

Twenty-first Report of Session 2022-23

Ministry of Justice

Transforming electronic monitoring services

Introduction from the Committee

Electronic monitoring ('tagging') allows the police, courts, probation and immigration services to monitor offenders' locations and compliance with court orders, and act if offenders breach their requirements. HM Prison & Probation Service (HMPPS), an executive agency of the Ministry of Justice (the Ministry) is responsible for tagging. It delivers the service through four suppliers, including Capita which runs the live service and G4S which supplies tags. As at March 2022, around 15,300 offenders were tagged.

In 2011, HMPPS launched a transformation programme to improve efficiency and capability in tagging, mainly by introducing new technology such as a new case management system called Gemini and new GPS tags. However, after significant setbacks and delays, HMPPS reset its transformation programme and restarted it in June 2017, expecting to transform services by the end of 2018. After further delays, in May 2021 HMPPS suspended development of Gemini and a linked user portal for stakeholders to access information, before terminating the contract for Gemini in December 2021 and closing the programme in March 2022. This resulted in £98 million of losses to the taxpayer.

HMPPS is expanding its use of tagging and expects to increase the number of people who are tagged by around 10,000 over the next three years. Between 2021–22 and 2030–31, it expects to spend £1.2 billion on an enhanced electronic monitoring service, extending tagging to wider groups of offenders. It has launched three new tagging expansion projects, with further schemes planned. It is also reprocurring the contracts to run the service.

Based on a report by the National Audit Office, the Committee took evidence on Monday 20 June 2022 from the Ministry of Justice and Her Majesty's Prison and Probation Service. The Committee published its report on 21 October 2022. This is the government's response to the Committee's report.

Relevant reports

- NAO report: [Electronic monitoring: a progress update](#) – Session 2021-22 (HC 62)
- PAC report: [Transforming electronic monitoring services](#) – Session 2021-22 (HC 34)

Government response to the Committee

1. PAC conclusion: HMPPS's failure to transform tagging services has wasted £98 million of taxpayers' money.

1. PAC recommendation: As part of its Treasury Minute response, the Ministry should explain how its new controls, governance framework, and risk tolerances which set time and cost thresholds for when issues should be escalated, will prevent future significant losses to the taxpayer across its portfolio of major projects and programmes.

- 1.1 The government agrees with the Committee's recommendation.

Recommendation implemented

1.2 The roles and structure of the Ministry of Justice's (the department's) boards and committees is provided on Gov.uk. The department's Investment Committee has delegated powers to make decisions on its Executive Committee's behalf on portfolio projects from inception through to implementation, ensuring they remain strategically aligned, affordable and deliverable. This includes scrutiny and approval of business cases of £30 million whole-life cost and above; setting permissible tolerances for costs, benefits, schedule, quality, scope and performance; and acts as gatekeeper in respect of the release of gated funding.

1.3 An improved control framework was introduced in November 2021, whereby the Investment Committee approves both the permissible tolerance levels and early warning indicator controls for time, cost, quality and risk when approving a business case. These are reconsidered at each subsequent business case stage.

1.4 Additionally, the department's governance structures were strengthened during 2021-22 with additional Executive Committee sub-committees, including the Delivery Board, to provide assurance that strategic outcomes and commitments are on track to be delivered and the Portfolio Committee, to provide project portfolio oversight. Early warning indicator controls identify metrics at risk of variance from agreed baselines between business case stages, enabling implementation of corrective action(s) and reporting to the Investment Committee when permitted tolerance levels are breached. The improved controls and metrics overseen by this strengthened governance framework deliver positive outcomes through earlier intervention, increased departmental scrutiny and utilisation of defined escalation pathways.

1.5 The department considers that these arrangements provide an effective framework to prevent significant losses to the taxpayer across its portfolio of major projects and programmes.

2. PAC conclusion: HMPPS remains reliant on outdated technology which puts the tagging service at risk of failing.

2. PAC recommendation: To provide assurance that the risk of system failure will not materialise, HMPPS should explain the following in its Treasury Minute response:

- **what progress it has made in delivering planned remediation work on its case management system;**
- **how well its systems are coping with caseload increases; and**
- **how it will ensure that future digital contracts will factor in routine IT upgrades and maintenance.**

2.1 The government agrees with the Committee's recommendation.

Target implementation date: March 2023

2.2 His Majesty's Prison and Probation Service (the agency) has successfully completed the first stages of technical refresh, including replacing obsolete field officer tablet applications and addressing IT health check findings. Further remediation work, including migration to the cloud and replacing the telephony system, enters the testing phase at the end of November 2022.

2.3 The scheduled delivery date for completing planned remediation work has moved from December 2022 to March 2023. This has in part been caused by decisions to prioritise systems development required to deliver the public commitment to expand the Electronic Monitoring (EM) service. These decisions have been taken through appropriate governance, following engagement with relevant stakeholders and suppliers. Delivery of the planned

remediation is monitored through the agency's EM Portfolio Board, which includes representatives from across the department, HM Treasury and Cabinet Office.

2.4 In general, EM systems perform satisfactorily. However, the EM service provider has experienced technical issues with the Global Positioning System (GPS) location monitoring system as the GPS caseload has increased. System improvements that will be implemented by the end of January 2023 will ensure the system can cope with increasing volumes.

2.5 The agency has developed standard requirements for the future EM service contracts in line with Cabinet Office Model Service Contracts. These include clear requirements on suppliers to undertake the necessary IT upgrades and maintenance.

3. PAC conclusion: HMPPS has failed to provide police forces and the Probation Service with timely access to the tagging information they need to effectively supervise offenders and protect the public.

3. PAC recommendation: Before starting future contracts in January 2024, HMPPS should explore how it can provide police forces and other law enforcement agencies with real-time access to location monitoring data across all GPS tagging cohorts — taking account of data protection considerations—and update us on its plans.

3.1 The government agrees with the Committee's recommendation.

Target implementation date: March 2023

3.2 The agency is working with existing EM service providers to improve the timeliness of responses to requests from probation practitioners for GPS location monitoring data where it is not available through the Acquisitive Crime offender management portal. This work will complete by March 2023.

3.3 With regards to real-time access, the police have advised that live access to location monitoring data is not a current priority; and the agency's focus has been on ensuring that there is a satisfactory and efficient process to provide the police and other law enforcement agencies with location and other electronic monitoring data where it is proportionate, necessary and supports law enforcement activities. Further review of the process by which police officers make requests for information from the EM supplier will complete by March 2023.

3.4 The agency will continue to keep police requirements under review and should the police's view change we would consider whether and how changes to the service can be made.

4. PAC conclusion: It is unacceptable that HMPPS still does not know if or how tagging reduces reoffending, and it has been too slow to improve data.

4. PAC recommendation: Within one year, HMPPS should publish a comprehensive plan outlining what it has achieved so far and remaining work required in:

- **improving data collection and analysis in tagging services;**
- **monitoring the delivery of benefits in its expansion programme; and**
- **building the evidence base for the impact of tagging on reoffending and offenders' diversion from prison.**

4.1 The government agrees with the Committee's recommendation.

Target implementation date: August 2023

4.2 EM data analysts now receive monthly data from EM service providers. This informs a comprehensive internal reporting suite and supports quarterly external publications. A data improvement plan has been developed and a data dictionary produced to map the data structure from existing providers to the improved Future Service design. The department's data scientists now have access to a detailed cut of provider data which has been cleansed and matched with core probation data. This enables the agency to develop more detailed analytics about the impact of EM.

4.3 By April 2023, a benefits management strategy and realisation plan will be in place to manage the identification, realisation, tracking and ownership of EM benefits. Benefit owners will be held accountable for realising assigned benefits; this will be tracked through the agency's benefits management processes and governance.

4.4 The Ministry of Justice is developing a formal, outward-looking evaluation strategy for EM. This outlines how the department, and the agency will use evaluation to develop a strong evidence base for future decision making, built around the needs of stakeholders. To fully understand each programme's implementation, a range of evaluation methods will be used including process, impact and economic evaluations. Each evaluation programme will be underpinned by a logic model that describes key project outcomes, outputs, activities and inputs. This will ensure evaluations are useful, credible, proportionate and robust.

5. PAC conclusion: HMPPS's innovative use of technology in its expansion projects has yielded some encouraging early results.

5. PAC recommendation: In its Treasury Minute response, HMPPS should explain how it will apply lessons from its tagging expansion projects to future schemes, including the forthcoming project for tagging domestic abusers.

5.1 The government agrees with the Committee's recommendation.

Target implementation date: February 2023

5.2 The agency has a robust process for regularly capturing lessons learned from its EM expansion projects. This is an ongoing process owned and managed by the EM Programme Management Office. Lessons learned are captured at key points in each project's lifecycle (for example, after each delivery release) and involve all key stakeholders. These lessons are agreed at the appropriate governance board and shared for awareness amongst the wider EM team and wider department where applicable. The programme also shares knowledge and experience between projects through sharing of resources. The agency recognises more can be done to embed lessons formally and consistently, including:

- ensuring lessons are regularly and consistently reviewed, agreed, and shared across the programme to inform the design of future schemes;
- introducing a more robust governance and assurance approach to ensure each recommendation and decision brought to any EM governance board has considered and embedded the relevant key lessons in the design of future schemes; and
- sharing lessons more widely across the agency and the department where applicable.

5.3 By February 2023, the agency will produce a lesson learned strategy and approach that will be embedded across the EM programme and with stakeholders. This strategy will build on the work to date and ensure lessons learned are rigorously and consistently captured, agreed, and shared and subsequently robustly and formally embedded in the design and delivery of future schemes.

6. PAC conclusion: HMPPS's poor track record in its transformation programme does not inspire confidence that it will be well-equipped to handle risks in its £1.2 billion expansion programme.

6. PAC recommendation: HMPPS should write to the Committee in 2023, once the procurement of new contracts to run electronic monitoring is complete, on how it is handling risks in the programme. As part of this, it should explain how it will oversee suppliers' work effectively and ensure clear lines of responsibility and accountability between the integrator and its other suppliers in the programme.

6.1 The government agrees with the Committee's recommendation.

Target implementation date: August 2023

6.2 Project risks are managed in accordance with the EM Portfolio Risk Management Strategy (RMS). The RMS is based on the department's policy on risk management and has been drafted in accordance with the principles outlined within the HM Treasury 'Orange Book' on the Management of Risk – Principles and Concepts.

6.3 The procurement of new contracts is being run in compliance with the government standard, [The Sourcing Playbook](#) (last updated May 2021).

6.4 Once new contracts have been awarded (in summer 2023) suppliers will be managed by the EM contract management team, who have been involved in the design and procurement of the future service as key stakeholders. The contract management team have worked with the wider EM Future Service team to:

- embed market insight and wider EM lessons learned into the design of the service;
- advise on, and support the development of the future service performance regime and collaboration approach; and
- advise, and support the articulation of the integrator role and the detailed definition of the roles and responsibilities of the two new suppliers, as well as that of the agency, in the Future Service design.

6.5 This knowledge and understanding will enable the team to effectively manage the new contracts from the outset.

6.6 The agency will write to the committee in August 2023, once new contracts have been awarded.