferred between prisons, their security files are transferred with them. Other records, however, are not routinely transferred with prisoners, including their Home Detention Curfew eligibility assessments. As a result, some assessments are wholly or partially repeated, increasing resource usage and delaying release of prisoners under HDC. In the long term, the Home Office hopes to eliminate this problem by making all prisoners' full records available electronically to all prisons by rolling out the National Offender Management Information System. It is confident that the system would work correctly.⁷

5. Prison governors have the ultimate responsibility of deciding whether prisoners should be released on Home Detention Curfew. They have to weigh up the advantages of reducing numbers in custody, the financial savings offered by HDC over prison and the potential rehabilitation advantages of earlier release balanced against the likelihood of offenders breaching their curfew conditions and the primary concern of public protection. Governors are not, however, provided with feedback on whether the prisoners they have released had successfully completed their curfew, even though this could help to inform future decisions. Lowest risk offenders are most likely to be released early on HDC; however, some offenders who had committed indictable offences could be released early if a more thorough assessment indicated that they posed minimal risk. Despite these precautions, some 1000 offenders committed serious offences whilst completing their sentence on HDC (**Figure 2**). Very few juveniles are released on HDC and as a result they account for only 15 of the violent offences committed whilst on HDC. The Home Office does not monitor offences committed by offenders on Curfew Orders.⁸

5 Q 17

6 Qq 100–109

7 Qq 19–20

8 Qq 15, 27, 92–93; C&AG's Report, para 4.3

Figure 2: 1021 offenders released from prison early committed violent offences whilst on Home Detention Curfew

Violent Offence against the person	Number of offences by prisoners released on HDC
Manslaughter	4
Murder	1
Attempted murder	1
Making threats to kill	35
Conspire, Aid, Incite Murder	0
Death by reckless driving	1
Wounding (GBH)	56
Assault	562
Obstruct, Resist Constable	100
Assault on Police Officer	145
Cause explosion, place explosive	0
Possession of Offensive weapon	100
Other violence against the person	16
Total	1021

Note: Information for curfew orders is not available nor is comparative data on adults and juveniles

Source: Home Office data

2 Living on a tag

6. Electronic monitoring provides an opportunity for offenders to turn their lives around in a controlled way and change their offending behaviour by allowing them to access work, education, family life and society outside prison within a structured day. Alternatively, it gives them the opportunity to breach their curfew conditions and even re-offend whilst on a tag.⁹

7. There was anecdotal evidence from offenders that being on a curfew was more helpful than prison in changing the behaviour of offenders. There was no evidence, however, that the Curfew Order itself reduced the incidence of re-offending. It was likely to be the access that offenders on curfew had to training, employment, housing and family life that helped them to reconnect with society and reduce their offending rather than the Curfew Order itself. The Home Office recognised that further research was required to establish the role that electronic monitoring could play in minimising re-offending.¹⁰

8. Providing a curfew address for an offender can be difficult for others living at the address. It is often a major upheaval for families to have an offender confined to their home for 12 hours each night. The experience of living with a curfewee has caused some families to withdraw consent for their address to be used as a curfew address (19% of the cases examined by the National Audit Office). Offenders then become ineligible for curfew if an alternative address can not be found. When Probation Officers carried out the home assessments they gave families of offenders limited advice on the issues surrounding living with a curfewee. This advice was patchy. Visits could be used to explain the requirements of providing a curfew address in greater depth so that families could give fully informed consent. Better information has been provided by Gwent Probation Area since they started using a standardised checklist for home visits. Advice and support for families when they needed it to deal with specific situations is restricted to that which can be offered by the contractors' service centre staff. Group 4 Securicor provided training for its staff to deal with these calls and its staff could refer calls to the local Samaritans.¹¹

9. Offenders themselves need to be fully informed about the requirements of curfews and their specific curfew conditions if they are to adjust to life on a tag. Home Office research showed that half of prisoners released on Home Detention Curfew felt ill-informed about their curfews before leaving prison and these offenders were more likely to think that they had breached their curfew conditions than those who felt well informed (**Figure 3**).¹²

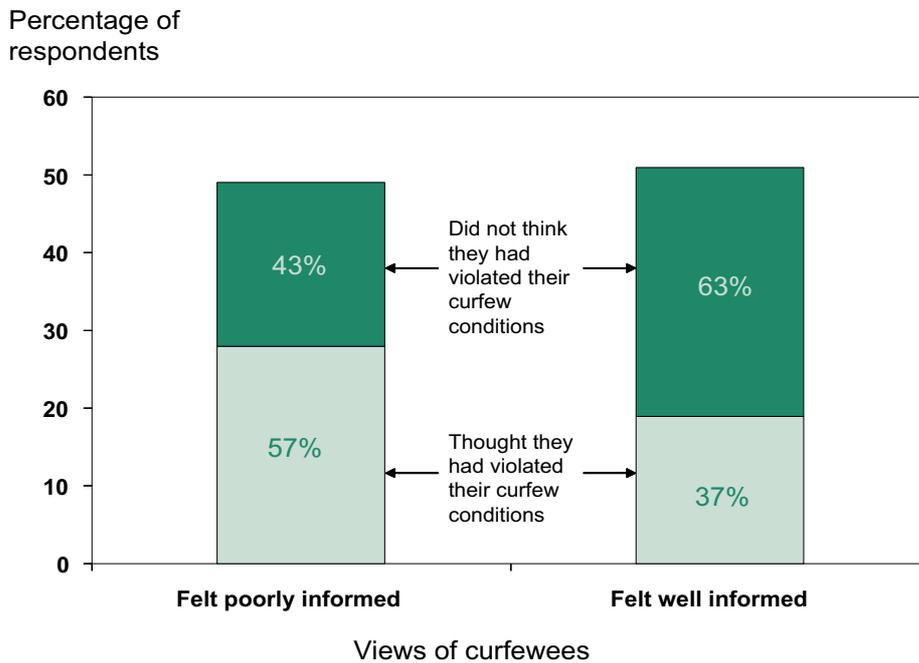
9 Qq 31, 89–91

10 Q 31

11 Qq 28–29; C&AG's Report, para 3.12 and Figure 17

12 K Dodgson, P Goodwin, P Howard, S Llewellyn-Thomas, E Mortimer, N Russell and M Weiner, *Electronic Monitoring of released prisoners: an evaluation of the Home Detention Curfew Scheme*, Home Office Research Study 222

Figure 3: Half of curfewees felt poorly informed about the curfew process prior to release on Home Detention Curfew and they were more likely to think that they had violated their curfew conditions



Source: Survey of curfewees conducted by the Home Office

10. Many prisoners undertook education and training while in prison to help with rehabilitation. When they were released on Home Detention Curfew, however, they were unable to continue with that education or training. All prisoners are given an assessment at the point of leaving prison and an interview at a job centre with the intention that they would go into education, training or employment at that stage. This has been achieved for almost 40% of prisoners. It was not, however, linked to the training that prisoners were undertaking at prison. The National Offender Management Service was created to bring about the seamless management of offenders; that any needs identified early in a prisoner's sentence are followed up regardless of whether the offender is in prison or released.¹³

11. Less help has been provided to offenders given Adult Curfew Orders. Unless the courts specified any rehabilitative remedy in conjunction with the curfew, the only help available for them to access education and training or to find work was the same as that offered to offenders in general. In the future the Home Office would like to see greater use made of curfew orders in conjunction with other measures as part of rehabilitation.¹⁴

13 Q 21

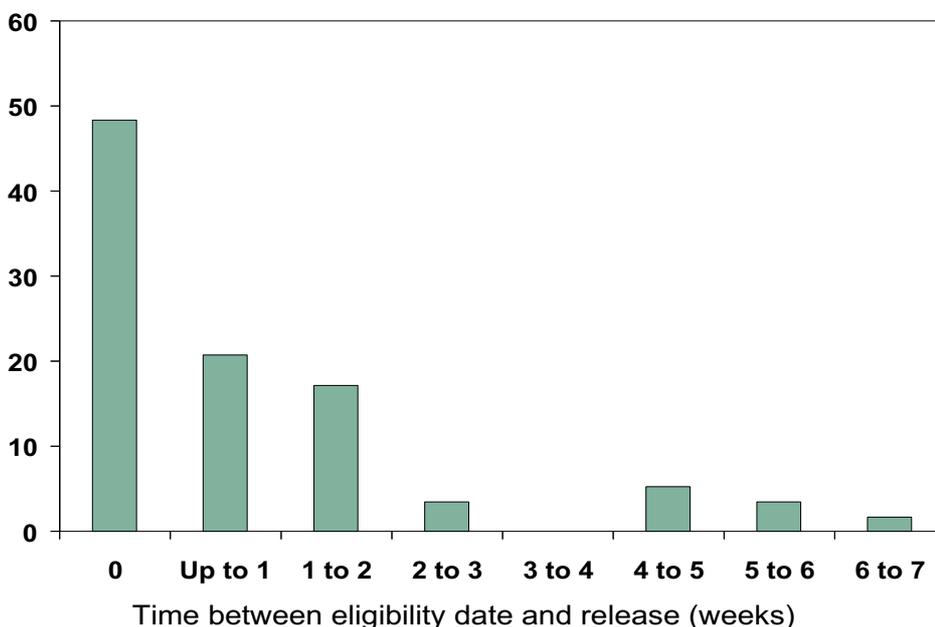
14 Q 30

3 Managing electronic monitoring

12. Home Detention Curfew is some £70 cheaper, per day per prisoner, than prison. In order to realise the full economic benefit of HDC, prisoners should be released on the first day that they are eligible, i.e. their eligibility date. Half of the prisoners included in the National Audit Office's sample who were eligible for HDC were, however, released up to 7 weeks after their eligibility date (**Figure 4**). The Prison Service allowed 10 weeks for the HDC assessments to take place; although, when prisoners were given short prison sentences, prisons had as little as one month in which to carry out all the assessments prior to the eligibility date. The National Audit Office found that the mode (most common) time taken for the assessments was 27 days; therefore, it should have been possible to have met the eligibility date in many cases. Better planning of the assessment process could have helped prisons to complete assessments prior to prisoners' eligibility dates. The process could be streamlined if courts carried out eligibility assessments for HDC when they imposed a short prison sentence, particularly since they based their sentencing decisions on the same information that affects eligibility for HDC.¹⁵

Figure 4: Only 48% of prisoners eligible for Home Detention Curfew were released on their eligibility date

Percentage of prisoners released on Home Detention Curfew (%)



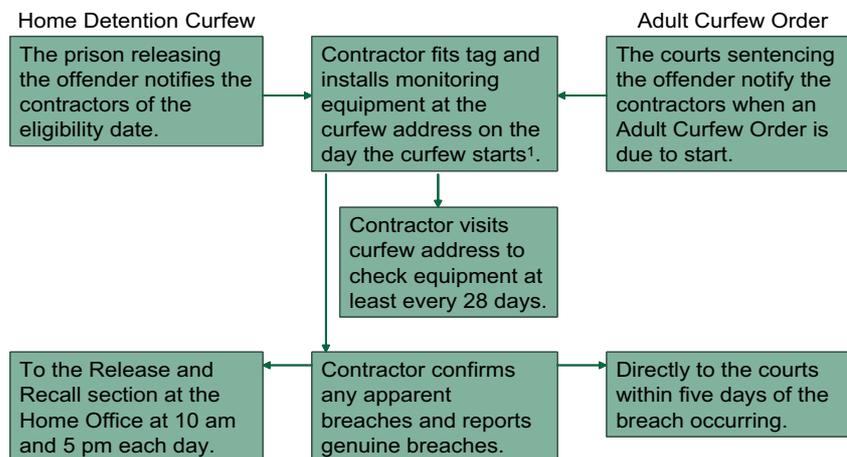
Source: National Audit Office sample of cases

13. If offenders on Adult Curfew Orders breach their curfew conditions, they are returned to court. This took an average of 11 days from the time that the breach was reported. The Home Office is working to try to speed up the process by improving communication at each stage of the process and by making it easier for the courts to hear the cases, but they

do not have a target for returning offenders to court when they had breached their Adult Curfew Orders.¹⁶

14. The Home Office originally let three contracts to run electronic monitoring services. In April 2005 it re-tendered the service and awarded new contracts to two of the three original contractors. Contractors fit tags, supply and maintain equipment, monitor compliance with the curfew conditions and report breaches (Figure 5). Until recently, the only information the Home Office had on the performance of the contractors was supplied by the contractors themselves. As a result it was unable to carry out any independent monitoring or auditing of contractors' performance. The Home Office has since gained real-time access to the contractors' databases which it can use to monitor the contractors' performance in any on-going curfew case. Performance information could be published in order to incentivise the contractors, provided that this information did not undermine the security of electronic monitoring.¹⁷

Figure 5: The contractors have to meet a number of requirements



1. Except when a court order is made on the day the curfew starts in which case the contractor has an extra 24 hours

Source: National Audit Office

15. The Home Office has made two ex-gratia payments totalling £8,100 to two offenders returned to prison after allegedly breaking their HDC. They were returned to prison because the straps holding the monitoring equipment to their ankles had been damaged. The offenders claimed that their tags had been damaged accidentally and that, therefore, they had been returned to prison incorrectly. At that time the Home Office's policy was not to retain damaged equipment for appeals and as a result, when the offenders appealed, they could not prove whether the tags had been damaged intentionally. The Home Office paid £5,400 to one offender and £2,700 to another in recognition of their additional time spent in prison. The Home Office is going to change its policy so that contractors retained damaged equipment for three months after the recall decision.¹⁸

16 Qq 1-2

17 Qq 3-6, 32

18 Qq 42-44; Ev 13

16. The contracts included performance deductions for failing to meet particular conditions. Group 4 Securicor Justice Services incurred around £100,000 of deductions during 2005/06, mostly at the start of the new contracts in April 2005 and mainly for failing to call offenders within 15 minutes if they were absent for over 5 minutes. Payments to Serco Home Affairs were reduced by £41,000 in 2005 for failing to meet performance targets; e.g. reporting Adult Curfew Order breaches on time. Contractors had improved their rate of reporting breaches from slightly over half at best, to 96% on average from the start of the new contracts in April 2005 to February 2006. This could only be explained by tougher financial penalties for failing to report breaches on time, incorporated into the new contracts. The contracts stated that contractors should visit curfew addresses at least every 28 days to check the equipment. Group 4 Securicor carried out their tests when they visited addresses for any other reason and claimed that this meant equipment was checked on average every 15 days. The National Audit Office's tests, however, showed that some 30% of equipment had not been checked for over 28 days. The contracts included performance deductions for the service not running at all times, but not for failing to check the equipment at least every 28 days.¹⁹

17. The Home Office has successfully negotiated a 40% reduction in the price of the contracts when it renegotiated the contracts with two suppliers. The Home Office was unaware of the extent to which the companies' ethical backgrounds and practices were taken into account in the procurement process or whether they might be overstretched by their multi-national activities.²⁰

19 Qq 7-9, 10-11, 36-41, 35, 45-67, 99; Ev 13-14

20 Qq 68-88; Ev 14-15

Formal minutes

Wednesday 12 July 2006

Members present:

Mr Edward Leigh, in the Chair

Mr Richard Bacon
Annette Brooke
Mr Greg Clark
Mr Ian Davidson

Helen Goodman
Sarah McCarthy-Fry
Mr Austin Mitchell
Mr Don Touhig

A draft Report (The electronic monitoring of adult offenders), proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 17 read and agreed to.

Summary read and agreed to.

Conclusions and recommendations read and agreed to.

Resolved, That the Report be the Sixty-second Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned until Wednesday 11 October at 3.30 pm.]

Witnesses

Wednesday 15 March 2006

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Sir David Normington KCB, Home Office, **Mr Peter Brook**, National Offender Management Service, **Mr David Taylor-Smith MBE**, G4S Justice Services, and **Mr Tom Riall**, Serco Home Affairs

Ev 1

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Ev 11

G4S Justice Services

Ev 14

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Third Report	Ministry of Defence: Major Projects Report 2004	HC 410 (<i>Cm 6712</i>)
Fourth Report	Fraud and error in benefit expenditure	HC 411 (<i>Cm 6728</i>)
Fifth Report	Inland Revenue: Tax Credits and deleted tax cases	HC 412 (<i>Cm 6689</i>)
Sixth Report	Department of Trade and Industry: Renewable energy	HC 413 (<i>Cm 6689</i>)
Seventh Report	The use of operating theatres in the Northern Ireland Health and Personal Social Services	HC 414 (<i>Cm 6699</i>)
Eighth Report	Navan Centre	HC 415 (<i>Cm 6699</i>)
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Tenth Report	Jobskills	HC 564 (<i>Cm 6724</i>)
Eleventh Report	Local Management of Schools	HC 565 (<i>Cm 6724</i>)
Twelfth Report	Helping those in financial hardship: the running of the Social Fund	HC 601 (<i>Cm 6728</i>)
Thirteenth Report	The Office of the Deputy Prime Minister: Tackling homelessness	HC 653 (<i>Cm 6743</i>)
Fourteenth Report	Energywatch and Postwatch	HC 654 (<i>Cm 6743</i>)
Fifteenth Report	HM Customs and Excise Standard Report 2003–04	HC 695 (<i>Cm 6743</i>)
Sixteenth Report	Home Office: Reducing vehicle crime	HC 696 (<i>Cm 6743</i>)
Seventeenth Report	Achieving value for money in the delivery of public services	HC 742 (<i>Cm 6743</i>)
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Eighteenth Report	Department for Education and Skills: Improving school attendance in England	HC 789 (<i>Cm 6766</i>)
Nineteenth Report	Department of Health: Tackling cancer: improving the patient journey	HC 790 (<i>Cm 6766</i>)
Twentieth Report	The NHS Cancer Plan: a progress report	HC 791 (<i>Cm 6766</i>)
Twenty-first Report	Skills for Life: Improving adult literacy and numeracy	HC 792 (<i>Cm 6766</i>)
Twenty-second Report	Maintaining and improving Britain's railway stations	HC 535 (<i>Cm 6775</i>)
Twenty-third Report	Filing of income tax self assessment returns	HC 681 (<i>Cm 6775</i>)
Twenty-fourth Report	The BBC's White City 2 development	HC 652
Twenty-fifth Report	Securing strategic leadership in the learning and skills sector	HC 602 (<i>Cm 6775</i>)
Twenty-sixth Report	Assessing and reporting military readiness	HC 667 (<i>Cm 6775</i>)
Twenty-seventh Report	Lost in translation? Responding to the challenges of European law	HC 590 (<i>Cm 6775</i>)
Twenty-eighth Report	Extending access to learning through technology: Ufi and the learndirect service	HC 706 (<i>Cm 6775</i>)
Twenty-ninth Report	Excess Votes 2004–05	HC 916 (<i>N/A</i>)

Thirtieth Report	Excess Votes (Northern Ireland) 2004–05	HC 917 (N/A)
Thirty-first Report	Northern Ireland's Waste Management Strategy	HC 741 (Cm 6843)
Thirty-second Report	Working with the voluntary sector	HC 717 (Cm 6789)
Thirty-third Report	The Royal Parks and the Diana, Princess of Wales Memorial Fountain	HC 644 (Cm 6789)
Thirty-fourth Report	Returning failed asylum applicants	HC 620 (Cm 6863)
Thirty-fifth Report	The refinancing of the Norfolk and Norwich PFI Hospital	HC 694
Thirty-sixth Report	Tackling the complexity of the benefits system	HC 765 (Cm 6863)
Thirty-seventh Report	Inland Revenue Standard Report: New Tax Credits	HC 782 (Cm 6863)
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Forty-second Report	Enforcing competition in markets	HC 841 (Cm 6884)
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Forty-fourth Report	National Offender Management Service: dealing with increased numbers in custody	HC 788 (Cm 6900)
Forty-fifth Report	Employers' perspectives on improving skills for employment	HC 862 (Cm 6900)
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Sixty-first Report	Crown Prosecution Service: Effective use of magistrates' courts hearings	HC 982
Sixty-second Report	The electronic monitoring of adult offenders	HC 997

The reference number of the Treasury Minute to each Report is printed in brackets after the HC printing number

Oral evidence

Taken before the Committee of Public Accounts

on Wednesday 15 March 2006

Members present:

Mr Richard Bacon

Greg Clark
Mr David Curry

Helen Goodman
Kitty Ussher

In the absence of the Chairman, Mr Bacon was called to the Chair

Mr Tim Burr, Deputy Comptroller and Auditor General and **Ms Aileen Murphie**, National Audit Office, were in attendance and gave oral evidence.

Ms Paula Diggle, Treasury Officer of Accounts, HM Treasury, was in attendance.

REPORT BY THE COMPTROLLER AND AUDITOR GENERAL

THE ELECTRONIC MONITORING OF ADULT OFFENDERS (HC 800)

Witnesses: **Sir David Normington KCB**, Permanent Secretary, Home Office, **Mr Peter Brook**, Finance and Commercial Director, National Offender Management Service, **Mr David Taylor-Smith MBE**, Managing Director, G4S Justice Services and **Mr Tom Riall**, Chief Executive, Serco Home Affairs, gave evidence.

Q1 Mr Bacon: Good afternoon. Our hearing today is on the Comptroller and Auditor General's Report on the *Electronic Monitoring of Adult Offenders*. We welcome Sir David Normington in his first appearance before this Committee as Permanent Secretary of the Home Office, although he is no stranger to us. Also, we welcome David Taylor-Smith, Managing Director of G4S Justice Services and Tom Riall, Chief Executive of Serco Home Affairs. Mr Peter Brook, I am sorry. You are from the National Offender Management Service. Perhaps you can tell us about your computer system when we run out of other things to talk about. Sir David, why have you not done more to reduce the average 11 days that it takes to return those who breach their curfew orders to court?

Sir David Normington: We are trying to speed up each part of this process and I agree with you that the returning to court and the action taken by the court remains the bit of the process which is the longest. A great deal of work is going on at a number of levels between the Home Office and the DCA, at the top level, to try to improve the speed of those processes and to make the liaison better.

Q2 Mr Bacon: Very briefly, can you say what that work is and when is it going to deliver results?

Sir David Normington: A lot of it is simply about the effectiveness of the communication at each stage of the process, making the forms simpler, making the processes of notifying breaches simpler and, also, making the monitoring processes for the courts to hear those cases and for the Probation Service or the private sector contractors more effective. All of those things have been going on and it is getting better but it is still the slowest bit of the process.

Q3 Mr Bacon: Can I turn your attention to paragraph 1.10 on page 12, which refers to the accurate information that you now have on contractors' performance. Now you have got this information, why are you not publishing the results?

Sir David Normington: Do you mean how much they are having deducted or the performance?

Q4 Mr Bacon: The performance of contractors.

Sir David Normington: It is all laid out here, we could publish the performance of the contractors if we wanted to.

Q5 Mr Bacon: We obviously do not want to do it in a way that gives curfew breakers too much of a clue as to what is going on. Presumably, it would be an incentive to the contractors if more was publicly known about their performance?

Sir David Normington: Yes, in fact, they are performing very well, we could publish more data. You are right that there are some requirements which we do not want to make public because it would tell offenders more than they need to know about the speed at which things happen, but we could publish more if that was required.

Q6 Mr Bacon: You will give consideration to that?

Sir David Normington: Yes.

Q7 Mr Bacon: Mr Taylor-Smith, why are you not reporting breaches on time?

Mr Taylor-Smith: If you look at the current performance, and by that I mean since the start of the new contract in April last year, we now have service level measures which are much more relevant and our service performance for HDC is 98% and our service performance for adult curfews similarly is 98% as well.

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Q8 Mr Bacon: The 98% meaning?

Mr Taylor-Smith: 98% on time, according to the contract.

Q9 Mr Bacon: In paragraph 11, on page three, it basically says that in relation to Home Detention Curfews, 35% were not reported on time and in relation to the Adult Curfew Orders, slightly over half are reported on time.

Mr Taylor-Smith: That is correct. Just to remind the Committee that the NAO Report was based on a three-year period up to June 2005, so it only took in two months of the new contract. During the first contract period, the focus of the Home Office on us was slightly different, there was more of a focus on equipment issues. Now, in terms of service level measures, there is a much keener focus on our performance in reporting breaches on time and we get financially deducted for that, which I think is entirely appropriate. Our performance now has been running at 98% for both of those targets since the start of the new contract which commenced in April.

Q10 Mr Bacon: Others may wish to explore that further. Can I bring us on to equipment. In paragraph 2.9 on page 18 it states, that the NAO's analysis of the contractors' records indicates that the requirement of visiting each offender's home once every 28 days to check that the equipment is functioning properly was not routinely carried out. Why are you not checking the equipment routinely?

Mr Taylor-Smith: As far as Group 4 Securicor was concerned, our average time for checking equipment during the first contract was 15 days and now it is once every 28 days.

Q11 Mr Bacon: This paragraph flatly contradicts that, it says, "The Home Office requires the contractors to visit each offender's home once every 28 days throughout the period when they are wearing a tag to confirm the equipment is functioning properly . . . our analysis of contractors' records indicates that this requirement was not routinely carried out". Why not? Are you saying this is wrong?

Mr Taylor-Smith: No, we had no performance deductions for this particular area and that is probably because our service level was on average once every 15 days. The fact that the NAO did not confirm that by means of a paper audit trail was because we conducted visits, as a routine, each time someone visited a home and that was done once every 15 days on average and that was why we had no deductions during that period.

Q12 Mr Bacon: Are you basically satisfied with the quality and the robustness of the equipment?

Mr Taylor-Smith: Absolutely, 100%.

Q13 Mr Bacon: What sort of tests do you do on it?

Mr Taylor-Smith: There are tests done when they leave the factory and we do our own manufacturing. There are tests done when they arrive in this country because that factory is in the USA. The Home Office has to QA and pass our equipment plus, in terms of

our monitoring software, they carry out diagnostics continuously on the equipment. We monitor 21,000 people in the USA as well and we have yet to find an instance of someone circumventing the equipment.

Q14 Mr Bacon: Sir David, could I turn your attention to page four, paragraph 18 where it says the NAO has concluded that—and you signed up to this—"Further savings of £9.3 million a year could be achieved, however, if offenders who have been granted Home Detention Curfew were released on time". Why is it so difficult to release people who are eligible for curfew orders on their eligibility date?

Sir David Normington: The full assessments of their suitability to be released have sometimes not been done by that date.

Q15 Mr Bacon: Can I ask you to turn to page 34, you will see in figure 20, there is a chart which shows the amount of time that people are in prison if they have a three-month sentence, a nine-month sentence or a four year sentence and, therefore, the amount of time in which there is to perform an assessment. For a three-month sentence the dark blue blob shows there is roughly one month to do the assessment; the nine-month sentence shows that there are roughly two and a quarter months to do the assessment and if you have a four year sentence, the dark blue chunk shows that you have got roughly 18 months to do the assessment. Even for a very short sentence, like three months, there is still a month in which to do the assessment, is there not?

Sir David Normington: Yes, for the short sentences the risk assessment will be a lesser risk assessment normally because there will be a presumption that they will be eligible for release than with the longer sentences. For the longer sentences, you are absolutely right, this is a matter of managing the cases effectively and anticipating when the due date arrives. On the other hand, I do not want to give a message to anyone in the Prison Service that they should not complete the assessment properly, it will always be important to complete the assessment. If they have any doubts they should delay releasing the person until they have completed the assessment and sometimes it will be about that. It will be about going back and checking some data, getting the Probation Service to do a further report. The public protection issues are absolutely paramount here.

Q16 Mr Bacon: Of course, but surely it is also the case that for a prisoner who is known not to be violent then on the very day that they first go into prison there should be some knowledge in the system of when it is likely that their eligibility date is going to be, so presumably the assessment should be starting then, should it not?

Sir David Normington: It is entirely predictable when people will be eligible for tagging and therefore it ought to be possible to manage the case up to that point. We accept the recommendation in the Report on that. Some of why it does not happen is that prison governors have to be sure and sometimes they pause and ask for further assessments. That is the

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main cause of why there are these delays. I think the procedures can be tightened up but, even so, it is not just about procedures.

Q17 Mr Bacon: Would it help if the series of assessments that were being done were basically what the NAO describes as nugatory in paragraph 4.19? This is on page 36. The NAO has done a calculation, again one to which you have signed up, saying if you multiply the instance of nugatory visits by the 32,086 prisoners assessed for Home Detention Curfew by £55 it suggests that NOMS could save over £200,000 a year by introducing an interim assessment but presumably it would also save time in the whole system that could be freed up for other things, would it not?

Sir David Normington: That is all true. That is about making the procedures much tighter. I still think that some of this is about people in the system trying to err on the side of caution.

Q18 Mr Bacon: Which is understandable.

Sir David Normington: Which is understandable.

Q19 Mr Bacon: Could I ask you to turn to page 32, paragraph 4.5. This Committee criticised the Prison Service in December for being unable to send the right paperwork with the right prisoner. Why is this a continuing problem and what are you going to do to fix it?

Sir David Normington: A great deal of work is being done to try to improve the way in which the system works but underlying this is a better assessment process, an IT system which is largely in place now where data can be held which can be used by the Probation Service and the Prison Service and can be passed electronically. The best way of dealing with this is for there to be one IT system, you do the assessment at the beginning, you collect information about that offender as you go along and everybody has access to that. A really good assessment process will be the thing which will make the handling of paper unnecessary and IT will be the solution to this, and that is what we are doing. That is a system that is working and which is spreading nationally. It is called OASys.

Q20 Mr Bacon: You have got a computer system that works?

Sir David Normington: We have got several actually but this one is fine.

Q21 Mr Bacon: I would like to ask about training. It is right, is it not, that when people are released from prison and sent home on a Home Detention Curfew you do not provide education or a training scheme. Whatever they were in the middle of, whether it was a literacy programme or whatever, just stops. Or does it? Do you provide training at home?

Sir David Normington: No. What happens to everyone who leaves prison, what we are aiming for, is they do get their assessment at the point of leaving and they do get their interview at the Jobcentre and there is a serious attempt now made to ensure that they get into education, employment or training at

that point. Only about 40%, just under 40%, do so, and that is up from 10% a few years ago, but even so that is not good enough. There is a focus on getting people back into work or into training. The whole way this is going is to try to support the offender through the whole process. If the assessment is done about their training needs earlier, it is followed up right through their custody and then out into the community. We are nowhere near there but that is the aim of it. End-to-end offender management is the jargon.

Q22 Mr Bacon: I would like to return to the question of breaches referred to in paragraph 11 on page three. In nearly half of the breach cases it took the police over a week to return offenders who were on a Home Detention Curfew to prison. I know you are doing a pilot, a test programme, on satellite tracking but presumably unless the police can actually intervene quickly, particularly in cases where there is an order proscribing, say, a violent ex-partner from entering a certain area, this whole system of curfews is not going to work, is it?

Sir David Normington: That is true. Each part of this system has to work very quickly. In the case of Home Detention Curfews there has to be a swift report to the Home Office, the Home Office has to agree to recall that offender and put them back in prison and the police have to go round and pick them up.

Q23 Mr Bacon: How can the police respond more quickly?

Sir David Normington: There may be all sorts of reasons. The quicker the better, I agree. In fact, we are taking that decision to recall people within 24 hours, that is our target in the Home Office, and then we notify the police and ask them to pick them up. The police have all sorts of things to do. They will respond as fast as they can, I think. Obviously some of these figures are not good enough.

Mr Bacon: Thank you.

Q24 Helen Goodman: Would you agree with the assessment in the Report that tagging is turning out to be a very cost-effective approach to prisoner or offender management?

Sir David Normington: Yes, it is an important part of the prisoner/offender management. It is not the whole solution to it obviously but it is an important part and it is certainly cost-effective compared with keeping people in custody.

Q25 Helen Goodman: Given that is the case, could you explain whether you would introduce tagging for asylum seekers who are currently held in detention?

Sir David Normington: I know your Report has come out on this and broadly the Government accepts that there is scope for much greater tagging of asylum seekers at the point where they make their application for asylum when the decision is made on how we are going to keep in contact with them, and tagging is one way of keeping in touch with them. Satellite tracking might be another. Voice recognition, ie them ringing in and having their voice

recognised, might be another. Detention may be necessary in high risk cases. Coming into a centre and reporting may also be necessary. Yes, tagging is a cost-effective way of keeping track of people.

Q26 Helen Goodman: Those are the options but I am really asking when is it likely that you will start doing this?

Sir David Normington: We have been trying this out. At this moment we have about 150 asylum seekers on the tag and we expect to see that increase. We are going to consider when somebody comes into a centre and applies for asylum whether they should be tagged. Our presumption is that unless there is something else that we should do with them, like detain them, they will be tagged.¹

Q27 Helen Goodman: One of the things that is not quite clear to me from the Report is what criteria you use for deciding which offenders you will use tagging for. I was a bit surprised by, and I wonder if you can explain it to me, chart two on page 11 which showed there are some people who have committed indictable offences who are on curfews. I was not quite clear why it was not the case that you were not doing much larger numbers of less serious crimes rather than including people on indictable offences.

Sir David Normington: The summary ones are the ones who are the lowest risk offenders and they are the ones who are most likely to be let out on the tag. The top there, the indictable offences, by definition are the more serious offenders and, therefore, they are likely to be higher risk offenders and it is less likely that they will be let out early. They might be but there has to be a much more careful assessment. The assessment process is a series of assessments—if we are talking about Home Detention Curfew—by the Probation Service, by the prison officers who know these people, plus the record that person had before they came into prison. All of that is assessed and then a judgment is made about how much of a risk it would be to release people.

Q28 Helen Goodman: In figure 17 on page 32 there is something about the probation officers and what is not clear is why there is not a standardised checklist and what the criteria are. That is what is not coming out of this, that is what I am asking you.

Sir David Normington: I cannot take you through the criteria in detail myself. There has not been a standardised process. What I was describing to Mr Bacon was the introduction of a new assessment system called OASys where there will be a standardised assessment right at the beginning, usually before the court sentences an individual because I think a lot of this is about Curfew Orders and not Home Detention Curfews, and that data will be carried through. I will have to provide you with a note about what precisely was looked at but there is quite a standardised process.²

Q29 Helen Goodman: Thank you very much. Following up from the question that Mr Bacon asked, could I ask you what you are going to do to make a greater success of this by supporting curfewees' families in future? My understanding is that some of the time when this arrangement breaks down it is because other members of the family cannot stand it for various reasons.

Sir David Normington: There has to be a home visit to test the suitability of the accommodation to take the equipment and to be a safe place for the curfew to be undertaken. I think there needs to be much more explanation to the family of what is involved in having their relative or friend or whoever staying and locked up effectively in their home from seven in the evening, say, until seven the next morning. That seems okay in prospect but it may not be when the moment actually arrives. I think we have not done enough to explain to the families what may be involved in this.

Q30 Helen Goodman: Another issue, which is a related issue about the management of people while they are on curfew, is what help is offered to people to help them get work. What are you going to do about that?

Sir David Normington: We are dealing with two lots of people here, some people coming out of prison, and there is now a well-established process—it has got a name which I cannot recall—for ensuring that people coming out of prison get support from the Jobcentre in helping them to find work. That is in place and is a very important part of this process. For people who are not in prison but who are going on to a Curfew Order straight from the court, increasingly that is a Curfew Order which is associated with other requirements on the offender which might be work in the community, it might be drug treatment. In my view, we shall see less of stand-alone Curfew Orders and more of Curfew Orders as part of a sort of rehabilitation of the offender and that is where we want to see it go really because the emphasis has to be on trying to rehabilitate these people and stop them reoffending.

Q31 Helen Goodman: Are you going to do more research on the difference in the impacts on people's behaviour of being under curfew as opposed to being locked up?

Sir David Normington: I think we probably will, and this is a recommendation in the Report. The anecdotal evidence is that it helps but there is not much evidence that the Curfew Order itself has a particular impact on reoffending. It is going to be training, jobs, housing and so on, maybe family support, which will be much more influential in getting people back into society and stop them reoffending. It is most unlikely that the curfew by itself will be a significant issue in reoffending. We have not got that evidence so I think we could do with some more.

Q32 Helen Goodman: One of the things I am not quite clear about from this is to what extent you are able to make independent checks on the effectiveness

¹ Ev 11

² Ev 11–12

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of the way it is operating in practice other than the information that is provided to you by the contractors because obviously they have a conflict of interest in presenting this information to you.

Sir David Normington: One of the recommendations in the Report is that we should do some better auditing, some whole case auditing, rather than just looking at the statistics and we have agreed to do that and have started it in fact so that we take some actual cases and follow them through rather than looking at bits of the process and monthly Reports and statistics. I think there is a need to do that and that is what the NAO said we should do and we have started doing that.

Q33 Greg Clark: Mr Taylor-Smith, is the equipment that you use robust in your experience?

Mr Taylor-Smith: It is robust, yes.

Q34 Greg Clark: You agree, Mr Riall?

Mr Riall: Absolutely.

Q35 Greg Clark: We have talked about the need under your contract to check that the equipment is working every so often. Are there financial penalties that you incur if the equipment is found not to be working?

Mr Riall: There are performance measures within the contract which state that we have to have the service up and running 24 hours a day and if there are any gaps in that performance then financial deductions are placed against us and potentially, ultimately, more serious consequences should those failures continue.

Q36 Greg Clark: Mr Taylor-Smith, over the last year have there been penalties imposed against you for any of these reasons?

Mr Taylor-Smith: Yes, there have. We have incurred just about £100,000 worth of penalties, most of which occurred around the start-up of the new contracts in April last year. That has settled down now in the second half of the year to about £16,000.³

Q37 Greg Clark: What is the principal cause of those payments?

Mr Taylor-Smith: If I look at the moment we have 19 service levels of which we are currently failing on one, and that is to call offenders within 15 minutes if they are absent for five minutes or more. That requires a technology fix which we are currently putting in, so that is a good example of improving the monitoring platform, and that will be in by April and we will be meeting all the service levels.

Q38 Greg Clark: What is your experience, Mr Riall?

Mr Riall: Not dissimilar to that.

Q39 Greg Clark: What have you paid out in fines?

Mr Riall: In 2005 we paid out a total of £41,000 in penalties.⁴

Q40 Greg Clark: What was the reason?

Mr Riall: Again, there were one or two performance measures where we narrowly missed the required thresholds.

Q41 Greg Clark: Do you know which ones?

Mr Riall: For example, the requirement to report 100% of all breaches of Adult Curfew Orders on time. There have been occasions when we have slipped below the 100% requirement which has resulted in a financial deduction.

Q42 Greg Clark: I understand, Sir David, last week the Home Office had to settle, including an *ex gratia* payment, with two offenders who had been tagged. Their tags failed to work. Their bracelets came off, I understand, and they were returned to prison. As I understand it, they alleged that the equipment was defective and they should not have been returned to prison and the Department had to settle out of court on this. Can you give me an update on that, Sir David?

Sir David Normington: I am afraid I do not know about that. I thought I had prepared myself for all the questions that might come up but I am afraid I do not know that. I will have to find out about that. I did not know that that had happened.

Q43 Greg Clark: Presumably this does not happen terribly often. Have you encountered other cases in which you have had to settle?

Sir David Normington: No, that is why I am surprised I do not know about it. I would have expected to know about it, particularly if it was a significant amount of money because I would have had to sign it off and I do not recall doing that. I would have known if I had done it. I am sorry, I am not aware of it.

Q44 Greg Clark: The information we have is that the order was approved by the High Court on Tuesday 7 March, which may help you. If you are able to write to the Committee as soon as possible that would be extremely helpful.

Sir David Normington: I will, of course.⁵

Q45 Greg Clark: Turning to some of the breaches and the particular point of reporting breaches on time, Mr Taylor-Smith. You seem to regard your performance as being satisfactory on this. Can you explain why?

Mr Taylor-Smith: For the period that the Report covers I would not consider our performance to be satisfactory. Our performance since the commencement of the new contracts where there are

³ Note by witness: The figures quoted should have been £62,000 in the first 6 months, settling down to about £5,000 per month.

⁴ Note by witness: The figure should be £24,000 since the beginning of the new contracts in April 2006.

⁵ Ev 13

Home Office, National Offender Management Service, G45 Justice Services and Serco Home Affairs

much more appropriate service level measures in place—the Home Office is measuring us more appropriately on the things which are most important—in this particular area is satisfactory.

Q46 Greg Clark: So they have changed the measurements.

Mr Taylor-Smith: That is right.

Q47 Greg Clark: Is it still the case that you are required to report breaches within 24 hours?

Mr Taylor-Smith: That is correct.

Q48 Greg Clark: Does that continue to be measured under the contract, the number of failures to report within the 24 hours?

Mr Taylor-Smith: That is correct.

Q49 Greg Clark: So that continues to be something that you are measured on. According to the Report at page three, paragraph 11, 22% of breaches took between one day and three days to report and 13% took over three days. It seems worrying that during the period this Report was being drawn up that level of failure took place. Can you explain what was wrong with the system that you were operating?

Mr Riall: Can I just pick up on that point? Under the first generation of contract there was a much greater emphasis placed on the need to verify whether a breach had or had not occurred rather than the immediate reporting of a suspected breach.

Q50 Greg Clark: I was talking about what is reported here. Perhaps you can turn to page three, paragraph 11, which says that the majority of breaches were reported to the Home Office within 24 hours but 22% took between 24 hours and three days. That is a fact, is it not?

Mr Riall: It is a fact. The point that I was making was particularly during the time that the NAO Report was being put together there was much greater emphasis placed by us as contractors on establishing whether a breach had or had not occurred rather than reporting. Those lessons have been learned and you will see that the standards of reporting are significantly better.

Q51 Mr Bacon: Can I just interrupt for a minute. You are saying there has been a significant change in the performance since the publication of this Report.

Mr Riall: Correct, in terms of—

Q52 Mr Bacon: The Report was only published on 1 February 2006. Did you or the Home Office inform the NAO of this change?

Mr Riall: It is an ongoing thing. The period that is being referred to in the Report, as I understand it, was predominantly the first six months of 2005. A new contract was entered into on 1 April 2005 and we are now some nine or 10 months into the new contract and there is a much tougher—

Q53 Mr Bacon: Did you or the Home Office supply the NAO with the performance information out of this new contract?

Mr Riall: The information supplied to the NAO was partly out of the old contract and the first two months of the new contract.

Q54 Mr Bacon: Only the first two months of the new contract?

Mr Riall: Correct.

Q55 Mr Bacon: Would the NAO like to comment on this?

Ms Murphie: When contracts are changing it is obviously quite difficult to make an assessment and the new contracts are quite different from the old ones. I think if the performance is improving to that extent then that is gratifying and that is what we would all like to see.

Mr Bacon: Perhaps if the NAO were to revisit this subject in a few years' time we would be able to see whether the performance had been maintained.

Q56 Greg Clark: I am not sure it has much to do with the contract, either breaches are being reported on time or they are not, why should that be influenced by the contract? You were already contracted before to report breaches within 24 hours and yet 22% took between 24 hours and three days and 13% took more than three days. Why should the contract have made a difference to that, that was already part of your requirement?

Mr Taylor-Smith: May I take that up? It is worth putting it into context. This was a new service and was the largest service of its kind in the world and when it commenced the focus initially was very much about equipment and technology and explanations.

Q57 Greg Clark: Sorry, can I stop you there. That was not the case. We are talking about a sample that the National Audit Office took last year, I assume, so we are not talking about the beginning of your previous contract, we are talking about a relatively short period of time ago in which a very large number of breaches were not reported on time.

Sir David Normington: I think you will find, and I stand to be corrected by the NAO, they took a sample of cases adding up to 35, for instance, in the breaches of the curfew over three years from 2002 until the end of the contract, some cases in each year, and they looked at those. They are reporting on that sample of 35 cases. The numbers vary in each case but they took a sample over a period of a number of years.

Q58 Greg Clark: Can I ask the NAO to clarify this. Was the sample a recent sample or was it looking back to right at the beginning?

Ms Murphie: We took a sample of cases of Adult Curfew Orders and Home Detention Curfew Orders but over the three years that the system had been underway.

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Q59 Greg Clark: When you reviewed these examples did you notice an improvement during those three years?

Ms Murphie: I think that would be difficult to say actually.

Q60 Greg Clark: I am sure if you have got the sample you would be able to do so.

Ms Murphie: I do not think it was particularly different in the 2005 cases as it was in the previous ones.

Q61 Greg Clark: So there we have a suggestion from the NAO that it was not a material change.

Mr Riall: The point that I was referring to was our current performance which is the performance under the new contract which commenced on 1 April 2005.

Q62 Greg Clark: Why should that have changed? I can understand if there were teething difficulties at the beginning but the National Audit Office have said that they did not seem to notice any appreciable improvement over time, so what is it about the new contract that is making you report when you were required under the previous contract to report on time?

Mr Riall: There are a number of reasons why performance reporting has improved significantly. In the first instance the new technology that we have in place allows us to extract the data much more quickly and to report more effectively. Secondly, we are subject now to a tougher performance regime.

Q63 Greg Clark: So you were not being fined enough before, this is what you are saying. If you had been fined more then you would have reported things quicker.

Mr Riall: I would argue that the financial deduction is not the only incentive upon our performance.

Q64 Greg Clark: What was in the old contract that clearly did not work?

Mr Riall: We were not subject to performance deductions under the old contract for failures to report breaches on time.

Q65 Greg Clark: This is useful for our monitoring of these contracts in the future. What you have just said to me is that the penalties that you faced under the old contract were not sufficiently high to incentivise you to do what you were required under the contract to do.

Mr Riall: There were not financial deductions for that particular measure under the old contract.

Q66 Greg Clark: So it is only with the bringing in of financial penalties that you have improved your practice?

Mr Riall: No, the point I was trying to make was that it is not just financial deductions that incentivise our performance because we are clearly concerned about the reputation of our organisations, about the re-bidding of new contracts.

Q67 Greg Clark: The proof of the pudding is in the eating, is it not? The reputational effect was there under both contracts and yet you had lots of breaches. They bring in extra financial penalties and suddenly your reporting performance improves. That is an interesting observation as to the relative impact of reputational consequences versus financial consequences.

Mr Riall: Assisted also by things like better technology, which I have mentioned as well.

Q68 Kitty Ussher: Mr Bacon, it is a pleasure to serve under your interim chairmanship. I see our real Chairman is doing other things as we speak. Sir David, I wanted to probe the relationship between the Department and the contractors a bit more. Perhaps I could ask why you felt the need to sign a new contract on 1 April. Had the old one expired?

Sir David Normington: The old one had expired. It had run from 1999 and had built up over those years and it was time to have a new contract. It had expired but also technology had moved on and we knew a lot more about the system and so did the contractors and it was time to have a new competition for the contract.

Q69 Kitty Ussher: So you re-tendered at that point, did you?

Sir David Normington: Yes, it was a full re-tendering.

Q70 Kitty Ussher: But you employed the same companies as before?

Sir David Normington: We employed two of them, yes. They are called slightly different things but they are the same companies. The good news is that we negotiated a 40% improvement in the contract. It was cheaper to us, in other words.

Q71 Kitty Ussher: Great.

Sir David Normington: Which I think showed that the previous contract had run its time.

Q72 Kitty Ussher: How many contractors were on the shortlist?

Sir David Normington: I will have to let you know that.

Mr Taylor-Smith: Four.

Q73 Kitty Ussher: There were four and then you employed in different guises the original two.

Sir David Normington: They are broken into five regional contracts, I think. We effectively tender regional contracts, partly in order to ensure that in areas we do not end up with just one monopoly provider.

Q74 Kitty Ussher: What kind of assessment do you do of whether a company is a fit and proper company to run such an important public service?

Sir David Normington: We will do the usual checks. It is the normal process. There will be a specification, of course, and we will be judging the tenders against that specification. We will be looking at past performance because in this case we know these

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companies quite well, not just in this area but in some others. We will be doing the usual due diligence checks. It is a quite normal process but, of course, this is a very high risk operation and these companies are in that business.

Q75 Kitty Ussher: Indeed. I did a quick press search myself particularly on what I think of as Group 4 Securicor, although I understand you have changed your name slightly. As part of your due diligence did it concern you that they were being investigated and had a number of problems in this area across the world? I found performance disputes in South Africa, in Kenya, a rather difficult strike in Indonesia, four different investigations in the US around their protection of nuclear sites, problems with the training of guards at the Department of Homeland Security in the US. I will ask you to respond in a minute, Mr Taylor-Smith. Is that not something that concerned you as you signed another contract with this company?

Sir David Normington: I did not personally look at all of that. I do not know whether all of that was looked at. Certainly we did the proper checks. We were satisfied that the company could provide us with the service we needed. I cannot respond on all of those individual cases. We will have done a proper look but whether we looked at all of those things I am afraid I do not know.

Q76 Kitty Ussher: Group 4 Securicor has been highly expansionary in recent months and years. It has expanded rapidly internationally by acquisition. Did the Department have any concerns that it was overstretched as it sought to acquire this large contract in the UK?

Sir David Normington: We awarded them the contract and they are performing very well and that is the proof of it really. There are big profitable companies in this business and Group 4 Securicor is one of them. I think we were satisfied that they could provide this service well, and they do.

Q77 Kitty Ussher: Mr Taylor-Smith, I must give you an opportunity to respond to the points that I have raised. How would you answer the questions that I have just put to Sir David?

Mr Taylor-Smith: If I take the first one about how was the procurement run, in my experience of working in this area over the last four and a half years this was unquestionably the most intelligently run procurement I have been involved with. It definitely resulted in a 40% saving to the taxpayer but it also resulted in us at the right stage getting involved with putting in place the relevant measures for measuring up and also ensuring that the contract met its aims and objectives. That is an answer to the first one. In terms of our activities around the world, just to give it some perspective, we have got 400,000 employees in 108 countries.

Q78 Kitty Ussher: Wow.

Mr Taylor-Smith: I am sure that in any one day we may be celebrating great successes with industrial relations—for instance, about a month ago we

signed as the first company in the UK in the security industry a collective bargaining agreement with the GMB—and at the same time we may be in dispute in South Africa. I think that is an inevitable consequence of operating a company three times the size of the British Army.

Q79 Kitty Ussher: So from your experience within the company you do not think there are any management issues from operating in 108 different countries? How can you demonstrate to us that your systems are robust?

Mr Taylor-Smith: I am really very confident about ethical dimensions, it is an area that myself and the team talk about a lot.

Q80 Kitty Ussher: It is not ethical, I simply meant management capacity to have your eye on the ball in 108 different countries with 400,000 employees in such a delicate area.

Mr Taylor-Smith: I think the very simple answer to that is how we organise ourselves. My job is just to look after the justice businesses and the gentleman sitting just behind me, his job—nothing else—is to look after the electronic monitoring business. We have a team which is put in place as part of the negotiation of the contract that is completely 100% dedicated to the service.

Q81 Kitty Ussher: So if there are concerns raised in the US, that is a problem with the US management not a problem with the company as we know it, is that what you are saying?

Mr Taylor-Smith: US management would handle that and ultimately it would come up to the group board which I report into as well.

Q82 Kitty Ussher: You said 400,000 employees. Obviously, it is your employees who are your biggest asset and it is, I presume, quite a labour intensive industry to work in. I am delighted that you have signed a recognition agreement with the GMB here because my concern with your company, to be honest, is that you do not take training and personnel issues seriously enough. Do you have recognition agreements with trade unions across the globe?

Mr Taylor-Smith: We have a variety of recognition agreements in a variety of countries. Again, just to give you some assurance, in the part of the business which I operate we have recognition agreements with a variety of trade unions and we have never had an industrial relations dispute in the history of the company. We have a very proactive and healthy dialogue with the unions which I will describe as healthy and positive.

Q83 Kitty Ussher: Why do you not recognise trade unions in America?

Mr Taylor-Smith: It would be difficult for me to comment on that because I just do not know the individual circumstances of our business in America. I am not trying to skirt the issue but I would be very happy to investigate this and provide you with a note.

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Q84 Kitty Ussher: I would love to know because I do not understand why companies do not recognise trade unions when it is the productivity and morale of their workforce that is their most important asset. Is it not symptomatic of an ethos at the very top global level of management that does not take the concerns of everybody seriously?

Mr Taylor-Smith: I can assure you that the latter is definitely not the case. Tomorrow morning I am participating in a conference call with the heads of businesses from around the world and we will be talking about values, one of which is industrial relations, so that is definitely not the case but I will very happily look into what the trade union situation is in the US and provide you with a note on it.⁶

Q85 Kitty Ussher: I would be extremely grateful for that. On the related issue of training within the UK, in answer to a Parliamentary Question recently the junior Minister Fiona Mactaggart said you had not quite met your target for the external training role that you provide to other aspects of the department.

Mr Taylor-Smith: I think the answer was that we had. There are two elements to training. There is the training with which we provide our staff. All staff receive a minimum of one month's training. Separate from that is the training which we provide to stakeholders, key users,—

Q86 Kitty Ussher: That is what I meant.

Mr Taylor-Smith:— on which we have to pass a satisfaction rating and, if my memory serves me correctly, in the Parliamentary Question the answer to that is that we are surpassing the standard which is required.

Q87 Kitty Ussher: I think that is only the case in one out of the two sessions that you had run. The satisfactory requirement is 80%. One of them was 100%, the other was 75%, which is quite a large variation. How can you reassure us that the 75% will rise above 80% rapidly and why was it below the satisfactory level?

Mr Taylor-Smith: I am very happy to look into that and I am very happy to provide you with what we will do to address it getting above the 80% threshold.⁷

Q88 Kitty Ussher: The Clerk has helped me by providing me with the text. It was 75% in one session and 100% in the other, and the requirement from the Government is that it should be 80%. Therefore, one was well over; the other one was under.

Mr Taylor-Smith: I would be very happy to look into that.

Q89 Mr Bacon: Sir David, I just have a couple of questions, first of all about the case of Peter Williams referred to on page 2. This was a tragic case involving a youth offender, not an adult offender, where he was out on a tag and the man he was with committed a murder and he was effectively an

accomplice to that. Could you say how many murders and how many assaults there have been by people who are out on tags, either youth offenders or adult offenders? If not now, would you be able to write to the Committee with that information?⁸

Sir David Normington: The number of murders is a very tiny number, of course, although it is a slightly larger number. I have it somewhere.

Q90 Mr Bacon: Have there been quite a lot of assaults or is it a small number?

Sir David Normington: It is a relatively small number.

Q91 Mr Bacon: If you could write to the Committee and divide it between adult and youth and between murders and other serious assaults, it would be helpful.

Sir David Normington: I can do that. Serious offences are relatively rare, as you would expect, because often they are lower risk offenders. When they happen they are terrible cases.

Q92 Mr Bacon: The presumption is that if they are likely to offend in that way they will not be let out on tag in the first place.

Sir David Normington: That must be the presumption. That is why the assessments are done.

Q93 Mr Bacon: And you are satisfied broadly that that process is working?

Sir David Normington: I am satisfied it is broadly working. There are cases which show that the wrong decision was taken. It may not have seemed wrong at the time but then these people commit serious offences; there are those cases.

Q94 Helen Goodman: This relates to what I was asking you before. If you could, when you do the note, also let the Committee know what their original offence was we would get some sense of whether there is a correlation or not. That was really the point I was trying to drive at.

Sir David Normington: You mean whether in their background there was some violent behaviour, for instance, something like that, do you mean?

Q95 Helen Goodman: I did not, actually, though that is true too. I meant what level of offence they had been found guilty of.

Sir David Normington: Yes, I can do that. It is the people being let out of custody and what their offence was.

Q96 Helen Goodman: Precisely.

Sir David Normington: Yes, we can try and do that for you.

Q97 Greg Clark: Part of the delay in releasing people who are serving short sentences, it seems from the Report, is the process that has to be gone through to see whether they are suitable for release. I can see that if someone was serving a sentence of three, four,

⁶ Ev 14–15

⁷ Ev 15

⁸ Ev 12–13

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five or six months, that is quite difficult. Would it not be possible, or would it be desirable, Sir David, for the courts at the time of sentencing to make that assessment themselves and to indicate whether in due course they considered that prisoner to be suitable for release with a tag?

Sir David Normington: Yes, I think it would, and in fact in the autumn there comes into being a new sentence. It is called a “custody plus”⁹ in the jargon, where courts are able to give a short period of custody plus a community sentence which can include a Curfew Order. They cannot do that at the moment but they will be able in a sense to give the whole sentence, a bit of custody and then a Curfew Order or some other community sentence, which effectively I think will make your point. It will be for short sentences, so it deals with the problem that you put people in prison, they are only there for a very short time and you have not got time to do the assessment, so the court will be able to make that order before the person goes into custody.

Q98 Greg Clark: If that is happening it would be sensible for it to relate to early release as well, if that is the plus side of custody plus. Under the current scheme it is about people who are in custody being exempted from that if they go on a tag, so it would be helpful, you concede, to have the courts’ discretion applied to the custodial sentence as well as the additional bit?

Sir David Normington: It would. The longer the sentence gets the more difficult it is for the court to make a judgment about whether someone can be released in several years’ time, and that is why custody plus only applies to the one year or less sentence when you can make an assessment. I think the longer the sentence gets the more difficult it is. You have to do a reassessment of that person, I think.

Q99 Mr Bacon: Sir David, I am not fully satisfied by the explanation of the difference between what is in the NAO Report in terms of the monitoring of breaches and the answers given by Mr Taylor-Smith. As he pointed out, possibly rightly, that is partly due to the new Contract but is it possible that you could furnish the committee with a note updating the performance and reporting breaches, both in relation to Home Detention Curfews and Adult Curfew Orders, taking account of the figures in paragraphs 11 and 12 and bringing it right up to date?

Sir David Normington: Yes, we will do that. It is true that performance has been very much better in this last few months compared with what was in the Report, but we will show you that. We will lay that out for you.¹⁰

Q100 Mr Bacon: If that is the case then we would like to reflect it in our Report. Just one other question, which is about the Police National Computer. On page 34, in paragraph 4.13 it states, “Details of a

prisoner’s previous convictions are held on the Police National Computer. However, only 43 out of the 113 prisons which released offenders on Home Detention Curfew in 2004 have direct access to this computer system.” Is it still the case that most prisons, here some 70 out of the 113, do not have access to the PNC?

Sir David Normington: Yes.

Q101 Mr Bacon: How difficult is it to get access to the PNC set up?

Sir David Normington: I am told it is more difficult. I asked that question because it seems as though it ought to be quite straightforward.

Q102 Mr Bacon: Apart from a laptop computer, a telephone wire and knowledge of the relevant pass codes and security protocols what do you need?

Sir David Normington: I think that is what you need, though you do need some kind of security about those who use them.

Q103 Mr Bacon: Of course, but presumably prisons are fairly secure places; at least, one hopes so.

Sir David Normington: One would hope so. All prisons, of course, have access to a computer. It may just not be in the prison. They can get the information from a computer down the road, as it were, in another prison.

Q104 Mr Bacon: Yes. It says later on in that paragraph, “The prison does not have access to the Police National Computer, so the team have to ask the nearest prison with access to print off and post the relevant documents to them.”

Sir David Normington: I agree with you there.

Q105 Mr Bacon: This is silly. There are 70 prisons. A laptop is £500, is it not? For £35,000 you could solve the problem.

Mr Brook: There are 44 prisons, I think, that now have access, and those are all the local prisons, so the majority of prisoners would first go into the prison system through those local prisons where we would pick up the information. The problem you rightly identify is that once we have got the computer system out we will put that information into the computer system and then other prisons can access it directly.

Q106 Mr Bacon: Are you planning by a certain date and, if so, when to have every prison in the country that releases people on Curfew Orders having access directly to the Police National Computer?

Mr Brook: That is partly a matter for the PNC now who agreed to let us have access, so it is a negotiation we have to have with the PNC.

Q107 Mr Bacon: And who runs the PNC?

Mr Brook: The police.

⁹ *Note by witness:* Custody plus is a prison sentence but part of it is served in the community on release on license.

¹⁰ Ev 13–14

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Q108 Mr Bacon: And who do the police report to?
Sir David Normington: That is a very interesting question. Not completely to the Home Office, of course.

Sir David Normington: They do, and we are having that conversation with them.

Mr Bacon: Thank you very much. It has been a very interesting hearing. It is obviously an increasingly important part of the criminal justice system. You are spending a lot of money on this. It sounds like some progress has been made but there is more still to do. Thank you very much for attending today.

Q109 Mr Bacon: But they listen to what you say, do they, Sir David?

 Supplementary memorandum submitted by the Home Office

Question 26 (Helen Goodman): Electronic monitoring of asylum applicants

In relation to the tagging of asylum seekers, in reply to Helen Goodman, (question 26) I said that we are going to consider when somebody comes into a centre and applies for asylum whether they should be tagged, and that our presumption is that unless there is something else that we should do with them, like detain them, they will be tagged.

I think it is important to clarify that the consideration of what else we might do, as well as the detention option, includes the other options I described in my answer to question 25, principally telephone reporting (voice recognition) and attendance in person at a reporting centre, or any combination of these. The most cost-effective use of tagging will be where it secures compliance in cases where we wish to maintain a high level of contact and control because the circumstances of the case suggest that the individual may not comply, for example to avoid removal.

Questions 27 & 28 (Helen Goodman): Home Detention Curfew assessment process

1. Where a prisoner is eligible to be considered for HDC the prison will begin the assessment and ask the prisoner to provide a proposed curfew address. The prisoner's details are then forwarded to the Probation Service to provide an assessment of the offender's home circumstances. If at any stage in the assessment it becomes apparent the prisoner is not eligible to be considered for HDC the assessment must stop.

2. The National Probation Service provide a home circumstances report which includes checks to ensure that the proposed curfew address is suitable, and which will consider the potential risk of the prisoner to the public (including those living at the address), their risk of re-offending and their ability to comply with the conditions of the curfew. They will also consider whether there are any specific victims' issues to be addressed. This information is passed to the prison for consideration as part of the prison's risk assessment process.

3. Prison staff will look at previous offending history, including whether previous behaviour indicates that the prisoner is likely to breach trust (eg breach of bail conditions or previous licences). They will also look at the prisoner's participation in offending behaviour programmes and any efforts to address his or her offending behaviour. They will also take into account custodial behaviour and whether there are any known external factors which might affect the risk of re-offending (such as domestic problems, ease of access to drugs and so forth).

4. A streamlined assessment process, the Presumptive HDC scheme, was introduced in May 2002 for low-risk prisoners serving between 3 months and less than 12 months. The scheme is not open to prisoners with a recent history of violent or serious drugs offending or prisoners with any history of sexual offending. Eligible prisoners are presumed suitable for release, subject to a satisfactory assessment of home circumstances unless there are compelling reasons to refuse release. In these circumstances the probation service are required only to comment on the suitability of the proposed address and any victims' issues which would prevent release to that address. The probation officer is invited, however, to draw any other issues that may be relevant to the attention of the Governor.

5. Where a Governor considers that there is a significant risk to the public or risk of re-offending on HDC or considers that the prisoner is likely to breach the curfew conditions, then release will not be granted.

GWENT PROBATION SERVICE HDC DOCUMENT

6. Gwent Probation Service has designed a document for use by probation officers completing the HDC home circumstances report. The document provides a comprehensive template which addresses every aspect of the HDC assessment with specific emphasis on areas of risk. This makes the assessments more consistent, assisting the prison governor who has responsibility for release decisions. The document also ensures all areas and issues are covered.

7. Examples of the issues which must be investigated include:

- Known offenders staying at the proposed release address.
- Any child protection or domestic violence issues.
- Any reports of anti-social behaviour.
- Details of other partnership agencies involvement in the case.
- Any victim's issues—including proximity of identified victim.
- Any special curfew hours recommended—such as for employment purposes.

8. Staff are provided with training covering all aspects of the process, and reminding them of the most important issues to identify and investigate. It is envisaged that in future it should be possible to send the new document via secure e-mail to and from prison establishments thus expediting the process further.

Questions 42–44 (Mr Greg Clark): Ex-gratia payment for two offenders who had been tagged

1. The Home Office agreed to pay compensation to two offenders following their recall to prison whilst they were subject to the Home Detention Curfew scheme.

2. Messrs Hunter and Bulmer were recalled following damage to the straps which attached the monitoring equipment to their ankles. Their appeals were rejected, on the papers, on the basis that the equipment is resistant to general wear and tear and therefore, their claims of accidental damage were implausible. As in all such cases at that time the damaged equipment was not retained for examination during the appeal process and no specific weight was attached to this fact during the appeal process. Messrs Hunter and Bulmer challenged the procedural fairness of the appeals process, namely that the damaged equipment was not available for the applicant and appeal decision-maker to inspect; and that an oral hearing was not on offer for them to present their case in person and challenge the assumption of the Secretary of State that they had damaged the equipment.

3. Home Office legal advice was that procedural fairness required us to retain the broken straps for examination if the recall decision was challenged and, given that this was not the case, the assumption of culpability on the part of the offenders was not supported by any objective evidence. Although the robustness of the straps was not in doubt, there might be exceptional cases where straps were faulty and broke with minimal, or even no, interference. In such circumstances, however rare, the prisoner should have the ability to demonstrate his innocence.

4. On the basis of this advice it was decided that the appropriate course of action was to concede. The basis of the concession was not that we believed the equipment had been faulty, but that we had insufficient evidence to support the initial decision to recall. We have reviewed the policy of retaining the strap in cases where damage had result in the offender being recalled to custody. In future, our monitoring contractors will be required to retain the damaged equipment for three months following the recall decision.

5. On 8 March the High Court granted a Consent Order which stated, amongst other things, that the Secretary of State would make an *ex-gratia* payment to Messrs Hunter and Bulmer. The amounts were £5,400 in respect of Mr Hunter and £2,700 in respect of Mr Bulmer. The amounts were paid on an *ex gratia* basis in recognition of the time spent in prison by the two offenders following the flawed consideration of their appeals.

Questions 89 & 91 (Mr Richard Bacon) and 94 & 95 (Helen Goodman): Offences committed by offenders released on Home Detention Curfew

1. The table below breaks down violent offences committed by offenders against a person whilst on the HDC scheme. This is for the duration of the scheme, from January 1999 to end December 2005. These figures are constantly changing as we are informed by courts and police of further charges or convictions, of those cases where the charge is subsequently dropped and of acquittals at court.

<i>Violence against the person</i>	<i>Total</i>
Manslaughter	4
Murder	1
Attempted Murder	1
Making threats to kill	35
Conspire, Aid, Incite Murder	—
Death by reckless driving	1
Wounding (GBH)	56
Assault Occasioning ABH	185
Assault with intent to cause GBH	4
Assault with intent to resist arrest	—
Other Assault	373
Obstruct, Resist Constable	100
Assault on Police Officer	145
Cause explosion, place explosive	—
Possession of Offensive weapon	100
Other violence against the person	16
Total	1,021

2. Very few juveniles are released on HDC. The numbers are not held centrally. Of the 1021 offences listed above, only 15 were committed by juveniles. Data on the offences is incomplete. However we do know that there was one offence of robbery and two of assault (one on a police officer).

3. Information broken down by the original offence is not kept centrally. To produce it would incur disproportionate costs.

4. However we have been able to manually extract the data for the 6 offences of manslaughter, murder and attempted murder. Of the 4 manslaughter offences, 1 was for criminal damage, 1 was for an abscond (possibly from a previous sentence but no more information is readily available), 1 for forgery and 1 for another (unspecified) indictable offence. The index offence for the murder was robbery. The index offence for the attempted murder was aggravated burglary.

5. Statistics on the number of subjects (other than those on HDC) who re-offend whilst on a tag is not available. The information is not collected in this way.

6. However research from the original curfew pilots is available. Based on statistics relating to those sentenced in the second year of the trial (July 1996 to June 1997) the research suggested that curfew orders had no impact on re-offending compared to other community penalties that may have been imposed. Home Office RDS 2001.

7. There was little impact on re-offending between the curfewed group and the non-curfewed group, with 73% and 74% of offenders reconvicted for the two groups. Given the criminal histories of these two groups in the sample the high reconviction rate is not surprising.

8. There was no clear relationship between completing a curfew order successfully and a subsequent reduction in re-offending.

9. And the evaluation of the Home Detention Curfew scheme (HO RDS 2001) demonstrated that the HDC did not appear to have any significant effect on reconviction—its impact was described as “broadly neutral” in the Report.

Question 99 (Mr Richard Bacon): Updating the performance and reporting of breaches for Home Detention Curfew and Adult Curfew orders

Home Detention Curfew

1. The suppliers are required to report breaches of Home Detention Curfew to the Home Office within 24 hours of the breach occurring. Within this 24 hour period the contractors must confirm the breach by investigating it, and report it to the Home Office. The delays in reporting within 24 hours will be mainly due to the fact that the investigation into the breach is still being carried out.

2. The figures relating to reporting breaches of Home Detention Curfew to the Home Office within 24 hours are shown below. The figures relate to both suppliers and cover the period from 1 April 2005, the start of the new contracts, until the end of February 2006.

The figures below relate to those breaches which are confirmed and reported within 24 hours

<i>Month</i>	<i>% reported on time</i>
April 2005	98
May 2005	97
June 2005	94
July 2005	94
August 2005	97
September 2005	95
October 2005	97
November 2005	97
December 2005	97
January 2006	96
February 2006	98

Adult Curfew Order Breaches

1. The contractor is responsible for breach action in cases where a curfew has been imposed by the courts as a community sentence, and there are no other requirements running alongside it.
2. In these cases they are contractually required to complete their investigations and initiate court proceedings in 3 days (5 days in exceptional cases).
3. The contractors are measuring this slightly differently. The Home Office are currently reviewing the whole area of breach reporting with a view to ensuring both contractors are using the same measures.
4. The table below shows the percentage of adult curfew breaches where the contractors had responsibility for taking breach action, which were completed on time.

<i>Month</i>	<i>% reported on time</i>
April 2005	78
May 2005	92
June 2005	95
July 2005	100
August 2005	97
September 2005	100
October 2005	100
November 2005	99
December 2005	100
January 2006	97
February 2006	100

Supplementary memorandum submitted by G4S Justice Services

Question 84 (Kitty Ussher): Employee relations

Group 4 Securicor has 400,000 employees around the world. Overall, we believe that we have one of the best employment records in the global services industry, while recognising that there will be isolated difficulties in countries from time-to-time. We instil core values and a positive management culture so that we work in the best interests of our customers and employees wherever we operate.

Over 60 unions and staff associations are represented in Group 4 Securicor and we have higher levels of union membership throughout the world than the industry norm.

In the UK, we have two national agreements with the GMB trade union covering our employees. We work closely with the GMB on issues such as preventing Cash in Transit crime and on ensuring high accreditation and training standards for our security officers.

In Europe, we are the most unionised security company with over 55% of our staff represented by a union against an industry average of 46%.

In the United States, Wackenhut, the operating company of Group 4 Securicor, is the most unionised security company, averaging in excess of 30% unionisation among its employees versus the national US security industry average of 13%. It has relationships with 14 different trade unions with over 70 collective bargaining agreements, and possesses the best staff retention rates in the industry. In addition, while each state in the US sets its own training requirements for security officers, Wackenhut exceeds the state and industry norm requirements by a significant margin.

Where there have been examples of labour disagreement, for example in Indonesia and South Africa, these have been isolated incidents and have primarily involved a minority of employees. We believe that our local management teams have encouraged a co-operative and open dialogue.

In Indonesia, we have always maintained good relationships with our employees and provide them with a total benefits package that is above the industry standard. We do not believe that a security guard has yet left the company to take a job at the same level with a local competitor.

In South Africa, we have relationships with many trade unions with a collective agreement in place with SATAWU. We endorse the Government's approach to a broad-based Black Economic Empowerment (BEE) process and last year announced a 26% broad-based BEE deal with Kagiso Ventures and a newly established Employee Trust.

Question 87 (Kitty Ussher): Staff training

Our values focus clearly on our staff and customers. We employ and develop the best people so that we can provide effective solutions and services for customers. In order to develop best people we place emphasis on delivering excellent training.

Our electronic monitoring business is committed to effective learning and staff development. As a result we are accredited with Investors in People standard and employ a full time training and development manager who is supported by a team of highly skilled trainers. We have enabled 62% of operational staff to achieve National Vocational Qualifications and support the rest of our staff as they currently work towards this award. We ensure that all of our managers have the opportunity to undertake positive leadership and other appropriate management courses. Underpinning the whole training programme are regular staff performance and development reviews.

Strong messaging about valuing diversity, effective leadership, and modelling positive behaviours are constant themes throughout the training and indeed throughout the organisation.

These themes are also reflected in the training that we undertake for stakeholders and other users. Our commitment to customer training is reflected in our highly skilled interagency team. This team provides bespoke training as part of our customer service package. Feedback is always excellent with comments such "this is the best training I have received for a long time" (Magistrate) being the norm.

In addition, we provide special technical training to the Home Office Electronic Monitoring Team and others designated by them. This training is to enable them to use our data access system. The service level requires the quality of training to be such that 80% of delegates rate the training as satisfactory or better.

Since 1 April we have provided two technical training sessions on data access. Four individuals attended both sessions and overall considered the training to be good. In the first session we received a 100% satisfaction rating from all four individuals with most rating our training as excellent. Although, in the second session, three individuals continued to rate our training as good to excellent, one individual indicated that they were not completely satisfied with some parts. As a consequence we received a 75% satisfaction rating. We have now made some minor adjustments to the training.

The summary report by the Home Office on completion of the two training sessions stated that the "training was of a very high standard and exceeded expectation by a considerable extent". We aim to meet these high standards on all training sessions and expect to achieve our service level in all future events.