



Electronic monitoring

Policy Document

Policy Index No.	Policy Sponsor	Page/s	Approved by	Date
PIN – 053	Operations Directorate	13	The Director of Operations	08/12/17

Related policies/standards	Date
See Section 5	

Legacy reference of policy	Date for review of policy	Date of issue/amendment
-	21/12/2019	21/12/2017

IPS Policy for Electronic monitoring

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1. Aim of this policy

To provide clarification in relation to the use of remote monitoring of offender's outside of a custodial setting.

2. Purpose of this policy

2.1 To assist the Irish Prison Service in meeting its Mission Statement goal of providing for safer communities and

2.2 To clearly outline the qualifying criteria and procedures for implementation for:

2.2.1 A clear, consistent and best practice approach to the selection and management of prisoners who may be suitable for electronic monitoring;

2.2.2 Circumstances whereby electronic monitoring is considered;

2.2.3 Restrictions that may be imposed.

3. Scope of this policy

3.1 Prisoners that may be categorised as follows:

3.1.1 Hospital Inpatients;

3.1.2 Prolific Offenders;

3.1.3 Prisoners who, due to the nature of their offence and history of offending, may require additional controls to ensure that they obey the conditions of their temporary release.

4. Procedures for implementation

Electronic Monitoring Temporary Release (EMTR)

4.1 A condition of EM as part of reviewable temporary release will provide for an additional control on prisoners in the community. EM will act as a technological asset for the Irish Prison Service in the management of prisoners on TR, facilitating appropriate intervention, breach detection and a more robust response to a breach of conditions of TR than has been possible heretofore.

4.2 The Irish Prison Service remain conscious of the risk of re-offending and risk to public safety. Any decision taken to grant a prisoner temporary release will take full account of these and any relevant victim issues.

4.3 Legislative Requirements

4.3.1 To satisfy legislative requirements, the following conditions must be met when it is proposed to release a prisoner on reviewable temporary release, subject to the condition of electronic monitoring:

- a) That the prisoner is 18 years or more;
- b) That he or she agrees to the condition of the tag;
- c) Permission must be sought from the owner or person in charge of the premises the restriction order will apply to and/or any adult habitually resident there;
- d) The period of confinement/restriction/exclusion to one place cannot extend beyond 12 hours in any one day;
- e) The prisoner cannot be tagged either continuously or for such periods of more than 6 months.

4.4 Conditions of temporary release, incorporating EMTR conditions

4.4.1 In addition to the standard temporary release conditions, the following conditions will apply to a prisoner released on EMTR:

- a) Not interfere with or permit the Personal Identification Device (PID) to be interfered with in any way; Not to attempt or to permit any attempt to remove the PID;
- b) To ensure the PID is charged for at least 2 hours in every 24 hour period;
- c) To comply with the restriction/exclusion conditions and timetables;
- d) Not to have any contact with members of the media, including media organisations, those employed by such organisation's and/or reporters - in the context of your participation in this tagging programme - throughout the period of any EMTR.

4.5 Approval Process

4.5.1 Where EMTR is being requested, the Governor must make a case to the AP in Operations Directorate who is responsible for the prison. This case should outline clearly the reasons for the request.

4.5.2 If a prisoner has been approved EMTR, the following forms should be issued by the prison to the prisoner.

- a) Prisoner Consent Form – Appendix 1;
- b) User Guide – Appendix 2.

4.5.3 The prison should present the forms and guide to the prisoner and where possible allow him/her 48 hours to read and understand the forms. Any questions on the monitoring process should be addressed in this 48 hours.

4.5.4 If the prisoner has consented to monitoring, the signed consent form should be scanned and returned to Operations.

4.6 Operations Directorate Responsibility

4.6.1 A case note should be placed on PIMS advising of the reasons for EMTR.

4.6.2 A spreadsheet detailing when the PID was fitted and removed along with other pertinent information is located on the I Drive – Tagging – Prisoner List.

4.6.3 CSS, CRS and JARC cases will be managed by the co-located team. All other cases will be managed by Operations.

4.7 Fitting of Electronic Monitoring Device

4.7.1 When the consent form is received, Operations Directorate or Co-Located unit (CRS/CS Cases) will issue a “Notice to Fit” form to the Service Provider.

4.7.2 Contact Details for prison staff who will meet with the Service Provider, either in the hospital or prison, for the actual fitting of the PID should also be provided

4.7.3 The Service Provider will confirm the time and place for fitting and the prison contact will be informed.

4.7.4 When the PID is being fitted, the Service Provider representatives will give the prisoner a brief demonstration on how to charge the device and the limitations/restrictions on the prisoner. A representative from the Prison must always be present when this is taking place. The prisoner should be informed of his TR conditions again.

4.8 Monitoring and Alerts

4.8.1 Monitoring is managed by the Service Provider on a 24 hours basis. The prisoner is monitored by the PID which is placed on his/her ankle. This is monitored via GSM and GPS. The prisoner receives a beacon which assists the Service Provider to monitor their curfew via radio frequency. The prisoner will be instructed to place the beacon in a central point in their accommodation.

4.8.2 Email alerts will be issued on a regular basis by the Service Provider to the AP responsible for the prison or the Co-Located Unit.

4.8.3 Alerts:

- a) Low Battery: - Alert issues immediately when battery reaches a set percentage. The Service Provider will contact Operations/Co-Located Unit who should then contact the prison. The prison should then contact the prisoner who should be informed to recharge the unit.
- b) Comms: - PID unit hasn't contacted either the beacon or GPS. This is set for a 2 hour period. If there are 2 alerts the prison should be contacted and the prisoner advised to return home.
- c) Strap Alerts: Prisoner has attempted to remove the strap. Prison should attempt to contact the prisoner and ascertain what the situation is. If they are unsuccessful, this is a breach of his TR conditions and normal TR breach procedures should apply.
- d) Curfew breach: Same procedures as Strap Alerts.

4.9 Tag Removal:

As with the tag fitting, the notice to tag/remove form should issue to the Service Provider from Operations/Co-Located Unit with the time, date and location. A representative from the Prison must always be present when the PID is being removed.

4.10 Electronic Monitoring in hospitals

In the context of EM of a prisoner in a hospital or other care facility, all of the above conditions and legislation will apply. As a matter of course, Operations Directorate will provide, from the EM supplier, technical information on the EM device and monitoring system, so that the hospital/care facility can determine if the electronic PID is safe for use/will not interfere with other clinical equipment.

4.11 In accordance with the IPS policy development process, this policy has been ratified by the Executive Management Team (EMT). This policy will be operational from the date of issue as stated on the cover page and shall remain in force until the date of next issue (post review) unless revoked by the EMT.

5. Related policies /standards

5.1 The Criminal Justice Act 2006 (SI. Number 26 of 2006) contains provisions for the introduction of Electronic Monitoring in this jurisdiction.

5.1.1 Section 101 concerns Restriction of Movement Orders and

5.1.2 Subsection 10 provides the stipulation that a person may be subjected to electronic monitoring as part of the conditions of the order.

5.1.3 Section 108, Temporary Release of Prisoners, the Minister is enabled to make an order for electronic monitoring, in the context of a restriction of movement condition applying to the granting of temporary release. In effect, the wearing of an electronic tagging device and adherence to the rules which apply to the wearing of such a device are incorporated into the conditions of the prisoner's temporary release.

5.2 IPS Procedures for Electronic Monitoring

6. Definitions

None.

Appendices

Appendix 1 – Consent Form

Appendix 2- User Guide

Appendix 1 – Consent Form

Criminal Justice Act 1960, Criminal Justice (Temporary Release of Prisoners) Act 2003, Criminal Justice Act 2006

Temporary Release - Consent to Electronic Monitoring

Prisoner Name _____ PIMS number _____

I, the undersigned, hereby give my consent to the Irish Prison Service to monitor my movements electronically as provided for in the Temporary Release Notice issued to me and to attach a monitoring device (consisting of a personal identification device and a mobile tracking device) to my leg for this purpose.

- I have been informed of what electronic monitoring entails and what I must do to comply with the conditions of my temporary release relating to electronic monitoring and I agree to comply with these conditions;
- I have received the Electronic Monitoring User Guide and have read it or have had it explained to me and I understand its contents;
- I have freely given my consent to have my movements electronically monitored and, having had 24 hours to change my mind, I wish to proceed with the monitoring;
- I have the right to change my mind regarding electronic monitoring at any time in the future, and I will notify the Irish Prison Service of any such decision. I understand that the Irish Prison Service will arrange for the removal of the equipment within 7 working days of receiving my request;
- I understand that the monitoring device will be removed at the end of the period of temporary release unless renewed for a further period and I undertake to cooperate with such removal;
- I consent to accept and cooperate with electronic monitoring services including installation, commissioning and maintenance of the monitoring device.
- I understand that my movements will be monitored electronically in compliance with the terms of the Criminal Justice Act 2006, which permits confinement to a specified place for a maximum of 12 hours a day and exclusion from specified place or places without daily limit and that such areas and times are set out in my Temporary Release Notice;
- I consent to the information collected electronically on my movements being stored and transmitted electronically;
- I consent to the information collected electronically on my movements being shared with other appropriate authorities, including the Garda Síochána and the Probation Service;

- I consent to the information collected electronically on my movements being shared with other relevant organisations or persons for purposes of evaluating electronic monitoring, provided that my identity is not revealed;
- I understand that the monitoring device is not an emergency response device. In case of immediate emergency, I know that I should call the Irish Prison Service or the Emergency Services;
- I agree that I have read the terms of this consent or have had them read out to me and that any questions have been answered to my satisfaction. I know that I can contact the Irish Prison Service with any further questions I may have.

Signature or mark _____

Date _____

Prison Officer's Name _____

Prison Officers Signature _____

Date _____

Appendix 2- User Guide

Introduction

You have agreed to have your movements monitored electronically as a condition of your temporary release. Monitoring requires the attachment of a device to your leg using a strap.

This note summarises some key points about the device. The person attaching the device will explain what you have to do and will answer any questions. You can also get information from the Irish Prison Service.

Equipment Provided

Damage to the device

You must notify the prison authorities of any damage to the device.

Note: You are responsible for the equipment and you may be liable for the cost of repairing or replacing the device up to a maximum of €1200.

Monitoring Device

The device is designed to be comfortable, non-obtrusive and discrete under clothing. It does not restrict you from participating in normal domestic, workplace or leisure activities. It is waterproof to a design depth of 3 to 5 metres allowing you to shower, bathe and swim.

Various sizes of strap are available and one that suits you best will be used. The device will be fitted professionally.

The device contains a battery that you will be responsible for charging every day. You must use the charger provided. You must not use anything else to charge the battery.

On Body Charger (OBC)

The On Body Charger is a charging pack designed to be able to charge the Monitoring Device without being connected to any external power source

The OBC is small and light enough to allow the user to continue being mobile indoors, whilst the monitoring device is being charged

When not being used the OBC is connected to a 12V Mains transformer charger, this keeps the battery level full and ensures that it is always ready to charge the Monitoring device

Be sure not to leave your home with the charger attached to the monitoring device



Home Beacon

The Home Beacon is a simple to use 3 pin electrical plug type device. This is supplied to the offender and must be plugged into a socket in a central position in the offenders residence. The Home Beacon should not be unplugged or turned off for any reason as it will generate an alert condition notified to the IPS.

Safety and Hygiene

The device and strap are made from durable hypoallergenic moulded plastic. They should not therefore cause you any irritation or discomfort.

However, if you suffer from or have any of the following conditions, you should advise the prison authorities before the device is attached to your leg:

- any known skin conditions such as eczema or psoriasis;
- sensitive or delicate skin;
- swelling of your ankle or foot; or
- a build-up of fluid, especially at night
- diabetes related swelling

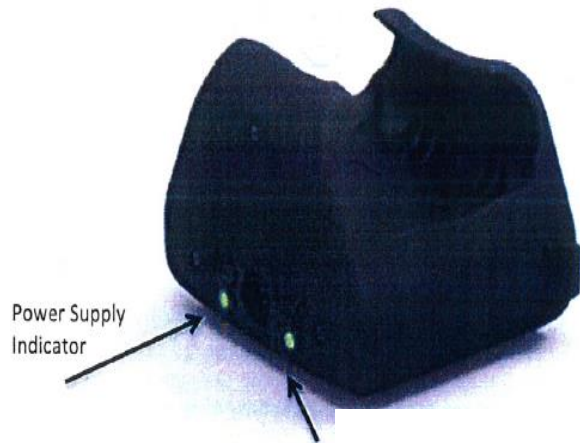
If you experience any skin irritation from wearing the device or any of the above conditions occur, contact the prison authorities and/or seek medical assistance. Also, if you are required to undergo medical procedures such as MRI scans, x-rays, etc., contact the prison authorities and/or seek medical advice.

Wearing the device is not dangerous if you wear a pacemaker.

Charging the Monitoring Device

The Monitoring device contains a battery that requires regular charging. The Monitoring device is charged by using the On Body Charger (OBC)

The On Body Charger (OBC) should be kept plugged into the mains on permanent charge at your place of residence.



The On Body charger has 2 LED indicator lights

- a) Power Supply indicator
- b) Monitoring device charging indicator

Monitoring Device
Charging
Indicator

Power Supply Indicator LED:

Red: Attached to Mains Power via plug top power supply and inbuilt battery charging in progress

Green: Attached to Mains Power via plug top power supply and inbuilt battery charge complete

Off: Not connected to Mains Power

Tracker Charging Indicator LED:

Red: Connected to Monitoring device and charging in progress

Green: Inbuilt battery has charge. If On Body Charger is attached to the monitoring device, it indicates that charging of the Monitoring device is complete

Off: Inbuilt battery has no charge. On Body Charger requires charging.

You must charge the Monitoring device battery for a minimum of 1 hour continuously in every 24 hours. You will be shown how at installation. It is done in four easy steps:



1. To attach the On-Body Charger (OBC), slide the two sides apart
2. Identify the two small brass pins on the reverse of the monitoring device to the two brass pins on the upper part of the On Body Charger. LED lights should be facing upwards
3. Once the monitoring device is fitted against the upper part of the OBC collapse the lower part of the OBC to fit the monitoring device firmly, sensing for a click feedback
4. Note the LED indicators to check the On Body Charger operation

Note: it is important you position the On Body Charger with the lights facing up and over the monitoring equipment correctly. Fitting it incorrectly can damage the equipment.

Charging Cycle Completed

Once the charging period has been completed holding the top of the OBC in one hand with the other hand firmly pull the Lower part down to open and remove the OBC from the monitoring device

Close the OBC and reconnect to its own charger to make ready for the next charging session

Important Notes:

You can carry out normal household activities whilst charging the monitoring device. Be careful not to dislodge the OBC, if the OBC is dislodged simply reconnect as per the procedures above and restart the charging cycle.

The device is a low voltage device with minimum electrical risk to you.

However you must take care to ensure that the monitoring device or battery charging cradle does not come into contact with water or any other liquid while charging.

If you undertake any type of normal household physical activity (such as gardening, home decoration etc.) you should ensure the monitoring device and strap are covered with sturdy work clothing

Home Beacon

- The Home Beacon is a simple to use 3 pin electrical plug type device.
- This is supplied to the offender and must be plugged into a socket in the offender's residence.
- The Home Beacon should not be Unplugged or turned-off for any reason as it will generate an alert condition notified to the IPS.
- On release from Prison the offender should return directly to his / hers residence and plug the Home Beacon device into a mains electric socket.
- The electric socket should be located in the centre of the residence
- The electric socket should not be used for any other purpose as plugging out the Home Beacon will generate an alert condition notified to the IPS

The electric socket selected to be used should **NOT BE:**

- located in a corner behind an array of television equipment
- in a location that a child could easily unplug
- a socket that is used for normal household chores (hoovering etc.)



Once turned on the red light at the bottom of the beacon will flash as long as the power remains on.

Cleaning the Monitoring Device

The monitoring device should be regularly cleaned to ensure that it continues to be safe, hygienic and fit for purpose.

- Use a warm damp cloth to clean the device.
- Then rub down with a dry cloth to remove any excess water.

If the device is heavily soiled:

- Repeat the process of cleaning with a warm damp cloth.
- Do not use abrasive pads
- Do not use abrasive / toxic detergents
- Report any problem to the prison authorities immediately.

Actions to avoid

You should avoid:

- any interference with the device or strap which may be construed as tampering or attempted removal. **This will result in an immediate alert to the monitoring station.**
- physical sport where the device could be damaged.
- entering water where there is a possibility of exceeding 3 to 5 metres depth.
- The On Body Charger is **NOT Water Resistant** and should not be brought into contact with water.

Conditions you must comply with

Remember, having your movements monitored electronically is a condition of your temporary release.

In order to comply with this condition you must do the following:

- **Do not** interfere with the monitoring device
- Charge the battery for one hour every day
- Avoid any action that would damage the device
- Keep the device clean
- Stay at the curfew address stipulated in the Temporary Release conditions for the period set out
- Stay away at all times from any exclusion zone stipulated in the Temporary Release conditions

Failure to comply with electronic monitoring or any other condition of your Temporary Release is an offence under section 6 of the Criminal Justice Act, 1960 and punishable on conviction by imprisonment for a term not exceeding six months.

END OF DOCUMENT