

the **Howard League**  
for **Penal Reform**

# **A place for EM?**

## **Pragmatic, humane and personal reflections**

**150 Years of Campaigning**

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# Howard League vision

- Less crime, safer communities, fewer people in prison
- Working for an effective and humane penal system
- Reductionist

# John Howard

- Namesake
- Independence
- Sought change
- First hand experience
- Fearless/maverick?



**John Howard**

# Howard League – not a fan

- Howard League troubled by its increased use
- Three key concerns
  - Links to marketisation of criminal justice system
  - Net-widening both front and back end
  - Humane?

# Humanity of EM

- EM as a carceral space
  - definition of carceral space

*... overlaps and synergies between spaces ...*

*their porosity, in recognising that techniques and technologies of confinement seep out of ‘carceral’ spaces into the everyday, domestic, street, and institutional spaces with which both former prisoners and their loved ones come into contact...”*

*... technologies of surveillance and control enable a carceral ‘fix’ to operate beyond conventional carceral spaces, and even when persons are physically mobile – for example through electronic tagging”*

- P v Cheshire West, March 2014, Supreme Court

Looked at what liberty means

*... If it would be a deprivation of my liberty to be obliged to live in a particular place, subject to constant monitoring and control, only allowed out with close supervision, and unable to move away without permission even if such an opportunity became available, then it must also be a deprivation of the liberty ... The fact that my living arrangements are comfortable, and indeed make my life as enjoyable as it could possibly be, should make no difference. **A gilded cage is still a cage.***

# A changing penal landscape: questions about the place of EM

- What is EM used to achieve?
- What drives its expansion?
- Is it effective?
- Concern for wider impact EM on subject's social network
- Fair?
- Can it really be voluntary?

# Potential areas to develop use

- Victim oriented – early alert system e.g. domestic violence
- Protective of potential victims or perhaps themselves e.g. proving your location
- A *real* early release mechanism – need to balance all stakeholders' needs with supportive relationships for cj agencies

# Continued use and expansion of EM should be based on ...

- Clarity so that it is not regarded as a quick fix or panacea to reduce prison numbers or costs
- Clarity about why and for whom EM is used
- Usage that has harm minimisation at its heart
- Usage that is equitable