



Justice and Home Affairs Committee

Corrected oral evidence: Investigation into electronic monitoring

Tuesday 2 September 2025

10.35 am

[Watch the meeting](#)

Members present: Lord Foster of Bath (The Chair); Lord Bach; Baroness Buscombe; Lord Dubs; Lord Henley; Baroness Hughes of Stretford; Baroness Prashar; Lord Tope.

Evidence Session No. 1

Heard in Public

Questions 1 – 6

Witnesses

I: Rt Hon Alex Chalk KC, Barrister at Law and former Lord Chancellor and Secretary of State for Justice; Lord Hogan-Howe QPM, former Commissioner of Police of the Metropolis.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Alex Chalk and Lord Hogan-Howe.

Q1 The Chair: Welcome, everybody, to this first evidence session of the Justice and Home Affairs Select Committee's inquiry into electronic monitoring. We are delighted to have two very distinguished witnesses before us and, just to get it on the record, I would be grateful if you could introduce yourselves and your involvement in electronic monitoring.

Alex Chalk: I am a former Lord Chancellor and Secretary of State for Justice. I was involved in the acquisitive offender programme as a junior Minister and then latterly as Secretary of State.

Lord Hogan-Howe: I am a Member of this House and was previously Commissioner of the Metropolitan Police, where, together with Kit Malthouse, one of Alex's predecessors, we started the first pilot of sobriety tagging in this country, following on from the experience of America, which had done sobriety work but not using electronic tagging. Its version breath-tested people who were drink drivers every day of the year, with a penalty of one day in prison should they fail. Kit managed to find an electronic system that did the same without bringing people into the police stations.

The Chair: I remind all colleagues who are asking questions, if they have any interest to declare, please do so at the start of any questioning.

Just to get us started, it would be really interesting to know a little bit more about your involvement with electronic monitoring. You have already started, Lord Hogan-Howe. Could you both give us your initial thoughts on the purpose of electronic monitoring? Is it predominantly as a punishment? Is it to help with reoffending? Is it just to ensure that we do not have overcrowded prisons? Please give your initial thoughts on the procedures that are involved. Lord Hogan-Howe, will you carry on from where you started?

Lord Hogan-Howe: For me, it has two roles. One is prevention and one is detection: the prevention or the detection of crime. The detection part has not really progressed much, but I think there is a great opportunity there, particularly in the future. On prevention, one thing we need to be clear about is the areas in which we are going to use it, because the evidence is showing that sometimes it is more productive in some areas and less productive in others. There is the time after arrest but before charge, while someone is on bail; there is the time after charge but before conviction; and there is the time post conviction, when it is actually an alternative to a term of imprisonment. It does appear that, in each of those cases, there is a slightly different outcome.

I think there is a doubt about whether the pilots that have been used in the 19 police force areas that are covered by this have been conducted in exactly the same way, and I am not sure that the police have fitted into this system very well. I

cannot speak for the Probation Service, but I wonder on its behalf as well. I think the core system can work.

The final area, which perhaps we will discuss later, is about how we fit the commercial entities into that scheme, which is essentially a public service scheme. I am not against that at all, but I think that at the moment it is rather fragmented and there is a contracted system to deliver tagging. The final thing I would say is that, of course, tagging can mean different things. It can mean sobriety tagging: checking whether somebody is drinking or taking drugs where that is a precursor to their offending pattern or an aggravating factor. It can check where they are, of course—so, if they are on bail and they should be at home. It can be geofence, so they can move into or out of an area. In the future, there are certainly now technological developments which will allow us to check whether people with a mental health issue are taking their medication. Finally, I would say that what it means, therefore, is that if you look at some of the major predictors for crime, it is usually alcohol, drugs and mental health—literacy is in there, but it is not relevant for what we are talking about—

The Chair: Just before I bring in Mr Chalk, you also talked about its use for detection. Can you just outline that in a bit more detail?

Lord Hogan-Howe: The pilot that took place of the latest system checked to see whether the police were using the geodata—where they were—to see whether that could correlate with an offence that had taken place where they had no other source of information. Now, if you look at the review of that work, it does not really come to a conclusion, because they could not be sure that, where an arrest was made of somebody who was tagged, the only reason they were arrested was because of the tagging evidence. It could have been DNA; there could have been information; there could be many other reasons, so it is unclear. What is worrying me at the moment about it is that clearly we have geoevidence, but it is shared with the police by email when it could be shared live.

In fact, I was mentioning to Alex before I came in that I am just about to look at the Serco centre—I think it is up in the north-west—to see if they are getting live data as to where the offender is. Let us say you have a rape: it would be really helpful in the reporting of that rape, a live issue, to be able to see who is in that area at the time, not two weeks later when you are retrospectively investigating an offence. If we look at things like domestic violence, there is a great opportunity to reassure the victim that, should this person come within 400 metres of their home or where they are, there will be a reaction and the police will do something. What worries me at the moment is that the police are likely not to know, unless we radically restructure the way that we deal with this.

My final point, to allow Alex his opportunity, is that what worries me as well is that the police, like all organisations, have a tendency to say, “We have new technology, I need more people. How do I cope with it?” I would dedicate a group of people who are in the police at the moment, and make use of this technology in a way that

we never have before. Do not regard it as a burden; regard it as a gift. I am worried at the moment that they will regard it as a burden.

The Chair: We will certainly come on to look at that in quite a bit more detail, if we can, in a few minutes. Mr Chalk?

Alex Chalk: The first thing I would say is that it is really important to frame what we mean by a tag because, as has already been touched on, not every tag does the same thing and the purpose of each tag is different. Of the tags there were when I was in practice at the Bar in the early noughties, the obvious one was an RF tag, a radio frequency tag, and that was simply used to work out whether the individual was or was not abiding by the terms of his bail conditions, to live and sleep at a certain address. He would come along, they would fit it, and if he left the address—it was usually a “he”—it would trigger an alert, the police would come round, he would be arrested and he could await his trial in custody. That served its purpose, of course: it might mean that the court would feel reassured that it could release that individual on bail because there was a radio frequency tag to monitor his compliance with those conditions. That is one.

But that is old technology: the technology that emerged in the mid-noughties, around 2008, was the electronic monitoring tag, which was, in effect, more like GPS tagging. But it is not, of course, trail monitoring, and that is quite important. It will indicate if somebody has stepped outside of SW1, or wherever, and you can see where an individual is, but it will not, in and of itself, provide trail monitoring, where you can see precisely where someone is.

The third type of tag, which Lord Hogan-Howe mentioned just now, is this really exciting technology, which is, of course, alcohol tags. Each of them does different things and they have different purposes and compliance rates. One of the fascinating things in respect to alcohol tags, by the way, is that they have something like a 97% compliance rate. Stepping back from that, having framed it, what is the purpose? It is prevention, as has been indicated: preventing someone absconding; preventing someone breaching a non-contact order. That is all fine. It is detection. We introduced something called the acquisitive offender programme, which was quite novel.

Normally, the paradigm is that you do the crime, you do the time and you are off. You would come out and, yes, you would comply with your licence conditions, but that was broadly it: you have done your punishment. We said, “No. Once you are out, we want to put you on a tag, if you are an acquisitive offender, because, frankly, we want you to be rehabilitated, but we also want to protect the public, so do not go and commit crime”. So, we did that: we amended the Serious Crime Act 2007 to allow, in respect of serious crime prevention orders, for that to be part of a tagging, but also—and this is important and quite novel and, on one view, quite draconian—we said that even if someone is acquitted, the court should have the power, in certain circumstances, to put on a tag. In some ways, that mirrors the situation under the Protection from Harassment Act: even if someone is acquitted

in respect of an allegation of harassment or stalking, the court can impose a restraining order because it still has some misgivings. Equally, we were saying that there may be justification for imposing a tag. We had to be careful, because there are balancing issues here that we had to consider quite carefully. None the less, that is the detection part.

There are two other things I just offer up. One is the punishment element, and we should be clear about that. Bear in mind that judges are in the business of public confidence. They want to be satisfied, if they are going to impose a non-custodial penalty, that it does what the public expects of a non-custodial penalty. Yes, of course, the public want to see rehabilitation. Of course, they do. Of course, they want to ensure that person does not reoffend, but sometimes—quite often—they want to see some punishment. That is why I think the current Secretary of State is absolutely right when she says that there is a role for these tags: “I am sorry, if you commit crime, you are not going to watch your favourite football team. If you commit crime, you are not going to the pub”. Of course, you can use tagging to ensure that there is an element of punishment. Restrict people’s liberty.

One final thing—I am getting close to the end—is that one of the things we learned during the whole Covid horror is the punishment there is on individuals being told they are going to have to be at home through certain hours of the day. That is horrible. It was the curfew. What we now know is, of course, that tags can enforce that quite effectively as part of a package of punishment, and we should be not squeamish about that. Criminals need to be punished. If you do not want to be punished, do not commit crime.

The final thing I want to say, and the point was, if I may say so, ably made just now, is that none of this works unless you have the back-office support and resource. Let me just give a very short anecdote about that. I went to the United States to see Judge Biben in New York and, oh, my goodness. She was amazing, by the way, and absolutely brilliant in terms of the non-custodial penalties that she was handing down for some quite serious matters, including serious violence. To my mind, she was a very brave judge to impose a non-custodial penalty for some of these matters, but the critical thing was that she had enormous resources that she could, through their equivalent of the Probation Service, throw at the penalty, which included tagging. In other words, if someone stepped out of line, metaphorically or literally, then that sword of Damocles came down. At the risk of stating the obvious, the whole impact of all these things, whether it is punishment, rehabilitation, protection or detection, is that they will work only if that sword of Damocles is sharp, if you like: if the criminal is confident that if he steps out of line, there will be consequences, and the courts too can therefore be confident that they are doing their duty by the public to punish and protect.

The Chair: Can we immediately pick that up, because you both mentioned the issue of public opinion? Lord Henley?

Q2 Lord Henley: You both spoke about the different purposes of tagging and about the importance of public confidence in tagging and its use. Surveys seem to indicate

that the public as a whole want people locked up and locked up for as long as possible. What, in your view, is the attitude of the public, and how can it be influenced in terms of making greater use of electronic monitoring of one sort or another for its different purposes when, at the moment, what the public want is, “Lock ‘em up”?

Alex Chalk: One of the things that every single Secretary of State will do at some point, whether it is Home Secretary or Lord Chancellor, is to say, “Do you know what we are going to do? We’re going to look at these community orders and we are going to toughen them up”. Everyone says that because it recognises something that we know in our communities. I live in Cheltenham and if I felt, as a member of the public, and I feel certain that my neighbours would feel the same, that the punishment in the community for the person who had offended against my community because they had stolen something from Tesco, which is not a victimless crime but a serious crime which really corrodes our sense of citizenship, was tough—it was really hard; they were obliged to do it; it was going to be completed; it was going to be done within a reasonable period of time; there were consequences if they did not; there was a bit of rehabilitation along the line—then I could I could be at peace with it.

The problem we have—and this is reflected, incidentally, in the reluctance of judges to hand down these orders; historically, they have dropped off a cliff—is because the judges detect that the public do not have confidence in them. So the exam question is, respectfully: to what extent can tags provide the public with confidence that the crime will be atoned for, and that people will genuinely repay their debt to society? I will be very interested to hear what Lord Hogan-Howe has to say. At the moment, if you do not go inside, people will say, “It is a touch, isn’t it? He’s had a touch. He’s got away with it”. That need not be the case.

The final thing I will say on this is that, when I went to Coventry and spoke to some offenders, I had one guy go, “Oh for goodness’ sake, this is a nightmare, this community order. I wish I was inside because this is really tough, what I am being asked to do”. That is the reality, but unless the public perceive that, it is going nowhere, and tags can play a part in that.

Lord Hogan-Howe: I agree with everything that Alex has said. Although it is not directly on tagging, I will start with what worries me, which is that the political system seems to constantly deliver longer sentences. I have not heard a single party campaign for smaller sentences. That makes no sense for me, because you are just in an inflationary race which can never end—or it can end by giving everybody life, I guess. That has to be confronted, and I would argue that we could have far fewer people in prison and be safer, and tagging is one of the mechanisms for achieving that.

The way we can persuade the public is to show that the evidence shows that there is less offending. Intuitively, this makes sense. Look at the sobriety work. That started in North Dakota, because this DA was sick of people dying on the roads; cops in big rural area never stopped anybody. So he said, “Right, you are going to be

breath-tested every day on conviction". The first thing that happened was that the number of people dying on the roads came down. The second thing they noticed was that domestic violence dropped, because when the drunks were getting home, they were assaulting their partners. Alcohol is not the precursor for every offender, so it is not giving a sobriety tag to everyone, but it is where alcohol misuse is causing them to do the things they do—usually violence, but it can be theft or indecent assaults. It disinhibits and causes that set of behaviour.

On the drug side, it tends to be that they are stealing to fund their habit. There are not many drugs that cause more crime. There are some, but not as many as we might imagine. You can show that logically this makes sense. This is intuitive for people who have got 38 year-old sons who are still fighting in pubs because they have not learned that alcohol causes their fighting; many parents will discourage people from drinking when they realise their kids become violent.

Evidence is helpful, if you can show, first, that it affects the offending behaviour; and secondly, that it is a good rehabilitation mechanism because if they are not drinking as much, they are more likely to get a job, they are more likely to get a home and probably a partner—all these things that make a real difference for someone's life. I think people can be persuaded of that. We have seen it in Scandinavia. It might be counterintuitive at the moment, but this is where politicians really earn their corn. They have to stand up and show the evidence and say, "You may feel that this is dangerous, but this is actually the best way we can go—and, by the way, it will save us some money". It is not the perfect answer. I do not think it will ever catch on that we create policy entirely based on evidence, but it might. First, I would say, get the sentences down, get some good alternatives that are shown to work, and then give it a go.

The final thing I will say is that the criminal justice system properly works independently. The judiciary are independent. The jury is independent, as are the police and CPS. The problem in this type of thing is you need it to work together. There was the Red Hook example that Alex looked at in New York. We actually had one in Liverpool, but it cost £25 million; it died. But it meant that the judge caused the system to work together. It said to the tagging firms, "You've got to get your act together", and to the police, "You'd better respond to this". Some catalyst drove this thing forward. The criminal justice system, as we know, is a misnomer. It is not a system. It is a process, but it is not a system that can act together. Between us, we need to find a way to create a catalyst that is not something that interferes with independence, because nobody wants that, but they do want a more efficient system. If those things were in place, it could be really helpful.

Alex Chalk: Can I just make a very brief point, if I may? I will try and be as quick as possible. First of all, remember Mr Jaggars in *Great Expectations*: "Take nothing on its looks; take everything on evidence. There's no better rule". That is a good moral for life. Whether it is politicians or policymakers more generally, a lot of this comes down to using specific examples. Yes, it is true that if you say to the public, "Do you think people should be locked up for crime?", of course people are going to say

yes—of course they are. But take for the sake of argument somebody who served in the British Army, had a very distinguished record, left aged 28, got into business, was absolutely fine, had a family but developed a problem with alcohol and his relationship broke down. He was banned from driving because he did some drink driving. Then he was told, “You are disqualified”, and he made a mistake: he drove 200 yards while disqualified. Now the Bench have got to think about whether they are going to bang that guy up. He has no previous convictions. If he goes inside for that short sentence, he may lose his relationship, the alcoholism may get worse, he may lose his job—goodness knows he would be plunged into crisis. If you were to say to most British people, “Do you think that guy should go inside?”, a lot of them will say, “I do not think he necessarily should”. Yet it crosses the custodial threshold and there is every chance that he could go inside.

He needs to be punished—you must not drive while disqualified. If you say to the British people, “Yes, he’s going to repay his debt to society with some community order, but he’s also going to have his liberty infringed by use of a tag, so that his weekends are going to be wrecked for however long it is going to be. But you know what? We’re going to use this tag to make sure he keeps his job, because his job and the dignity of work is critical to this guy’s rehabilitation. And we are going to use that tag to make sure he attends that alcohol awareness course and, if he does not, he’ll be straight back before the Bench and they will consider whether to send him inside”, it is by using those specific examples and showing how tech can deliver justice that you can win the argument in the court of public opinion.

The Chair: That is very helpful because it reflects a lot of what we said in our report on prisons about public understanding—that the purpose of prison must include rehabilitation and reduction of reoffending, thereby making the public safer.

Q3 Baroness Hughes of Stretford: I have two questions, the first arising from the evidence you have both just given, and the second is the question I was allocated. You talk about evidence. On the basis of the evidence in this country so far, we cannot say to the public that electronic monitoring alone will reduce reoffending. It does offer a cheaper and possibly equally effective containment mechanism for the duration of the tag, but it has not been shown, when the tag is removed, to result in a change of behaviour. So the first question is: do you think that to reduce reoffending and to generate public confidence, electronic monitoring needs to be accompanied by stringent supervision requirements and, where appropriate, attendance at courses—not just drug and alcohol courses, but courses designed to change people’s behaviour—and at employment, and only then might it be effective?

Secondly, following from that and in the light of that, if you agree, but also in the light of the independent sentencing review, do you think that the Probation Service and the police are ready or equipped, have got the capacity and the competency, to manage an increased number of people with that more stringent regime?

Lord Hogan-Howe: On the first point, it is a fair question. There is some evidence that it worked or is working. There was a review carried out by the Ministry of

Justice—I presume the committee will get hold of it—and published in the last few weeks, that makes clear that there is a statistically significant reduction in the reoffending of people in the acquisitive crime group when released into the community.

Baroness Hughes of Stretford: Sustained after the duration of the tag?

Lord Hogan-Howe: Well, I was going to go on to say two things. One is that you can find other studies which are not as conclusive, so it is going to need more research. Of course, one of the difficulties is that you are talking about a very long-term study; this is the 12-month period subsequent to release. But, at least in that period, there is a statistically significant shift. Now what there is not a shift in, interestingly for me, is the breaching of people's probation. Many people are going back at the same rate, and that is quite contradictory. Why are they going back if they are not offending? I think there is something there to explore, but at least there is some evidence that it can work. I do not think it is proposed on the grounds that it is cheaper, because at the moment it is costing money and it may yet cost money in the future. That said, the Ministry of Justice review looked at other studies of similar types of schemes, and those are equivocal. So on the first point you make—"Is there evidence?"—yes, there is some, but there is counter evidence too, so it is going to need some longer-term studies.

I am not sure that our system, well intended, worked in that way because, on your second question, I am not sure the police are ready for it, or the Probation Service. If it was left to me, I would redesign the police and the Probation Service so that they had to accommodate this thing rather than graft it on. To give you a silly example, if I was in charge of the Met, I would say, "Right, we'll put 500 cops into this and create a big room, and feed in all the technological data we have". So we have got electronic monitoring. We have also got ANPR data, which is being ignored daily as it happens, and various other things—facial recognition. So into this big room we are going to put all the data we have got about people who might commit crime and possibly just have. It is not for the cops always to go out then and respond to that, but it would probably be for the probation people sitting with them in the same room to work out how they are going to deal with that data. What we have at the moment is that the data goes to Serco, Serco sends an email, the Probation Service have a think about it, and then they see their person at some point. The police, if they have had a crime, they have a think about it. There were thousands of people on this scheme, but they only got about 600 reports near crime and they only convicted about 60. Now I find that quite odd.

To your basic question, "Are they ready?", I do not think so. Does it need more resources? I would say, "Reorganise your resources first, before you start asking for more". I am from a public service background; I have always been either NHS or police. There is a tendency to say, "We need to do something better. Give me more money". No. First of all, look at how you could do better. If you need more money, talk to me about what you are going to spend it on. I think the biggest danger would

be cultural—that people will see this burden coming over the hill, rather than an opportunity to work creatively together.

I have said that that it needs a catalyst in the criminal justice system—it goes across to the Probation Service as well as the police. They have both got the same strategic intention, to reduce crime; the Probation Service by helping people to not reoffend; the police by arresting them and putting them before the courts where appropriate. But at the moment there is nothing driving them together. So those would be my answers. Yes, it would be challenging, but I am not sure it is a resourcing issue; it is more a cultural thing.

Finally, there are 43 police forces in this country, who come to different conclusions—I am looking at an ex-PCC—based on the same evidence, and I am afraid that localism is not the way to resolve this type of issue. There needs to be some central encouragement, if not direction. I am not a great believer in 43, because I do not know the question to which that is an answer, but this is just a symptom of that.

Baroness Hughes of Stretford: Before Alex comes in, could I just ask: does that mean you are veering towards some sort of dedicated joint probation/police units in local areas specifically to tackle this issue?

Lord Hogan-Howe: Yes. We have seen it work really well around persistent offenders on release. There have been joint probation teams with police. Often the probation people are the more instinctively draconian. When you get these teams working together, a great strength has been that the police can do good surveillance. It has worked really well for ultra high-risk sex offenders. As you know, sex offenders on release, and even on conviction, are grouped into various groups. There are the ultras: the very serious, very high-harm people in relatively small numbers. At the other end, you have got people who do sex offend, and then you have got various gradations; I think there are four. Within 48 hours of release, the ultras will reoffend. They cannot stop themselves, for reasons none of us can understand or stop. What the cops do is follow them around until they have a drink, usually, and then they reoffend and get locked up and put back into prison. But what you get there is this combination, this sort of problem-centred look, where the cops and the Probation Service look at the individual. The cops are the ones with feet on the ground who can go and do something now, and the Probation Service is more long term, properly, with a more long-term look at the individual. So yes, it can have a real impact.

Alex Chalk: I will be quick because I think a lot of really important points have been dealt with. Just picking up that last one, one of the things we had to deal with in a different part of the forest, so to speak, was how you co-operate between the police and probation and, incidentally, the security services in respect of terrorist offenders in custody. It was a disaster; it was very difficult for a long time. They just were not speaking to each other. Yet that improved dramatically, and the impact in

public safety and security has been a huge improvement. So this can be done, and I am sort of in violent agreement with what was just said just then.

The point you make about evidence is really significant. The truth is that you will never get a perfection of evidence when it comes to tags, for the reasons I have indicated, because the tags are all different. It is a bit like saying, “Do community orders work?” Well, hang on, it is too broad a topic. Radio frequency tags operate differently to electronic monitoring tags. Trail monitoring is different even to the standard EM tags, and alcohol tags again are different.

However, that is not a counsel of despair, because if you look at the evidence that accompanied the sentencing Bill in 2024, you will recall that it had a tough aspect in respect of rapists serving the entirety of their sentence, but also looked at the presumption against short sentences. That was underpinned by a really solid body of evidence from within the British Isles, but also in Australia and beyond, talking about not just the rate of reoffending during the currency of a suspended sentence order but thereafter. The strong indication was that people who are subject to these short custodial sentences for the reasons that I gave—the veteran whose life is then wrecked, and then he heads towards a life of crime—actually are much less likely to reoffend. The tags mean that that community order can be far more rigorous. You can do stuff in the punishment, rehabilitation and protection space that you simply could not have done as little as 10 years ago. That is why it matters.

The Chair: We are sadly running out of time, so I am just going to ask both my colleagues and our witnesses to give short questions and short answers, please—and to demonstrate how that is going to be done, Lord Bach.

Q4 Lord Bach: No pressure there, because the issue I want to raise is actually one for a long discussion. But I will ask the question briefly and I am sure you will reply briefly. There are two different questions, one to you, Mr Chalk, and one to you, Lord Hogan-Howe. Mr Chalk, what is your assessment, particularly with your experience, of private sector involvement in this area? The world knows or should know that it has not always worked very well, to put it mildly, and there have actually been criminal convictions of those who are at the present time doing the job. The question to Lord Hogan-Howe is: do private sector companies work well with police and probation and prisons, in your experience?

Alex Chalk: I will deal with that very briefly. As you know, when it comes to criminal justice and crime and punishment, we have a blend of public and private. A lot of the prison custodial estates are run by G4S and various other providers, and so it is also in tagging. Sometimes it works well; sometimes it does not work well. But you know what? In the public sector it is the same as well. Some publicly run prisons do a brilliant job; others do not. In my experience, you would sit there in Whitehall saying, “We’ve got this policy and this initiative and that initiative”. Ultimately, it came down to the quality of the people who were providing it. If you have the right people, whether they are in the public or the private sector, if they are properly motivated and adequately resourced and they have the right ethical standards, then you will get a good outcome. The reality is, if we are going to deliver a ramp up of

tagging—notwithstanding the problems that have happened in the past with Serco, as we are aware, and there was the Channel 4 “Dispatches” programme recently as well—we have to work in a collaborative way with the private sector, but we have to keep it on a tight leash. That means, as I did when I was Secretary of State, when GEOAmev was not managing the PECS contract, the prisoner escort contract, it was in my office to explain why prisoners were not being produced on time.

If anyone says “Ah, if we nationalise the whole thing, we’re all going to end up smelling of roses”, that is not the reality. I am afraid we need to work with the private sector while ensuring that it is a rigorous, respectful relationship that delivers for taxpayers and the public.

Lord Bach: Is it rigorous enough?

Alex Chalk: I will be very interested to see the outcome of the letter that Andrew Slaughter, chair of the Justice Select Committee, wrote to Lord Timpson about the revelations that came out of the Channel 4 documentary. I will look very carefully at that, but I think I will suspend judgment until I see what emerges from it.

Lord Hogan-Howe: I am agnostic on whether it is private or public service. I do not think either is destined to be better or worse, because for all the list of failures we have seen for these particular contracts, we have seen equal and worse ones in public service. It is not a philosophical issue for me. What we learned in the police service, certainly in the Met, was that we were poor at, first, contract definition: we needed to be far better at being clear about what we needed in the contract. The second issue was management of the contract, as Alex mentioned. Often, we had general procurement people managing a contract, dealing with specialists who ran rings around them. What we needed to do was train our people better, or poach some of theirs but, however we did it, we had to make sure we were not being charged for the same thing twice, or overcharged for delivering something simple. That was part of our learning.

The third thing is where I am not agnostic—I am quite prejudiced really—which is about PFIs. My history of PFIs is that although they were well intended, initially, to minimise capital spending, particularly for public service, what they became was 30-year cash cows for commercial entities, where you cannot change the contract. One example was the contract we had for Gravesend public order in Kent for the Met. We could not get out of it. It was costing us a bomb and we could not get changes to the contract. Of course, the people providing the contract have got a triple-A payer: we do not default, we just keep paying. That type of contract, long-term incentivised to keep on delivering the same thing even though society had changed and the needs changed, I cannot agree with at all. But that is a type of contract rather than a commercial problem. Provided you allow a contract that is going to make reasonable profit and not extraordinary profit—because we have to get a grip on public spending, which we all have to take seriously—I think it can work, but we have got to pay far more attention to how we create and manage those contracts.

The Chair: Very briefly, picking up what you just said, you are arguing that if the

police force and the Probation Service together were better at contract specification and contract management, you would be relatively happy. Do you think it would be better still if the whole procedure was brought in-house into a joint probation and police service?

Lord Hogan-Howe: It could be. For me, the starting point is a clear plan. What are the different types of tag we are going to have? What are we going to use them for? The second thing is: how is the system going to react to those pings, as I would call them? When these breaches happen, what is the system going to do, whether it be the judiciary, the police, or the whole system? Finally, and this is always a problem for Ministers, particularly with the criminal justice system, who are you going to hold to account that this thing is working? Not five people and somebody then creates a committee. How do you create a catalyst that is going to drive this thing forward? Not to dictate sentencing to the judges or to the police who they arrest, but for this system that Parliament and everybody has decided is a good idea, where is the catalyst?

I am afraid that one of the biggest challenges to that is having 43 bodies that have independence of operation, but when it comes to things like this, do not work together, I am afraid, in the way that we all want. Overlay that with the Probation Service and the whole system. We need clear vision: is it going to be my little factory room that everybody pours information into and then sends people out to do things? What does that vision look like? No. 2 is who is going to deliver it for you, and which role?

The Chair: I am sure the committee would be enormously grateful if you could put some of that in a bit more detail on paper and let us have it, because we would value your thoughts. Baroness Prashar? I am afraid you must be very brief.

Q5 **Baroness Prashar:** Let me first say thank you so much for the very helpful evidence so far. What I would like to ask is: if you had more time and more resources, what would you have done with regard to monitoring in your respective roles? I know you talked about redeployment of resources, but it would be helpful to hear, if you had more time, what you would have done to promote the issue of ethnic monitoring.

Alex Chalk: Ethnic monitoring?

Baroness Prashar: No, sorry, electronic monitoring.

Alex Chalk: I was going to say that is a whole new issue. If I may, I think we have touched on a lot of the points already. It is all very well rolling out lots of shiny tags, and I was able to say, as Secretary of State, "We are tripling the number of tags", and that is great, but I was conscious, as we touched on, that a tag is only as good as the people who are reviewing the data. What I was very keen to see happen was a repair of the Probation Service, because I think most people would recognise that the transforming rehabilitation thing did not work. We reunified probation and it is healing and improving, but I was aware that although we were chucking loads of

money into it and recruiting lots of people, a lot of these people were quite junior and they were managing big caseloads.

What needed to happen, candidly, was, first, to increase the rate of that additional resource and allow that maturation of experience, but then the secret sauce, so to speak—the X factor—is precisely the point that Lord Hogan-Howe made, which is that you have to ensure that these various organisations cohere so that they are more than the sum of their parts. This 2025 report, which has come out, effectively says that the acquisitive offender programme worked well, and there were thousands of fewer offences in respect of these 3,500 people who were monitored, but it also said that it was an additional, I think, 120,000 hours of HMPPS time and however many thousand hours of police time. Now, that could be time extremely well spent, but we have to make sure that it is happening in a coherent way. We have shown that it can be done in respect of terrorism, intelligence sharing in custody and so on; it can be done here as well.

The other thing that is lurking in the background, of course, is AI. That too can play a part in ensuring that it is more productive than ever.

Lord Hogan-Howe: I will not disagree with anything that has been said. I shall simply develop the point I made, which is that if we now have the opportunity, with all these new tags, to check pathways, check locations, monitor alcohol intake, et cetera, have we really got a system that is best suited to deal with that? I do not think we have, so I think we have to create it. I suppose the usual ways are that you create a new organisation; you fuse together parts of organisations and you try to manage it across. I am afraid that our experience has not been good, because of the fragmentary nature of the system, so I think it needs something quite radical. Some brave attempts have been made, yet it is still quite pilot-ish.

The present pilot is 19 forces out of 43. It is actually half the country, to be fair, but it is still 19. It has been going on for a few years, and as we all know, public service is littered with pilots that went nowhere. The danger is that this will not go anywhere—it has not got a vision yet. I say “a vision”, but that is unfair: it has not got a plan which will articulate best the next steps, how much it will cost, how everybody is going to play their part, and get everybody on side.

My final thing, as I was sharing with Alex before and I think I might have mentioned to the committee, is that I am going out to the Serco operations centre. I am arranging to take the head of the National Police Chiefs’ Council, Sacha Hatchett, from Lancashire, and the deputy, from Nottinghamshire, to challenge them and say, “Okay, if this is as good as we think it is, and we all agree that there is something here that we ought to develop, what are you, the police, going to do about it, to receive it well and not moan about this new thing?” Quite a lot of work needs doing, but the seeds are there. I do not think it will go away, this, because the electronic nature of it means that better tags will probably come along. Frankly, we carry around a tag every day. We all charge it at night. You might as well use a phone: you could probably use a mobile phone that you gave them, or put an app on it or

something. That whole mindset change is the biggest thing that I would want to do, and invest in it in a capital way, because it will need some capital stuff. The revenue is the long-term problem generally, but it will need something to get it off the ground. We might even persuade the Treasury; we have got evidence for it. That would be something.

Alex Chalk: Can I just raise a separate but related point, because I know we are coming to the end? It is easy when you are doing an investigation as you are—an inquiry into tags—to think, “We’re in our lane; we’re talking about tags”. Can I just make one connection, which I think is so timely and important? Today or later this week, the Government are introducing their Sentencing Bill, and there is going to be this presumption against short sentences. Now, the Government are going to have to work out what exceptions they are going to create to the presumption. It might be something to do with domestic abuse. They will probably want something to do with knife crime. There will probably be an exception in respect of people who breach their orders, and so on. But they will also have to consider what the test will be for the Bench. In other words, “Thou shalt get a non-custodial penalty, probably, save in exceptional circumstances”. It might be a formulation a bit like that.

Now, the reason why I mention it is because the success or otherwise of these tags, and the resource that is put behind them, will in effect determine how the Bench, who have got an individual in front of them, decide to use that test. This person has a long record and has shown himself unwilling or unable to comply with an order of the court, and they think even though it is shoplifting they probably would not get more than six months. If they take the view that these tags or the resources behind them are not that great, they are much more likely to say, “I reckon there are exceptional circumstances in this case. I am going to bang this guy up”. So it is critically important, if the Government want to achieve their aims in this part of the forest, that they get it right over here as well. That is because—hard to imagine, I know—these judges are human beings and they will weigh the evidence and work out whether they are confident in the tech. That is why it is so important that the technology and the resources are there. I should say, by the way, I think we have excellent judiciary. I was just joking about that point, as I am sure you realise. I really urge the Government to get this right, and I am grateful to you for taking such an interest in this important issue.

Q6 **Baroness Buscombe:** I can be extremely brief. My question is: what did you learn on electronic monitoring during both your terms in office? Clearly, the answer is an awful lot, but is there anything that either of you would quickly like to add to all that you have said thus far, please? Alex, do you want to go first?

Alex Chalk: I can be very quick. We did a tag exercise with a guy called Jack Elsom, who was then a journalist at the *Sun*, and we both got tagged and he wrote an article about how it had affected him. The thing I did not realise is the extent to which he was so conscious of it, and he felt that it would be a constant reminder to a criminal of the crime they had committed and the debt they owed to society to atone for what they had done. So it has this kind of emotional impact, which was

beyond anything that I had realised. Yes, of course you have the punishment, the rehabilitation, the protection—all those things we have talked about—but also there is a tangible feeling of the shame of the crime that you have committed, and to my mind that is no bad thing.

Baroness Buscombe: A bit like the modern-day stocks, in a way—but it is about shame, which is often a very powerful prevention. Thank you. Lord Hogan-Howe, anything to add?

Lord Hogan-Howe: I think only one thing, really. What we have been talking about essentially is evidence-based policy and the evidence base in this area. I suppose I can talk most about police; I cannot talk for the other parts of the system. I am afraid there is not a good base on which the police make their decisions. If you are a doctor, you go to NICE, because it tells you what works best. If you are an engineer, you go to a faculty of engineering, and if you are a lawyer, you go to a faculty of law. Where do you go if you are a police officer? The short answer is that you have to grab it together from bits of the system. I have argued for a long time that our universities need to have faculties of policing that help to create a base of evidence, of which this is one aspect; it is many other things, of course. We managed to get a professor, actually, at UCL; I persuaded Boris eventually to invest in it.

My simple point is that if we can get experts—not necessarily cops—who create evidence about this type of thing, from which training grows and IT grows, we are better for it. Policing and the rehabilitation of offenders is important enough, to keep 60-odd million people safe, that somebody should start studying it properly and then tell us what works and, when it starts not working, tell us again about experiments in Sweden or wherever they happen to be. We look at all this research from across the world but I am afraid we have not got a history of that, so I think this is a symptom. You may think this is a bit off the point but, without this bedrock of faculties of policing, we are doomed to have this conversation in five or 10 years' time in a different way.

Baroness Buscombe: Also, there are 43 different police forces, as you kept saying. That is extremely helpful. Thank you very much.

The Chair: I add my thanks on behalf of the whole committee. We could obviously have gone on for very much longer and I am sorry we do not have more time to do that, but we will no doubt be chasing up with various supplementary questions. As I said at the beginning, if there is anything either of you feels that you have not said that you would like to say to the committee, it would be very helpful. The one thing for me that keeps coming out of all these discussions is the issue around public awareness of what is going on, public understanding and getting public support. But we need to have the evidence base to be able to provide that confidence to the public—and to those other members of the public who happen to be called judges, but we understand it. Thank you both very much indeed.