



Justice and Home Affairs Committee

Corrected oral evidence: Investigation into electronic monitoring

Tuesday 16 September 2025

10.35 am

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

Evidence Session No. 5

Heard in Public

Questions 41 - 61

Witnesses

I: Lord Timpson OBE DL, Minister of State for Prisons, Probation and Reducing Reoffending;
Jim Barton, Director, Probation Reform and Electronic Monitoring at Ministry of Justice.

USE OF THE TRANSCRIPT

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

Examination of witnesses

Lord Timpson and Jim Barton.

Q41 **The Chair:** Welcome, everybody, to this session, where we are delighted to have with us the Minister and his colleague. Perhaps before we go any further you would be kind enough to introduce yourselves.

Lord Timpson: Good morning, Chair. I am the Minister for Prisons, Probation and Reducing Reoffending.

Jim Barton: Good morning. I am a director in HMPPS. I look after capacity implementation, which includes electronic monitoring.

The Chair: We are delighted to have you with us. This is our last evidence session of our inquiry into electronic monitoring, or tagging, as some people call it. We are very grateful to see you. Before we begin discussing electronic monitoring, I should say that we were very pleased to receive, just 48 hours ago, the Government's response to our very detailed report on prisons. We are obviously delighted that, in large part, the Government have accepted the recommendations within it, although, as we will explain in more detail in our response, we believe that, in some areas, there is a degree of complacency in that response.

However, there are two areas of particular and immediate concern that have arisen. The first is in relation to education provision within our prisons. I know, Lord Timpson, that you have been particularly keen that prisons act very much as an opportunity for rehabilitation and reducing reoffending. A key part of that is the provision of educational opportunities to prisoners.

At the same time, the *Guardian* has now reported that there have been cuts to the prisoners' education budget, in some cases of nearly 50%. That is clearly deeply worrying at a time when we were recommending increased educational provision and, in your response, you were arguing for the importance of educational provision. I wonder whether you can explain what is going on and, more importantly, what the plans are to resolve this problem.

Lord Timpson: As I have said to the committee in the past, and as is clear to those who have been into prisons recently, we are dealing with prisons in crisis and it is our job to sort it out. Education is one of those parts. I completely agree with your observation that education is absolutely key. It is one of the pillars of rehabilitation. Being able to read and write is key, but it is not just about education. It is about giving people skills for when they are released, whether it is in construction, recycling or whatever.

We have not reduced the education budget. It is just that we are getting less for our money because costs have gone up. We have a new spending round. Our three-year spending review is about to start and the allocation process is imminent. We are having those discussions. It is my job to work hard on that.

I am interested in not just the budgets but how we use education. I have seen too many classrooms in prisons that have all the kit, but no prisoners are in them. Some of that is down to the regime and some of it is down to other issues, but it is also about using our resources far more effectively. In some prisons, we need to push that a lot harder. It is a combination of looking forward on the expenditure on education and fighting our corner hard.

It is about thinking about what the other options on rehabilitation are—not just education but giving them skills so that, when they are out, they can get a job. It is also about utilising the opportunity and facilities that we have in prisons far more effectively. I know that in some prisons, for security reasons, they are locking people down. I know that, in some of our young offender institutions, there are problems around gang affiliations and being able to get classrooms with a number of people operating safely. I understand the challenges, but I also agree that education is absolutely vital.

The Chair: I am grateful for that answer, which sounds a bit more optimistic than other evidence that we have received would suggest. If the education budget has not been cut but the problem is in relation to increased costs, could you tell me whether the *Guardian* is correct in saying that: “The budget for classroom courses at HMP Leicester will be cut by 46.5%”?

Lord Timpson: I do not know the details. If it is okay, I can write to you with the exact details on that specific prison. My understanding is that, generally on education, the way the three-year contracts have operated means that the costs have increased. That is where it has been hit. If it is okay, Chair, I will write to you with the exact details.

The Chair: I am grateful for that. It would be helpful if that is done as quickly as possible. For example, another thing the *Guardian* says is that a women’s prison is cutting its education provision by 26%. Increased costs do not seem, on the face of it at least, to be an explanation for 26% in one year. Costs have not gone up by 26% in a one-year period.

Lord Timpson: Again, I will write to you on that one, because some of it is due to the complexity around how these contracts work. I do not know the exact details on that, but I will write to the committee.

The Chair: So that we are absolutely clear, the MoJ is presumably lobbying the Chancellor extremely hard in relation to the budget to ensure that this does not continue.

Lord Timpson: We already have our allocation, but we have not divvied it up, so that is for the MoJ and me to work on.

The Chair: I am sorry that this is eating into time to discuss electronic monitoring, but we think it is very important. Another issue has emerged within the last 24 hours. In our report, we talked about the vital importance of increasing recruitment

and retention of staff. We also talked about measures to reduce the level of sickness, because we are deeply concerned about staffing within our prisons. The response suggests that the Government share those concerns. At the same time, we now learn that a very large number of prison officers who have come from overseas to work in our prisons will be affected by the Government's changes to the skilled worker visa arrangements, whereby the salary limit is now to be £41,000 or thereabouts. The vast majority of prison staff will not be reaching that salary and so will no longer be able to obtain a visa and come. Given that a very high percentage of prison staff come from overseas, that is clearly a very serious and immediate concern. What is your reaction to that?

Lord Timpson: As you said in the report, retention is absolutely key, as is sickness. Having improved retention and less sickness is important for any organisation. Working in a prison is the most amazing job. If I had not gone down my path in commercial life, I think it would have been a most rewarding job to do. We have done a really good job on recruitment. The quality of people we are recruiting is strong, but we need to do a lot more work on it. On the other hand, net migration must come down. As a Government, we are committed to tackling the skills shortages and failures we have in the labour market. Anybody with a skilled worker visa is exempt and we are providing support to those who are affected.

The Chair: I appreciate that answer but, if the newspaper reports are correct, there is a very immediate impact on staffing numbers in prisons that cannot be resolved by measures over time to improve retention and to recruit people from within the UK. It would be very helpful if you could write to us, as a matter of urgency, with your analysis of what that impact would be, so that we all have an understanding of how significant or otherwise the problem is. If you would be willing to do that, together with any further comments, that would be very helpful.

Lord Timpson: Of course, and, if it would be helpful, I could also update you as part of that on what we are doing on training. It is not just about retention; it is about how we train our new staff. The work that I did before I came into government on prison officer training is starting to kick in now. That may be helpful to put into context.

The Chair: Thank you very much. In that case, after those two questions on our prisons report, on which we will have further discussions at a later stage, let us now return to our inquiry into electronic monitoring. So that anyone watching is aware, we have taken evidence from a number of other witnesses and had written evidence from a number of individuals and organisations on this issue. This is our final evidence-gathering session on this issue.

Q42 **Lord Bach:** My general question is about what the Ministry of Justice sees as the purpose of electronic monitoring. I suppose another way of putting it is to ask whether probation can manage offenders just as effectively without resorting to electronic monitoring. You will know that those questions are asked because of the unsatisfactory nature, so far at least, of data showing whether electronic monitoring

has much of an effect on those to whom it is given. I refer to the 2022—and I am very conscious that that is three years old now—NAO report, which found the evidence base in general weak. The MoJ agreed, I think, with the NAO at that time that its transformation policy was not as strong as it should have been. I am asking for an update. The really important question is whether there is a real purpose behind electronic monitoring or whether it is just being used as a necessity to keep prison numbers down.

Lord Timpson: Electronic monitoring has an absolutely key central role in the justice sector. Its role is as punishment. It is for public protection and to support victims. It has an increasingly important role for victims but also in rehabilitation. If you take alcohol tags, for example, they have a 97% compliance rate. I have actually tried an alcohol tag and was forced to go to the pub after work on a Tuesday. They did the readings the next day and the technology works. It has a multifaceted purpose.

Also, the technology is very strong. Because we know that the technology works, you can look at what the evidence is. There are two bits of evidence that I would not mind sharing. One is that curfew tags, on our evidence, lead to a 20% reduction in reoffending for those on community sentences. We also did an acquisitive crime GPS pilot, which also reduced reoffending by 20%. That is very strong evidence that it works.

I am sure that we will be talking later on about the issues we had when we first came into government around the delivery of the service. Compared to other countries, we are the most advanced in Europe on tagging. The technology is going to get more interesting. Maybe we can come on to that. It is key to what we are doing. Yes, it is an alternative to custody, but it is a punishment and the data that it gives us is really powerful.

Q43 Lord Tope: Two weeks ago, one of our witnesses, the director of the Centre for Crime and Justice Studies, referred to the forthcoming substantial change in the justice system that is coming around EM in particular. When we asked him whether the strategy needed a fundamental rethink, he said, “Yes, it does at this point, precisely because the Government are saying they really want to go big on EM”. Is there going to be a new strategy?

Lord Timpson: There is not going to be a new strategy, but we need to expand the way electronic monitoring works and how we deal with offenders in the community. We need to improve the accuracy of the delivery of the service and see how far we can spread it to help us manage offenders more effectively in the community.

For example, we are doing a trial starting next month in six prisons where we will be, as we call it, tagging at source. That is, before people leave prison, we will be putting the tag on their ankle. We will evaluate the cost and impact of that. Beyond that, if we can get that one boxed off, the next stage is exploring tagging at court, which is more complex. We do not need a new strategy. We need to keep challenging the system and improving the delivery of service, but we also need to look at how we can improve accuracy and the way we use the data.

Lord Tope: Would it be right to call it a “fresh rethink”?

Lord Timpson: No, I do not think so.

Lord Tope: That was not my comment. It was a comment made by the witness I was quoting.

Lord Timpson: From having been in business for a long time and inherited businesses that had problems, I would not say that the scale of the problem is with the complexity of the electronic monitoring. These things take time to sort, but you need to get the basics sorted first. That was my area of focus. Now I am comfortable that the basics are getting sorted, we can move to the next stage of looking at what else we can do with the technology that we have. The technology is really good, but we need to make sure we grow it and understand how we can improve accuracy. I want to reduce reoffending and EM has a really powerful role in that, but I do not think that we need a new strategy. We just need to keep building on what we have.

Q44 **Lord Filkin:** This is a question about the future direction of your policy on electronic monitoring. The plan is to double its use over the next few years, which is a quite remarkable increase. First, is probation ready for this? Clearly, electronic monitoring has a critical requirement of input from probation staff, and yet they are already underprovided in this dimension. Secondly, what do you think about the private sector suppliers? They will tell you that they are ready, but are you content with just two suppliers?

Lord Timpson: As we expand electronic monitoring, we need more engagement, more kit and more work with our providers. We also need more probation staff. That is why, in the last year, we recruited 1,050 extra probation staff. Next year, it will be 1,300. It is a case of recruiting them and training them up to do the job. That is where the £700 million of extra funding over the next three years is absolutely vital—it is more tagging, staff and accommodation, but more staff is absolutely vital.

I am confident in our suppliers’ ability to deliver this because I have ongoing conversations with them. I have had five board-level meetings with Serco. I have been to its centre in Warrington where it does all the day-to-day work—its sort of call centre. I cannot remember how many staff it has there. Also, we have been having ongoing conversations.

I get a weekly update. I have my electronic monitoring dashboard every week looking at current performance. I also get regular updates from colleagues on the future trajectory of increased numbers of tags, for example, that we need to buy. Last week I was having a conversation about what minimum stock levels of spare kit we are going to have as we ramp up. I am confident that we have a really robust plan. We have very good conversations. There are about 200 staff in Warrington. Maybe I could bring Jim in now, because he and his colleagues have much more detailed conversations than I do.

Jim Barton: Building on the Minister’s evidence, we are working already with both suppliers in order to maximise the time that we have available to be ready for the

expansion of EM, which is due to come into effect subject to the parliamentary process around the Sentencing Bill. An ambition to double the EM case load sounds, on the face of it, like a very bold position to adopt, but we have already delivered a doubling of the EM case load over the last five years.

If you roll the clock back to prior to Covid, the EM case load was about 10,000. As of the last stats that we published in June, it is now about 24,000. We have a track record of delivering significant expansions and innovations, as the Minister referenced, in the way that we use EM. Our job of work now is to get our head down with the suppliers and probation to ensure that we are ready for that further expansion as it starts to build next year.

I very much agree with the premise of the question that probation is key to this. As the Minister said, there is significant investment in probation, with an up to 45% higher budget by the end of this spending review period. We also need to focus, as we are and as the Minister is rightly applying pressure on us to do, on probation workload. How do we streamline process? How do we make best use of digital tools to ensure that probation staff spend more of their time, as they would want to, face to face with offenders, looking to tackle the factors that drive reoffending? That is where EM is so powerful, because it provides probation staff with data and information for them to have richer, more impactful conversations with the people on probation who they are working with.

Q45 Lord Filkin: Can I press you again on the private sector and, in doing so, declare a historic interest? I was, 20 years ago, an adviser to Serco, so I have some understanding of the other side of the fence. You have a duopoly, in effect, with just two suppliers, at a time when you are doubling your demand. It would seem to most people that it cries out for increasing the number of suppliers so that you could increase your competition and options if things started to go wrong with one or both suppliers, as they have done in the past. Why are you not planning to do that? Is it because the contract does not allow you to bring in other suppliers, or because you do not think it is necessary?

Lord Timpson: This is a contract that we inherited. When we came into government 14 months ago, the thing was very problematic and it is now in a much better place. The contract that we inherited is scalable. I was not around when the negotiations were going on as to what contract they wanted to have. From my experience, it is about how you deal with what is in front of you. It is about communication and having robust conversations, as I have had numerous times with Serco and other partners. We are paying for a service and need to make sure that we get really good value for money and they deliver what they need to do. We need to deliver our side of the bargain too, because this is very much a partnership. It works well when they come up with the standards that they have set and we do too.

Lord Filkin: The implication of what you have said, Minister, is that you are contractually locked into those two suppliers. For how long are you contractually locked into those two suppliers?

Jim Barton: I am happy to come in on that point, Lord Filkin. There are a few points. The current contracts run until 2030. They are not monopoly contracts. If we wanted to, we would be able to run parallel competitions for alternative EM provision.

Lord Filkin: Why do you not think that that is necessary?

Jim Barton: We do not want to do that and we do not think it is necessary for a number of reasons. They are not necessarily in this order, but the first is around economies of scale. We took a conscious decision when we designed the procurement that led to these contracts that the best value for money for the public purse was to have a single provider on the field and monitoring service side, which is Serco, and a single provider of the equipment, which is Allied Universal. That is consistent with most jurisdictions. Most jurisdictions do not have two organisations on the same geographic patch providing the same service.

There were choices that we worked through around exactly how we packaged up the different aspects of the EM service. I think you received evidence from David Byrne from Allied Universal, who referred to Scotland, where all of it is with a single provider. We chose not to take that approach because we thought it would really limit the number of market providers that would have been able to bid into that process, and therefore would not have provided quality and value for money through the competitive process.

The second reason why we are not proposing to run a parallel competition process is that it takes too long, to be frank. We anticipate the increase in EM to continue. EM has grown by something like 3,000 in the period that the Minister has been with us. It will continue to grow through the course of this year and into next. A compliant procurement process would take something like two years, as a minimum, to be run. That distracts a huge amount of effort from what should be our priority, as the Minister has described, which is working with Serco and Allied Universal to ensure that these contracts are delivering and ready to deliver on the expansion that we require.

Lord Filkin: That is very frank. You clearly have strong reasons for why you cannot change, but there will be an open question about how you plan for 2030, for which there is not time now.

Q46 The Chair: So that we are absolutely clear, the contract, as we understood it, with Serco and Allied Universal is basically a six-year contract from 2024 to 2030, but there is then an additional two-year option to extend it. During that period of time, you have said that you could be in a position to run a parallel contract or contracts, which presumably could be for additional tags that might come as a result of the Sentencing Bill and so on. Could you explain what exactly that parallel contract could be—we understand your argument as to why you do not want to do it—just so we know what it is you are rejecting?

Jim Barton: To be really clear, we have no plan whatsoever to run a parallel contract for the provision of core EM services, either for the fitting of the tags or the physical devices themselves. There are, of course, lots of hypotheticals I could produce in response to that challenge. There is a world in which we could decide we wanted contracts that ran wholly in parallel with Serco and Allied Universal and mirrored their current provision. I do not see any value in that, for the reasons I articulated to Lord Filkin, because it creates complexity and a huge amount of wasted public money in terms of both the procurement activity and the inefficiency of those two providers operating together.

Our contracts work. There have been performance challenges, and I am sure that we will have the opportunity to talk about those in more detail, but performance has improved immeasurably since the position that the Minister inherited just over a year ago. We need to keep working with Serco and Allied Universal.

The Chair: I am enormously grateful for what you are saying but, in a sense, you are slightly repeating what you said earlier. So that we can understand what it is you have chosen not to do, I am anxious to be clear what you could do within the parallel contract you are talking about. We may conclude that we do not agree with your analysis of what you choose to do, so we need to understand what the other options are.

Let me suggest one to you: somebody comes forward with a new form of tag, which you find would be particularly helpful as part of the range of tags that we have. It would be perfectly possible for you to have a different supplier and a different monitor of that tag within the current contract arrangements, should you so choose. I am not suggesting you would. I am merely asking whether it is possible.

Jim Barton: As I understand it, in that scenario there is an alternative proposition, which is that we secure access to that technology via Allied Universal. Some of the tags that it provides to us at the moment are not manufactured by it. My starting point would be to build on our existing contractual relationships in that circumstance and look to access that technology via Allied Universal, which is, as David Byrne gave evidence on, a global provider.

The Chair: Mr Barton, you are continuing to tell me what you have chosen to do. I am merely asking whether you have the option to do it differently, should you choose to do it differently. I think that the answer is yes.

Jim Barton: Apologies, Lord Chair. I think I said yes, but perhaps in Civil Service terms, at the start of that answer.

The Chair: We hear very clearly where you are coming from, Mr Barton. We will move on.

Q47 **Baroness Cash:** Minister, I believe that this is a question for you, because you have referenced already the innovations that are coming down the track. I would love to go back to that and hear a bit more about what we can expect. We have read what

has been written about under-skin tagging, AI monitoring and at-home monitoring. We would be very interested to have some insight into what is coming.

Lord Timpson: I will go through a list of some of the options that we are looking at and give you an update on our thinking. The first thing to say is that everyone gets very excited about new things. I get very excited about just doing the day-to-day business really well and not getting diverted too much by the new things. We must not forget what our job is, which is to tag effectively and accurately.

We are exploring new hardware. We had a “Dragons’ Den” event before the Recess, which was really good. We have had two of these. This was the second one, but it was the first time we sat in a room where people had given us pictures of ideas for the justice sector. A lot of them were around EM or the principles around data and tracking. It is clear that we in England and Wales are world leading in what we are doing and the volume of it. There are some really interesting things coming out.

The future is not just about hardware. It is about the software, the data and how we use it. We also need to be careful that we do not fall into the trap of collecting vast amounts of data and not really knowing what we are going to do with it. We need to be very thoughtful about our approach. One thing that we are interested in is around using electronic monitoring for restriction zones in the Sentencing Bill. Victims get far more support because the perpetrators are restricted to a zone, rather than the victim. That gives you one example of something we are going to do.

There is the role of AI. Everyone thinks it can solve all their problems, but the way we can use AI with the amount of data that we are already collecting is important. The way that we can use GPS tagging and know where offenders are is important. Maybe we can come on to that later. We are also doing a trial on what we call e-supervision, which is a similar technique. That is to allow the probation officer to check in with an offender without them having to come into the office, so we can do regular, frequent checks.

We are trialling, from spring next year, live access for probation to where someone is. We will be able to check in. For example, an offender comes to see a probation officer and they say, “Why weren’t you at your appointment last week?” They say, “I was at the doctor’s”. They will be able to go in and say, “You weren’t at the doctor’s. You were in Blackpool for the day”. That will give us more reassurance.

I am really determined that, if offenders do not comply, I can have sanctions on them and recall them back to prison, because it is a punishment and we need to use the data effectively. We are not thinking about trackers under the skin at all. There are lots of medical, ethical and legal implications of that and I do not think that the tech is there.

I am really interested in being thoughtful in our approach and trialling things in a small way, but we need to make sure that it reduces reoffending. That is why I am here: to reduce reoffending. EM is a really important route to do that. It is really

exciting, but we need to make sure that we do not just fall in love with anything that is new and forget about the day-to-day part of the business.

Baroness Cash: I have one quick follow-up about best practice elsewhere. Is there anything of note for the committee on what we have learned and what you have learned from other jurisdictions?

Lord Timpson: I will give you an example from one of the pitches we had at the “Dragons’ Den”. Then I will hand over to Jim for some other examples that he will know more details about. A company came all the way from New Zealand to see us. It is doing a trial in Queensland at the moment on the way probation works with technology and how offenders go to jobcentres, where there is a terminal and they can link in to say where they are and how they are getting on.

A number of you may have Apple watches or know people who do. They know where you are. The technology is already there to work out whether you are taking drugs based on your heart rate. We can send you messages. It could be your GP, your therapist or part of your AA or NA circle. There are lots of different ways we can embrace technology. Certainly for EM, it is really interesting.

Jim Barton: I have a few very quick additions, if I may. Alcohol monitoring is definitely something on which we have learned from the States, where it has been in use for considerably longer than here. We are now, I think I am right in saying, by far and away the biggest user of alcohol monitoring as a technique or device across Europe.

We are heavily plugged into the international networks around this. Through the Confederation of European Probation there is an EM working group that we are a member of. Those conversations are about sharing best practice around different models of EM.

One theme that has come up in evidence to this committee is how well integrated EM as a service is with probation. It is fair to say that we have been working hard on that over the last couple of years. The acquisitive crime pathfinder that the Minister referenced is a good example of that, through which we are already able to provide, not live but overnight, GPS data for probation practitioners where they have robbers or burglars on their case load. That is a good example of innovation.

We can definitely continue to learn. Proximity devices are something we do not use in this jurisdiction at any scale. That is where you have two devices, one on the perpetrator’s leg and one with, usually, the victim of domestic abuse. That is used in Spain and a few other places around Europe. We are interested in exploring whether that has a use case for us here in England and Wales.

Lord Timpson: There is a small trial still going on in Northumberland on proximity tags, which has been going for a number of years.

Baroness Cash: That is very interesting. Thank you.

Lord Timpson: Could I mention one other thing? I have always been really interested in the Texas justice system. An inspiration for the progression model and a lot of the things in the Sentencing Bill is what has come from Texas. There is really robust electronic monitoring there; it is a really important part of their offender journey.

Q48 The Chair: Can we take this a little further? I accept entirely what you said, Minister, about the importance of doing the day-to-day work really well and what you said, Mr Barton, about making the very best use of digital tools. You asked yourself, Lord Timpson, “What else can we do with what we already have?” I would like to explore that a little bit.

I would be interested to know what consideration has been given to the use of the data that we collect from electronic monitoring together with other ways in which we collect data, for instance automatic number plate recognition, live facial recognition, facial recognition and so on. It has been suggested to us that, while you have talked about improving the link with the Probation Service with the data collected, there is also the issue of improving the relationship with police services, so that they could use this collection of data from a wide range of sources—if they could find a way of packaging it together—for crime detection, for example. I wonder what thinking there has been in that area.

Lord Timpson: On the acquisitive crime pilots that Jim mentioned, we have a trial in 19 police force areas where, every 24 hours, they can download the data of where the GPS-tagged offender has been and see whether that matches to where crimes have been committed. That is where we got the evidence that it reduces reoffending by 20%, so we know that that works. I think that it has prevented 16,000 arrests already. That gives you one example of where it can go. You can link that in with number plate recognition or facial recognition. I have not had those conversations with colleagues, but maybe I will ask Jim in a second to come in on that.

Where we are doing the trial, we do not have any powers yet to give real-time access to the police on where an offender is, except if it is for specific purposes. There are certain offenders who are tracked for intelligence reasons, which are not to be discussed today, where we do have that power, but generally that power is not there.

To answer your question, if we pulled all that data together and tracked everybody, knowing where they were and what the crimes were, and having very high-powered computer systems to do that, we would be able to match offenders’ crimes to improve the evidence and support police. The trials we are doing are really interesting and helpful, and I hope that they will expand. Jim can enlighten us on the rest.

Jim Barton: To start by emphasising the point the Minister made, we do not have any lawful basis on which to share the bulk GPS data with the police. I understand that it would require primary legislative change to give effect to that. However, we

can share it where there is a specific investigation under way to which that evidence is relevant.

To expand on the description of acquisitive crime a little bit, the way this operates is that everybody who is released into one of those 19 police force areas, having served time in prison for robbery, burglary and a few other offences, by default gets a GPS tag on their leg. We then monitor those individuals. Every night, those 19 police forces send us a bulk upload of geotagged crime offences—in essence, domestic burglaries, robberies and car thefts. We map that data on to the GPS data that we hold and then send back information to the police to rule people in or out as suspects of crime. Ruling people out of being suspects of crime is almost as powerful because it avoids wasted police efforts and avoids some of the people in our case load being pulled in as the usual suspect in that case when we know as a fact they were not guilty.

That data has been used by the police to further certain intelligence investigations. With car theft, we have examples where an individual wearing a tag has been involved in stealing a car with a tag on their leg, despite knowing that we are monitoring that tag. The trail of that car has then been followed, through a combination of the GPS data and ANPR. That has then been used to break organised crime groups linked to car theft on an industrial scale.

We do it, but on a very targeted, specific, individual case level. I think I can say with confidence that police colleagues would prefer that they had greater access to that data, but we do not have the means to do it. We are planning, as the Minister referenced earlier, to make that GPS data available in real time for probation staff starting in spring of next year. We are able to do that because they are part of the same organisation.

The Chair: So that I am clear—and I am sure that you will be well aware of this—the possible scenario I have described of linking all these different sources of data would have all sorts of other implications in terms of civil liberties and so on. They would all have to be rightly addressed. Can we be clear about the real-time information trial of passing information to the Probation Service? Currently, with the limited exceptions you have given, the passing of real-time information to the police is incredibly clunky, with an email sent some days later in many cases. In theory, it could be improved, should it be thought a good idea, but it would, in your view, require primary legislation to enable that to happen.

Jim Barton: To share mass bulk data by default without a specific investigatory reason would require legislative change. I agree 100% with the point you have just made, Lord Chair, that we should do everything we can to improve the way the system operates now. If a police constable in a force office somewhere wants access to information to help them advance an investigation, we should do everything that we can with Serco to get that information in their hands as quickly as possible.

Q49 Lord Bach: I have a very simple question. Could the Sentencing Bill that is in the Commons and coming to us here be a vehicle for any changes in primary legislation

that were necessary, or has it been thought through and seen not to be a suitable Bill for such a change? I just throw it out in case it could be something that the Lords do or consider.

Lord Timpson: I have not had that conversation with colleagues.

The Chair: It could be looked at and written to us about.

Lord Timpson: Of course.

Q50 **Baroness Hughes of Stretford:** Looking at the use of electronic monitoring by the courts, you will know that the use of electronic monitoring as a result of court sentences halved between 2017 and 2025, while the increase in court bail and post-release has more than doubled. How do you account for that significant shift—in particular, the fall in the use of electronic monitoring as a court sentence, given that we are interested in it as an alternative to prison? Do you think that it reflects a lack of confidence among magistrates and judges in the rigour and effectiveness of electronic monitoring? You, Minister, have said a number of times that you see electronic monitoring as a punishment. Do you think that the judiciary, the magistracy and, perhaps, the public do not see it as a punishment? Do the Government need to do more work in that space?

Lord Timpson: The justice system that we inherited has been in crisis for a long time. Look at what happened with transforming rehabilitation: it broke probation. There were then the challenges that that caused for the courts and the backlogs that we got in the courts. Electronic monitoring is widely available in the courts. I mentioned before the trial that we want to do in due course on tagging at source at the courts; that is important.

I believe that the technology we have is world class. It works. Yes, we inherited a contract that was underperforming. It is now performing much better, to the extent that I would describe it as not being on my worry list. I get questions from friends outside of work asking, “What’s going on with tagging?”, so I think that the stories in the media have raised awareness of the problems we inherited.

I hope that we will deliver on improving the levels of service and that that will be reflected in the views of magistrates and judges. As you say, bail went up from 2,800 in March 2017 to 8,100 in June 2025. The alcohol tag, for example, has a 97% success rate. When the judiciary gets more confident and understands how it works, it will be used more. As we roll out more GPS tagging and all the other ideas we have, we will keep building on that.

I was having a conversation when we were preparing for the committee today; Jim could fill in some of the gaps on that, because he knows more of the background than I do on the court side of things, if that is okay.

Jim Barton: I have a few bits to add. The Minister referenced transforming rehabilitation. It is right to say that, since those reforms, there has been a decline in the use of community sentences more generally—not to the scale that we have

seen around EM requirements specifically, but I do think that those two things link. As for whether that is an indication that the courts do not have confidence in EM, I would point to the counterpoint in the data: courts' use of EM on bail has grown significantly. That is linked more to the after-effects of transforming rehabilitation, rather than courts' confidence in EM as a disposal type in itself.

Baroness Hughes of Stretford: May I interrupt? The point I am making is that our concern, and the concern of the Government, is to see EM as an alternative to prison for those offenders who are suitable but are, at the moment, going to prison in droves. Unless the courts start to see it as an effective alternative to prison, with a suitable level of punishment and effective implementation, they will not use it for court sentences. It is great about bail, but that does not really address the core issue.

My question is: do the Government need to do a specific job on this in relation to magistrates and judges? I would also include the public in that. I think that the public do not always see tagging as an effective punishment and a rigorous outcome for an offender; I do not know whether you agree with that. What are the Government planning to do about this attitude among magistrates and the judges?

Lord Timpson: Can I pick this one up? I will answer it in two ways. One comes back to the point that we need to run a good, accurate service. That is what gives people in the judiciary reassurance. They need to see that, when someone has been sent on tag away from the court, they are tagged and comply. Also, from a victim's point of view, it is important that they are reassured that someone on a tag does not come into their life in a way they do not want. That is why the restriction zones we are proposing in the Bill are really important: they will go a long way to reassure victims, often of domestic abuse, that they can be safe to go about their lives and that there is only a small area where the perpetrator can go.

I agree that, when a service is not operating effectively, people question that service. That is why we need to make it operate far more effectively. By the time we have the next election, there will be more people in prison, on probation and on electronic monitoring than ever before. As we grow those three areas, it is important that not just the judiciary but victims especially are reassured. The technology is really robust, but we need to make sure that the accuracy improves. We want people who are on electronic monitoring to be more compliant. We know, for example, that the alcohol tag is really effective. We need to keep building on that. The more alcohol tags we have out there in use, the better it will help people address their addiction issues. We need to keep working really hard at it.

Baroness Hughes of Stretford: I would add to the list of things that you said need to get better—on which victims, in particular, and the public depend—the human intervention that would be necessary if a failure of compliance of one sort or another happened. I had several instances in previous lives where that did not happen. There was a victim of domestic violence and a man was subject to a restraining order; the police were phoned but nothing happened. It is about the human intervention, is it not? It is the Probation Service and the police intervening

when compliance does not happen.

Lord Timpson: I completely agree. There are two positive areas going forward. One is the significant increase that we have in probation funding; the other is the investment that we have in systems and tech, because so much of the probation system is clunky. For example, when I went to the Serco centre, I saw that it is dealing with emails from probation officers or courts. We need a much more integrated system. We have a number of trials and initiatives happening that mean that probation officers can have far more face-to-face time with offenders, which is absolutely vital. Rather than hunting for various bits of information, I want their time focused on face-to-face time with offenders, helping them turn their lives around.

Baroness Hughes of Stretford: I just need to follow up on something a bit different, if that is okay. Have you looked at how far—and whether it is sufficient—electronic monitoring in its various forms is compliant with human rights obligations?

Lord Timpson: It is fully compliant with the Equality Act.

Q51 **The Chair:** Can I comment on something where Baroness Hughes was perhaps too polite to push you? She asked you on a number of occasions whether you agree that the public and the courts need to have greater confidence in the efficacy of electronic monitoring, to which you replied yes. You talked about some jolly good bits of evidence that showed that things were working. The truth, though, is that the public are not aware of all of this. Her question was also about what you are going to do to educate magistrates, courts and the public on the success and the benefits of electronic monitoring, other than just making sure that it works well.

Lord Timpson: Our work on communications is important. Last week, I spoke to a couple of journalists who did a trial on some parts of EM to show how the 20% reduction in reoffending works. We are doing the communication side of things. I know that there are television companies out there. I do not think that any producer would be able to go along to a broadcaster and sell a story that says how well EM is going. I come back to the point that, from my experience of running organisations, the way you get good feedback from the public is by consistently delivering a good service over many years.

The Chair: I am sure that that is true, but it needs to be promoted. It has not been helped, of course, by the negative publicity that came out of the “Dispatches” programme in the spring of this year. It strikes a number of us that much more needs to be done on the communication strategy in the same way as we, as a committee, argued needed to be done on the benefits to public safety of reducing reoffending in prisons. The same argument applies to this.

Jim Barton: I have a couple of points that go to your observation. We have a programme of work, sponsored by the senior judiciary, on engagement with judges and magistrates across the country to try to achieve the point you raised around raising both knowledge and confidence in the service. I do not have the recent data

to hand but I think it is true to say that there is significant disparity in the use of EM, and different types of EM, between individual courts. That evidences your point that there is a job for us to do to ensure that judges and magistrates feel sighted and confident in the EM services that are available to them.

In terms of the wider public, we have had a perpetual challenge around raising public awareness and confidence in community-side justice more generally. I remember, when I first started working in criminal justice 20 years ago, an Ipsos MORI poll that pointed to 90% of the public believing they knew what the police do and having confidence in the police. Something like 20% to 25% would say yes to both of those questions for probation and youth offending teams. There is a bit of mystery for much of the public around what we do with offenders. I am sure that there will be a concerted effort from the department over the next months and years, as the Sentencing Bill makes its way through Parliament, to address some of that gap.

Lord Timpson: Intensive supervision courts, of which we have four at the moment, are an interesting example of giving confidence to the judiciary on not just EM but how probation links in with drug and alcohol teams, mental health teams, housing teams and so on. The one in Birmingham is a female offender intensive supervision court, where alcohol tags can often be given as part of the arrangement with the offender. They go back every week and prove that they have not been taking alcohol but also that they have been engaging with all of the other services. The longer that that goes on, the more confident the judiciary will become in the services it works with. I have seen that in Liverpool and Bristol, too.

The Chair: That is very encouraging, but Mr Barton's point—I quote: "There's still work for us to do"—is something that we will take away.

Lord Timpson: Yes, very much so.

Q52 **Baroness Bertin:** May I start by following on from the "Dispatches" programme and the negative media coverage? I absolutely accept that the media are not going to go out and do positive coverage, but it is important not to dismiss what that programme uncovered. There were some really worrying comments from the whistleblower, saying that the system was in chaos. One of the more worrying things, quite aside from trying to tag people who are deceased and that list of things, was them saying that a line manager had told them, "We can recognise that it's a system error but the people who create the system aren't willing to accept that it's a system error", and that someone is going to get hurt. Do you recognise any of that? They have been fined for poor performance every month since the contract was awarded.

Lord Timpson: I completely agree. The programme was shocking. The delivery of the service is not acceptable. Financial penalties have been applied, as you say. That is why I have been on this and directly intervening. I do not think that we should be in a position where a Minister is worrying about a contract every week in their job, among all the other things that are going on, but I have had to be. We are in a much

better position now but, when that programme was filmed, the service that we were receiving was unacceptable.

Baroness Bertin: I want to come in on that. Is it not extraordinary? It is jaw-dropping. Here we have companies—Serco and Allied Universal, formerly G4S—that have defrauded the Government to the tune of £21.3 million. I accept that it was before your time, yet they were still allowed to get that contract. It must stick in the craw.

Lord Timpson: That was before my time, so I will hand over to Jim on how the contracts were done. I am dealing with what is in front of me. I inherited this contract and all the problems with it, along with all the other problems in the justice system. I am in the business of dealing with it and facing up to it. You do that by robust challenge, communication and grinding it out; that is what we have done. We are not in a position where everything is perfect and green at the moment, in the way I would describe it, but we have come a long way. It needed that challenge. It was unacceptable. Going back to your question on the companies, Jim, can you come in on that one?

Jim Barton: Sure. I want to make one point in reference to your previous question, if I may. On the reference in the “Dispatches” programme to Serco in some way trying to tag, or claims that it was tagging, deceased people, we wholly reject that allegation. Serco did as well. From my perspective, it is a spurious allegation with absolutely no evidence to back it up whatever.

On the point around the current contracts and the process we went through, you are absolutely right to refer back to the fact that both Serco and G4S—a precursor organisation to Allied Universal—were subject to investigation by the Serious Fraud Office. As a result of that, they both paid back money to the ministry and then paid fines to the ministry for the actions they had taken. Both companies were subject to deferred prosecution agreements with the Serious Fraud Office. Both of those processes have, in essence, concluded.

When we began the process for the re-procurement that led to these current contracts, we stood back and considered exactly how we wanted to position those contracts with the market—this goes back to the conversation we had before about how we divided it up—and how we would structure the evaluation. We had absolutely no lawful means to take a decision that Serco or G4S/Allied Universal should be disbarred from that competitive process.

Baroness Bertin: Even though they had deferred prosecution agreements.

Jim Barton: Yes. Under the previous procurement regulations, we had no lawful means to disbar them from that competition. There has since been a change to the procurement regulations, which came into effect this year, to extend the options that are available to the authorities that are procuring services to consider past performance. Those procurement regulations were not in place—they did not exist—when we went through this competitive process. It is right to say that exactly

how those new powers will operate when an organisation chooses to apply them for the first time is still to be tested.

Baroness Bertin: That strikes me as extraordinary, but I accept what you are saying. I want to put one final point to you. I accept that there is more competition between the suppliers of tags but, on the monitoring side of things, there is not much competition at all so you cannot really let Serco fail.

Jim Barton: It is factually accurate that we have one provider of field and monitoring services in England and Wales. We have, as you referenced, used every single contractual lever and penalty that we can over the course of the past year as an incentive for Serco to improve performance. That is in addition to all the scrutiny and challenge that the Minister has directly provided to Serco's seniors.

As the Minister said, performance has improved significantly. At the moment, we are not in a world where we need to consider whether we want to take that contract off Serco or Allied. Of course, we always plan for contingencies, but we are not in that world.

Baroness Bertin: I do not know where you would take it off them anyway. Anyway, I will stop there.

Q53 Lord Henley: Can I take that a bit further? From the answers you have given, what is happening with these contracts seems extraordinary. How is the MoJ going to ensure that it is getting best value for money for the taxpayer in these contracts? They need proper monitoring.

Lord Timpson: This is where my business head comes in. I do not like wasting money, and I want to be part of an organisation that is excellent. The way we get good value for money is by Serco and Allied delivering on everything that they need to deliver; we need to deliver on our side of it as well. It is a combination of us all working together. That is how we get good value for money. Where they go against a contract, we have financial penalties, which we have put forward.

Lord Henley: Again and again.

Lord Timpson: Yes. In my weekly electronic monitoring update meetings and the dashboards I get, things are very much going in the right direction. As I said earlier, it is not on my worry list now, but I am still monitoring it every week. We want to get to a position where all of the indices are green. Like any organisation, we want everything to be in the right place. We are not there yet, but we are very much on the way. If you look at what it was like 14 months ago and at what I inherited, it is a different world.

Q54 The Chair: In our report on prisons, we suggested that it would be a very good thing for the Minister doing your role to stay in post for a very long period. No doubt, in relation to electronic monitoring, we would come to the same view. The truth, though, is that the system cannot rely on you and you alone. The facts that you have taken a greater interest in monitoring and that there have been some

improvements are good news, but surely the department must now have changed the way in which it does contract monitoring. Clearly, it was failing miserably in the past, as the evidence illustrated by my colleagues shows. What changes have been made to contract monitoring procedures in the department?

Lord Timpson: First, I cannot comment on what happened under the previous Government, but I can reassure you that the colleagues I work with—I am not saying this just because Jim and some of the team are here—are first-class public servants. What I have brought into this is my experience in business of making sure that things are monitored every week. I asked for the headline numbers in a much-simplified version. I have also, as the Minister, given the team support that I do not think they got in the past.

The Chair: I am enormously grateful for that, but I will press you a little bit harder. If you drop under the proverbial bus, which we obviously hope does not happen, or the Prime Minister shuffles you off to some other job, are you confident that the procedures—not the personnel you have faith in—in the department are now sufficient that the monitoring procedure for this contract, which is growing enormously in value with the doubling of the number of people who are going to be tagged, will be first-class?

Lord Timpson: I will answer in two ways and bring in Jim for the second part. The dashboard and monitoring systems that I have set up will endure. It is pretty clear to our partners in Serco, Allied and so on. Everyone sees the data all the time. We have MoJ staff based in Serco's Warrington call centre, as well as their teams. It is very much interlinked. In your view, Jim, what has changed? Where has the robustness of the system changed?

Jim Barton: I have two thoughts. First, something that is materially different under these contracts is that we have direct access to Serco's systems. Previously, we relied on its ability to provide information to us on request. I have a team that sits in Warrington with Serco; it can go into every aspect of the case management systems that are used to monitor the 24,000 people out there with a tag on their leg. That is materially different. This right of access has helped us, on occasion, shine the spotlight on problems with Serco as they have started to emerge.

You did not frame the question in exactly this way, Chair, but I would push back if the inference was that this is a failure of contract management. I genuinely do not believe that it is. On 1 May, Serco took on a service that had some challenges. Over the course of six to eight weeks, those challenges built at pace. We were on it straightaway but it took time for Serco, with us, to come up with the right set of interventions to tackle those issues. There are always things that we can do to improve contract management, but I do not believe that the facts that ultimately led to the "Dispatches" programme paint a picture that shows or evidences failures of contract management.

The Chair: Just to complete the picture, if we can, in terms of the contract specification right at the beginning, are you confident that the staff in your team

have the ability to draft appropriate contracts as we go forward and extend the use? Were any of the issues that were discovered and reported in the “Dispatches” programme, which you picked up anyway, down to the inadequacy of the contract that was drafted at the beginning?

Jim Barton: I do not believe so, but contracts are vast and complicated. If we put forensic lawyers in a room, I am sure that they would find aspects of the drafting that they would improve.

What I would point to—Antony King from Serco referenced this in his evidence—is that we, with Serco, have been undertaking an incredibly complex IT and operational migration. We are moving off a system that is 20 years old and on to new, best-in-class systems. In that process, we and Serco have found issues that were not foreseen. I would speculate that, if you put any SRO of a major programme in this seat and asked them the same question, they would, similarly, have to accept the same: there are some things that you just do not foresee at the outset. The important bit is how quickly you identify them and how quickly you then respond and mitigate the impact.

The Chair: We will now turn to pick up two of the issues that might have been written differently in the contract.

- Q55 **Lord Tope:** I know that this is the state of things now, but is it appropriate that the contracts should be commercial and run by companies? Do they belong more properly with probation, immigration, the police, et cetera?

Lord Timpson: EM has always been run under private contracts.

Lord Tope: That does not necessarily mean it is the right way to do it.

Lord Timpson: I am dealing with the contract that we have now. It has a long time to go. It is a partnership of police, probation, Serco, Allied and all of the other agencies that feed in. I am content that we are going in the right direction with the contract.

The Chair mentioned the proverbial bus that may take me out, but I prefer the Euromillions option; that is the other way out, rather than the bus. We have a long time to go on this contract. I just want to get it into a position where it is working really effectively and we are really proud of what we have achieved.

- Q56 **Lord Dubs:** Minister, you have already used the phrase “tagging at source”. I am interested to pursue what happens in terms of tagging to prisoners when they leave prison. You have some experiments going on in six prisons. Can you say a little more about those? How long will they be tagged for? Will all prisoners be tagged or just some, depending on what they were inside for?

Lord Timpson: It is our vision that most people leaving prison will be tagged as part of the sentencing review and the way in which the progression model works—not all, but most. I will ask Jim to give you the details of the trial that we are doing at the moment, but it is about improving accuracy. When Serco goes to the house of

someone who has left prison to tag them, they are sometimes not there, or there are other reasons why the tagging was unsuccessful on the first or second go.

The trial is about improving accuracy, but it is also about helping prisoners' rehabilitation. If we can get an alcohol tag on them when they are in prison, they are far less likely to go to the pub on the way home to get their first tag on. Tagging at source is important. We need to do the trial to see how it goes. Perhaps I could hand over to Jim because there are some technicalities around it.

Jim Barton: I have a few bits to add. The plan—you are absolutely right—is to test this in six prisons, starting next month in October, with the aim of evaluating how this has worked from an efficiency and an impact perspective so that we can take a decision next spring on whether we want to do this at greater scale. As the Minister referenced previously, we will also be thinking about whether we should be running an equivalent pilot in some courts during that period. We are a little less advanced on that.

Perhaps I should explain why we have not historically tagged at source and instead operate the default model of going to somebody's home. It is principally to do with the way in which the radio frequency curfew bit of the technology operates. We can fit a tag on somebody's leg in prison. That will have GPS in it, so we will be able to know where that individual has gone post prison. For the curfew bit of the EM requirement to work, though, it requires the radio frequency bit of the tag to talk to what we call a home monitoring unit—in essence, a base station. It looks like a Sky box or a PlayStation, depending on your point of reference. The Serco member of staff will go into that flat or house and calibrate the radio frequency device. They will get the individual to walk around the premises so that it is incredibly accurate to the perimeter of their lodging.

If we were to rely on GPS and not have a calibrated home monitoring unit, it would be less accurate. To give you an example, if this was a block of flats—it is clearly not a block of flats—and this was your apartment, with GPS, we would know that you were in the block of flats but we probably could not pin down whether you were in your abode or whether you had left it overnight. It is likely, therefore, that we will need two visits to tag at source. We will install the GPS tag on release then follow up when they are back home to fit the home monitoring unit. It is the interaction between those two things that we want to test through the pilots.

Lord Dubs: Is this fairly new technology? Is that what has stopped you doing this a long time ago? Otherwise, why did you not do this years ago?

Jim Barton: We piloted GPS in England and Wales back in 2018, and we started to roll it out at scale in 2020.¹ We did try this previously during Covid. You may all remember a scheme called ECSL—there are so many schemes and acronyms—which was in response to a concern at that point that we may need to release a

¹ The witness has clarified that GPS was piloted in England and Wales between October 2016 and March 2018. Roll out at scale began in 2018.

number of prisoners in order to manage the Covid risk in prisons. Ultimately, a very small number of people came out under that scheme. They were tagged at source. Our reflection at the time was that there was an inefficiency in it, because we had to do those two visits, but the use of GPS has grown so much. Back in 2020-21, under Covid, a small number of cases had GPS; it is now the majority mode of tagging. We think that the use case for it and the reasons to explore it again are very strong.

We agree with the principle of your observation. This seems like a sensible thing to do. We want to try it, do that in a safe way, explore with prison staff and others whether it works for them, then take a decision next spring about whether we will roll it out.

Q57 Lord Bach: We will end where we began: on the question of whether the public can and will support non-custodial sentences in the same way as they sometimes support custodial sentences. In reality, is it too easy to game the system with electronic monitoring? Do people really feel the consequences of a serious breach of the system?

Taking the Minister's comments about the person who said that they went to the doctor but were found to have in fact been enjoying Blackpool, are there all sorts of examples of where that happens, or perhaps more serious examples? In the ministry's opinion, are people dealt with in a way that will satisfy the public, who are a bit wary and sceptical about non-custodial sentences anyway?

I speak as someone who is very much in favour of the way in which things are moving forward now—not before time—but there is still that question of persuading the public that this way of dealing with criminals is satisfactory. What are your opinions on that?

Lord Timpson: When you talk about the public, I would like to add in victims specifically. I am really clear that, if people break the rules, we have the option to recall them back to prison; and that, if someone is bailed, the police have the option to bring them back to court if necessary. To me, it is pretty black and white. If we put a tag on you, the rules are pretty clear. If you break the rules, the probation team or the police have a duty to assess the degree of that breach, but our ultimate option is to recall you back to prison.

Victims need to feel the comfort in that—especially those who are being stalked or are victims of domestic abuse. The courts have given someone a tag. They may have been to prison and had a tag left on or been given a community sentence. If they break that, the victim needs the comfort of knowing that there is the option to send them back to prison.

Jim Barton: If I could just come back on the first point, around the extent to which you can game the system, all of the tags have complicated technology embedded in them that prevent, in essence, tampering. If an individual looks to interfere with those tags, including inserting something between the alcohol monitoring sensor

and their skin, that will trigger a notification; then gets sent through to Serco, which will notify the responsible officer.

In some ways, our challenge is that there is too much noise in the system. Going back to Lord Dubs' challenge from before, we have a really robust approach to electronic monitoring. Taking the example of this being an apartment again, if you walk out that door and have a cigarette or go for a walk with your dog, we will know that. Is that grounds to take somebody back to prison? Probably not—certainly not in 99.9% of circumstances—but that is still information that we rightly want to consider and use in how we manage that offender or the police manage court bail incidents.

Q58 Baroness Hughes of Stretford: Mr Barton, I want to return briefly to the question of contract monitoring. I am sorry that I could not do so at the time; I was looking for information that came with papers for a previous meeting, and I could not put my hand on it initially. It relates to the competency of HMPPS in the contract managing role. We were informed that Serco specifically, not Allied, overcharged the UK Government by £500,000 a month for over two years and was found guilty of fraud and false accounting. As a result, we know that it was fined and so on.

How could a team of officials and civil servants fail to ask questions about that degree of false accounting and dishonesty over such a period of time? It beggars belief that you could say that it was not in any way related to a failure of contract management oversight.

Lord Timpson: From my point of view, I cannot answer that one. As someone who has paid a lot of tax in his life, I take very seriously my responsibility to make sure that every penny we spend is not wasted. That is why contracts need to be properly procured and held to account. They have to deliver on what we are paying for; that is really important.

Baroness Hughes of Stretford: I agree.

Lord Timpson: I will hand over to Jim on the detail.

Baroness Hughes of Stretford: The evidence here is that, left to their own devices, officials did not provide the level of contract management surveillance that was required. It was £500,000 a month.

Jim Barton: Just to clarify, in my earlier evidence, I did not say that those events back in 2010 and 2012 were perfect contract management. My response to the Chair was specifically about this contract and this period. I was not directly involved in the oversight of the EM contracts back then.

Ultimately, it was officials who identified that failure and recouped that money for the public purse. One of the issues at the time was the lack of access to Serco's and G4S's internal data to allow for the verification of the bills that were landing with us. We have corrected that under these contracts because we have full and open access to their systems.

I am not for a second suggesting that that experience was the Civil Service's finest hour or that there were not failures in how we managed those contracts. There was an internal review following that experience by one of the then MoJ non-exec directors. He recommended that we significantly increase the proportion of contract value that we spend on contract management teams. We have done that; it is a benchmark that we continue to use to this day. I apologise if my earlier evidence was misspoken or misheard. I was not suggesting that 2010-12 was our finest hour.

I have a final reflection on the theme of the market dynamics here. It is right that we now have one organisation delivering field monitoring and one doing tags, obviously, but both of those competitions were highly competitive. We had multiple bidders in both of those competitions. Serco and Allied won it because they advanced the best bids based on the evaluation criteria that we set out.

The Chair: Our time is coming to an end but, before we finish, Lord Filkin wants to jump in. There will then be one final question.

- Q59 **Lord Filkin:** If I heard correctly, the Minister stated a policy ambition that most prisoners will be tagged on release. I may have missed it but I have never heard that stated as a government ambition before, which is remarkable. I doubt that there is time now but could we be written to so that you can explain who would and would not be tagged, in your broad thinking? What numbers would be implied by that? What is your analysis of the benefits? Is it workable and beneficial? Of course, it also begs the question: for how long would they be tagged? Presumably, it is not for life. There are some important questions on public policy, delivery, civil liberties and, above all, the ability to reduce reoffending through such actions.

Lord Timpson: Of course I will write, but I highlight two things. We are predicting an increase of 22,000 in the number of people wearing electronic tags. When the Sentencing Bill comes into the Lords, I am sure that it will be an opportunity for us to inquire further about that. I will write to the committee and try to give you as much detail as possible on those questions around tagging when people leave prison.

Lord Filkin: To be clear: I heard you correctly, and it is your ambition that most people will be tagged.

Lord Timpson: Yes.

Lord Filkin: Let us have the numbers on that. What would happen to the system with that volume of people coming into it?

Lord Timpson: Of course.

- Q60 **The Chair:** As you say, as we study the Sentencing Bill, that will provide further opportunity for debate. Can I end by asking you both a slightly fun question? If you could wave a magic wand and get rid of various financial or legislative constraints, is there anything in the area of electronic monitoring that you are keen to do but are

not currently able to do?

Lord Timpson: I have been through the new ideas that we are looking at. Beyond that, there is not anything else at the moment. If I look 10 years into the future, with the way technology and AI are going, I envisage a time when people have a tag or watch that is anti-tamper and that helps more with rehabilitation: it can check whether they are taking drugs; it can be more of a support to them; it can be a medical support; and it can be a way for them to learn things.

A number of people who leave prison do not have a sophisticated understanding of how technology works. They need to be able to understand how it can help them because what I am after is fewer victims.

Jim Barton: I hope that our finance director is watching this evidence session right now. Personally, I would push for us to roll out and expand the acquisitive crime work that the Minister has spoken about. We are currently in half of police forces. It is fair to say that the National Police Chiefs' Council is keen for us to roll that out. That will enable a conversation about whether we should expand the crime types that are in scope for that pilot. We could then lean into the work we are doing, as the Minister has already referenced, around making the best use of the data that is available—making it available more quickly and in a more targeted way, certainly for probation, and smoothing the point of access for police forces to the same.

The Chair: If you have not already, I am sure that an engagement with Lord Hogan-Howe about these matters would come high on your agenda, since he is very enthusiastic about that.

Lord Timpson: I am in regular conversation with Lord Hogan-Howe. We are giving him an insight into how the service works. I know that he is also interested from a police point of view.

Q61 **The Chair:** Can I ask one final question? As we expand all of this, there are growing concerns around civil liberties. Do you have any thoughts on the issue of civil liberties, as we increasingly get into a surveillance society?

Lord Timpson: My point of view on this is that victims come first. The courts will decide what sentence people get. If they leave prison on a tag and probation is monitoring them, that is the right way to go. If people commit crime, they need to pay the price for it.

The Chair: On behalf of the committee, let me say that, as ever, this has been a very helpful session. We have learned a great deal. We will draft some remarks on electronic monitoring over the next three or four weeks. We will get them to you. There are a number of areas on which you have already agreed to write to us; we look forward to receiving that. Of course, if there is anything further that you have not had the opportunity to say and you think would be helpful to us, we would be really grateful for that.

With that, I thank both of you and your team—I know that they are with you as

well—for the work that you do and for the evidence you have given us today. Thank you very much indeed. This meeting has now ended.