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Lord Ponsonby of Shulbrede
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2nd July 2014

Dear Lord Ponsonby

CRIMINAL JUSTICE AND COURTS BILL – ELECTRONIC TAGS AND CRIMINAL COURTS CHARGING

In Day 1 of Committee on the Criminal Justice and Courts Bill you raised some concerns about how the new generation of electronic tags will work and Lord Ahmad said that we would write to you on the issues you raised.

You expressed some concerns that the new tags would be bigger than the current tags and may be more easily removed, and also that the new tags would need to be charged regularly which raises potential issues around how offenders may manage this responsibility.

The new tags will be slightly larger than the current tags. This is because they have more capabilities and functionality than the current tags. However, minimising overall size has been a key issue in specifying our requirements to the supplier. This slight increase in size does not, however, increase the ease with which they could be removed.

In terms of functionality nearly all the current tags use radio frequency (RF) technology, which is mature and stable but is limited in that it can only monitor curfews by detecting presence or absence. The new tags will introduce new location monitoring technology capability, including satellite tracking technology (GPS) alongside the RF technology, which will enable monitoring of compliance with other requirements such as exclusion zones and tracking of an offender, as well as locating a subject who breaches their curfew order.

The new tags, due to the multiple technologies within it, will require charging. Charging for the new tags is undertaken in one of two ways; one is by using a charger which plugs into a wall socket, the second is by way of a clip on battery pack which can be recharged and reused multiple times. Whilst a requirement to charge the tag is a new requirement we consider it is proportionate to the benefit that we will

gain from the increased functionality. We are working with the tag supplier to improve both battery life and battery management processes. We have also worked with both the judiciary and offender managers to understand what would be a realistic demand of those subject to tagging in respect of charging their tags.

We have now awarded contracts to four companies for the next generation of electronic monitoring services but we will not use the technology until we are confident that it is fit for its purpose. We are confident that the new contracts will encourage innovation in the electronic monitoring market and allow us to take full advantage of new and emerging technology.

During day 3 of committee stage debate on the Criminal Justice and Courts Bill on 23 July, you asked whether the criminal courts charge could be remitted by means of serving time in prison.

I can confirm that offenders will not be able to serve time in prison in lieu of paying back the criminal courts charge. The charge is not part of the offender's punishment for the crime they have committed, but a way of making sure the offender makes a contribution towards the costs they impose on the criminal courts. The Government therefore takes the view that serving prison time in lieu of payment would not be appropriate.

I hope this letter has been of assistance. I am placing a copy in the House of Lords library.

Yours sincerely



EDWARD FAULKES