



LOCATION MONITORING: INFORMATION FOR CPS AND DEFENCE REPRESENTATIVES

Location monitoring tags are being rolled out gradually across England and Wales from the end of November 2018. National coverage will be achieved in April 2019. Location monitoring will be available alongside electronic monitoring of curfew requirements, which remains an important option for the management and supervision of offenders and defendants.

How does location monitoring work?

Subjects will be fitted with a satellite-enabled ankle tag (like the curfew tag but more substantial) by the EM provider Electronic Monitoring Services (EMS). The tag monitors the subject’s location 24 hours a day. A Home Monitoring Unit (HMU) will also be installed for easy communication with the Monitoring Centre and to extend the battery life of the tag.

Subjects will be required to charge the tag for an hour each day. They will receive a wall charger and a portable charger during the installation. Support is in place to help subjects keep the tags charged: EMS will attempt to call the subject if the battery drops to 20%. At 10% the tag will vibrate and illuminate as an additional reminder.

A location tag can be used to monitor:

- **Compliance with exclusion zones.** The boundary can be around a place, building or area (single or multiple). Zones can also be tailored to be active for specific days and times
- **Attendance at a particular activity or appointment**
- **A subject’s whereabouts,** known as trail monitoring. This data can be requested retrospectively from EMS for these cases
- **A curfew** can be monitored alongside a location monitoring requirement. Cases that only involve curfew monitoring will continue to be monitored through the existing Radio Frequency (RF) tags

Who is eligible?

Cohort	Curfew	Monitored exclusion zone	Monitored appointment attendance	Trail monitoring
Post Custody: Parole (Lifer, IPP and EDS only) and HDC	Yes	Yes	Yes	Yes
Community / Suspended Sentence Orders	Yes	Currently available in Leicestershire courts only. Date of further availability in other areas to be confirmed - please look out for announcements.		Available from 1 April 2019
Court Bail	Yes			No

- Subjects must:
 - Be over 18 years old
 - Have a fixed address with an electricity supply.
 - Attend a court and reside in an area where location monitoring is available.

IMPORTANT: As with all forms of monitoring, location monitoring does not remove the risk of non-compliance; therefore **caution should be exercised when imposing a location monitoring order for crimes of violence or domestic abuse.** If there is non-compliance (a “breach”), EMS will notify the responsible officer or agency as quickly as possible, within the timescales detailed below. You will note that these response timescales are not designed to provide an immediate response, so location monitoring would not be appropriate, for example, for cases where the impact of a breach would create a risk of serious harm.



Practical considerations:

- For subjects who do not have a curfew, sentencers should impose a requirement or bail condition for the subject to be at a specified address over two consecutive nights to facilitate installation. Every effort will be made by EMS to complete the installation the same night if the order is received before 3pm that day; the second night is there to provide a fall-back option should this not be possible. We would anticipate this will be cease once installation is complete.
- Location monitoring conditions will be explained by the court, and a copy of the conditions (i.e. a written description or map) should be given to the subject.
- HMCTS staff will liaise with EMS to arrange fitting. For orders sent to EMS before 3pm, on average over 98% of subjects are visited to attempt installation on that same evening.

Table A - What happens if there is a non-compliance?

Type of non-compliance	EMS responsibility	EMS response time (bail)	EMS response time (all other orders)
Zone violation	EMS will verify the subject’s location to confirm that they are in the exclusion zone. They will then notify the Responsible Officer.	EMS will endeavour to notify the responsible police force, as well as the force that is operational in the area where the zone breach occurs, within 60 minutes.	EMS will notify the Responsible Officer on the same day if the event occurs before 3pm, or by 10am the following day if it occurs after this period.
Strap tamper	EMS will contact the subject within 30 minutes to investigate the tamper. If they are able to get hold of the subject, the Field Monitoring Officer (FMO) will attempt to visit during curfew hours (if applicable) or anytime between 5pm and 3am. If the evidence suggests the tamper was intentional or if the FMO cannot successfully visit the subject’s address after two attempts, this will be treated as a breach.	EMS will notify the responsible police force within 60 minutes (reasonable endeavours).	EMS will notify the Responsible Officer on the same day if the event occurs before 3pm, or by 10am the following day if it occurs after this period.
Battery depletion	EMS will attempt to call the subject at 20% battery. The tag will vibrate and illuminate at 10% charge. If the battery shuts down, this is treated as breach.	EMS will notify the responsible police force within 60 minutes (reasonable endeavours).	EMS will notify the Responsible Officer on the same day if the event occurs before 3pm, or by 10am the following day if it occurs after this period.

How are location tags removed?

- Location tags will be removed between 5pm and midnight on the final day of the order. Responsible officers will need to advise subjects to be at their approved address during this period.



Contact information:

EMS email	GPS general enquiries (inbox monitored during office hours only)	GPSGeneralEnquiries@ems.co.uk.cjsm.net
MoJ email	For questions on operational changes	emchange@NOMS.gsi.gov.uk
EMS phone	EMS General enquiries	0800 137 291

For more information on Electronic Monitoring please visit <https://intranet.noms.gsi.gov.uk/groups/electronic-monitoring>.

Wording for bail notices

Wording for any condition monitored through GPS should be consistent with the current wording for EMS curfew monitoring, for example:

Your ‘exclusion zone’ condition will be electronically monitored. The electronic monitoring centre will see that the exclusion condition is complied with. You will wear a personal identification device at all times during the terms of this bail condition. You must not remove or tamper with the monitoring equipment in any way. You must allow access for monitoring staff to complete the induction process and follow any reasonable instructions they give you.

Wording for community orders and suspended sentence orders:

For exclusion zones, the requirement wording should start: “Not to enter.....”

For zones that a wearer must not leave, the requirement wording should start:

“Not to enter any area outside of....”

The order should also say: ‘The electronic monitoring centre will see that the exclusion condition or restriction is complied with. You will wear a personal identification device at all times during the terms of this requirement. You must not remove or tamper with the monitoring equipment in any way. You must allow access for monitoring staff to complete the induction process and follow any reasonable instructions they give you.