



# **COMMUNITY JUSTICE SCOTLAND**

## **National Improvement Recommendation on the Expansion of Electronic Monitoring Technologies in Scotland**

**October 2025**

Community Justice Scotland (CJS) are publishing this National Improvement Recommendation to set out improvements required for the implementation of new technologies for electronic monitoring (EM). This recommendation will detail key areas of current policy that require urgent improvement to ensure the effective functioning of community justice and to allow the achievement of national priority actions in the National Strategy for Community Justice.

### **1. What is a National Improvement Recommendation?**

Section 28 of the Community Justice (Scotland) Act 2016 empowers CJS to issue a national improvement recommendation (NIR) in pursuance of its function “to monitor, promote and support improvement in, and keep the Scottish Ministers informed about, performance in the provision of community justice”.

Section 30(1) of the Act defines an NIR as a “recommendation addressed to the Scottish Ministers which sets out action which Community Justice Scotland considers—

- (a) is necessary to enable the achievement of a nationally determined outcome in Scotland as a whole or in the area of a particular local authority, or
- (b) would or might help to improve performance in achieving such an outcome in that area, or otherwise in relation to community justice, in Scotland as a whole or in the area of a particular local authority.”

### **2. What is Electronic Monitoring and How is it Currently Used in Scotland?**

Electronic Monitoring is a technology that imposes a significant curtailment of liberty while people are in the community by remotely monitoring restrictions of movement over defined time periods. The

Electronic Monitoring (EM) of people offers several benefits in the justice system, making it a valuable tool in the management of community-based cases. Some key advantages are:

- **Reduced Recidivism:** People subject to EM, combined with appropriate support, are better positioned to maintain employment, engage in rehabilitation programs and stay connected with family and support networks. This stability helps reduce the likelihood of reoffending
- **Enhanced Public Safety:** EM, where appropriate, can be used for continuous monitoring of people, which enhances community-based case management and public safety by ensuring that people comply with court orders and restrictions
- **Flexibility in Sentencing:** Judges and Sheriffs can tailor sentences more precisely to the needs and circumstances of each victim of crime as well as each offender. EM has a role to play in alternatives to custody and allows for more nuanced and effective sentencing aimed at stopping reoffending
- **Reduced Prison Overcrowding:** By allowing people to live in the community, EM helps alleviate overcrowding in prisons, which can improve conditions including safety for those who are incarcerated and those who work in prisons and allow space for proper rehabilitative programs to take place prior to release of those sentenced to longer term
- **Cost Efficiency:** EM is significantly cheaper than the traditional model of curtailment of liberty which is custody. It reduces the financial and operational burdens which keeping people in prison causes the justice system by allowing people to serve their sentences in the community
- **Reduced Social Stigma:** People serving their sentences in the community are less likely to face the same level of social stigma as those who are in custody. This can improve their chances of longer-term positive outcomes

Currently, EM can be used in a number of circumstances across Scotland, including:

- Bail granted to persons awaiting trial
- Home Detention Curfew (HDC)
- Restriction of Liberty Orders (RLOs)
- Drug Treatment & Testing Order (DTTO)
- Community Payback Orders (CPO) for those given community sentences; and
- Throughcare Licences for those released from prison sentences

The Management of Offenders (Scotland) Act 2019 expanded EM provisions to bail and community-based sentences, broadening its potential application. In 2022 EM was rolled out nationally for Restriction of Liberty Orders (RLOs) from pilots that took place in 1998. In 2025 regulations came into force to permit GPS monitoring, however Scotland still primarily relies on Radio Frequency (RF) technology.

### **3. Electronic Monitoring and the National Strategy for Community Justice**

The national strategy for community justice identifies EM as a priority action:

***Strengthen options for safe and supported management in the community by increasing and widening the use of electronic monitoring technologies***

**Priority Action 4, National Strategy for Community Justice. Scottish Government June 2022**

The accompanying [delivery plan](#) correctly identifies that ‘new technologies or uses have the potential to provide alternative monitoring capabilities and increase the range of community alternatives available to courts and SPS across Scotland’. This includes impacting upon other key outcomes in the strategy in addition to safe and supported management in the community: firstly, enhancing the robustness and quality of bail services and, secondly appropriate supervision and support for people serving community sentences.

There are a number of associated deliverables in the plan which focus on developing the scope and technology and widening of the application of EM. These are led by Scottish Government in collaboration with a range of other justice partners.

Action 8 Ensure bail supervision services are available in all Local Authorities and that electronic monitoring of bail is introduced across Scotland.
Action 9 Increase levels of suitability assessments for bail supervision and electronically monitored (EM) bail.
Action 11 (converted into a new action #44 added after the initial development of the delivery plan) Engage with justice partners to explore the viability of new technologies and policy uses, including location monitoring.

Delivered through the right technology and accompanying support, EM has the potential to shift the balance from custody to community in line with the Scottish Government’s transformational change programme, strengthen justice in the community whilst protecting the public, promoting desistance and enabling rehabilitation.

#### **4. Why are CJS Issuing a National Improvement Recommendation in relation to Electronic Monitoring?**

CJS have raised concerns relating to EM policy consistently with a range of national stakeholders in recent years.

Most recently, in March 2025, CJS laid in the Scottish Parliament our latest [Outcome Activity Annual Report \(OAAAR\)](#) to Scottish Ministers on the progress towards achieving the [national outcomes for community justice](#).

In it we provided our assessment of where more progress needs to be made towards the shared national outcomes and highlighted issues identified by partners. A key conclusion of that report was that EM requires systemic oversight, investment in new technology (used successfully in many other countries) and a commitment to continuous improvement. It recommended that:

***“The Scottish Government working with CJS, national community justice partners and local areas should address the barriers that have already been identified and implement solutions to maximise the opportunities presented by EM.”*** (page 17)

CJS are now issuing a NIR as we believe that, despite some recent activity and the implementation of regulations for GPS monitoring with an implementation group, progress has been too slow. Indeed, it has been nine years since the expert working group on EM published their [report](#) and all its recommendations endorsed by the then Cabinet Secretary for Justice.

Concerted and effective improvement activity delivered at pace is now urgently required nationally to develop our approach to electronic monitoring. This includes the adoption of new EM technologies such as GPS and alcohol monitoring technologies, in order to help address current operational challenges and to improve the effectiveness of EM to support progress towards achieving community justice outcomes nationally.

## 5. Areas Requiring Improvement

### 5.1. New Technologies

While the use of radio frequency (RF) EM has expanded over the last few years, the Scottish Government's approach to the introduction of new technologies has not kept pace with that of comparable jurisdictions, including England and Wales, and has remained focused on RF technology.

Scotland's reliance on RF technology is problematic because it requires people to wear an ankle bracelet (or 'tag') and for a base unit to be installed in a person's home. The installation of the base unit and fitting of the bracelet requires a visit to the home address and is, therefore, not immediately initiated after the court liberates the person but takes place later in the day. The need for a base unit to be installed in a residence can also create challenges where the provider of the technology is unable to access the premises or where a person's residence is not stable or where other complex factors preclude this.

There are, however, alternative technologies that would address the shortcomings of RF EM and allow for a more nuanced and effective use of EM across Scotland. In 2016, the Electronic Monitoring in Scotland Working Group, established by the Scottish Government in 2014, [recommended](#) in its concluding report that;

***"GPS technology should be introduced to the electronic monitoring service in Scotland. The Group recommends that the use of GPS should not be predicated by crime type. GPS technology is versatile and decisions on its use should be made as part of an individually tailored approach, including where it can aid public and victim safety and where it can be used supportively to strengthen the monitored person's desistance."***

***Trans-dermal Alcohol Monitoring technology is effective at remotely detecting the presence of alcohol and its use within a Scottish setting should be explored further. Work should, therefore, be undertaken to determine how alcohol monitoring might be used effectively, and at which points within the Scottish Justice System. This work could take the form of a demonstration project."*** (page 7)

The use of GPS EM allows for a much-enhanced form of EM that supports more effective monitoring and management of people in the community. GPS EM affords a more nuanced and enforceable model of robust case management which not only improves victim and public protection but gives scope for case managers to interrogate data and challenge people about their location. It provides opportunity to explore, explain and exert further sanctions if appropriate.

Alcohol monitoring bracelets are another proven technology in use successfully across the world. Again, when used in appropriate cases, they provide more effective case management and an evidential basis where alcohol is a significant factor in the person's harmful pattern of offending. Its compliance rate is significantly high and with support can be an excellent tool to support reduced alcohol consumption and aid behaviour change.

Unlike RF EM, both GPS and alcohol monitoring bracelets could be fitted at the point of the court making the decision, i.e. within the court location and operating immediately. This adds to the immediacy of sentencing and would eliminate the much slower, resource intensive and more costly method of household-based installation of a RF box within the persons intended accommodation that requires the householder's permission, and other associated challenges which can lead to difficulties in monitoring.

To date, however, neither GPS nor alcohol monitoring technologies have been adopted in the nine years following the concluding report of the Working Group, despite the fact that both have been used extensively across England and Wales since 2018 and provision has been made for their use in Scotland via the [Management of Offenders \(Scotland\) Act 2019](#).

This lack of progress places in jeopardy the commitment included in the [National Strategy for Community Justice](#) to progress the use of technologies to increase and improve safety in the community and to manage and support people subject to EM. Priority Action 4 of the National Strategy states the Scottish Government's intention:

**"To widen the availability of electronic monitoring, it is anticipated that new technologies, such as satellite tracking (also known as GPS) and remote substance monitoring will be introduced. These will provide more opportunities for managing and supporting individuals within their communities."**

Without significant progress in the development and implementation of policy relating to new EM technologies, there is a substantial risk this priority action will not be realised; more importantly, a failure to introduce new EM technologies – with the requisite accompanying support for people alongside the technology - is a missed opportunity to improve outcomes for people across the justice system.

We consider that GPS technology is a simpler, more efficient and effective approach to EM that can be attached at court and therefore negates the need for installation of a RF box in any premises and allows ongoing monitoring even where an individual is not at their bail address.

## **5.2. Availability of additional support services alongside the use of EM**

In 2016 the expert group on electronic monitoring recommended:

***"Use EM in more integrated ways, alongside a range of supportive measures, to help prevent and reduce further offending and promote desistance among people with convictions"*** (page 4).

It also recommended the use of bail support services to aid with EM compliance.

The Scottish Government have agreed with the need to utilise EM as part of a broader package of support but have not produced any guidance as to how the offer of support should be integrated into the use of EM or the form any support should take. In many areas of Scotland, support has not been integrated into the use of EM, especially where EM is used with bail or with an RLO. The absence of

support to help people with significant issues to comply with EM orders is a missed opportunity and risks failure of EM arising for people who clearly need support and assistance but do not get it.

Support is vital for electronic monitoring (EM) to be effective. While EM helps supports compliance and reduces reoffending, its long-term success relies on added social and rehabilitative support. Services like counselling and case management address underlying issues, improve reintegration, and reduce violations. Research shows that combining EM with support leads to better outcomes than EM alone, highlighting the need for a holistic approach.

Electronic monitoring (EM) as a court mandated condition to help people comply with the standard conditions of bail, improves compliance by providing real-time oversight and immediate consequences, boosting offender accountability. However, support – such as regular check-ins and help overcoming barriers – is crucial to sustain adherence. Research shows that combining EM with active supervision and case management leads to higher compliance than using EM alone.

Expansion of technologies should enable development of meaningful support alongside EM with a simpler process for fitting the EM technology.

### **5.3 Monitoring, Reporting and Oversight**

Since its publication there has been no national outcome or associated performance measure developed as part of the Community Justice Performance Framework (CJPF). No national outcome or associated measure of progress means there is limited reporting and monitoring of EM.

This should be developed to both drive and oversee progress regarding EM in Scotland.

### **5.4 Evaluation**

The body of evidence relating to EM is still emerging, so data on implementation and application, including from people on EM, should be collected as part of an evaluation process in order to systematically improve EM and contribute to the growing body of international evidence. This should also increase the confidence of communities in the use of EM.

## **6. Recommendations**

CJS is issuing a National Improvement Recommendation in line with its powers in the Community Justice (Scotland) Act 2016 to call for the uptake of the significant opportunities for further development of National EM policy, in order to support improvements in community justice and support the achievement of the nationally determined outcomes for community justice.

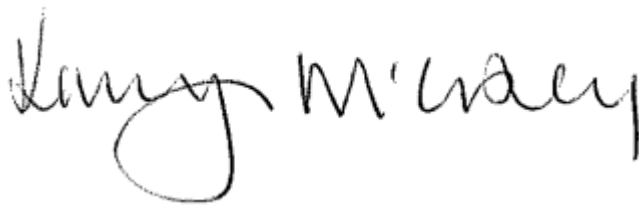
Based on the evidence presented in this paper, the following actions are recommended to improvement performance in relation to EM:

- 1. The Scottish Government, as a matter of urgency, should explore and implement new electronic monitoring technologies (specifically GPS EM and Alcohol Monitoring Bracelets) as a priority in order to enhance community-based supervision, reduce the prison population and give additional assurance and confidence to Judges and Sheriffs on the reliability of monitoring. This should be**

done with the close cooperation of all the relevant statutory partners as defined by the Community Justice (Scotland) Act 2016.

2. **The Scottish Government should, in consultation with relevant statutory and voluntary sector partners, explore ways to enhance the support available to people subject to EM. This should include consideration of whether dedicated guidance for providing support to those on EM, both in relation to supporting compliance and supporting desistance from crime, would be appropriate, as well as exploring opportunities for additional, dedicated funding for support from EM or potential pilot approaches, where appropriate.**
3. **Scottish Government and partners should commit to enabling systemic oversight, scrutiny and improvement of delivery of EM. This would include development of a National Outcome and associated National Indicators for inclusion in the Community Justice Performance Framework prior to the next reporting year of the National Strategy (April 2026) in order to enable consistent gathering of local and national data to identify issues and drive local and national improvement.**

As a key justice partner and legislatively tasked with improvement of community justice, Community Justice Scotland remains committed to working with other statutory partners in trying to progress these issues and would welcome a discussion in respect of how we could assist, collaborate and, where required, lead on this work.

A handwritten signature in black ink, appearing to read 'Angus M'Curley'. The signature is fluid and cursive, with a large loop at the end of the last name.

Chief Executive  
Community Justice Scotland

## GLOSSARY

### Alcohol monitoring bracelets

Alcohol monitoring bracelets are wearable devices designed to detect and measure alcohol levels in a person's body - typically through their perspiration. They're often used to promote compliance as an adjunct to case management. They are not, in most cases, intended for use with people who have chronic issues with alcohol.

Key Features:

- **Transdermal sensors:** Measure alcohol excreted through the skin
- **Continuous monitoring:** Track alcohol levels 24/7 (usually every 30 minutes)
- **Tamper detection:** Alerts if the device is removed or tampered with
- **Data transmission:** Sends reports to the monitoring agency who advise cases managers on any transgressions

### Global Positioning System (GPS) EM

GPS electronic monitoring is a surveillance method that uses Global Positioning System (GPS) technology to track the real-time location of individuals. In Scotland can be used as an alternative to remand or as a condition of a range of orders and licences.

How It Works:

1. **Device:** The individual wears a GPS-enabled device, usually an ankle bracelet.
2. **Tracking:** The device continuously transmits location data to a monitoring centre (in Scotland G4S currently has this role)
3. **Geofencing:** Authorities can set geographic boundaries (e.g., exclusion / inclusion zones, victim residences, high-risk areas, etc.). If the person enters or leaves these zones, alerts are triggered at the monitoring centre.
4. **Data Logging:** The system logs movement history which is notified to the case manager who can then review any compliance issues (this includes any attempts to tamper with the worn device).

### Radio Frequency (RF) electronic monitoring

Radio Frequency (RF) electronic monitoring is a type of electronic supervision that uses radio signals to monitor whether a person is within a specific location, usually their home.

How It Works:

- The individual wears a transmitter, typically on the ankle
- A receiver unit is installed at the designated location (in most cases their home)
- The system checks whether the person is within range of the receiver during set curfew hours, i.e. whether they are within the accommodation or not
- If the person leaves or tampers with the device an alert is sent to the monitoring agency, and the case manager is then advised of this

Key Features:

- **Short-range monitoring** (unlike GPS, it doesn't track movement outside the home).
- **Used for curfew enforcement.**



- **Reliable and cost-effective** for basic location compliance.