

Street-level surveillance: human agency and the electronic monitoring of offenders

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'Street-level Surveillance': Human Agency and the Electronic Monitoring of Offenders

Craig Paterson ¹

Abstract

Abstract text here

Introduction

The longstanding prison crisis in England and Wales has provided a backdrop to governmental attempts to find new and innovative ways of containing the problems presented by disorderly populations and neighbourhoods. Electronic Monitoring (EM) technologies provide a potential solution to this incarceration dilemma, as indicated by the political capital placed in EM-based programmes, most recently in satellite tracking, as a part of future strategies of community supervision. Growth in EM has been assisted by political support for new forms of commercial techno-corrections, yet EM-based programmes have proliferated without any clear evidence-base concerning how the technology can be most effectively used and the advantages it presents in dealing with offenders (Mair, 2005).

This is not a unique set of circumstances. Debates on the introduction of crime control technologies such as CCTV, biometrics and identity cards have borne considerable resemblance. While the salient ideological and political discourse in these discussions has revolved around issues of security and control, more practical questions such as, *What can the technology achieve? What impact does it have on offending behaviour? and What indirect consequences does it present?* remain unanswered. This paper looks at the process of implementing EM-based programmes through interviews with EM officials and other 'street-level bureaucrats' (Lipsky, 1980) in order to further understanding of the complex process of operationalising surveillance technologies.

EM officials negotiate their role as 'entrepreneurs of control' (Becker, 1963) by traversing between operational and environmental pressures in the same way as police officers,

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probation officers, bouncers and other policing agents (Reiner, 1992; Fielding and Fielding, 1991; Hobbs et al., 2000). This process generates a gap between policy and practice and emphasises the important role of the human mediation of technology (McCahill, 2002:83) in policy implementation. The policy implementation process is further complicated by the position of EM officials as sub-contracted service providers operating in the commercial sector. This sub-contracted position generates a new politically contested arena in the bureaucratic process of putting governmental policy into practice – an arena where commercial imperatives can come into conflict with both the managerial objectives of the Home Office and the day-to-day practical concerns of EM officers.

The struggle for control over populations and territory at the street-level has been the focus of many classic sociological studies since the nineteenth century (Mayhew, 1861; Whyte, 1943; Foucault, 1977; Cohen, 1985; Davis, 1990). Contemporary studies of new modes of policing and surveillance have renewed this focus and emphasised the important role played by people in implementing new ‘technologies of control’ (Norris, 1999; Lyon, 2001; McCahill, 2002; Wakefield, 2003; Coleman, 2004). This paper extends the field of study to the EM of offenders in England and Wales. The language used in political and commercial debates about EM has presented the technology as manufacturing a ‘prison without bars’ that provides tight, formal control over offenders’ movements and behaviour. This is an illusion. All EM-based programmes require the consent and co-operation of offenders to ensure compliance (Nellis, 2004). Hence, the interest here is in ‘street-level surveillance’, human policing and the resistance this generates amongst those beneath the surveillance gaze.

The paper begins with a review of recent Home Office evaluations of EM-based programmes and then moves on to discuss the extension of surveillance technologies into domestic space and the social implications this presents for offenders and ‘street-level bureaucrats’. In particular, this concerns the forms of resistance that are generated when attempting to restrict an individual’s freedom to roam. This is followed by a critical evaluation of the role of commercial contractors as sub-contracted service providers of EM. The paper ends with a discussion of the diverse environments many offenders inhabit and the added problems this presents for those mandated with the management and control of individuals through ‘street-level surveillance’.

Conceptualising Street-level Surveillance

The ‘Inquiry into the Supervision of Peter Williams by Nottingham City Youth Offending Team’ (HMIP, 2005) acknowledged the need for more rigorous analysis of the role of EM at the ‘street-level’. The inquiry related to the murder of Marian Bates in Nottingham in which Peter Williams, a young man subject to EM-based restrictions, had breached his order without being reported to the relevant authorities. The report made ten recommendations including an investigation into the EM contractor’s interpretation of the operational requirements that had been agreed with the Home Office. In particular, this concerned a multitude of occasions where Peter Williams had been in violation of his curfew yet no investigation had been carried out and none of the violations had been

reported to the Youth Offending Team. Indeed, it seemed that Peter Williams had been free to move without any monitoring of his curfew compliance (Nellis, 2006).

The report concluded that the commercial contractor had misunderstood its responsibilities as laid out in the contract with the Home Office but provided no explanation for this misunderstanding. Despite widespread concern in the media about the extent to which commercial contractors carried out effective monitoring at the ‘street-level’ (BBC, 2005; Carter, 2005; Daily Mail, 2005), the Home Office had shown little interest in such detail up until recently. Instead, a stream of audit-oriented evaluations focused upon completion rates and levels of recidivism (Mair, 2005) rather than service delivery. The National Audit Office’s recent report on ‘The EM of Adult Offenders’ continued with this theme, yet also acknowledged that the Home Office needed to ‘be more rigorous in the regular audits which it conducted with the contractor’ (2006:2). Increased rigour was required in order ‘to establish more fully the extent to which the contractors have complied with the conditions of their contracts, and to assess the quality of the service provided’ (2006:6).

The Audit Commission’s acknowledgement that the commercial contractors received insufficient monitoring from the Home Office presents an interesting irony when set against the Orwellian backdrop of EM. It raises questions about the absence of any independent oversight of the EM industry, especially when one considers the clandestine nature of the commercial sector and the need for transparency and accountability in the crime control system. By placing the focus of analysis at the ‘street-level’ it is possible to shed light upon the opaque world of sub-contracted crime control in order to make sense of the processes through which EM surveillance technologies are implemented.

If we assume that technologies of control rely upon ‘street-level surveillance’ (McCahill, 2002; Lipsky, 1980) then a shift in focus is necessary from surveillance technologies to the actions of agents of control, offenders, cohabittees, and the local community in order to understand how these technologies are experienced. As surveillance technologies view upwards as well as down, EM officials join offenders in engaging in resistance strategies against technologies of control and searching for ‘spaces for escape’ (Knight and McCabe, 1998). Consequently, a struggle for consensus and order becomes apparent; most clearly between EM officers and offenders but also between EM managers and their subordinates. These processes of resistance make it essential to reassert the role of agency within an understanding of governmental attempts to implement policy and to control disorderly populations.

Contemporary explanations concerning the exercise of governmental power, most famously the New Penology (Feeley and Simon, 1992; 1994), have often underplayed the importance of individual resistance and the way that it operates within structures of governance (Cheliotis, 2006). Governmental institutions are required to mediate sovereign commands from above through subordinates, a process that generates resistance from street-level bureaucrats (Lipsky, 1980) who are faced with the complex task of operationalising policy. While EM officials rely on maintaining the consent of offenders in order to administrate EM services successfully, the Home Office and senior figures working for the EM contractors equally rely upon the consent of street-level bureaucrats to

ensure successful service provision. As research on 'cop culture' (Skolnick, 1966; Reiner, 1992) and other criminal justice professions (Cohen and Taylor, 1972; Robinson and MacNeill, 2004) has continually highlighted, the objectives of policy makers, managers and those working at the 'street-level' often diverge. With regard to EM, this scenario is further complicated by the sub-contracting of the service to the commercial sector

The divergence of objectives from policy through to practice can be explained through the interplay of 3 competing factors; the culture of performance management as directed by the Home Office; the impact of financial penalties upon decisions made by managers for commercial contractors; and the practical, day-to-day concerns of EM officials. In his critique of the new penology, Cheliotis (2006) highlights the process through which the hierarchical division of labour permits managers to confine workers to a narrow set of tasks which limits their discretion when carrying out their role. Although this process of governing at-a-distance can be, and is, resisted by some officials, a managerial language is created which emphasises the importance of outputs (as determined by performance targets) ahead of outcomes (service quality).

In the field, EM officers are faced with a tension generated by the competing demands of meeting a multitude of objectives (Jones, 2005) that extends beyond the narrow set of tasks measured by performance targets. These tasks include: installing and maintaining equipment; providing advice and support to offenders and their families; managing potentially unruly situations; and meeting the financial demands of company shareholders. Within a performance-oriented culture, officially measured targets will always dictate day-to-day practice, although the extent to which this takes place depends upon the discretion of EM officers. The focus upon performance targets means that 'added value' elements of the service (i.e. those things that are not measured or penalised through the contract) are most likely to be missed. These are the quality of service issues highlighted in critiques of the 'new managerialism' (Brownlee, 1998; McLaughlin et al., 2001). This situation is exacerbated within the commercial context where financial penalties determine the importance of work. By placing 'street-level surveillance' as the focus of analysis here it is possible to generate a better understanding of the role of the EM officers as they attempt to balance competing imperatives.

This research was conducted with an EM contractor over a period of six months. During this time, 101 visits were made to offenders' homes and a further fifteen in-depth interviews were conducted with EM officials and other street-level bureaucrats. This research data was supplemented with extensive participant observation and documentary analysis. It is the contention of this paper that the resistance strategies utilised by surveillance subjects reassert the need to incorporate a greater understanding of the role of agency when analysing the complex process of implementing EM-based programmes. In their search for 'spaces for escape' away from the EM eye, surveillance subjects highlight the limitations of new technologies and provide an understanding of the indirect consequences of restricting an individual's freedom of movement.

The Commercial Surveillance of Domestic Space

First used in 1989, over 16,000 people are now subject to a variety of forms of EM across England and Wales. These people include bailees, adult offenders, juvenile offenders, terrorist suspects and those subject to immigration controls. The EM system in England and Wales is currently operated by two multi-national corporations, Serco and Group 4 Securicor, whose Home Affairs portfolios incorporate adult and youth custody, immigration services, offender management and police support. Serco monitor approximately 5,000 offenders and employ 29,000 people in the UK on a range of public sector contracts that involve the defence, education and health sectors (Serco, 2007). Group 4 Securicor is the world's largest EM service provider, monitoring around 11,000 people in the UK and employing over 33,000 people in a variety of security services across the country (Securicor, 2007).

The EM of offenders represents just one section of an expanding industry in techno-corrections that incorporates elements of the private security, military and telecommunications industries. The surveillance capacity generated by these industries has diverted attention away from the role of human agency in the implementation of surveillance services. Surveillance studies encourage an understanding of EM as a form of socio-technical interaction – a contest over territory that extends the focus of previously public surveillance technologies (for example, CCTV) into the domestic sphere. EM-based curfew orders seek to remove disorderly groups and individuals from public space and to encourage structure in unstructured lives.

Demand for the control of offenders also emanates out of communities and creates a contested political struggle over the regulation of local populations and territories. The use of EM-based programmes in addition to other social management strategies such as anti-social behaviour orders, exclusion orders, and the dispersal of groups, asserts the interests of 'respectable' members of the community ahead of those deemed to be troublesome, whose freedom to roam is limited. This view is supported in data on community responses to EM where individuals call the EM centre to inform on offenders who have broken their curfew conditions. EM must therefore be understood as a component of the extensive crime control machinery available to the state, commercial organisations and local community groups to target specific populations through routine, formal and informal surveillance.

While writers such as Donzelot (1980) and Cohen (1985) have looked at the processes through which the state generated an increase in regulatory power over families from the 1960s onwards, commercial EM organisations are now performing similar but extended functions with the same populations.

If you can put somebody back into the family home, forcing them to be at the family home by a certain time on a certain day, or every day for that matter then I think you are enhancing that person's life. He or she has to spend time with the family. There has to be a sense of order. Sometimes, prior to a curfew order being imposed upon these individuals there was no order at all.

(Ted – Manager)

The first question a third party will ask is, 'Has he complied'? What other community service order can give them absolute proof of compliance? Otherwise, it's just speculation. Little Johnny reported to the police at eight o'clock on a Friday night as he was supposed to do, but where was he at half past ten? Nobody knows.... But we do now.

(Brian – Manager)

This increase in regulatory power has continued with the introduction of satellite tracking. Tracking systems have the potential to monitor offenders much more closely through Global Positioning by Satellite (GPS) and Global System for Mobile Communications (GSM) technologies. This represents a leap from the first generation EM technologies that indicated whether an offender was in a specified place or not.

I can see a whole range of community service orders based on tracking and electronic monitoring. They will want to know the whereabouts of individuals, particularly those guilty of less acceptable crimes, shall I say. They will want to know the whereabouts of paedophiles, sex offenders and the like 24 hours a day because there's a great deal of political implications there.

(Ted – Manager)

The regulatory power of EM technologies is further enhanced through the uncertainty experienced by offenders in understanding the surveillance capabilities of a virtual monitoring system. While EM officers explain how the system works to offenders, the uncertainty that surrounds the capabilities of EM technologies provides an additional tool for officers to regulate the behaviour and movement of individuals. This mystification of the technology is acknowledged in the repertoire of actions and dispositions evident amongst EM officials.

A lot of the job is about blagging 'em that everything is alright... You learn to bullshit them pretty quickly.

(Marie – Field Officer)

I think the whole thing works a lot better when its' potential is a bit clouded.

(James – Monitoring Centre Officer)

Under complex environmental conditions, it is essential to develop informal processes of negotiation to successfully and safely complete each shift. It is this process that generates the gap between idealised policy and operational practice whilst also emphasising the importance of agency in making sense of the policy making process. Stanley Cohen (1990) has acknowledged how structurally focused models of punishment leave little space for understanding the influence of agency and contingency. Most importantly, this concerns the forms of resistance that offenders develop against attempts to govern them, as well as those adopted by entrepreneurs of control who are tasked with their regulation. As Cohen notes, 'the infliction of punishment by a state upon its citizens bears the

character of a civil war in miniature – it depicts a society in a struggle with itself’ (Ibid., 1990:292).

Forms of Resistance

By placing the process of attempts to maintain control over territory and populations at the centre of analysis of EM-based programmes, the focus of study is directed towards the role of street-level bureaucrats and their engagement with offenders. It is these activities that bring officers into contact with the ‘bad edge of postmodernity’ (Davis, 1990) in arenas of potential conflict and communities that have historically been targeted by various arms of the state. As a result of this, the commercial organisations implementing EM services encounter a range of responses from offenders that are linked to experiences of working with other agents of control. Whilst some households regard EM-based programmes as a necessary (and even welcome) intervention, others do all that they can to resist the restrictions placed upon them. The stories told by offenders about their experiences of EM combine a mixture of truth, bravado and local legend, yet they provide an insight into how offenders interpret the capabilities of the technology and the impact this has upon the work of the EM officers.

I went to this lad’s house in Milltown and he was saying, ‘I know how to get one of these tags off. If I stick some foil behind the clasp I’ll be able to take it off’. He really thought that would work. He was going on about it for ages and me and the other officer were just like, ‘yeah, well you can try that if you like’. And he was like, ‘well, I will do’ and he really thought that would work. There’s a lot of myths about how you can get them off. Wires in between and that sort of thing.

(Stephen – Monitoring Centre Officer)

They were like, ‘right, what we’re gonna do is freeze it’, and I’m like, ‘why are you going to freeze it?’ and he’s like, ‘we’re just gonna freeze it’, so I’m like, ‘well, how are you going to freeze it when it’s already on his leg? What are you gonna do? Stick his leg in the freezer?’ And he was like, ‘well, I’m not sure yet but this is what we’re gonna do, we’re gonna freeze it and then we’re gonna cut it off because when we’ve frozen it they won’t know that we’ve cut it off’.

(Laura – Probation Officer)

One of his mates put so many pairs of socks on so that when he took his socks off he could take the tag off after they’d been round to fit it. But, I was like, ‘I’m sure the officers would notice if you had a load of pairs of socks on’... Also, I think they think that if they’re in on time and they pop out later that nobody will notice. I think they seriously seem to think that. It’s like if they get in on time or half an hour early. ‘So, there’s no need to call me then. They won’t notice if I nip out about eleven o’clock when it’s got a bit later and the control centre have gone to sleep. They won’t notice if I pop out for twenty minutes’. I mean they sort of try it different ways.

It's like well why do I have to do my curfew at the weekend when nobody's going to be watching me. Who's actually going to be doing it at seven o'clock in the morning on a Saturday?

(Laura – Probation Officer)

The need for consensus and compliance when operationalising surveillance technologies is illustrated through these forms of resistance whilst also emphasising the role of local subcultures and communication networks in disseminating folk tales. Whether these forms of resistance are truthful, successful or otherwise they highlight the messy reality faced by EM officials who are tasked with implementing EM-based programmes. This search for 'spaces for escape' re-emphasises the importance of agency in understanding the process of policy implementation at the 'street-level' and the necessity of human support for surveillance technologies (McCahill, 2002:83).

While the presence of the tag and a monitoring system in the home provides a constant reminder of the restrictions of the curfew, telephone calls and visits that follow violations reinforce an appreciation of the reliability of the system and undermine some of the folk tales that lead to non-compliance. Although EM provides a means of monitoring behaviour, it cannot maintain order in an environment without consent and this is attained by supporting offenders with information from the start of the curfew order and throughout the sentence. This is formally recognised in the contracts between the Home Office and the commercial service providers that attempt to create mutual interests for parties with different imperatives.

We like to make sure that the curfewee is fully conversant with the rules and regulations surrounding the curfew order because any lack of understanding on their part may well generate non-compliance. Non-compliance means resources on our part which of course we don't want. So, it's in our interest to make sure the curfewee understands what his or her responsibilities are to us as the contractor.

(Ted – Manager)

The Multiple Imperatives of Commercial Criminal Justice

As I outlined earlier, in the field, EM officers are faced with tensions generated by three competing objectives; meeting Home Office performance targets; avoiding financial penalties; and completing the day's work within time constraints in complex environmental situations. Each day, officers are provided with a task sheet listing the work that they need to complete and also receive additional jobs in response to curfew violations that arise as their shift develops. An immediate tension becomes apparent when individuals face conflict between time restrictions and the quality of service that can be provided within allotted time periods. This tension is exacerbated by response times set by the Home Office for specific violations that result in fines for non-compliance. Because of this, the daily workload is liable to be completed according to short-term commercial definitions of priority rather than a long-term focus upon providing information and support to offenders.

That was one of the problems we had, y'know, getting everything done on time and I think that impacts on the resources you use. You maybe don't go over it as much as you should do. So then you're putting this weird and wonderful system into somebody's house. They've got no idea what it is and you just go in and plug it in, talk to them for about ten minutes and then leave them. Then, the next time you might see them could be twenty-eight days later.

(Mark – Field Officer)

This short-term focus means that there is always the potential of problems arising as the result of a lack of understanding as the curfew continues, particularly with court administered curfew orders that are rarely accompanied by additional information.

Curfew orders made in the court... if they just get a straight curfew order without probation then unless the field officers who go in can drum it into them then there's no one else to do that. So, it's just like these guys have come round to fit my tag and I know that that box is meant to pick up the tag but no one's really watching me because I haven't got a probation officer, so they take a lot less responsibility for it.

(Laura – Probation Officer)

As commercial contractors are sub-contracted to the Home Office to provide a monitoring service there is also a greater possibility of confusion arising when ensuring that an offender has a full understanding of the curfew and the responsibilities that it brings. This can leave a service gap within the delivery of EM-based programmes concerning who is ultimately responsible for ensuring that offenders understand their responsibilities and the dissemination of information about problems and non-compliance. This was demonstrated in the case of Peter Williams where a failure in communication between agencies coupled with differing governmental and commercial interpretations of Home Office contracts ended in tragedy. Confusion was also evident during this research with regard to how formal contracts should be interpreted.

The way that the Home Office has worked the contract left a lot to be... well, you could interpret quite a few things from it or you could have a different opinion about what something meant. The change in management we had at the time also produced a change in how we interpreted the contract.

(Mark – Field Officer)

The commercial organisations' attempts to meet the imperatives of profit, as determined by shareholders, and performance targets set by the Home Office remain in perpetual tension. This means that immeasurable factors such as the development of cogent inter-agency partnerships and support networks may be neglected. The objectives of an agency focused upon surveillance and enforcement, although in line with developments in the National Offender Management Service, will undoubtedly clash with agencies and individuals that have their roots in a social work tradition. In these circumstances,

governmental figures have supported the audit-oriented focus upon enforcement and surveillance as this attempts to absolve criminal justice agencies and agents from dealing with the complex backgrounds of offenders and retains their focus on a narrow range of tasks (Cheliotis, 2006). Consequently, through EM technologies offenders are viewed as 'data doubles' (Haggerty and Ericson, 2000:1) rather than as complex human beings.

EM technologies provide a black and white interpretation of offender compliance with little room for professional judgements that consider why problems may have occurred. Government ministers have made it clear that this is what they admire about EM - the fact that the technology does not analyse or debate but simply watches and records. The presumption that this simplicity is evident when implementing EM-based programmes has produced a plethora of problems for 'street-level bureaucrats' who are tasked with ensuring that offenders comply with their curfew conditions in a diverse range of environments.

I think in anything you do the people above have these wonderful plans about the operational side and how it works but the hardest bit is when your process actually starts. Then you're stretched and people haven't turned up or you couldn't get the kit to work. It's those sort of things that start to throw a spanner in the works.

(Mark – Field Officer)

The messy reality of installing and maintaining surveillance technologies within an individual's private space is often neglected in governmental portrayals of the use of EM. EM is a means of enforcing spatial control over specific populations and geographical areas that meets with resistance. While the restrictions generated by attempts to assert control produce various forms of resistance, they can also create a wide range of problems for offenders and their cohabitantes whose actions and movement are also indirectly regulated.

A number of authors have highlighted the 'pains' experienced whilst an individual is subject to EM-based restrictions (Payne and Gainey, 1998; Gainey and Payne, 2000; Martinovic, 2002; Roberts, 2004). This literature has highlighted the variable experience of EM for offenders as well as the relative importance of individual demographics (Payne and Gainey 2002) and the administration of the EM sanction (Roberts, 2004). The inherent inequality of the experience of EM programmes remains an under-researched area in England and Wales, yet it is essential that the complex and contingent nature of monitoring offenders in their homes is understood in order to make sense of the problems faced by EM officers in the field.

Surveillance, Human Agency and Resistance

Growth in EM has been driven by a fascination with the potential of new technologies to deliver techno-managerialist solutions to complex social problems, yet as I have outlined in this article, these solutions are only partial. A techno-managerialist view conceptualises the role of the EM officer as an administrator of decisions made by an automated system

and the offender as an item of data that requires processing. While this approach has the benefit of removing impartiality from the administration of EM orders it is unable to account for the different experiences of EM officials and offenders under EM-based restrictions which are influenced by a range of factors. In the next section I will briefly look at three of these factors: domestic conditions; housing; and gender.

Previous literature has shown that while offenders living alone have cited isolation, agitation and boredom as a problem in maintaining curfew compliance (Elliott et al., 2000; Walters, 2002) there are also concerns arising as a result of domestic tensions (Mair and Nee, 1990; Smith, 2001; Walters, 2002). Elliott et al (2000) referred to the danger of EM-based curfew orders exacerbating family tensions in already unstable homes for juvenile offenders but tension can also be generated simply by the close proximity of partners, families and friends over a period of time in a regulated environment.

The amount of times we've been round to people's houses and they've thrown the equipment at the wall because the wife's going out or the husband's going out. It's used as a bargaining tool, like, 'you can watch the kids'. The amount of domestics that were caused and things like that was unbelievable, and then you've got to go into the middle and try and sort it out. A lot of people when they argue want to get away from each other and when you don't have that option you're pretty restricted, aren't you? It just causes more strain, hence the things flying at the wall.

(Mark – Field Officer)

These environmental tensions have resulted in a high level of households withdrawing their consent to house offenders during the time that they are subject to EM-based restrictions as the following data demonstrates (NAO, 2006).

Reason for Breach	%age
Unauthorised Absence	43
Equipment Tamper	13
Withdrawal of Householder's Consent	23
Other	19
Total	100

Table 1: Reasons for Breach of Curfew Order

The extent of non-compliance that is generated by EM-based restrictions is also related to other environmental conditions, in particular, those related to housing.

We've had kids on tag whose parents, y'know, they haven't got no furniture or carpet or anything, or electricity or heating and the parents aren't bothered so they'll go out 'til all hours in the morning and leave their kid sat in the house and if you've got no electricity then you've got no light. If you've got no electricity then you've got no heat, y'know. What fifteen year old wants to sit in a house with no carpets and no light? You

can't just sit there in the dark, can you? If somebody told me I had to sit in a cold dark house with a tag on and nobody to talk to, no telly, no food, I wouldn't stay in.

(Lisa – Youth Offending Team Officer)

The variable housing conditions experienced by offenders have resulted in a gradual realisation of the importance of providing support to individuals and families in order to increase compliance during EM-based programmes.

I think a lot of people didn't realise how the other half lived. When it all started, the Home Office and the contractor didn't realise that people didn't have constant electricity, didn't have a telephone. I mean, you went out as an MO (field officer) and you went there in the evening to install them and it was dark and they took the one light bulb with them from room to room. They'd only got one light bulb! And, some of the conditions in the properties you went into, well...

(Henry – Monitoring Centre Officer)

The research literature on EM has also highlighted the different impact that curfew restrictions have upon males and females. The Audit Commission report acknowledged that breach rates for HDC were higher among female offenders than male offenders with the average HDC recall rate for females being 20% compared to an average of 15% for males (NAO, 2006). The women's team at the Prison Service hypothesised that the higher breach rate could arise because females have greater responsibilities within their homes than male curfewees (NAO, 2006). They also pointed towards the potential influence of high levels of poly-substance abuse amongst women, vulnerability to individuals with a controlling influence, and child care issues (NAO, 2006).

As a result of this, the Audit Commission report acknowledged the need for further training for staff members who did not have previous experience of working in complex environments or with vulnerable individuals

The staff frequently receive distressed calls from offenders or their families in need of welfare support. As a result, the contractor now gives its call centre staff diversity training to help them deal more effectively with difficult situations

(NAO, 2006:27)

The importance of providing welfare support throughout the period of home confinement is supported by data concerning links between the increase in violations and revocations that occur with an increase in the length of time spent subject to EM (Walters, 2002). Put together, all these factors highlight the importance of environmental conditions and individual demographics in future compliance. The potential to exacerbate resistance during attempts to restrict movement through the surveillance of domestic space is significant and its subsequent impact upon entrepreneurs of control can be recognised through analysis of 'street-level surveillance'. By placing the focus of analysis here the role of human agency is re-asserted, thus providing further questions for structurally-focused

theories of governance, policy makers and those whose task it is to make surveillance technologies work.

Conclusion

EM has too often been presented in the public sphere as a free standing technology rather than as a single component in a community sentence. This has resulted in a lack of understanding about the objectives of EM-based programmes, how they are implemented and the complexities involved in this process. By viewing EM-based programmes solely as a means of virtual offender monitoring, politicians and policy makers absolve themselves from the problems that are inherent in managing offenders in a diverse range of environmental situations. By emphasising the importance of environmental conditions, officer experience and individual compliance it is possible to extend an understanding of the use of surveillance technologies beyond abstract theoretical narratives and to reassert the role of agency and resistance.

Using this analysis it is possible to view EM-based programmes as the movement of commercial surveillance technology into people's homes and the potential for commercial personnel to make normalising judgements about 'malfunctioning' liberal subjects. By placing the focus on 'street-level surveillance' it is possible to make sense of the complex struggle involved in managing populations and territory through sub-contracted agencies. The conflation of managerial, commercial and practical imperatives adds additional complexity to this process. Understanding the conflict between these three factors is an essential part of generating successful service provision, particularly in the homes of offenders where the experiences of street-level bureaucrats, offenders and their cohabitantes demonstrates the important role of human agency and resistance in opposition to attempts to impose control through EM technologies.

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