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Life on Tag

**An 'Actor Network Theory Ethnography' of Users'
Experiences of Electronically Monitored Punishment**

Carl Robert Berry

A dissertation submitted to the University of Bristol in accordance with the requirements for award of the degree of Doctor of Philosophy in the Faculty of Social Sciences and Law, School for Sociology, Politics, and International Studies, March 2020.

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Abstract

Electronic monitoring, (EM), or 'tagging', is a relatively recent but increasingly used sentencing measure employed by criminal justice agencies across the globe. Dispensed for a range of criminal offences, it typically functions by enabling the construction of a curfew intended to keep users in a designated place for a period of time. Despite its widespread usage, tagging is an under researched and controversial penal sanction beset with numerous difficulties that has garnered as much criticism as praise. The emergence of EM accompanies concerns about increasing uses of surveillance and control within society, yet has been often faulted for failing to practically function. As new technologies transform the criminal justice landscape, recent theoretical perspectives have attempted to theorise measures like EM within criminology. Foremost amongst these positions, actor network theory (or ANT), is a constructivist approach that advocates using observational methods, which, besides challenging many long standing social scientific ideas, controversially contends that material objects have agency and lead 'fluid lives'. Asserting further that objects are entangled with humans in 'assemblages of actors', the position attempts to demonstrate how dynamic interactions within these 'heterogeneous networks' lead to successful social ordering. Importantly, it urges researchers to 'describe' these 'hybridised socio-technical systems' while making as few presumptions as possible; to outline *how* (or *if*) they accomplish this. This PhD thesis undertakes an ethnographic investigation of tagging from the position of offenders subject to a range of EM sentences in a location in England dubbed 'EM City', and uses a modified version of ANT alongside allied approaches such as postphenomenology. It borrows the administrative criminological concepts of 'compliance' and 'desistance', to serve as metrics for assessing how tagging leads outcomes of programme completion and criminal de-escalation to sometimes emerge. Additionally, it attempts to understand how variable 'affects' (or 'pains') associated with its restrictions arise from a somewhat more critical criminological position; however, these are expanded to account for positive, or neutral/ambivalent reactions. The experiences of 'supporting actors' who assist EM users are also investigated, before finally re-joining a selection of users post-sentence. It is demonstrated that tagging often becomes an onerous penalty that is sometimes implicated in attaining desired outcomes, but that it also routinely features prohibited activity: led by a range of factors within the 'chaos' of many offenders' lives. The

device-system of EM is further asserted to form a 'carceral actant-ensemble', which, when 'bound' to it, leads 'hybrid-users' (or 'hosts') to acquire their range of experiences. Ultimately, however, whether tagging *derives* punitive affects or *achieves success* in maintaining curfews and reducing offending, is dependent on its enrolment of pre-existing, yet shifting, wider associations within the lives of users. This temporary 'penal assemblage' is, additionally, shown to be intersected further by several socio-technical issues: offender support, poverty, ethnicity, and gender, which become enrolled through it.

Acknowledgements and Dedications

A special thank you to my participants (or fellow 'co-researchers') who lent me their time and trust in constructing this thesis. Their input, I hope, has been done justice by this manuscript, and would not have been possible without their help. Many of the people I researched provided me with much sensitive material that allowed a glimpse into the most personal aspects of their lives while on tag. I wish you all the very best with your futures, wherever life takes you (hopefully that means away from trouble!).

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Louisa 'Jean' Berry

20th December 1934 – 27th December 2020

Dear Nan, thank you for your principled example, generosity, and unquestioned selflessness. You are a big reason why I am writing these pages, not filling them.

Reuben 'George' Goldbourne

13th March 1932 – 18th April 2021

Dear George, thank you for showing us all how to be dignified and humble in the face of adversity. I will miss your dancing, walks on the beach, and talks about your childhood in Jamaica.

Authors Declaration

I declare that the work in this dissertation was carried out in accordance with the requirements of the University's *Regulations and Code of Practice for Research Degree Programmes* and that it has not been submitted for any other academic award. Except where indicated by specific reference in the text, the work is the candidate's own work. Work done in collaboration with, or with the assistance of, others, is indicated as such. Any views expressed in the dissertation are those of the author.

SIGNED: DATE:

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Glossary: Actor Network Theory (ANT), Criminal Justice Act (CJA), Criminal Justice System (CJS), Community Order (CO), Community Rehabilitation Companies (CRC’s), Electronic Monitoring (EM), Electronic Monitoring Service (EMS), England and Wales (E&W), Home Detention Curfew (HDC), Ministry of Justice (MOJ), Monitoring Engineer (ME), Monitoring Unit (MU), National Association of Probation Officers (NAPO), National Offender Management Service (NOMS), National Probation Service (NPS), Personal Identification Device (PID), Stand Alone Order (SAO), Through the Gate Settlement Programme (TTGSP), Transforming Rehabilitation (TR).

1. Tracing the Tag

Electronic Monitoring's Development

That objects like electronic monitoring equipment have animate existences, is an idea that is increasingly gaining traction in criminology (Roberts and Dufresne, 2015; McGuire and Holt, 2017). Intended to delve into the contents of these lives, positions on technology like actor network theory attempt to understand how device-systems emerge on a political level, and function in practice with users. Sensitive also to the specific trajectories of localised socio-technical programmes, the daily particulars of sanctions like EM, therefore, are particularly suited toward investigation by the perspective. The basic functioning of EM's technology is today relatively standardised across national boundaries (Nellis, Beyens and Kaminski, 2013); however, implementation strategies may vary substantially by jurisdiction. Direct experiences of it are likely shaped by these contours in important respects, consequently, to better comprehend the 'surveillant landscape' EM constructs a brief history of its emergence, focusing on the context of England and Wales, may be instructive prior to examining 'life on tag' for users.

Argued to articulate the 'techno-utopian' impulse of the era, the innovation of EM, is, traceable firstly to the United States of America. EM's prototype was designed to potentially control the movements of criminals by means of a radio tracker and electric shock, as a late 1960's behaviourist experiment to test the capabilities of operant conditioning (Skinner, 1948, cited in Lilly and Nellis, 2013, p.23). The idea, unsurprisingly perhaps, never left the Harvard Campus it was dreamed up on. Yet, the concept of such a device was later realised into actual criminal justice practice by a New Mexico Judge in the early 1980's, who -after being apocryphally inspired by a Spiderman comic- conceived it as a means of providing rigour to parole, and to arrest dramatically rising prison numbers (Lilly and Nellis, 2013, pp.24-25).

The measure was recognised early in the 1980's for its progressive potential within the United Kingdom, and a process of policy transfer saw it affixed to the recently resurrected penalty of house arrest. Following trials in 1988, alarms from the National Association of Probation Officers aroused serious fears concerning its potential of infringing offenders' human rights, besides plausibly implementing 'privatization by stealth', whilst early prototypes of the device were cited as cumbersome and often uncomfortable to wear (Fletcher, 2011; Mair and Nee, 1990). A dismal first run (that witnessed the majority of users breach their 24-hour curfews, in some instances dozens of times) saw EM's implementation temporarily halted (Bottomley, Hucklesby and Mair, 2004, pp.27; Mair and Nellis, 2013, pp.66-68).

Despite this, EM featured in the 1991 Criminal Justice Act, although it was not fully implemented until 1995 with a softened stance from the Probation Service, following more successful trials that shortened curfew times. New Labour's election in 1997 saw tagging rolled out *en masse*: ushered in 1999 by the (now obsolete) Home Detention Curfew for early release prisoners.¹ The 2003 CJA cemented the use of EM in its new and somewhat revolutionary 12-part community order, and was intended to alleviate the nearly 50% increase of E&W's prison population from 1992 (MOJ, 2010; 2011; Mair and Nellis, 2013, pp.73). The rapid uptake of EM within UK borders made it amongst the first European Union jurisdictions, and the approach of E&W which contracts responsibility for both equipment and the actual monitoring of users to private security providers without extensive government guidelines, is still somewhat unique.² By 2005 53,000 people were estimated to have been placed on tag, and by 2011 some 23,000 users per day were being monitored in E&W; around 34% being on bail, 52% Community Order, and 14% on licence. Cited as saving the Criminal Justice System considerable costs on prison and boasting low

¹ Now renamed as the 'Through the Gate Resettlement Programme' (CJI, 2016).

² E&W is considered something of a 'test case' for EM, although Sweden was officially the first EU jurisdiction to implement it. Responsibility for it was first offered to the Probation Service, who -somewhat ironically considering what later happened- refused (Nellis, and Bungerfeldt, 2013).

reconviction rates, a lack of research and auditing regarding its actual effectiveness was a prevalent concern though, and its credibility was threatened by several serious offences committed by offenders on license (including murder) (Bottomly, Hucklesby, and Mair 2004, pp.17-20; Mair and Nellis, 2013, p.68). A largely critical overview of EM was delivered by the Criminal Justice Joint Inspection Committee at the time; this identified missed opportunities to use it creatively, poor communication between providers and the Probation Service, improper applications, and a severe lack of information regarding use patterns: later tied to it having an 'ideological' market driven implementation strategy (CJJI, 2008; Mair and Nellis, 2013, p.70).

The election of the Coalition Government in 2010 began a new phase for both EM and the penal system in general (particularly the Probation Service), which was undeterred by these issues, with plans discussed to increase numbers on tag to 150,000 per day by 2015 (Fletcher, 2011 pp.2-4). However, serious scandals involving providers made headlines in 2013, with G4S and Serco found to have defrauded the UK government by some £108m and £70.5m respectively over expenses claimed for offenders no longer on tag (in some cases deceased), and undeclared profits (Ford, 2015). This scandal was also preceded by a BBC documentary that revealed routine malpractice by engineers, who at times breached compliant users (leading to their license's being revoked), or at other points failed to report serious violations to Probation Officers (BBC, 23/03/2007). Nonetheless, the programme continued, although its previously high targets were curtailed. The extension of sentences from 6 to potentially 12 months and curfews up to 16 hours a day, have since materialised alongside new 'Alcohol Abstinence Requirements' that utilise tags which monitor alcohol consumption, and the introduction of 'bilateral monitoring' for victims of domestic abuse, besides voluntary tagging schemes offered by several police forces (LASPO, 2012; Mair and Nellis, 2013, p.73; Sentencing Council, 2016a, p.4; Mann, 2018; Domestic Abuse Bill, 2019, pp.20-24). Contracts to these former providers were though stripped and awarded to Capita, who inherited the infrastructure of EM, but were 'rebranded' as the newly created and national Electronic Monitoring Service under requirements of greater transparency and communication (NAO, 2017). Still, insider voices have expressed that these changes are ultimately 'cosmetic', with organizational structure cited as the central problem. EMS have

also faced newspaper headlines concerning engineers 'bribed' to fit deliberately 'loose' tags (Moore 04/02/2017). Nevertheless, the company has, in principle, appeared to be far more open to scrutiny.

Over this recent period, the transition toward newer Global Positioning Satellite tracking devices capable of 24/7 location monitoring has been trialled with the intention of replacing older Radio Frequency devices. Voices have raised concerns about the necessity of this transition toward more intensive monitoring; however, the programme has been beset by multiple issues and delayed by some six years, amid criticism of wasted money and a poor understanding of the technology's functioning within the Ministry of Justice (Nellis, 2016a; 2018a; Travis, 13/11/2017). Indeed, a key issue with GPS trackers is their short battery life, which requires them to be charged every few days: a serious issue within the often-hectic lives of offenders. Additionally, Ministers were also seemingly unaware that GPS systems currently only permit retroactive rather than real-time monitoring, which is not as location sensitive as RF technology. The measure was, regardless, eventually rolled out in April 2019 after fresh trials, but in much reduced numbers and intended specifically for high-risk offenders, with RF devices still to be utilised for the bulk of sentences; although 'bespoke' combination tags are in the pipelines (Kerr, et al., 2019).

Existing Key Findings

EM is now a globalised penal phenomenon and several evaluative studies have been conducted upon it across continents, with early qualitative findings of users often replicated in later studies (Mair and Nee, 1990; Gainey and Paine, 2000; Hucklesby, 2013).

Quantitative studies have also investigated EM using data sets gathered through probation agencies across several national jurisdictions, and have uncovered correlations regarding several often-recurring variables; measuring the influence of 'risk' (typically calculated through offending history), age, gender, ethnicity, and substance dependency in both

reoffending and programme completion.³ Spanning criminal justice jurisdictions as diverse as Sweden, the U.S.A, Canada, Australia, Germany, France, Belgium, and South Korea, the varying implementation strategies of these programmes and their differing research methodologies have, yet, made uniform pronouncements somewhat difficult. Regardless, the measure has been shown to be 'effective' at ensuring outcomes in many cases, but may be moderated by these variables. Still, what is considered 'effective' may vary markedly depending on who is measuring, and how.

Implemented in varying modalities and numbers, these jurisdictional applications have been argued by EM luminary Mike Nellis to fall within three broad 'penal logics'. Here, a more 'incapacitative' and 'control type' application has been claimed as characterising E&W's large-scale strategy, Sweden and Germany have opted for limited usage alongside greater rehabilitative support, and certain States in the U.S.A prefer a somewhat 'retributivist' approach that also 'shames' users (Nellis, 2006). It is accepted by Nellis that these categories may sometimes overlap, whilst stark differences exist between them; South Korea's very sparing use, was for instance, initially designed to specifically track sex offenders through GPS (Cho and Bae Kim, 2013). In 2018 the MOJ published a literature review synthesising much of this work to coincide with its evaluative report of GPS tracking, while further research has investigated the experience of monitoring engineers and co-residents (Martinovic, 2007; Hucklesby, 2011; Vanhaelemeesch and Vander Beken, 2014; Howard, 2018).

Often cited seminal qualitative work in E&W by Anthea Hucklesby also provides a valuable insight into users' experiences that discuss both 'compliance' and 'desistance' to EM, alongside surrounding issues (2008; 2009). From the study, it was discovered that within the

³ See especially; (Andrews and Bonta, 2003, cited in Wallace-Capretta and Roberts 2013; Renzema and Mayo-Wilson, 2005; Padgett, Bales and Blomberg, 2006; Renzema; 2013, pp.260-262; Cho and Bae Kim, 2013; Wennerberg, 2013, pp.219-220; May, Paine and Wood, 2014; Vanhaelemeesch, Vander Beken and Vandeveld, 2014; Henneguelle, Monnery, Kensey, 2016; Schwedler and Woessner, 2017).

sample of 217 all but 2 offenders had breached their sentence at some point, although these were often minor, with just 99 accruing formal proceedings. Despite this, most took their sentence 'seriously' and expressed concern about heading back to court, with 'chaotic lifestyles' and poor time management blamed for most indiscretions, while the perceived 'fairness' of the punishment was also deemed significant. Of critical import, alcohol and drug use, personal safety when confined to a location, and the availability of support from friends and family all were reported as factors in both compliance and desistance, with this 'pro-social capital' also impacting on the capacity of offenders to gain steady employment (Hucklesby 2013; pp.232-235). Reductions in offending were reported in just under half of interviewees, with tagging deemed capable of providing some stability to hectic lives and distancing from offending locations and associates. For those without support networks, it was, however, often ineffective, and while frequently accruing further penalties its effects were sometimes perceived as 'stigmatising' and a barrier to employment. Contrastingly, it was also viewed as something of a 'badge of honour' by a minority (Hucklesby, 2013, pp.232-235).

Further research on EM has also recorded how the physical equipment itself is key feature of the sanction, with earlier devices problematic (Mair and Nee, 1990).⁴ Prototypes of PID's have included watch designs, but the current technology is felt to be the most discreet and robust; it is intended to allow users to carry on with most activities without being noticed. Tracking chips and implant technology are a worrying, but perhaps inevitable evolution, and have been discussed (Nellis, 2013b). The tag's current design is a frequently-present reminder to users, and contains the potential to provoke negative emotions, which may be felt more by female, ethnic minority, and married male users. Contrastingly, feelings of 'security' comparable to those prompted by Closed Circuit Tele-Vision systems are also a possibility, and have been especially perceived by co-residents living with users (Nellis, 2013a, pp.203-204; Renzema, 2013, p.264; Swaaningen, and Uit Beijerse, 2013, p.264; Vanhaelemeesch and Vander Beken, 2014).

⁴ Colloquially dubbed 'the Peckham Rolex' amongst other monikers.

The most recent published figures regarding the caseload of people on EM in E&W cite 10,772 per day from 2019 (23.8% bail, 44.8% court sentences, 28.7% post release, 2.1% immigration, and 0.3% other) (MOJ, 2019); this, represents a considerable fall in its use from 14,018 per day in 2015.⁵ More in-depth data on EM users is still largely absent though, especially concerning demographic information, sentence completion, and re-offending. Additionally, findings have often come through official channels, therefore, it has been conducted upon users with much tighter restrictions regarding violations, i.e., thus likely being a comparatively more compliant subset (Jones and Hudson, 2016).

EM, Probation and Privatisation

EM has arguably been spearheaded a rapid privatising trend within the CJS, including privatisation of parts of the Prison Service in 1992, the Probation Service in 2014, as well as cuts to Legal Aid (Nathan, 2003; Deering and Feilzer, 2015). Concerning the second, this event was led by reforms characterised by greater centralisation and cross-agency relations, but also the granting of new powers to administer community penalties (Mair and Burke, 2012, pp.72, 112). Here, the creation of the National Probation Service occurring closely with the creation of the National Offender Management Service, has been asserted as leaving the service vulnerable to greater privatisation as its ethic of reform and rehabilitation was slowly undone from within, amidst new goals of ‘target based’ risk assessment (Burke, Collett, and McNeil, 2019, p.135).

Following later reforms centred around so called ‘austerity’, contracts for portions of it were tendered to new private ‘Community Rehabilitation Companies’, which moved into former probation areas to initiate a takeover under the objective of eventually saving costs over a

⁵ An increasing number of offenders living in insecure accommodation is one hypothesis provided by insiders as to this drop (Bainbridge, Berry and Casey, 2017, p.4). A lack of faith in the measure from sentencers, and decreasing crime rates may also be plausible factors.

several year period (MOJ 2013a: MOJ, 2013b). The NPS was initially split into a tripartite system in the Transforming Rehabilitation Bill, with CRC's appropriating its general duties (including case management and the provision of most community sentence requirements), and the voluntary sector stepping in to support these rehabilitative responsibilities, whilst a smaller NPS was charged with mostly managing serious offenders and providing risk assessments within court (Deering and Feilzer, 2015, pp.8-15).

The TR bill initially sparked serious concern and unease amongst practitioners and senior officials, with it being pushed hastily through Parliament without the opportunity to amend proposals, prompting the threat of legal action by NAPO. Reports from those within the service have frequently derided its practical and organizational impact, with low service morale, record levels of staff turnover, and rising levels of re-offending allegedly 'swept under the carpet', besides the voluntary sector's involvement quietly curtailed in many areas (Dearden, 03/02/2018). TR has also been linked to the failure of the GPS tagging project (Nellis, 03/02/2018); however, its impact on the current EM programme is currently unknown. Insider conversations, have speculated a fraught relationship which has likely worsened user experience, although this turbulence has possibly taken 'the heat' away from EMS (Milings, Burke and Robinson 2018).

TR, is, however, over. With its providers (including multinational firms such as catering giant 'Sudexco') challenged as being 'unfit for purpose' and its 'payment by results' structure criticised as fundamentally antithetical to the ethic of probation, the financial cost of the policy far exceeded the NPS's running fee (We Own It, 2019; Grierson, 2019). On June 11th, 2020, Justice Secretary Ron Buckland announced the re-nationalisation of the Probation Service, thus precipitating the end of a highly controversial and much maligned 'experiment' in offender management (Dearden, 11/06/2020).

Recurring Issues

EM is a relatively inexpensive form of spatial-temporal control that functions through a form of enforced surveillance; costing about £1,500 for a six-month sentence in contrast to the

estimated £45,000 pounds a year of prison (Geoghan and Miller, 2012). Yet, its decarcerative effects of reducing prison numbers have failed to materialise (Cohen, 1984, p.222): prison populations continued their 50% increase rate into 2012 (even amidst a general decline in crime rates) (ONS, 2018). Furthermore, plans for new US style 'supermax' and 'weekend' prisons have only temporarily been halted due to the collapse of the coalition government in 2015, and Brexit (The Guardian, 2017; O'Connor and O'Murchu; 2019). As alluded to, the use of EM through early release from custody has generally decreased from 2005, with tagging employed in Stand Alone Orders mainly today (Nellis and Mair, 2013, pp. 68-69). However, as observed by current data trends, this pattern has changed somewhat recently and is plausibly related to plans which would have seen it integrated into proposed prison reforms. The impact of the impending break from the EU on criminal justice in E&W is unknown, although a focus on Law and Order is a likely consequence that may see a return to rising prison numbers (BBC News, 14/10/19). Cross jurisdictional research suggests that EU partners have often implemented EM more successfully (besides comparable nations often having significantly lower prison populations) (Eurostat, 2018), but it remains questionable whether the MOJ would have emulated these strategies given its commitments to the programme (Nellis, 2018b).

The above situation has previously been described as the 'worst of both worlds', with the measure often utilised without any other the means of support, and extended toward crimes previously dealt with by less severe penalties rather than as a diversion from custody: 'up-tarriffing' sentences (Fletcher, 2011; Nellis and Mair, 2013, pp.77-79). Researchers of EM have related this extension of penalties available for sentencers to a process of 'net widening', with the system in danger of drawing in more clients to fill spaces for new measures, and breaches further unnecessarily incurring prison (Kantorowicz-Reznichenko, 2013; Tonry and Lynch, 1996, cited in Beyens, 2018). Despite this, enforcement outcomes are rather unclear in E&W, with users highly unlikely to be remanded to custody, even for multiple violations, and many simply transferred onto

different punishments.⁶ The unclear relationship between violations and further sanctions can, from both victim and community safety standpoints, also be viewed as problematic as many serial violators may continue to breach their restrictions without censure. When dispensed, EM, therefore, can often be more *symbolic* than genuinely restrictive, whilst those who are most likely to adhere to requirements are also less likely to further offend anyway (Huckelsby, 2013, p.235).

In practice, EM tags are usually bound to the bodies of lower class and male offenders, and perform a rather unsophisticated form of short-term control. As per Sentencing Guidelines (2016, p.5), most EM sentences will typically be a few weeks to a few months, with 12-hour curfews from 7 p.m. to 7 a.m. the norm, although up to 16-hour a day curfews are permitted. Hours may be flexibly adapted to accommodate work commitments (CJI, 2008; Nellis, 2013, p.199); yet exact data is again not available. If used 'correctly', EM, may, nevertheless, provide some possibility for negating the deleterious effects of prison, and may also offer some prospect of stability and respite from cycles of crime. The issues cited in this section, have, however, failed to be rectified in EM's now thirty-year life in E&W, with inevitable technological developments in monitoring likely to inherit and re-articulate older problems (Nellis, 2017a; 2018b). It may be forwarded at this juncture, that the initially ominous pronouncements made about EM (particularly its private sector involvement) have failed to ignite either dystopic or utopian realities, with the real losers so far perhaps a public failed by squandered investment and torpidity regarding CJS outcomes. Nonetheless, the burgeoning growth of 'techno-corrections' concomitant with the expansion of the globalised private security industry, prompts serious concerns regarding the future as we progress into a 4th industrial revolution that will likely witness an intensification of surveillance and the emergence of new means of control, which may potentially leak into other areas of life (Paterson, 2013, pp.212-224; Nellis, 2018b).

⁶ This will be uncovered later in greater depth.

I contend that research into the experience of enforced monitoring is, accordingly, a pertinent and under explored issue still containing significant empirical gaps, which has potentially crucial implications for the future of criminal justice, and may also extend beyond into wider society. A predominance of quantitative research has thus far been conducted upon tagging (see above). Although this has been highly useful for uncovering broad trends, this methodology has been critiqued for failing to explore the ‘deeper’ aspects of criminological phenomena (Jacques, 2014; Sampson and Laub, 2005), besides their more ‘routine’ or taken for granted features. Although qualitative studies on EM have attempted to overcome this deficit, they are, however, fewer in nature, and have arguably tended to focus on producing policy usable data that may exclude the somewhat ‘esoteric’ -but still vital- components of carceral monitoring. Furthermore, prior research has unearthed multiple experiences that may frequently contrast, with little remarked as to why. More theoretical inspections of EM have been highly illuminating and have provided important insights into the way it functions, besides contextualising it amongst wider trends (Payne and Gainey, 1998; Staples and Decker, 2009; Nellis, 2017b). Rarer still, these analyses have, nonetheless, under-evaluated the physical nature of the technology itself; a vital consideration given its proximity to users.

To resolve these issues, I argue that in-depth investigation of the experiences of those being monitored is necessary. For this, an approach which does not take a ‘top down’ or presume an inherently negative position on tagging, but can step outside the strict boundaries of policy relevancy, whilst acknowledging the technologically mediated features of the system, is necessary (Lianos and Douglas, 2000; De Laet and Mol, 2002). As such, ANT’s ‘sociology of technology’ approach, which treats devices neutrally and focuses on how outcomes are achieved, is felt to be best placed to understand the complexity of user experience, and to prompt valuable insights into its functioning. From here, ‘life on tag’ will be articulated.

Thesis Outline

Chapter 2 provides a critical theoretical discussion of ANT and allied concepts, and attempts to synthesise these with EM. ANT advances somewhat novel philosophical arguments that

have been applied to a range of technologies, although it has faced pertinent criticisms (Vandenberghe, 2002; Whittle and Spicer, 2008). This chapter traces its development while outlining its major ideas alongside other arguments (Law, 2004; Latour, 2005), before assessing their limitations. ANT has yet to be applied to a technology like EM, which is designed to *restrict activity* and carries penalties for non-compliance. However, this chapter makes the case that ANT is capable of uncovering gaps in knowledge about EM, besides improving understandings about routine aspects of its work. It also aims to better illuminate certain issues with the theory itself, by applying it to a rather 'a-typical' technology.

The critical concept of translation is discussed in this overview, which is advanced as a continuous process that involves actors being translated at vital moments (including researchers); successful accomplishment, or not, of socio-technical goals are dependent upon this chain of mediation (Callon, 1999a). ANT's stance on embodiment is also included in this chapter, and introduces the idea of 'affects' (Latour, 2004, pp.207, 226), which, later, become important when trying to understand how users experience tagging. Positing that humans and technologies exist in 'hybrid' or 'cyborg' systems (Sayes, 2014), this concept is developed in relation to tagging, to contend that when installed, users become 'bound' to the device-system as 'hosts'. Subsequently 'affects of EM' -which emerge as users are enrolled into the device system, and vary depending on circumstance- are derived.

Due to gaps in ANT, the integration of both postphenomenology and Goffmanian arguments concerning 'performativity' are forwarded as necessary for considering EM (Aagaard, 2017; Goffman, 1972, cited in Jensen, 2010). Following this, previous theoretical engagement with the penal technology from 'overlapping' governmental and critical criminological approaches are outlined (Cohen, 1984; Feeley and Simon, 1992; Garland, 2000); consequently, they are critiqued from an ANT perspective for being 'top down' and overly critical.

More administrative criminological writings have researched EM through the ideas of compliance and desistance (Hucklesby, 2008; 2009; Robinson and McNeil, 2009; Bersani and

Doherty, 2019). In their objective of providing policy relevant data, they may, however, fail to account for existing power relations and patterns of exclusion that influence continued offending (Galiher; 2009: Hough, 2011; Weaver, 2019). As such, criminological work that discuss the 'pains' inflicted by punishments (including EM) (Sykes, 1958, cited in Payne and Gainey 1998) are considered alongside this, to provide a counterpoise that may be important in reflecting on it. They are, instead, expanded using the idea of affects to include a wider range of potential outcomes and experiences, such as non-compliance or even the enjoyment of EM that arise from being bound to it. These ideas are forwarded alongside more recent theorisations of EM that have applied concepts of 'telematics' and 'e-topia' (Nellis, 2017a).

I next discuss ideas relating to power and contemporary governance, before trying to define EM's surveillant capacities. Outlined here, are the concepts of Giles Deleuze (1992) alongside, briefly, Zygmunt Bauman (2000 cited in McNeil and Robinson, 2013) and David Lyon (2007). Nonetheless, I will argue for a more 'power neutral' interpretation of Deleuze's work, whilst exploring similar ANT arguments (Latour, 1986; Law, 1986a).

An in-depth description of EM using ANT is provided next. The difference between more specific 'actants' (such as the PID ankle device, and MU), and the assemblage of assorted actors in the extended EM system (including related humans) are defined here. It is proposed that the manufacture and implementation of EM follows various stages of *penological scripting* that take a specific form in E&W. Ultimately though, EM is asserted to *become a punishment* through the interactions of these varied associations once bound to hosts, in specific socio-technical locations.

A methodological discussion is provided in chapter 3. This, details the research story, design, sampling process, data analysis, and ethical issues of this investigation. Several methodological insights are offered by ANT (Law, 2004), which are also expanded upon and incorporated into the project design. 'In-depth' ethnographic data regarding EM is not yet available, and while qualitative research has outlined several issues regarding the sanction

from users' positions (Hucklesby, 2013; Howard, 2018), its more substantive and tangible components are yet to be fully explored. ANT, as discussed, is felt to be well placed to capture these elements.

The chapter begins with an outline of the research journey, and details *how and why* I came to investigate the topic of tagging, while introducing the geographical setting of the study; especially pertinent, from the perspective of user 'enrolment' (Callon, 1999a).

It next outlines the specific *aims/questions* of the project; which firstly, attempt to uncover the usefulness of ANT's 'socio-technical tenets' in demonstrating *how* outcomes of compliance and desistance emerge from the assemblage of related actors temporarily connected by EM; then secondly, the applicability of ANT's performative concepts in understanding how various penal affects arise from the experience of tagging; and thirdly, how the study of EM may help to illuminate and build upon the theoretical position of ANT; before lastly, how ANT's 'network approach' *helps* in understanding the vital work of supporting actors in enabling EM to function, and how it impacts them.

The next section discusses the project's sampling procedure. Research on offenders within the CJS is typically procured through official gatekeepers and requires clearance from NOMS (Hucklesby, 2008; 2009); therefore, garnering a sample of participants on EM without these enablers is difficult, but also likely to influence findings. How my circumventing of official channels both fed into the design and findings, alongside practical detail of what the observations and interviews were intended to uncover, is further considered here. Additionally, because I intended to 'get the technology to speak' (Adams and Thompson, 2016), justifications for why these strategies were both appropriate for, and modified to fit with the empirical foundations of the project, are given.

Providing practical information concerning how the findings were formalised, the data analysis section argues as to why its 'narrative' approach (Plummer, 1995) was appropriate

for the project's 'material-semiotic' constructivist stance, which treats users' testimonies as specific 'performances' (Mol, 2002). I apply the concept of *affects* to help construct narrative categories that structure these analyses, which are intended to capture a wider range of appreciations that may plausibly be presented as 'joys' of EM, or be more neutral/ambivalent. This wider position on activity is also extended to the concepts of compliance and desistance, which serve as narrative categories that encompass non-compliance and re-offending.

Finally, this project constructed unique issues surrounding trust, knowledge of criminal activity, researcher safety, consent, and anonymity. The ethics section uncovers how these problems were continuously mediated and how it implicated relationships in the field, and further discusses how my findings were potentially influenced through a process of 'collusion' (Law, 2002).

Chapter 4 is the first analytical chapter of the thesis. It centres on the issue of *punishment*, and explores it through the ideas of time and space. Questions regarding the purposes of punishment are central to criminology, and have been applied to EM (Nellis, 2005; 2009). The chapter is initiated with a discussion concerning how to define EM's 'work' as a 'punishment', and uses ANT's deconstructivist tenets to unpick competing criminological positions (Latour, 2005). It applies my typological framework based on the affects of tagging that are presented as neutral\ambivalent, negative, and positive; additionally, concepts of compliance and desistance are integrated into this framework to help measure the work of the sanction. It is shown that despite being, in many ways, scripted as a punishment, the punitive experience of tagging is ultimately an *emergent property* arising from how the temporary linking of the device assemblage becomes negotiated amongst both pre-existing, and newly emerging, socio-technical relations in hosts' lives.

The affects presented, are demonstrated to be highly *fluid, messy, and multiple*: dependent upon user circumstances, histories, and goals. The spatial-temporal dynamics in which the actant-ensemble operates, are further asserted as being of especial importance in leading to

varying compliance, and/or, desistance outcomes. Amongst the more neutral/ambivalent section, it is outlined how EM may frequently have both simultaneous benefits and drawbacks, by sometimes restricting problematic behaviour or access to associated locations; although, at others, problematising desirable activities such as employment. The penal instrument may also be seen as little more than a 'temporary inconvenience' with little impact upon some user's lives. Negative experiences of EM, often cited its effect of restricting access to relatives and loved ones, making travel to work and leisure again difficult, and creating tensions at home that users were prohibited from escaping. These testimonies were somewhat more associated with violations also: prompted by malign feelings and a greater sense of coercion. More positive appreciations of EM praised its impact of helping to construct useful 'pro-social' routines, its effect of ending periods of custody, and of providing feelings of security. This section was associated with lesser breaches, but again not uniformly.

It is argued in the discussion, that EM's punitive affects emerge over four overlapping dimensions: *socio-technical associations, physical embodiment, time/space, and individual motivation*; these are contended to intersect each other in different ways.

This idea of punishment is continued in chapter 5, through the theme of *EM surveillance*. It details how certain users perceive the experience of enforced monitoring, and how they subsequently adapt to the tag's 'electronic gaze' (Lyon, 2007). Surveillance is an increasingly discussed phenomenon across disciplines; however, research regarding the experiences of those subject to intensive and restrictive surveillance is rare, whilst the technological features of contemporary platforms are yet to be investigated. Beginning with a contextualisation of EM's surveillant capacities amongst recent technological innovations (Nellis, 2009; McGuire, 2012), this chapter uses ANT's anti-dualist concepts (Latour, 2005) to argue that this capacity cannot be decoupled from the material object itself, which may potentially again construct multiple appreciations dependent upon user. These perspectives may sometimes align with pessimistic arguments regarding the nature of surveillance (Cohen, 1984), but challenge them also. Nevertheless, it is contended that whether being

surveilled *becomes* a punishment, or not, for EM users is something that emerges through the equipment's interactions with assembled, yet shifting, relations.

The previous typology that explored the variable affects of EM is again implemented; therefore, specific positive, ambivalent/neutral, and negative appreciations are employed. Regarding the first, it is demonstrated how EM surveillance can help users who have issues with substance related offending and may require further assistance. Here, it is shown how its design features may permit a respite from problematic spaces and associates, whilst often providing a sense of comfort, and sometimes helping related co-actors to monitor their wards. From more neutral/ambivalent appreciations, EM surveillance was demonstrated to have little impact. Nonetheless, it was argued that a process of socio-technical *adaptation* may be responsible for this apparent lack of recognition, as users who were on tag for longer periods or were tagged previously became desensitised. The more negative takes on EM surveillance cited the impact of the CJS 'invading their homes', of the device disrupting personal intimacy, and wider issues surrounding systemic biases in the CJS; accordingly, they *combined* to develop specific 'affects of observation' (McNeil, 2019).

EM surveillance is further argued within the discussion, to emerge across three overlapping dimensions of *performative activity, socio-technical associations, and physical embodiment*, which again produce its multiple fluid appreciations. User's differing appreciations, also have varying implications for the 'creep of surveillance'.

As evidenced by evaluative data, violations by users are a routine feature of EM (Hucklesby, 2008; 2009). Research on resistance toward punishment in general is, however, rare within criminology, especially from the perspectives of resisters. Chapter 6, consequently, investigates how 'resistance' against tagging becomes manifest, and uncovers a range of strategies used to defy its gaze. Once more, discussing how to define 'success' regarding EM, it uses ANT's neutral approach to develop the concepts of *non-compliance* and *non-desistance* to assess how it often fails to act as intended. From here, it advances a threefold typology based upon users, who may disobey their requirements in different ways. It asserts

that multiple user circumstance and motivations are implicated in these resistances, which may vary from 'outright defiance', to more subtle strategies of 'manipulation', and finally more 'productive' variations. Again, EM resistance is contended to *arise* through the complex interactions of the correctional system to produce a range of actions in opposition to its penal regime: often as it becomes more punitive and coercive for certain users.

Concerning the first, it is demonstrated that *outright defiance* may emerge from the criminogenic motivations of users, uncertain outcomes regarding procedural justice, and worsening mental-health issues. More Deleuzian perspectives on surveillance are integrated into these analyses (Deleuze, 1992), to understand why certain users may breach multiple times, often accruing formal court proceedings as their techno-social surroundings are increasingly carceralised. More subtle strategies of *manipulation* were also highlighted: users' switching punishments to avoid unwanted penalties, reconfiguring curfew times to allow for more 'agreeable' hours, and the altering of offending activity to avoid enhanced detection were outlined. These strategies often avoided further penalty, but risked it. More *productive* strategies of resistance to EM included the redirection of users' pains into creative outlets like music (that critiqued the programme), the initiation of recreational physical activities such as boxing to build personal 'resilience', and cathartic artistic activities. Critical post-humanist perspectives helped to differentiate these outcomes, and while these users typically did not formally breach their requirements, they sometimes did.

The discussion contends that the overlapping dimensions of *penal status, socio-technical associations, motivation, and embodiment* interact to lead multiple resistances against tagging. These were asserted to be a routine part of the surveillant measure's 'work', making the technology an inherently political system that interjects into user's home space.

Throughout this project, it became increasingly apparent that a range of critical supports and activities were necessary to assist EM. Accordingly, the role of supporting co-actors is tackled in chapter 7, which investigates the input of several related persons and objects who became temporarily enrolled by the device-system. EM has been claimed to outsource

the responsibilities of criminal justice professional onto users' immediate relations and communities (Martinovic, 2007). Previous research has investigated the role of social supports and the impact of punishment on these co-actors (Vanhaelemeesch and Vander Beken, 2014); yet, data is still short in E&W and limited to 'human actors'. This chapter again discusses how EM's 'success' may be defined, *but from the position of these supporting actors*. A threefold typology that assesses the differing affects acquired by supporting actors is again used, which are arranged into positive, negative, and ambivalent/neutral appreciations. It is indicated how, for supporting actors, EM can sometimes become a punishment for them also. The concepts of compliance and desistance are integrated into this to reflect on how supporting actors may, or sometimes may not, assist requirements.

Concerning more positive outlooks, it was shown that EM could enable wards to tackle problematic behaviours and avoid related spaces/times, it also crucially allowed them to avoid incarceration, and sometimes permitted supporting actors themselves to receive support. It is suggested that tagging did not significantly or negatively impede upon the activities or emotional well-being of these supports. Although not always, perhaps, counter-intuitively, complying with their requirements, the provision of assistance was still cited as crucial to its success. The negative appreciations of EM cited how it frequently added additional tasks into already demanding situations, created financial strains that provoked anxiety, and sometimes manufactured feelings of guilt or shame, becoming coercive for them too. It included ANT literature concerning gender and ethnicity, and explained how wider issues sometimes intersected the socio-technical programme, to acquire gender and ethnic-specific pains (Star, 1991; Cockburn, 1992). From the more neutral/ambivalent section, *mixed benefits* concerning problematic behaviour were often outlined. EM was also frequently seen as sometimes being an intrusion, or exacerbating already difficult living situations; although, others actively 'took control' of the sanction to help monitor their wards. Interestingly, this section also often complied with their sentences more fully.

The discussion further expands upon how the penological system is reliant upon this extended network to work effectively. It uses the dimensions of *spatial-temporality*,

motivation/emotional work, and practical help; these frame what this activity is, how it is provided, and how their dynamic interplay allows for various affects to emerge. Extended helpers are argued to be critical, but may also lead to fluid results.

Chapter 8 is the final substantive chapter. It re-joins former EM users some time post-release, and investigates their experiences over this period. Bound to a human 'host', the EM technology has a typically short 'life cycle' and is removed after sentence completion. The longer-term impact of tagging has been questioned, especially when used alone (Mair, and Nellis, 2013, p.77). This chapter provides in-depth data charting the lives of ex-hosts, through ANT. It begins by attempting to ascertain EM's strategic 'goals' regarding longer-term desistance and rehabilitation, and discusses relevant research and findings (Finn and Muirhead-Steves, 2002; Henneguella, Monnery, Kensey, 2016). Opting to borrow the concept of desistance to help frame ex-users accounts, it, however, includes a somewhat more critical perspective that acknowledges issues that may prevent users from ceasing offending. Therefore, moving beyond the idea to include *all the activity* which emerges following their de-coupling from the surveillant system, it attempts to identify traces of 'EM's regime' through the memories, legacies, and activities of ex-users. It again demonstrates that ex-hosts may have variable experiences post tagging: some may have positive outlooks and desist, whilst others have more ambiguous outcomes often linked with re-offending, and the rest may persist in sometimes quite serious crime; being often bleaker, the link between outcomes and affects is shown to be close here. This chapter, shows how EM's impact sometimes lingers after its de-installation to continue modifying ex-users behaviour, but also how the re-assertion of more established routines and relations intersect into, and over, this latent work. Retroactive perceptions of whether EM was successful in enabling desistance, and whether it was seen as a punishment, will be demonstrated to emerge from this complex milieu of post-EM activities.

Concerning the first, the capacity of EM to provide new organizational competencies, moderately deter offending, and help in building new pro-social outlooks are shown to often coincide with *already emerging* non-offending attitudes and behaviours which extended past the sentence, and were often more optimistic and positive. The more

ambiguous/partial offending section showed at times reductions in offending, but was frequently counterpoised with concerns about future criminal activity, and the inability to move-on from problematic situations. This section incorporates discussion about the concept of 'austerity' and 'offender management' to help elaborate upon user testimony (Hilbrandt, and Richter, 2018; Roberts, 2018). Next, commitment to criminal enterprise, embeddedness in criminal networks, and a lack of socio-technical supports (particularly relating to insecure accommodation) were demonstrated to be frequently associated with the recidivist section post-EM. Consequently, anti-social relations 'outcompeted' it, and led re-offending outcomes and typically more pessimistic affects to be acquired.

In the discussion, the dimensions of *embodiment, temporality, psychology/motivation, and socio-technical associations* are further analysed, to discuss how the EM system sometimes extended its influence post-sentence, which once more varied depending upon ex-user.

The final chapter concludes the thesis and summarises its key findings, before making potential policy recommendations, and citing its limitations.

It answers the first research question concerning '*how conceiving of EM as a sociotechnical system helps in understanding how compliance and desistance emerge*', by showing it was a useful objective, and highlights the competing variables in these outcomes. Numerical proportions are then provided to help understand their prevalence. These findings are integrated into the dimensions of *socio-technical relations, embodiment, motivation, spatial-temporality, and procedural justice* for additional meta-analysis on how EM derived a fluid existence across its 'terrain of associations'.

The second research question, concerning '*how well ANT's performative tenets helped in reflecting on how punitive affects emerged concerning EM for users*', was answered by, again, providing numerical information on these outcomes. These were related to the chapter themes of punishment, surveillance, resistance, support, and post-EM experience. It

argues that tagging may often lead punitive pains to arise, but also positive, and more ambivalent/neutral feelings.

Pertaining to the third research question, that interrogated *'how the study of EM better illuminated ANT as an approach'*, it is argued that by conceptualising a distinctly asymmetrical and non-voluntary technology, ANT was, consequently, applied to a very atypical object of study. Therefore, occasionally, it necessitated an understanding of control that is better elaborated in critical technology studies, to reflect on issues such as gender, ethnicity, and poverty, which intersected the sanction and sometimes became intensified.

The final research question, relating to *'how ANT's network approach is useful for understanding supporting co-actors' assistance, and EM's impact upon them'*, was answered by highlighting how ANT helped in uncovering how human and non-human actors provided critical 'scaffolding', which was often a pre-requisite for its success. It further demonstrated how multiple affects emerged concerning these supporting actors, and provides numerical proportions for how this related to different levels of support.

Next, a range of potential policy considerations based on the findings are presented, and are angled toward maximising success and user experience from a more rehabilitative position; it considers user appropriateness, support, employment, substance use, sentence type, flexibility, bias, compliance, surveillance, and net-widening.

An evaluation of the study's limitations is the penultimate section: its size, sample, and length, besides overall design, are argued to make it a 'snapshot' of a 'penal phenomenon in motion'.

Lastly, the final remarks consider the thesis through a short synopsis of its most pertinent claims, before leaving with a brief update on a few participants.

2. Theorising EM through ANT

Technology and Criminology

Crime, and crime control are asserted to be radically changing. Precipitated by rapidly accelerating developments in technology and science, it is claimed that long-held understandings concerning the fabric of social organization, are further rendering criminological responses to it obsolete (Brown, 2006). Respecting the importance of new theoretical engagement on similar matters, Nellis has argued for a need to 'go beyond criminology' to conceptualise EM (2017a, p.103). Despite this terrain being gradually colonised by such thinking in the field, it remains somewhat novel. Nevertheless, within our allegedly dramatically new social epoch, prior criminological concepts are asserted to have been undermined, yet the emergence of neo-materialist approaches such as ANT and postphenomenology, have attempted to reconceptualise technological controversies across disciplines (Callon, 1999a; Latour 2005; Feenberg, 2006, Ihde, 2009). As ontological certainties based on enlightenment impressions of matter, space, and biology are increasingly no longer accepted, these approaches -that forgo previous 'dualisms' and acknowledge our thoroughly materialist basis of existence, which is argued as fluid and lively- may be especially suited toward exploring EM.

Recognising an increasing blurring of distinctions between objects and our relationship with them, these new theoretical positions emphasise how 'symbiotic relationships' are shared between *human and non-human actors*, and are vital in enabling the production of society. In criminology, these developments have increasingly garnered recognition, as many recent techno-scientific advancements have made their way into the horizon of criminal justice, opening new concerns as both agencies and criminals alike adopt new technologies (McGuire, 2012; McGuire and Holt, 2017). Here, recent means of digitised control, bio-technology, and artificial-intelligence -amongst a raft of other advancements- conjure both utopian and dystopian imaginaries, and provoke new questions regarding the governance of society. Furthermore, new issues such as bio-theft, cybercrime, digital forensics, neuro-

scientific and algorithmic justice (amongst many others), gesture toward future criminal issues (Purnell, 2017; Sutton, 2017; Rogers, 2017; Claydon, 2017; Završnik, 2019).

Nellis, describes EM as employing a form of digitised ‘coercive connectedness’ (Nellis, 2016b; 2017a, p.103). Perhaps, in certain respects, heralding some of the above developments, penalties using surveillant technologies are becoming commonplace in criminal justice sanctioning, with tagging identifiably at the forefront. Prototype designs of EM have, indeed, considered advanced artificial intelligence systems to replace monitoring staff that use algorithms to both observe and predict user behaviour: a likely development as AI advances (Shelley, 2016). The use of shock inducing devices like its early antecedent (see chapter 1) have also, worryingly, been re-postulated as a means of replacing jail through ‘technological incarceration’, besides biometric tracking implants (Nellis, 2019). A focused appraisal of tagging that critically engages with these technologically orientated writings is, therefore, important considering these quite plausible evolutions.

Actors, Networks and Crime Technology

The recent emergence of ANT alongside its sibling ‘science and technology studies’,⁷ present some of the most comprehensive ideas on how to theorise technology. Originating from a common progenitor, the ‘sociology of science and knowledge’, the approach has developed through several phases, which in early incarnations in the 1970’s attempted to understand the process of scientific knowledge production through seminal ethnographies of institutions like the Salk Institute, and challenged dominant positivist ideas of the era (Merton, 1973, cited in Law, 2004, p.19; Latour and Woolgar, 1979).

Underpinned with a ‘material-semiotic’ epistemology, the constructivist perspective reasons that knowledge is ultimately *inseparable from the conditions and tools used to produce it*;

⁷ ANT and STS studies may still overlap in many respects, however, the latter is arguably still more concerned with ‘knowledge production’ and epistemological concerns (Law, 2004, pp.8, 101).

consequently, depictions of reality are asserted to be dependent upon specific yet highly transferable procedures and materials (Collins, 1975; Law, 2004, pp.19, 41). Work on techno-political junctures such as the 'Foot and Mouth Crisis' and the Ladbroke Grove train collision have advanced these core tenets (Law 2004, p.65; Law and Mol, 2008), with the intention of uncovering how 'messy accounts of phenomena', often from differently situated actors, become 'official versions of reality'.

This perspective on decision making, has been applied within criminology to how the activity of crime is contemporarily 'constructed' through an array of socio-technical tools, which require an alignment of official actors to be legitimised as such. Here, the availability of new forms of evidence such as CCTV and DNA, are implicated in how court decisions are made and challenged, sometimes transforming state legislature in the process (Lam, 2015; Duouillet and Dumoullin, 2015; Robert and Dufresne, 2015).

In the 1980's, ANT extended its principles towards several organizations, to better understand how successful political ordering becomes possible (Latour, 1986; 1989; Law 1986a; Callon, 1999a). A definable set of sociological concepts and vocabulary setting it apart developed from this period, and were used by Bruno Latour to reflect on the emergence of 'modernity'; however, through a trans-historical outlook that debated the usefulness of the term itself: he contended that non-humans have *always been central* in human organization (1993). Plausibly applicable to EM, a range of penal devices pre-empt our current era, although its emergence arguably *intensifies* a 'pre-modern' mode of confinement, albeit often haphazardly (see chapter 1).

Emphasising the importance of localised micro interactions, ANT attempts to understand how governing strategies emerge from related actors, who, often following unwritten rules, sometimes act in divergent ways. Criminological and security studies writings have recently used these concepts to explore how drug policies arise in local 'socio-material spaces' like night club and festival entrances, and how airports identify and re-assemble physical 'risks' into manageable data flows (Demant and Dilkes-Frayne, 2015; Schouten, 2014).

Rather short-lived as a cohesive sociological theory, ANT's penchant for deconstructing knowledge turned inwards in the late 1990's and early 2000's, undermining its own foundations and leading to new directions (Latour, 1999; Law and Hassard, 1999).

Nonetheless, it has become a recognisable social scientific perspective, whose concepts are increasingly providing insights into criminal justice concerns, with the works of Latour, Jon Law, Anne-Marie Mol, and Michel Callon especially cited (Callon, 1999a; Mol, 2002; Law, 2004; Latour, 2005).

A key assertion of ANT is that *material objects have 'agency'*. It has demonstrated how various technologies (from bush pumps to jet planes) interact with human users, leading multiple activities to emerge (De Laet and Mol, 2000, Law, 2002). Argued to not only passively transmit information, but to exist as lively actors in their own rights, objects are advanced as key co-ordinators and enablers of activities, which exist in a continuous relationship with human users and other objects (Callon, 1999a, pp.69, 76; Latour, 2005; pp.70-86).

ANT, also, emphasises that organizations are malleable, with 'networks' defined as systems that require *continual negotiation* to hold (Latour, 2005, pp.128-133; Callon, pp.1999a, pp.79-80). Within these 'assemblages of heterogeneous actors', 'mediators' are cited as transformative actors that unite other operatives and expedite states of affairs, as opposed to 'intermediaries' which merely maintain them. Furthermore, these actors may *connect different sites* together as 'folds' across location and time, and are observable in more permanent structures like buildings or computers (Deleuze and Guattari, 1988 cited in Latour, 2005; p.197).

Criminological research using ANT has investigated knife crime, to explore how the object functions as a central actor in criminogenic settings like prison, to enable harm and fold 'hyper-masculine ideals' amongst young incarcerated men (Holligan, 2014).

For an investigation of EM, ANT holds potential advantages, and similar language describing it as an 'automated socio-technical system' has previously been applied to it (Lianos and Douglas, 2000, p.264). Also, fulfilling many of its key concepts such as 'assemblages', 'mediators', and 'folds' the device has been demonstrated to alter (or reconfigure) user's activities and at times become reconfigured itself, as it allows for penal curfews (Smith and Gibbs, 2013, pp. 95-97; Hucklesby, 2013, pp.232-235).

In ANT, networks may potentially become actors in their own rights once stable, as in the case of large institutions (Latour, 2009). These larger systems, however, are said to typically obey more basic rules than complex micro-structures, and are dependent upon their smaller components following, sometimes, unstated guidelines to exist and dissolving if not reinforced (Brown and Capdevila, 1999; pp.37-44; Michael, 2000, p.31; Latour, 2005, p.75).

The concept of networks has also been applied to EM previously. It has advantages in understanding the sanction, which has been described as using a form of 'time/space compression' (Nellis, 2010, p.23).⁸ Indeed, following its installation, EM integrates users into a *spatial-temporal system* consisting of several non-human devices and human staff distributed across multiple sites, whose main purpose is the digitised observation of location.

The concept of 'scripts' are further advanced in ANT, to describe how design intentions may be practically realised into physical tools. Latour, argues that technologies are ultimately 'society made durable', which translate ideas and commands into material things, actions, and social arrangements (Latour, 1991; 2005, p.89; 162; Akrich, 1992). Similar concepts

⁸ Borrowing from Manuel Castell's work on how contemporary society is organised amongst 'digitised nodes', this approach bares only a passing resemblance to ANT, however (Castells, 1996, cited in Nellis, Beyens and Kaminski, 2013, p.11; Latour, 2010).

have been applied within criminology to so called 'situational devices' that are designed to make criminal activity harder, but also to how scripts may be 'broken' by criminals with competing agendas, making design intentions open to negotiation (Ekblom, 2017, pp.362-366).

This idea, which, in some respects, encapsulates ANT's perspective on technology is useful in elaborating upon 'life on tag'. Rather than offer a simple correlational argument, I will though, attempt to deduce why it is appropriate by briefly considering the measure's 'genealogy'. Here, tagging has been advanced as allowing for the ancient penalty of home arrest to be contemporarily accomplished. Although, when resurrected in the 1970's as part of the move toward creating community punishments, its practical implementation relied on random police visits, making it a labour-intensive and easily exploitable system (Nellis and Liliy, 2013, p.21). In a Latorian sense, the development of EM technology, consequently, allowed for a *social end* to be achieved through *material means*, en masse, in a way previously impossible in a contemporary setting. Vitally, the physical equipment of EM also often features in user's accounts (see chapter 1). Rather than seek to prove these ideas, I will instead, employ them to better understand it.

Doing Criminological ANT

ANT claims to be strictly *descriptive*.⁹ It is dubious of sociological approaches where society is ready made, or where critical explanation is required to uncover 'hidden forces'. Rather than being over-determined, for ANT, the social work of actors requires mapping to outline their associations and goals, without starting from pre-drawn conclusions (Latour, 2005, pp.99-106; Callon, 1999a, pp.57, 71). Furthermore, for ANT, social-scientific perspectives that reduce knowledge to simply the 'interpretive meanings' of human agents also face limitations when outlining connections that are often reliant on technologies. Informed instead by a process of 'controversy identification', ANT compels investigators to firstly

⁹ The extent to which this is the case is debated though (see below).

decipher how political concerns are established (Latour, 2005, pp.23, 87-121); subsequently, associations that 'feed controversies' are then 'flattened out', to pinpoint how they are deployed by related actors, and, indeed, for researchers wishing to write about them.

EM, in this vein, has provoked many controversies that may be identified by researchers: its impact upon offender civil liberties, whether it facilitates compliance and/or desistance from crime, or its provocation of negative perceptions, are but a few (Richardson, 2002; Hucklesby, 2008: 2009; Jones, 2013, pp.445).

Importantly, within ANT, successful social co-ordination also occurs through a process of *translation*, whereby for groups to form, related actors require translating into evolving ideas and commands. Through fieldwork, researchers are to trace the variety of activities, interactions, and moments that unify actors, becoming themselves temporarily part of a network (Callon, 1999a, pp.68-70; Latour, 2005, pp. 106-109). Therefore, socio-technical organisations are advanced as emergent processes, needing *chains of accurate translations* at vital junctures, as various actors become defined, locked into, and then properly act the roles set for them in continuous performances. Failures in this, however, mean failures for these systems to form or be sustained. The ethnographic work of Callon (1999a), has been particularly influential in constructing a framework for ANT through his investigation of the clamming industry in St. Brieuc Bay, France. Showing the moments at which fishermen, clams, non-human predators, scientific researchers, and social scientists unified to assess new clamming techniques, Callon documented a series of critical 'obligatory passage points' this ensemble was required to travel through, and the translations necessary for its success (Callon, 1999a, pp.86-89). For Latour, non-human tools (such as door closers or seat belts) can also have tasks delegated, or translated, to them to accomplish certain objectives (1992, pp.160, 168).

Venturing into the terrain of Legal Studies in his ethnography of the 'Conseil d'Etat', Latour also explores French administrative law (Latour, 2010). Through a process whereby cases physically bound within files mediate courtrooms alongside human officials, administrative,

or 'state law', is contended to be an *outcome* from the overturning or upholding of previous judgements (Latour, 2010, pp.131-190). This 'making of the law' is shown to be frequently ad hoc and creative, emerging through a *techno-social passage* that creates its system of regulations, which then circulate toward local jurisdictions.

Translation is further used in ANT to understand how *academic knowledge* arises through unifying moments; giving it advantages for 'doing criminology' on EM (Callon, 1999a; Latour, 2005). Chapter 3 will provide a detailed methodological account of its deployment in this project, but evaluative research on the measure supports similar claims. The device-system temporarily connects a range of stakeholders: users, co-residents, monitoring staff/engineers, probation staff, sentencers, *besides researchers* across several 'obligatory passage points' (Callon, 1999a, p.78). These passages include court sentencing, installation at home, meetings with Probation Officers, and researchers; contrasting evaluations are often provoked by these encounters (Johnson, Haugen, and Maness, 1998; Sugg, Moore, and Howard, 2001; Hucklesby, 2008; 2009; 2011; Vanhaelemeesch and Vander Beken, 2013). For EM to perform as desired by the CJS, it must be translated to fulfil the role of a curfew enforcer, and must also translate users and extended actors into its penal regime. They, however, according to their own goals, may not align with these dictates. Physically inserted into the pre-existing associations of users, whilst digitally abstracting them into a monitoring apparatus, EM *constructs a temporary penal assemblage*. Although competing perspectives on legal sanctions are not entirely unique to tagging (Harvey, 2007; McNeil and Robinson, 2013), its discreet portability make it rather unusual (Paterson, 2007). Indeed, EM is restrictive and prohibitive to freedom rather than depriving and inhibiting, yet is more coercive than tradition supervision (Nellis 2017b, p.105).

ANT, also advances the principle of 'generalised symmetry'. This idea states that objects should be treated symmetrically (or equally) alongside human actors, by researchers (Law, 2004, pp.98-100; Latour, 2005, p.76). Latour, for instance, argues that both jailor and jail key have parsimony in maintaining the prison (1992, p.154-156). Against technological determinism, however, he asserts that *outcomes* of human/object interactions are to be identified by researchers, to show how actions are transformed. Talking on gun crime, he

further discusses how the capacity to hurt becomes transformed into the capacity to kill, through hybrid gun + man actors (Latour, 1994, p.3235). These outcomes, are, nonetheless, advanced as indeterminate, with objects sometimes imprecise interlocutors, which themselves can transform with use (Star and Griesemer, 1989; De Laet and Mol, 2000).

For EM, this principle allows for reflection on the contrasting outcomes often witnessed regarding programme completion and re-offending, which are translated to the equipment by the CJS, and in turn, it translates users into. It may be argued that once tagged, users become 'cyborg hosts' consisting of offender + device, who are digitally 'bound' to the CJS, yet may resist it. Additionally, its punitive impact –which, often unfelt, subtly directs users beyond their perception- may also be explored, *without over-privileging person or machine* (Hucklesby, 2013; Renzema, 2013, pp.260, 264). Tagging, consequently, may be understood as a '*fluid punishment*' that leads multiple appreciations to emerge depending upon circumstance and user, or may not be perceived punitively at all.

The Body, Knowledge and Performativity

Being anti-dualist, ANT attempts to overcome intractable social-scientific debates about nature and culture, humans and objects, the macro and micro, and internal versus external states.

Regarding the human body, ANT has treated the physical self as a crucial site through which societal goals are enacted, and is defined by Mike Michael as an 'open and porous entity' (2006, p.54). ANT research has examined diverse activities like wheelchair use and gymnastics, to uncover how these socio-technical operations need co-ordinated practice for bodies to acquire specific competencies, through necessary objects and technologies (Winance, 2006; Kerr, 2014). Latour, also claims that 'learning how to be affected' and 'learning how to affect' are crucial ingredients of what it means to have a body, which require processes of sensitisation toward certain stimuli to build correct repertoires of action. This writing, considers how olfactory proficiency is achieved in perfumeries as testers develop a 'nose for a scent'. It, however, argues against positivist ideas on the body

that attempt to logically prove how subjects develop 'correct' or 'incorrect' representations of phenomena, and also interpretivist ideas that concentrate solely on subjective meaning. Instead, it uncovers how affects are trained through politico-scientific settings that lead 'multiple bodies', with requisite skills, to be acquired (in plainer terms a body can be different things in different places) (Latour, 2004, pp.207, 226).¹⁰ Vially, Latour also asserts that affects can exist independently of humans within material objects, which, upon the arrival of an experiencer, *become* 'affective' through these interactions (like a photograph inviting someone to feel joy, or sadness).

For exploring EM, these ideas again offer useful insights. Research has used Foucauldian ideas to discuss how the sanction may act on users' 'docile bodies', by 'drilling' them (Staples and Decker, 2009, pp.12-13). Indeed, the PID, when affixed to a host body, becomes a legally inseparable part of its physical corpus, modifying its activities sometimes drastically over the course of a sentence. Despite this, due to pre-existing circumstances, it is plausible that some user bodies may be more ready to accept the regime of tagging, thus needing a less substantial process of adaptation. Furthermore, EM has been asserted as failing to fit the criteria of a 'disciplinary technology', and relates closer to Foucault's later concept of control; accordingly, much is unknown about how its penal affects are derived, and why they appear to vary so much in previous research (Nellis, 2009).¹¹

The concept of knowledge is also discussed from a similar position by advocates of ANT. Asserted to often become an object in itself which is essential for social order, yet existing in a 'distributed state' across and within actors, Sheila Jasanoff asserts that *knowledge practices* cannot be disentangled from their material or physical housing (2004, p.12, 24). Work on police-tasers, deploys similar ideas to contend that decisions to use them, may not

¹⁰This work is influenced by Deleuze and Guatarri's ideas on 'affect theory' (1988, p. 101). They describe an experiential state where being impressed upon, or impressing upon others, occurs: objects like artwork may produce 'resonating states' for example.

¹¹ See below for discussions on Foucault, governmentality, EM, and control theory.

only be based in officer's emotions or rational decision-making processes, but from an interacting assemblage of imperatives, on the spot. Accordingly, 'user discretion' is a temporal outcome of the device ensemble being triggered in various circumstances (Dymond, 2019).

These concepts may be further plausible to EM, to consider how outcomes surrounding user activity becomes a *form of knowledge* that can be monitored and regulated. Discussing its penal regime, Nellis shows how when connecting stakeholders through real-time monitoring, precise geographical information about physical whereabouts becomes penologically usable (2010; 2017b). It is possible to go further and explore how user behaviour is central to this form of abstraction: compliance is a temporal outcome of their shifting circumstances becoming subject to its new regime, which is digitised and fed back into the system, to be controlled (Hucklesby, 2011).

Despite allegations to the contrary (see below), Latour and Callon rally against mechanistic explanations for social action. Critiquing methodological individualism for treating actors as simply 'rational calculative actors', they assert that individual motivation is itself an *outcome* of overlapping, and sometimes conflicting, inputs (Latour, 1993; 2005, p.200; Callon, 1999b). Rather than discover 'guiding forces', ANT's position of radical performativity tries explain states of affairs only when actualised (Latour, 1986; Mol, 2002); it counter-intuitively examines outcomes as they are performed, instead of trying to prove what caused a particular social action.

Criminological research employing these ideas, has found traction with the issue of digital piracy. This work, problematises traditional explanations of wrongdoing based on biological, socio-economic, and political forces; contrastingly, it argues for a techno-social understanding that treats criminal activities as 'patterned practices' that are distributed and maintained across multiple digital sites. What is considered legally acceptable, thence, is emergent from how these interactions are constantly shaped and re-shaped, making this form of crime itself a contested concept (Hinduja, 2012).

Concerning tagging, this form of anti-reductionism may be very applicable. As discussed, variables intended to evaluate its success often give non-uniform results, which are compounded by its many sentence types (Renzema, 2013, pp.253-255; see chapter 1). Therefore, a focused examination of EM in actu, through a perspective that treats the penal measure *as it is* rather than *why it is*, is perhaps best placed to capture these dynamic and myriad outcomes.

Some Criticisms, Responses and Alternatives

ANT has inevitably attracted criticism, often on overlapping political, epistemological, sociological, and empirical grounds.

On the first, the capacity of the approach to uncover power relations and social injustice has been questioned, with its aim of tracing associations, cited as under-appreciative of patterns of exclusion and the activities of the excluded (Star, 1991; Whittle and Spicer, 2008, pp.612, 618-623). In a similar fashion, the approach has been challenged for neglecting the ‘addressees’ and instead focusing on the ‘addressors’ of socio-technical programmes, leaning it toward voluntarism (Vandenberghe, 2002, p.65). Contrastingly, its purported lack of concern regarding underlying causes, also, allegedly, implies a ‘God’s eye view’ (Lee and Brown, 1994).

For a study of EM, major considerations arise from these objections. Firstly, although the device-system connects various actors, the *stakes* for those involved vary dramatically depending upon their role: non-compliance reliably meets further coercive sanctions. Secondly, it entails radically different processes of enrolment, with users exercising much less ‘agency’. Finally, as a marginalised and disempowered demographic, users’ have been shown to have *critical deficits* in vital ‘pro-social’ skills (or ‘capital’), often, alongside a

disproportionate presence of the 'anti-social'.¹² Indeed, later chapters will show how similar socio-technical competencies and associations are pivotal in EM's functioning.

Despite pertinent criticisms, ANT, has, nonetheless, often provided new ways to think about marginalisation (Winance, 2006; Callon and Rabeharisoa, 2010). Research on techno-scientific junctions like how the Chernobyl disaster impacted farmers, and how the medical establishment officialises illnesses, have for instance, illuminated how powerful institutions can sometimes enact outcomes using expert knowledge over lay people (Mol, 2002, p. 52; Wynne, 1996 cited in Law, 2004, pp.90-91). Criminological work, has used these concepts to explore issues such as eco-crime and GM foods, and is increasingly employed within green criminology (Walters, 2010). Therefore, in principle, not opposed to exposing contemporary injustices, ANT tries to show how ideas like 'oppression' or 'inequality' should not be taken for granted, but arise from processes that require empirical investigation (Moser and Law, 1999, pp.196; Latour, 2005, pp.46-50, 58-62). As such, it may be modified to understand how EM prompts radically contrasting demands for different actors.

ANT's epistemological stance of generalised symmetry, has, however, been questioned. By focusing on outcomes rather than causality, it is contended that certain actors may not be symmetrically represented at all (Collins and Yearley, 1992; Krarup and Blok, 2011). Indeed, socio-technical systems like EM that have certain 'asymmetries' built in, have not been explored much in the approach. Criminological applications of ANT, have neither (yet at least), tackled the disproportionate power wielded by the CJS, or its routine miscarriages (Naughton, 2007).

¹² Bourdieusian concepts of 'pro-social capital' have been discussed regarding EM desistance (Hucklesby, 2009). The idea may, though, be inserted into ANT's framework with certain caveats according to Michael (Michael, 2017, p.81).

Still, ANT potentially has tools to investigate such issues. Latour, has adapted the concept of 'black boxing' to describe the process through which inconvenient information or unwanted practices become closed off from discussion. Law, uses the concept of 'othering' to similarly define how alternative perspectives on reality become absent or eventually silenced in official discourse, with 'submission' advanced as a hierarchical version of this technique (Law, 2004, p.124; Winner, 1993, cited in Latour, 2005, p.251; Lam 2015, p.82). By trying to outline *all the activity* within a socio-technical system, this form of description may be valuable in exploring EM. For example, non-compliance may be seen as integral a feature of its routine activity as compliance, with both parallel types of work that, ultimately, are rendered into an acceptable format through official arbitration, by those with the means to arbitrate.

More sociological concerns, however, have been levelled against ANT's affinity toward objects. Difficulties have been cited in its ability to examine certain phenomena such as 'morality', which although definably acting within society, are not always 'folded' into technological artefacts, and are not discussed much in the approach (Krarup and Blok, 2011). Latour, himself, has even conceded to occasionally lapsing into traditional explanation over such issues; consequently, more recent work has redefined what non-humans are, to acknowledge various 'actants' (Whittle and Spicer, 2008, p.614-618; Latour, 2005, cited in Sayes, 2014, p.137). Implying a more neutral understanding, the concept is, nonetheless, typically applied to non-humans, suggesting some key differences between them.

This is an important consideration relating to tagging. Indeed, whether users perceive surveillance as a feature of the measure, or whether they simply perceive the physical equipment, is debated (Nellis, 2009; Jones, 2013). It is, therefore, crucial to understand what *kind of agency EM has*, to avoid simplistic technological determinism or bland anthropocentrism. ANT offers plausible advantages in overcoming similar questions, and chapter 3 will outline how I got the object to 'speak'. Yet, this consideration indicates limitations on ANT's idea of object agency; indeed, it has been noted how a lack of self-awareness represents an 'empty black box' for devices (Winner, 1993).

Although, heavily, and quite fairly criticised, ANT has still been pivotal in creating a new 'non-anthropocentric' social science. The term 'ontological politics', is used by Mol to explain how the approach is not intended to remove subjective experience, but remedy intractable social-scientific debates through a neo-materialist perspective, by not privileging vantage points over each other (Mol, 1999). This may, plausibly, provide a favourable framework for examining tagging, by investigating how design intentions, physical equipment, and user interaction merge and lead to various outcomes, once in operation.

Nonetheless, the perspective may still require extra consideration to capture the dynamics of EM when attached to users. More recent developments, dubbed 'ANT and after', have attempted to overcome some of the criticisms mentioned. These contemporary studies have forgone its early fixation on tracing empirical associations, and instead advocate more in-depth ethnographic observations to better understand the complex and contradictory activities that may occur within sites, and to potentially better capture the voices of the silenced (Moser and Law, 1999; Alcadipani, and Hassard, 2010). For this investigation, these developments allow for in-depth investigation of one specific 'node' within the EM system; pertinent, as it principally explores the activities of those on tag. Therefore, an ANT and after approach may be better placed to capture the experiences of this under-researched, and much deprived, section.

ANT sits alongside several neo-materialist approaches. Postphenomenology, with it, shares an interest in uncovering how technologies mediate activity (Adams and Thompson, 2019, pp.10-13; Aagard, 2017, p.527). The perspective is concerned with how socio-material goals are accomplished; particularly, how the intentional actions of users become transformed through technologies. Focusing on the direct point of technological usage, it defines the human body as a perceiving entity and its centre of enquiry, and attempts to understand what objects do to subsequent activity. Its concept of 'multi-stability' shows how objects may derive different uses through circumstance and objectives, with e.g., a park bench or knife being used in different fashions depending upon the situation (Ihde, 2009, p.19).

Applied to self-tracking devices and medical equipment for disease screening (Kiran, 2015; Van Den Eede, 2015), the approach has yet, however, to be applied to non-negotiable technologies, or those that 'coercively connect' users. Still, its focus on usage potentially allows for more engagement relating to the embodied features of EM (as mentioned above), that may be directly experienced by users, and *felt* through their interactions.

Although plausible for studying tagging, Latour still faults postphenomenology for 'over-privileging' the intentional features of object/human relations, and under-theorising the importance of wider social agendas (Latour, 2005, pp.60-63). In response, postphenomenologists have criticised ANT for underselling these 'meaningful' junctions, which are often observably important, besides tending toward 'third person' accounts (Aagaard, 2017, pp.28). This is an important consideration in a study of a technology like EM, which is directly worn.

Critical technology studies are described as a 'parallel stream' in postphenomenology, with a more suspicious stance. Its ideas have considered a range of criminological issues: law enforcement, car crime, punishment, and EM itself (Brey, 2017; Hallsworth and Kaspersson, 2017; Newton, 2017; Verbeek, 2016, cited in Burke, Collett, and McNeil, 2019, p.40). This perspective asserts that technological mediation is not just intentional, but results from how design intentions 'amplify', or contrastingly, 'reduce' human behaviour, with the stabilisation of these outcomes achieved through manufacture and on behalf of wider social/political pressures (Aagaard, 2017; Verbeek, 2011, pp.90). Marshall McLuhan's idea of technologies existing as 'extensions of the human body' is also often discussed in the approach: as material tools intended to augment human capabilities. Penal objects like EM, may, for instance, fulfil rehabilitative duties or be constructed for control purposes, e.g., as extensions of the CJS's 'penal eye' (McLuhan, 1964, cited in Brey, 2017, pp.21; Ekblom, 2017).

By focusing on design, the perspective arguably allows for a more critical reflection on EM. Potentially overcoming ANT's sometimes voluntarist leanings, it, nonetheless, arguably,

presents certain difficulties for understanding how *unintended consequences* often result from object/human interactions, which are neither apparent from immediate perception, nor design. ANT occupies a middle ground between the two; although bridging them, a study of tagging likely benefits from their supplementation.

ANT's likeness to Erving Goffman's concept of performance, has also been noted (Goffman, 1968 cited in Law, 2005, p.56; Latour, 2005, cited in Jensen, 2010, pp.337-339). This, in some respects, similar position, has been applied to a range of devices, including EM. Recent ethnographic research using Goffman's ideas has looked at how contemporary urban mobility is performed through a series of 'co-ordinated conventions' (including crossing the street, using escalators, or public transport). Becoming increasingly technologically mediated, these conventions, are though, shown to happen today amongst digitally 'networked selves', through devices like mobile phones and 'smart transportation systems'.

Goffman's concepts of the 'home' and 'institution' world are also applied to how EM collapses the two, allowing private spaces to be colonised by the CJS (Goffman, 1961 cited in Staples and Decker, 2009). Indicating an opportunity for further cross-theorisation, care, however, is required if synthesising it with ANT. For example, Law (contentiously perhaps), dismisses Goffman's idea of a 'backstage controller' being behind individual actions (Law, 2005, p.56). Nonetheless, Goffman's idea of 'skins' or 'shells', which allow people to navigate their way through codified systems and regulations, have been adapted to transportation systems such as cars and trains, as 'hard shells' (Goffman, 1972, cited in Jensen, 2010, p.337). These may have use in understanding EM, itself described in metaphors such as 'virtual prison', 'digital jail', and the 'electronic ball and chain' (Gibbs and King, 2003; Roberts, 2004; Kofman, 2019).

Theorisations of EM; ANT Objections

EM has been theorised much in governmental and critical criminology, whilst also evaluated from an administrative criminological position. In this section I will attempt to remedy some of the tensions between these competing approaches, and go beyond them.

The emergence of EM is often linked with neo-liberalism, and is located to a trend toward greater punitiveness and control in the CJS over the last four decades by governmentalsists such as David Garland (2001, pp.168-174). Characterised by a move away from welfare and rehabilitation towards strategies of 'risk management': greater efficiency, economy, and calculation have also been related to this paradigm shift in justice (Feeley and Simon, 1992; 1994; O'Malley, 1992; 2004; Nellis 2005). Further identified as a 'situational measure of crime reduction', EM is intended to harden targets, and/or, make offending difficult, and is often mentioned alongside the growing use of measures like alarms, CCTV, and hostile architecture that have become commonplace in society (Rose and Miller, 1992; Rose, 2000, pp.331- 334).

Temporarily incapacitating offenders by limiting criminal opportunities, while implemented through commercial entities to, allegedly, 'save costs', EM strongly fits into these recent develops (Paterson, 2013, p.215-217).¹³ Non-custodial penalties like tagging are further often related to the creation of a new 'underclass', disenfranchised by welfare deconstruction and de-industrialisation, and subject to increasing state control. Stan Cohen contends that similar measures 'disperse carceral power' away from the penitentiary out into the community: 'widening the penal net' (Cohen, 1984, pp.48-57; Wacquant, 2009, pp.68, 115). Often discussed concerning EM, this process, as mentioned, may potentially occur through the sanction drawing more offenders into the front end of the CJS, or, contrastingly, the back end, when violations lead to imprisonment. Cross national data on this, however, is inconclusive, although the measure has definitively *not* decreased prison

¹³ That is, if users comply.

populations as was initially hoped (Tonry and Lynch, 1996 and Aebi, et al., 2015 cited in Beyens, 2017).

Governmentalists use Michel Foucault's later theory of control, whilst Marx's political economy is more central to critical criminologists; nevertheless, their conclusions are often similar when discussing tagging. Still, the more power neutral approach of the former sees class oppression not as an *objective*, but a *consequence* of techniques aimed to direct the 'bio-power' of individuals and populations towards desired social ends through institutional technologies (Rose and Miller, 1992, pp.183-189; O'Malley, 2011, pp.320-327). EM has been further associated with 'actuarialism' in this perspective, which describes how similar techniques of governing (supposedly) favour cost-effective sanctions that no longer attempt to reform offenders, and are increasingly technocratic (Feeley and Simon, 1994, pp.174, 180). The supposed savings offered by EM and related programmes have, though, yet to materialise, indeed, costing the UK government large sums thus far. An ideological commitment toward the programme is thus apparent, which prompts questions about its beneficiaries (Nellis, 2017a; 2018b).

Despite their many valid assertions, these positions are criticisable for being too top down and mono-directional, besides painting EM in an overwhelmingly negative light that is not always shared by users (Nellis, Beyens and Kaminski, 2013, p.14). ANT research by Steve Woolgar and Daniel Neyland has challenged other governmentalist writing for being often inflexible, deterministic, and for ignoring the frequent processes of 'negotiation' usually necessary for the achievement of institutional outcomes (2013, p.13). Certainly, EM's design intentions are often unrealised: the ecology in which the equipment resides may inhibit it, whilst users' often-times resist it; others may not see it as especially coercive either.

More recent writings on surveillance using the work of Deleuze (who develops Foucault's concept of control, see below), have explored how digital and technologically mediated spaces regulate populations, and have considered EM (Nellis, Beyens and Kaminski, 2013, p.14). Nellis, also adopts the concepts of the 'telematic society' and 'e-topia' to discuss

tagging in recent writings (Bogard, 1996 and Mitchell, 1999 cited in Nellis, 2017b, pp.104-106).

Concerning 'telematics', Nellis discusses how recent digital technologies that allow perceptual control at distance (including things like EM and smart phones), are symptomatic of an 'imaginary' that desires instantaneous connectivity. Advanced with somewhat ominous implications, tagging, however, is claimed to fall short of the disciplinary outcomes and 'hyper control' feared in this perspective, at least in its current RF format. Nonetheless, he cautions against the tendency towards increasing technological refinement, especially that capable through GPS tracking, besides other potential future tagging devices (2017b, p.105).

The idea of e-topia takes a more optimistic view on how new connectivity is achieved through improving 'tele-presence; like GPS replacing landline telephone technology for instance.¹⁴ Nellis, contrastingly, warns against its uncritical conclusions, though, highlighting how transactional exchanges have replaced older interactional forms of communication. Linked to the demands of contemporary capitalism, this objective of instantaneous exchange is said to increasingly elevate impersonal objects like EM, which are further asserted to be often inadequate replacements of human agents who once did vital 'face to face work' (2017, p.107).

Tagging has also been evaluated through administrative criminology, and much cited data falls within this framework (see chapter 1). Claimed to provide 'straight forward' non-theoretical research, this approach emphasises *utilisability* and is typically geared toward criminal justice officials who wish to measure sanction effectiveness (Galiher, 1999; Hough, 2014). Studies on tagging, in this vein, have attempted to discover factors related to

¹⁴ Interestingly, EM still uses landlines for RF systems.

completion rates using the idea of 'compliance'. Similarly, offence reduction, as measured through 'desistance' is also intended to assess this penal outcome (Hucklesby, 2008; 2009).

Although providing much valuable data, the foundations of the perspective have been heavily criticised. Critical (and formerly critical) criminologists like Jock Young and Cohen have indicted administrative approaches for failing to address wider questions regarding punishment, and for not questioning *how* and *why* definitions of legality are constructed, and *on whose behalf* (Cohen, 1988, cited in Galiher, 1999, pp.56-59; Young 2011, cited in Hough, 2014, p.215).¹⁵ Despite this, desistance research is contended to be more 'humanistic' and organic than other expert led models of offence reduction, including risk based and situational approaches (Maruna and Lebel, 2010 cited in Burke, Collett and McNeil, 2019, p.76). Still, it is criticised by others for concentrating too closely on the individual and ignoring wider social factors relating to criminal de-escalation, and for setting research agendas that 'mute deviant knowledge' (Walters, 2001; Weaver, 2019, pp.1-2).¹⁶

Administrative criminology, according to Garland, not only researches penal measures, but helps to *practically realise* them (Garland, 2001, pp.90-91, 133; Schaeffer, Cullon and Eck, 2016). Certainly, ideas like compliance and desistance are widespread in government led research which often feed into programmes like EM, and crucial early trials of it in E&W adopted these concepts (Mair and Nee, 1990; Bottomley, Hucklesby and Mair, 2004). From a Latourian position, tagging is, therefore, arguably, indirectly 'scripted' by administrative criminology, which shapes its design. Still, the extent to which EM policy has been evidence led or ideological is uncertain, as officials may choose to ignore inconvenient findings, as is often the case (see chapter 1).

¹⁵ Administrative criminology, thus betrays an inherently political and theoretical stance.

¹⁶ Which, ergo, is extendable to compliance theory.

Work on control conducted through ANT, may have merit in transcending the tensions between these contrasting approaches for theoretically conceptualising tagging. This writing, has, somewhat amusingly, discussed how cat flaps do not achieve the control of cats per se on behalf of owners, but instead are devised to *modify a range of behaviours* that cats may, or may not, be prone to (Ashmore, 1993). Success in governing these behaviours is contended to result from how cats, flaps, owners, and environmental stimuli converge at specific moments to allow the animals to successfully recognise how the system works: training them to move through their socio-physical territory. The idea may plausibly be used to consider how the regime of EM is tied to a set of deeper penal objectives in which the behaviour of convicted law-breakers is similarly modified, albeit through a limited and short-term measure. Rather than controlling offenders per se, or even populations of offenders, the fundamental aim of tagging, is, however, a device system that mediates *undesirable spatial-temporal activities*.¹⁷ In adopting scripts such as compliance and desistance, EM deploys a set of binary measures that allow this continuous modification to be detected, digitally codified, and monitored. As the device-system is not capable of directly monitoring law breaking, the objective of helping to achieve desistance is, consequently, collapsed into users' restrictions on movement; by controlling their whereabouts in time-space, some reasonable control is plausibly established over their offending.

Nevertheless, the successful accomplishment of these penal desires depends upon the many actors temporarily connected by EM's device-system; yet these are concerns ANT may also have value in meeting. Latour, believes that irreconcilable debates like those between administrative and critical criminology, articulate 'different sides of a modernist coin' that have, until now, politicised social problems in competing ways (Latour, 1993, cited in Dufresne, 2015, p.58). Attempting to break similar deadlocks, ANT, as discussed, acknowledges how contrary and ambivalent activities are often part and parcel of socio-

¹⁷ This idea of modification borrows heavily from the Deleuzian idea of modulation, used to describe how digital control is achieved in a 'continuous fashion' (see below).

technical governance. Concerning EM, both non-compliance and re-offending are, for instance, common, despite its carceral intentions (Nellis, 2013c, p.153). Accordingly, in pursuing 'policy friendly data',¹⁸ administrative criminology fails to appreciate tagging in its messy entirety, silencing information that does not fall into its remit. Contrastingly, critical approaches, being unconcerned with its mundane functioning, may focus too heavily on its coercive and punitive side. Through ANT, compliance and desistance can be seen as achievements that emerge, or not, as the device-system interacts in an extended set of relations. In other words, 'anti-programme' actions are simply a normal part of its routine activity that, perhaps, also offer insights into deeper CJS policy objectives surrounding criminal offending, and why they often fail in practice.

Classic criminological work with a critical perspective on punishment cites five key 'pains' created by imprisonment,¹⁹ and has been applied to EM (Sykes, 1958, cited in Paine and Gainey 1998; Smith and Gibbs, 2013; May, Paine and Wood, 2014). Presupposing that a reasonable amount of *retributive* reasoning also permeates the sanction (Nellis, 2005; 2009), 'pains of restriction' that mirror those of jail, but are somewhat lesser, have been linked to the surveillant penalty; these have been shown to impact female and ethnic minority users more (Smith and Gibbs, 2013; May Paine and Wood, 2014). To a degree, this concept also potentially helps to resolve antagonisms between critical and administrative approaches on EM by offering a contrasting measure for user experience that allows for perspectives, not fitting within the latter, to have room.

Still the idea of EM simply producing pains does not always fit. Research on female prisoners, has, in this manner, suggested that although women often feel the pain of incarceration more so than men, positive feelings are also sometimes offered by inmates (Soffer and Azenstadt, 2010). Consequently, a neutral take on EM is needed to understand

¹⁸ Or 'data friendly policy' for the more cynically minded.

¹⁹ Namely: 'deprivations of autonomy, goods and services, liberty, heterosexual relations, and security'.

competing responses that can also potentially transcend the 'anti-pragmatism' of more critical perspectives -which (although arguably correctly) emphasising issues external to the CJS in the tackling of penal issues (Naughton, 2007. p.58), can also be ineffective in their impact- whilst yet showing how continued techno-political imbalances significantly influence sentences.²⁰ The Latourian concept of affects (discussed above) plausibly offers a way to reflect on the 'pains of restriction' by extending it to include positive or even joyful experiences, besides the neutral, and/or, ambivalent. They, again, may be seen as *outcomes* from how the measure connects a temporary penal assemblage of wider relations, and becomes 'affective'.

Technological Governance, Liquidity and the Exercise of Power

ANT, is heavily influenced by the philosophy of Gilles Deleuze, whose ideas about contemporary governance have been extensively applied within criminology and security studies (Deleuz 1993, cited in Latour, 2005, p.205; Deleuze, 1987, cited in Braidotti, 2013, p.28).

What can be described as 'control theories' have gained traction in recent years following Deleuze's essay: 'Post-Script on the Societies of Control', which itself, pre-empted the emergence of devices like EM amongst other technological means of observation (1992). It is contended by Deleuze, that present society has transitioned past Foucault's earlier disciplinary model of governance that attempted the substantial internal transformation of subjects, to a new epoch founded upon his later idea of control, which, instead, performs the simple managing of behaviour (Hui, 2014). Arguing that administrative power is presently exercised in 'fluid and heterogeneous spaces', Deleuze further asserts that de-centred institutional arrangements are now responsible for ordering life unlike during the Fordist era, and are much more technologically mediated (Schuilenburg, 2015,pp.25-35).

²⁰ It is beyond the remit of this study to delve too deeply into these issues, although how they intersect with EM will be discussed as appropriate concerning users.

Functioning through ‘assemblages of networked nodes’ rather than rigid and centred grids, the surveillant capacities of these diverse agencies are said to achieve near totalising monitoring capability through ‘molecular-level operations’, while detecting patterns within vast flows of digitally abstracted data (Haggerty and Ericson, 2000; Hui, 2014; Schuilenburg, 2015, pp.87-95).

Territorial control is also central to this account of governance. Deleuze’s idea of ‘disindividuation’, puts forward that individual identities in contemporary society are increasingly broken down and geographically dispersed into discrete units of digital information across organizations (like bank accounts, student ID’s, or indeed, EM), resulting in the ‘death of the individual’ (Freinacht, 2017). Techniques of ‘modulation’ are said to now also *continuously monitor* this behavioural data over multiple ‘deterritorialised sites’, which are managed through subtle strategies like nudges, or more explicit enforcement protocols (Deleuze, 1992, cited in Hui, 2014, pp.85-87). Deleuze, explains further how control is re-established over these dissembled units of data via ‘reterritorialization’, when technologies reconstruct territory using ‘colonising ideas’ (Munro, 2015; Haggerty and Ericson, 2000). From a Deleuzian position, EM constructs a digitised penal boundary on behalf of the CJS by monitoring users’ positions; consequently, a carceral identity dispersed across multiple geographies, whilst physically present in one ‘node’, is achieved. Contrastingly, older carceral regimes like prison can be seen, alternatively, to ‘lock’ inmates’ identities into a physical location.

In a somewhat similar vein, Zygmunt Bauman’s concept of ‘liquidity’ has been applied to community penalties (such as EM), to discuss how legitimacy regarding compliance has become contested by the unfixed organizational relations of post-industrial society (Bauman, 2000, cited in McNeil and Robinson, 2013). Bearing only a passing resemblance to the Latourian concept of fluidity, Baumanian thought has, however, also been directed toward how modernist epistemological certainties have been challenged in recent years; although, not going as far as to construct a neo-materialist approach around them (Bauman, 2005, cited in Munro, 2009, p.136).

These perspectives have value in theorising EM beyond previous debates, as it plausibly reflects many of their claims. Experiments like EM upon criminal populations have, arguably, heralded extensions of observation into many other facets of contemporary life, and gesture toward growing ethical challenges in the 21st century in which governance, work, and social interaction are bound up in the abilities afforded through increasing technological surveillance (Macnish, 2017; Zuboff, 2019). Nonetheless, if incorporated into an ANT perspective, care must be taken to avoid potentially misinterpreting the depth of Deleuze's work. Although the 'micro-flows' of power which exist within the circuitry of contemporary administration are made space for, misapplications of his ideas may provide the kind of 'ontologically fixed' social explanations of governance and control that Law warns against (Mol, 2002 cited Law, 2004, pp.58-64). Indeed, Deleuze and Felix Guattari adopt the metaphor of 'rhizome' -which describes the root structure of certain plants- to explain how bureaucratic structures are today linked through non-linear connections that exist without a point of origin, and are capable of extending and re-connecting their tendrils at multiple points, dissolving distinctions between controllers and the controlled (cited in Haggarty and Ericson, 2000, pp.111-112).

ANT, goes past control theory and fully embraces Deleuze's philosophical commitments to argue that objects like EM tags or CCTV cameras construct 'ontologically distinct realities' (Law 2004, pp.77-85). Rather than an intensification of Foucault's 'Panopticon', Latour instead forwards the concept of the 'oligopticon' to account for how control and observation are exercised, contending that the act of observation cannot be decoupled from the sites and materials it occurs through. Socio-technical 'oligoptica' are further posited as having limited optical scope, yet are distributed so they may often observe and manage small portions with great precision: *constructing the terrain they surveille* (Latour, 2005, pp.175-183). For Latour, this metaphor is not, however, intended to be a blueprint for identifying governing strategies, but describes how localised performances often produce multifarious and distinct instances of control.

A return to Deleuzian perspectives on surveillance, may, consequently, be useful concerning EM which fulfils many of the extended concepts he forwarded, and may align with ANT if done correctly.²¹ Although Deleuze takes a more 'top-down controller position' on how control is established, tagging, despite taking advantage of advances in Information and Communications Technology (McGuire, 2012, p.55), still heavily relies on an extended network of actors to properly work. Therefore, it exists as a *partial solution*, which, notwithstanding its proficiency can be circumvented, thus suggesting a somewhat looser surveillant format than other applications (at least, regarding RF tagging).

Other conceptions of surveillance have also recently been applied to EM. The 'synopticon' is claimed by David Lyon to characterise how contemporary surveillant platforms (like smart-phones and the internet) facilitate the monitoring of everyone, by everyone: distributing the capacity to observe amongst multiple controllers (Lyon, 1993; 1994 cited in Bloomfield, 2001, p.178; Lyon, 2007). As a 'decentralised' version of panoptic power, it shares some features with ANT's vision of observation. Yet, it is often discussed as an 'ontologically stable' idea, and faces further limitations when discussing EM's surveillant capabilities, which prohibit the reciprocal observation allowed by other platforms.

'Sousveillance', is an inverted form of surveillance whereby those on the bottom watch those at the top of society. Applied to activism on digital platforms, the term 'governing government' is also similarly used to understand new networks that have recently challenged criminal decision making (Mann, 2004 cited in Galic, Timan and Koops, 2017 p.31; Naughton, 2013). Although again potentially useful in outlining how contemporary surveillance is open to re-tooling, it falls short concerning EM: most users are unable to use hi-tech counter surveillance to observe their observers. Despite this, being plausibly engaged in other forms of resistance, a non-deterministic stance on surveillance may allow for reflection on their well-established counter programme actions (Paterson, 2007, p.320).

²¹ Chapters 5 and 6 incorporate these Deleuzian concepts.

Underpinning these perspectives on governance and surveillance, as stated, lies much Foucauldian and Deleuzian thought. ANT, though, advances their meta-ideas on power. Going so far as to contend that power is the *consequence*, rather than the *cause* of social relations being formed, for Latour, again, the exercise of authority is realised only *in actu*. Claiming that human society is only possible through the performance of related actors -who can either 'pass on' or 'pass up' on commands- the practice of collective organising is stated to be an inherently indeterminate process, that allows both implicit and explicit rules to arise (Latour, 1986, pp.266-274). As such, *resistance to power* is cited as common within co-ordinated social endeavours, and requires constant mediation by those trying to achieve them, to overcome frequent issues.

Law, has advanced this position to argue that although performance is central to the exercise of power, that it may, nevertheless, be 'stored' and enacted at specific times. Power may also be exercised both for and over other actors, however, subject to *discretion*, it may be withheld too (Law, 1991, pp.165, 172-175). Material objects are once more stated to be essential in this, with 'long distance methods of control' (such as sea-faring vessels or navigation devices), reliant upon the faithful work undertaken by these mediators (Law, 1986b, pp.10-12).

More recent ANT texts tackling power have used the ethnomethodological ideas of Harold Garfinkel, to explore how localised performances of it arise. This work has demonstrated how recycling, speed cameras and airport security are made possible through the construction of 'ontological bases' that both classify and make activities accountable; subsequently, moralising these programmes by creating their rules and regulations (Woolgar and Neyland, 2013, pp.25, 57). Within governing processes, it is argued that successful compliance can be seen an *achievement* of an ensemble of co-ordinated activities: relying upon governed subjects, governing instruments, and allied actors to follow continuously reconstructed rules (pp. 136-138). However, disruptions are further contended to be frequent but sometimes *necessary features* of governing that help to reinforce

acceptable behaviours and mark out the prohibited. Here, Garfinkel's concept of 'breaching' is adopted to explain how anticipated and stable organising activities may become 'ontologically insecure' through the unexpected appearance of actions or objects, requiring repairs and fixes from governing authorities to continue (Woolgar and Neyland, 2013, pp.223-225).²²

These ideas, that highlight the incompleteness of social power, provide further advantages for understanding the routine functioning of EM, which (as stated) is shown to routinely feature non-compliance. The successful enforcement of EM's objectives, can, plausibly, be seen as an *achievement* which also relies on various related actors performing required activity. Sanction reinforcement, can, controversially perhaps, be further reasoned as *necessary* for its continuation, prompted by user violations/re-offending. This perspective also provides a neutral foundation for measuring its 'success' that possibly overcomes the issues identified within administrative criminology (see above), but does not lead to prematurely critical pronouncements either.

EM: A Technological De-Description

ANT studies typically provide detailed descriptions of technologies that outline their physical dimensions and practical capacities (Winance, 2006; De Laet and Mol, 2000). As discussed, debates about how to understand non-humans occur often in the approach; Latour's aim, however, is to 'liberate artefacts' from philosophical alienation, without reverting to technological determinism. The role of researchers is to show the *key moments* from where emergent phenomena arise, and simply describe them (like the point when a scientist mixes two substances, or a marijuana joint is inhaled) (Khong, 2003, p. 700; Matthewman, 2011, p.105). Observations of tagging will follow in later chapters, but below I will identify what the specific actants are within the regime of EM, to help untangle the central questions:

²² The concept of breaching comes from Garfinkel's famous social experiments, in which students acted in unexpected ways during social interactions to provoke reactions from audiences (Garfinkel, 1967, cited in Neyland and Woolgar, p.28)

*how does it become a punishment, and how does it work?*²³ Next, the associated actors it is inserted amongst, which construct a ‘temporary penal assemblage’, will be outlined.

Life on tag begins officially following the rendering of a sentence or bail order in court by a Judge or Magistrate, or release from jail. An offender who has been convicted of a crime or a suspect who is awaiting trial will be read their disposal or bail conditions based on a pre-sentence report and recommendation by the Probation Service, or will be signed off by a Prison Warden. They will be informed of their conditions, which are typically a 12-hour curfew from 7 p.m. to 7 a.m. in a fixed residence (although conditions can vary), from a period of a few weeks to 12 months, beginning that day. Monitoring engineers will typically arrive alone shortly thereafter, with the equipment and a copy of the court disposal.

EM integrates several components. Most recognisably perhaps, the Personal Identification Device (or tag), is the physical device worn by users in the form of an ankle bracelet. It comprises of a black rubber electro-magnetic band around 2.5 centimetres in width and 0.5 centimetres thick that attaches into a slightly larger grey or black carbon alloy radio transmitter, locking it together. This attachment completes an electronic circuit when complete, which if broken, prevents a radio signal being received. Heat and motion sensitive, PID’s can also detect a temperature drop if removed, or if stationary for unusually long periods. Physically robust, PID’s also can (supposedly) withstand 200lbs of pressure per square inch before the catch mechanism will break; although it is designed to fail in these circumstances to prevent harm occurring to a client in the rare event of it becoming accidentally caught on something. As the device is mobile, it must be measured and fitted by an engineer using a selection of specialist tools. EM employs landline telephone technology; consequently, prior to its installation in a residence a phone line must be located, and the static Monitoring Unit that resembles a large black telephone receiver complete with a handset, is inserted. However, for the equipment to begin working together a perimeter

²³ Although I mean ‘punishment’ in a looser manner here, to denote a sanction rather than a punitive experience.

must be constructed; this is performed by instructing the users -when fitted- to walk around the entirety of their residence to allow the MU to calibrate its boundaries. During this, the engineer will co-ordinate with the monitoring station using their mobile business phone and a handheld transmitter that resembles a credit card reader, which uploads relevant data codes concerning the perimeter. Simultaneously, a monitoring officer in a station will log this information into an individual case-file, and then construct the curfew. Following the completion of this boundary, the engineer is required to test the equipment to ensure it works correctly by logging a false breach.

The MU works by dialling the PID approximately every 11 minutes using an encrypted radio frequency. If the tag is not within its boundary during curfew hours an alarm is sent to the station. An officer on duty will then phone the MU to contact the user to check their location. If unanswered, a violation is flagged on the file of the offender, which is then sent to the Probation Service and further penalties may be forthcoming. In the event of a breach, these actions may include verbal or written warnings, court summons, cautions, and even imprisonment for frequent and deliberate violations. Officers will have access to detailed information regarding a client's curfew conditions, which can be accessed through a database containing my thousands of cases. The phone also allows the offender to contact the station and emergency services, and managers are trained to deal with various situations and provide support. Approaching the end of the sentence, the user will be contacted to inform them of their impending release; an engineer will be dispatched when this period ends, with the equipment removed, collected, and recycled.

EM, may be seen as an 'actant-ensemble'. Although the PID is the more visible and intimate part of the device-system, the MU, due to its direct connection the monitoring station, is also an integral component. Previous research has indicated how both can be implicated in negative testimony from users, due to PID's sometimes being uncomfortable and having stigmatising associations; contrastingly, the MU is occasionally perceived as more invasive within the home, while false breaches may lead to frequent phone calls (often at night) (Mair and Nee, 1990; Hucklesby, 2013, pp.235-238). Together, however, through the RF regime, they combine to restrict user's spatial-temporal movements, thus excluding them

from certain spaces and prompting them to sometimes significantly change their habits (Nellis, 2013, pp.196, 199, 204). Research has indicated how by prohibiting access to certain locations, this penal system may not only impinge upon anti-social behaviour, but can often problematise more routine and pro-social activities. Users may be discouraged from finding work, prevented from seeing loved ones, or keeping up habits associated with healthy lifestyles (Renzema, 2013, pp.262-266). This may result in boredom, anxiety (particularly concerning time-management), conflict with co-residents, depression, increased alcohol and certain psycho-active substance use, and even potentially endanger them by providing other offenders knowledge of their whereabouts (Hucklesby, 2013, p.237). Nevertheless, the regime has been found to help some users become 'work ready', decrease certain patterns of substance use, and improve bonding with family members. The physical equipment can also provide feelings of security and reassurance (especially the PID), which can remind users to stick to goals of desistance. Interestingly, despite operationalising a far more intensive surveillant regime, GPS tracking may mitigate some of these issues, by allowing for more tailored restrictions; nonetheless, it likely also entails the emergence of new, and perhaps unforeseen pains (Nellis, 2017b).

Numerous EM systems have been trialled since the early 1980's, including voice verification devices and drive by monitoring equipment to detect whether an offender is at home (Lilly and Nellis, 2013, p.27). These prototypes were replaced by the current technologies due to their relative inefficiency; the current RF equipment in E&W are patented to multinational security firms G4S and Serco, which have proven reliable since their mass implementation (Paterson, 2013). Relying on relatively 'mid-tech' components: essentially mid to late 20th century landline\switchboard telephone services, radio signalling, and computer databases, it is both miniaturised to the point of being (relatively) discretely wearable and is easy to maintain, needing only two in-person visits to install and de-install it (unless damaged, or extending a boundary) (Nellis, 2017a). Although common amongst the surveillant architecture of their era, alone these parts do not inherently constitute a punishment per se. They, are, however, intended to firstly allow for the application of a form of enforced surveillance by remotely connecting as a system; secondly, they are physical *reminders* to users of their penal obligations and status, and the people around them.

The entry of private ‘solution providers’ into the realm of criminal justice is, as discussed, often linked with a turn toward increasing punitiveness. Yet, EM may also be implemented through more welfarist penal logics, or not be perceived as especially coercive by users (see above). The following section, therefore, provides a brief description of EM’s ‘scripting’ in an attempt to understand how processes of *manufacture and implementation* penologically shape it. It is acknowledged that this process is somewhat messier than stated and varies across jurisdictions, despite today, as a commercial product, an established lobbying and procurement process being in place (Paterson, 2007; 2013).

It may be contended, that the *desire* for a penal sanction like EM *began its penal scripting*. Conceived of by individuals and institutions who were influenced by wider societal problems of the time (such as increasing prison numbers and crime rates), besides the possibilities offered by technological developments in tackling them, the measure was devised as a tool to fulfil these specific carceral aims (Lilly and Nellis, 2013, pp.22-23). Once convinced of its practical utility, justice ministries initiate(d) *the second stage of EM’s penal scripting*: creating general national objectives from political/economic agendas before tendering contracts for potential manufacturers and providers (Paterson, 2013, pp.219-221). After winning contracts, the manufacture of the device system *begins the third stage of its penal scripting*: accomplished by design engineers working to specifications, who, at this juncture, co-ordinate with established tele-communications providers and national infrastructures (Paterson 2013, pp.215, 222).²⁴ Although able to functionalise curfews once physically built, the technology will remain malleable concerning specific objectives until actually in the hands of justice ministries, who, using their own correctional *modus operandi* *begin the fourth stage of its penal scripting*: conducting trials (typically using academic experts), before creating more specific implementation strategies with (potentially) national targets,

²⁴ National infrastructures and political agendas largely determine the shape of EM’s implementation, besides more specific and local social pressures. E&W’s outsourced and heavily privatised version of EM is related to the factors cited in chapter 1.

and eventually various curfew regimes (Mair and Nellis, 2013, pp.65-66; Nellis and Bungerfeldt, 2013). Working with varying degrees of input into the previous stages, the EM system is next ready for use by agencies closer to the ground, who, being staffed with personnel *begins the fifth stage of its penal scripting*: organizational goals, competency, work culture, and regional variation may influence its carceral shape at this point, and vary depending on the managerial responsibilities of the agencies involved (Paterson, 2007, pp.5-7). When dispensed in court or jail to a prospective user a more particular trajectory is laid out for the EM system, thus it *begins the sixth stage of its penal scripting*: sentence length, modality, and procedural justice experience are key factors that modify its shape here (Hucklesby, 2013, p.233). *Seventh*, when installed into a socio-technical residence the EM actant-ensemble begins its user 'life cycle', which *translates these previous penal scripts* through a seminal 'obligatory passage point'. However, still tractable, whether this extension of the 'carceral net' into user's personal space and upon their physical body, eventually *acquires punitive characteristics* is still highly dependent upon a range of interacting and dynamically changing factors that are likely somewhat unique: user motivation, mental health, accommodation, support, employment, finances, offending history, substance dependency, ethnicity, and gender are changing variables that are interfaced and enrolled through the equipment (Renzema, 2013, pp.248-250). Extending over the entire duration of its use, the alignment of these socio-technical associations *completes the final stage of its penal scripting*, and ultimately shape how (or indeed if) it works, and the affects that arise through being bound to it.

It may be useful to return to the concepts of compliance and desistance at this moment. As argued, despite being more formally associated with penological writings, their common use within, so called, 'data driven policy' provide a pre-ready evaluative script to measure its work. As a simple techno-social calculus for assessing EM, they, however, are typically advanced as causal constructs within administrative criminology, to correlate and/or predict offending. From an ANT perspective, they, instead, may be seen as carceral objectives which are *translated* to the actant-ensemble by the CJS, which then *translate users* into a surveillant penal regime. Relying upon the list of varying factors cited above, *if* achieved, though, it is only through their successful co-ordination. Consequently, they can be

understood as outcomes of sanctioning: as *EM power enacted*. Regardless, the successful propagation of the EM network is not as reliant on ‘correct user activity’ as it might be in other socio-technical systems, as data on compliance indicates (see chapter 1). Through well-established connections provided by the CJS, the surveillant apparatus can still *fold users in time-space* unless removed entirely.²⁵ Aware of this, but having limited influence on the programme, EM still ‘works’ notwithstanding users’ activity. Consequently, its design architecture makes it remarkably resilient concerning its misuses by users and implementers, thus betraying clear power asymmetries between related actors from the get-go.

This project, picks up the latter phases of this penal journey from a user position. As such, it outlines how these layered design scripts both reconfigure, and are reconfigured, within pre-emplaced yet dynamically evolving arrangements, which become increasingly open to extended confluences. EM’s punitivity will thus be demonstrated to ultimately *emerge* from how an assemblage of socio-technical associations are connected through it, *as they become affective*.

Conclusion

This chapter provided a critical outline of ANT, and functions as the theoretical foundation of the thesis. Many of the following chapters will refer to the concepts outlined here, which explored ANT’s major tenets and tied these into emerging criminological arguments. The equipment of EM was contended to form an ‘actant-ensemble’, consisting of the PID and MU, which remotely connects ‘hybrid host’ users through RF technology to the CJS; additionally, when installed tagging was said to construct a temporary ‘penal assemblage’ that enrolled several human and non-human actors, potentially leading a range of affects and outcomes concerning sanction functioning to emerge. Pertinent criticisms of ANT were also discussed, which may, therefore, require supplementation with different approaches.

²⁵ Further evidence, that the ‘host’ moniker is apt.

For an ANT study on EM careful forethought is necessary, with the perspective ultimately deriving its value through its applicability, thus requiring revision and expansion where appropriate.

3. ANT Methods for Studying EM

ANT Methodology

ANT has been alleged by Latour as 'more a methodology than a theory per se' (2005, pp.17, 122-125). Sharing much in common with the traditions of ethnography (Baiocchi, Graizbord, and Rodriguez-Muniz, 2013, p.325),²⁶ it urges researchers to 'follow key actors' to 'observe things thinging' while employing specific tricks to interview them, usually through human proxies (Latour, 2005, cited in Adams and Thompson 2016, p.17, 24, 35). As discussed, EM is intended to direct and constrain users' movements, positions, and habits in time-space, becoming an intimate part of their daily lives. For studying its 'thingness', ANT's methodological tenets, are, therefore, well placed to capture how its enforced carcerality is negotiated. Its constructivist approach, as outlined, treats the existence of singular and independent truths with scepticism, while highlighting the pluralised and situated nature of knowledge. Consequently, the wider ecologies of EM are especially made space for, and extended actors' input.

ANT papers often leave out specific methodological information and prefer to include investigative insights as part of their analysis. Radically reflexive, they also acknowledge intervening variables upon the research process (Law, 2002, p.164; 2004, pp.108-110). However, as is usual for similar projects, I will provide necessary information regarding my research design and data collection, but will also provide insights from the research process as required in later chapters. The method employed in this investigation required a substantial amount of time that is prohibitive to most funded criminological research projects (Copes, Brown and Tewksbury, 2011). It is hoped that a sustained 'sociology of EM technology' using interviews and observations will cover empirical gaps and provide new

²⁶ Bona fide ethnographers may contend this, and I will differentiate ANT's stance below.

insights that the positivist and policy driven criminology of today may miss (Young, 2011; Jacques 2014).

EM, ANT and Me

ANT is against author invisibility. It treats researchers as crucial parts of the research process, who through their own experiences and investigatory positions may glean snapshots of socio-technical phenomena, whilst also partially co-constructing them (Law, 2005, p.108; Latour, 2005, p.138).²⁷ As such, it might be instructive to know a little about why this thesis was written, and by whom.

My interest in EM began in the summer of 2006, when a group of my friends (including a fellow participant in this project) returned from court with a curfew sentence, and were promptly tagged. They had been drinking in a pub on ‘someone else’s turf’ during an England game at the World Cup that year, and got involved in a mass brawl that caused many thousand pounds worth of damage to the establishment, after the team had inevitably gone a goal down. Growing up in the sort of neighbourhood we did and going to close schools, they would not be the only people I knew who were tagged over the years, with several friends periodically on the measure, or in and out of prison. Coinciding with my time as an undergraduate and master’s student, these events occurred alongside my developing social scientific knowledge, and I made the link between what I learned with what I could see happening in our city. I researched ‘working class masculinity’ and occupational transformation at BSc and MSc, with an inkling that despite the rapid transformations happening across many towns in the UK, not much had changed for young men growing up in the inner city and the council estates on their run-down peripheries.

²⁸Run-ins with the authorities, were, and still are, frequent occurrences in these spaces, with

²⁷ I will attempt to avoid being too much of a noisy narrator, however.

²⁸ Indeed, like many participants I left education age 15 without any qualifications after attending a school with a minimal GCSE pass rate of 19%, also notorious for its extreme violence. Stabbings, severe beatings, and

crime woven into the fabric of everyday life; contrasting incommensurably with the daily happenings of university grounds.²⁹

Becoming increasingly interested in crime and punishment, I moved toward criminology for a thesis topic. Being acutely aware of changes also occurring within the CJS alongside a series of scandals involving EM at the time, I decided to construct a topic around the issue, following another close friend being tagged. After seeing several people on the measure breach their conditions or simply continue offending, my initial and quite simplistic framing of the issue fell somewhere between Marx and Foucault: tagging was a simple but frequently ineffective means to control the 'criminal classes', whose main beneficiary were the private security companies who contracted it. I was also influenced by more recent developments within technology and surveillance at the time that gestured toward a future in which surveillance systems would be far more intense and wider reaching than EM, with the measure perhaps a harbinger of a new gloomy future extending past the CJS.

Despite these bleak pronouncements, I was, however, re-acquainted with the work of Latour after discussing the topic with my prospective supervisor. I also encountered research portraying EM in a more balanced light, which evidenced its sometimes-benign impact if used sparingly and in a more rehabilitative manner, and could still conceivably lead to a reduction of prison use.³⁰ ANT's object led approach seemed like a good fit for the phenomenon, and after carefully consuming its canon and related texts, I adopted the approach as best as I could, and tentatively forwarded a research project.

sexual assaults occurred during my time there, leading to the introduction of CCTV cameras and security guards with metal detectors on the front gates.

²⁹ This is not to suggest that more 'well to do' areas are free from crime. They certainly are, though, far less targeted by authorities.

³⁰ I make no secret of the fact that I feel the abolition of large parts of the CJS, especially prison, could be achieved and would benefit society as a whole. Nonetheless, I will allow as best I can, my participants to tell their own EM stories.

‘EM City’

ANT emphasises the importance of geography in the snapshots provided by researchers (Latour, 2005, pp.125, 141). Criminological research that includes information on current offending, however, may be required to anonymise place to protect the identities of participants from potentially ‘eagle eyed’ investigators who recognise offences or offenders under investigation. With ethical considerations a priority over exactness of theoretical homage, I will, therefore, give the location of this research a pseudonym: ‘EM City’.³¹

What I can divulge about EM City, is that it is a medium sized urban centre within E&W, but despite its own interesting history, is not especially dissimilar regarding issues of crime and offending when compared to similar sized spaces. Also, given the mass standardisation of the EM programme across the country regarding RF usage (see chapter 1), inter-regional specificity is unlikely to provoke unique considerations regarding the experiences of individual users who I gathered from there and the surrounding area, thus making its generic moniker apt.

Nonetheless, it is still perhaps required to know that EM City has witnessed its fair share of social problems. In the 1980’s it experienced urban riots, and in the 1990’s it faced a heroin and crack cocaine epidemic, and further riots. During the early 2000’s its inner-city area was declared one of the most crime ridden in Europe, amid a rising gang culture frequently observing internecine battles that often ended via the barrel of a gun. Both myself and most of the participants grew up in the area in this period, and the memory of the era likely shaped perceptions of life to come; these were often filled with trepidation about voyaging into certain neighbourhoods, being wary of certain well-known characters, before in some instances adopting the mantle of ‘badman’.

³¹ Or ‘Tag Town’ if preferable.

EM City, however, has drastically changed in the last decade, with growing technology and finance industries accompanied by vastly increasing numbers of students, and it recently classified as one of the UK's leading 'smart-cities'. Prompting a process of 'urban renewal', this mainly white middle class cohort from the south east and home counties have often moved into more affordable housing in the inner city, blissfully unaware of its previous problems, or in some cases perhaps, even enthralled by its 'exotic history'. The previous residents of these zones, many of them African-Caribbean, Asian, and British white working class, have been subsequently moved on elsewhere. The consequences of this dispersal are to be fully determined, with it a geography in rapid flux.

Nonetheless, this rapidly transforming landscape has produced new criminal issues, while older problems persist. Here, the influx of often relatively well-off new comers has led to a boom in the distribution of narcotics, which fuels a notoriously hedonistic nightlife industry. Contrastingly, its popularity has led to a severe shortage in housing amid rising rents and the bedroom tax, leading to a reported 600% increase in homelessness in the last five years. Indeed, many of the EM users in this project were at some point involved in the distribution of drugs, or were, often, heavy consumers themselves, and a sizable proportion were homeless or in temporary accommodation. Greater population surveillance of the central area -designed to alleviate a worrying rise in nightlife violence in the 00's,³² besides new police powers- have decreased violent offending; they have, however, given way to a substantial increase in petty crime associated with homelessness and drug addiction. Besides it being a mistake to declare that violent crime is no longer an issue,³³ the impact of cuts to local authority budgets alongside TR legislation have, according to contacts who work in offender services, further problematised these issues, with organizations intended

³² The city has one of the highest proportions of CCTV cameras in the country.

³³ As testimonies with certain users will vividly demonstrate.

to assist offenders stretched to near breaking point. It is amid this dynamically evolving environment that EM functions, and from where I conducted this investigation.

Aims

Research of EM may be conducted from multiple positions. This project will use ANT's unique approach toward ethnography to explore it. Previous EM research will also be heavily drawn on to help identify issues surrounding it, whilst I hope to build upon this. The following questions will, therefore, be addressed:

1. How well does ANT's descriptive approach, account for how the socio-technical activities of compliance and desistance are *achieved* (or not) through the extended assemblage of actors enrolled by EM?
2. How well do ANT's 'performative' tenets help in understanding how various *affects are acquired* for users, from the way the EM device-system temporarily connects this extended penal assemblage in their lives?
3. What can an investigation of EM add to the theoretical precepts of ANT and allied approaches?
4. How do ANT's socio-technical tenets help in understating the work of 'supporting actors' within the EM network, and how EM impacts them?

To answer these questions the following methods were employed:

- Ethnographic fieldwork which 'followed' and observed the tag's interactions within the various techno-social spaces that users transported it.

- Semi and unstructured interviews, which ‘interviewed’ the object through its human proxies and prompted it to ‘speak’ about how it reconfigured their lives, and was reconfigured itself.

Sampling

To get to the tag, it was necessary for me to locate human hosts attached to one. These human participants were eventually gathered through a ‘trifurcated’ approach of convenience, purposive, and snowball sampling (Boeri and Lamonica, 2015, pp.128-133, 136). Difficulties gaining samples of offenders are noted, and my multipronged approach reflected this: worries about the project’s feasibility continued until I left the field. Just under half of the total 21 participants (n=10) were opportunities drawn from informal networks that included friends, family, neighbours, colleagues, and even social media. The remaining purposively sampled portion (n=11) were accrued through visits to the local Magistrate’s Court. I also got a smaller sample of supporting actors who snowballed from these contacts (n=11), that included parents, siblings, friends, and partners.

My initial strategy of just going to the Magistrate’s Court (which exists as an ‘obligatory passage point’ for the device) (Callon, 1999a), and approaching people placed on the measure had been relegated to a last-ditch plan. Likely being labour intensive, it also potentially prompted ethical concerns due to it requiring semi-covert research access. Yet, with all other options exhausted and with time passing, this strategy finally gained clearance. Hearing of friends or their close acquaintances being on tag was a useful development that allowed me to thankfully get the project started. Interestingly, a handful of participants I met through court also turned out to be good friends with people I had long histories with, which helped re-establishing contact and rapport. My job as a door supervisor further proved to be useful, giving me access to a wide number of people in the nightlife industry. Nevertheless, although providing five or so participants initially, I required substantially more for the project; consequently, I continued to approach local official channels like the Probation Service and the newly created CRC’s, which existed as potential ‘network nodes’ or ‘sites’ over this period, to help bulk my sample out (Howard 2002, cited

in Boeri and Lamonica, 2015, p.134; Latour 2005, p.80). Unfortunately, I was met with firstly silence and eventually firm 'no's' from these organizations and various workers I knew, so after much time and effort spent trying to persuade them, I began working as a voluntary mentor in the local CRC to interlope the organization. However, after 10 months and having only met one participant on tag, the programme was halted due to increasing 'internal issues': the Offender Manager in charge of the programme euphemistically cited problems in the 'suitability' of many mentors.

Just going to court is, understandably, a rather imprecise sampling strategy; although the happenings within the location were illuminating. Ethnographies of the Magistrate's Court have controversially highlighted high degrees of collusion within the criminal justice process, (Baldwin and McConville, 1979), which I also saw. Predictably I had much to learn in the many months navigating that space; frequently, I sat for hours listening to cases which – despite sometimes being of great interest, and often not- had little to do with my project, in the small chance of finding a new participant. I thankfully eventually got some help from the court attendants who worked there, who, becoming familiar seeing me sat at the back, questioned me over my regular presence. A conversation with one sympathetic usher directed me to the breach court which ran on Tuesday morning and sometimes into the afternoon, as these hearings dealt principally with people who had violated their CO's, thus narrowing my target from the Sentencing Court, which could potentially deliver any verdict.

Nonetheless, it was still incredibly slow work: a range of CO types that may be violated exist, whilst punishments for this also vary. Yet, I finally reached my quota after nearly two years spent visiting the site. Proving to be still arduous, however, many prospective participants frequently showed disinterest, while others gave me fake contact details or avoided my calls and messages. I, accordingly, attempted to improve my strategy by considering my appearance and technique, which might be at fault.

Concerning the former, I decided to dress in a manner I hoped was not 'too smart' as to create distrust regarding my motives, or 'too casual' as to unsettle the court attendees, who

it seemed placed great bearing on appearance and helped by sometimes informing me about potential EM cases. The importance of researcher presentation has been discussed in the context of offender ethnography, with the correct frame of reference cited as a 'style' which is not over familiar or too distant, as to risk appearing 'too hip or too square' (Polsky, 1967). Latour has also discussed the peculiarity of academic appearance within his court ethnography, remarking upon the 'often-clumsy fumbblings' of uninitiated researchers attempting to get to grips with their surroundings (Latour, 2009, p.6). Although not my first visit to a courtroom, I opted for what I thought was a middle route between the usually pin striped solicitors who defended their often track-suited clients,³⁴ and went for a pair of jeans and plaid shirt with casual shoes.³⁵ I was also perhaps assisted by my general physical bearing: as a working-class man in his mid-thirties of reasonably large stature who participated in combat sports, I seemed to gain the trust and respect of several prospective participants. Although I was still often far more smartly attired than many court regulars, I noticed that traffic offences tended to attract more well-dressed criminals, and I guessed that within this 'ecology of crooks', I likely fell into this bracket. The relative 'advantages' of my appearance perhaps created limitations in other areas, though. Contact with the CJS is heavily disproportionate concerning gender make-up, with around 85% of arrests and 74% of prosecutions being of males between 2016-2017 (MOJ, 2018a, pp.4-5). Indeed, I saw only three females sentenced to EM over this period, and only one agreed to take part in this research; the others articulated a strong distrust that I perceived as due possibly to my gender. Further to this, an official approach through a gatekeeper may have also provided more understanding on users from a professional position, especially pertinent given their needs and offending.³⁶

³⁴ Stereotypical yes, but this was a frequently observed set of uniforms.

³⁵ This goodwill was almost blown once when a participant, Idris, belligerently barrelled into a courtroom while I was sat at the back making notes during a case. Although I tried to avoid being recognised in front of the ushers, Idris would, to no avail, loudly greet me: '*What the fuck are you doing here mate?*', before realising he had the wrong room, and equally as boisterously, heading back out. I was forced to weakly smile and play the incident down.

³⁶ Indeed, certain participants, at points, withheld certain information concerning this (see chapter 4).

From my many observations, I eventually acquired a good sense for the timing of a case, and upon hearing an EM sentence being passed, quietly exited while remembering to bow to the courts. Walking up the corridor to the water dispenser near the exit with an empty bottle -to avoid suspicious glances from those waiting for their hearings, while pretending to use my phone- I then approached prospective participants with much sympathy while delivering my rehearsed speech. As stated, simply taking contact details still proved to be problematic as some participants were extremely difficult to re-establish contact with, requiring me to drop everything and meet them lest they disappear. I was also assisted by a perhaps troubling, yet welcome, development. Here, Facebook's recent convergence across devices and platforms, on a few occasions, suggested me to 'connect' with a handful of participants who had 'shared friends' in common. I firstly approached these shared friends to assist me in re-establishing contact, before private messaging them.

Through their collaboration, I also accessed the portion of vital 'supporting co-actors' who sometimes accompanied tagees to court. Being especially forthcoming in their concerns over their wards, this sample often generously agreed to be involved.

Participants

ANT argues that research participants are not just 'co-constructors of knowledge', but are co-actors in the research process, which itself temporarily constitutes a 'branch' of the network (see below). As stated, ANT ethnographies often leave out certain methodological specifics, however, in accordance with other EM studies (Hucklesby, 2008; 2009), this project will include some detail of the sample. Of the 21 users, 10 (n= 45%) were interviewed multiple times during the period, whilst a further 11 (n=11) non-users from support networks were also interviewed. The users were sentenced to a combination of SAO's (n=11), as part of early release programmes (n=3), in conjunction with other non-custodial requirements (n=5) and through bail (n=2). Of this cohort, exactly 50% were living in stable accommodation, 31% were employed (n=7), whilst 9% were in training or

education, and 59% were unemployed (n=13). A further 31% identified as being of Black and Ethnic Minority Backgrounds.

- Shane, 24. White-British. On EM bail for alleged ABH. Seven months total. Shane had an extensive criminal background and had been in and out of the CJS since a minor. He had lived alone from the age of 15 and had a history of offences ranging from GBH, burglary, robbery, and possession with the intent to supply Class A substances. He had been on tag several times. I was introduced to Shane at the beginning of the project through a long-time friend who was his cellmate while he was serving a sentence for commercial burglary; the alleged offence on a prison officer occurred a few days prior to his release. We first conducted fieldwork at his sister's house which they shared with her two-year-old daughter toward the end of his period of EM bail, and a year later I met him while living in a Bail Accommodation and Support Services hostel in a nearby café. I also observed him once during a chance meeting between these dates while he was selling crack cocaine and heroin, and later again at court. He was unemployed over this period.
- Nigel, 33. Mixed Black-Caribbean and White-British. On SAO EM for being in possession of an offensive weapon. Six months. Nigel, had a conviction for robbery from his mid-teens, and received a suspended sentence for cultivating marijuana after being on EM. In the above incident, he was arrested after arguing with a neighbour while in possession of a knife. I have known Nigel from a young age and discovered he was on tag through regular mutual contact. He lived firstly in a friend's family home and then later was homeless, sometimes sleeping in his car or on friend's sofas. He periodically worked delivering takeaway food, and started, and then dropped out of a music degree in the period. I interviewed and observed him once at his residence, and 42 months post-sentence in his friend's home where was couch surfing.

- Leon, 34. Mixed Black-Caribbean and White-British. On EM bail initially for domestic assault, but later sentenced to EM with bilateral monitoring and a Building Better Relationships Requirement. Three months total. Leon had several non-serious offences on his criminal record dating back to his teenage years, and had been convicted of credit card fraud, criminal damage, and domestic assault. He had been on EM previously for two consecutive six month sentences. In the incident above, he was remanded to prison at a pre-trial hearing following a dispute with his girlfriend in their home. He could not find a legal representative on the day, therefore, he could not challenge the recommendation by the Prosecutor to send him to jail, and the Magistrate proceeded. I have known Leon since my mid teenage years, and discovered he was on tag a few days after his solicitor had him released from a local prison while I was working security. He was bailed to live at his mother's home where he also served his sentence, and worked as a labourer and then shop-fitter. We engaged fieldwork once at this address shortly after being put on EM bail, and once a few days before his CO finished. About 36 months later I observed and interviewed him at a local pub during his birthday party.
- James, 23. White-British. On EM as part of an Early Release Requirement for GBH. Four months tag, 12 months license. This was James' only recorded criminal offence. Having been previously tried and cleared on the grounds of self-defence for a fight outside a kebab shop, the victim's uncle (a police officer) obtained new CCTV evidence and James was retried and served 4 months in prison before being released on license. I was informed of him being on tag by our mutual mixed martial arts coach at the start of the project, but had trained with him once previously. He was on license at his girlfriend's apartment, and is a professional mixed martial arts fighter, although was unemployed at that point. I spoke and observed him once in a mutual friend's supplement shop near EM City.
- Rob, 33. White-British. On SAO EM for common assault. Six months. Rob had no criminal record before this offence, but had been involved in violent altercations since his youth. In the incident above he admitted legal culpability for a bar fight in

which he hit several people. It was accepted that the complainants had initiated the offence, but that he had used excessive force in self-defence. He lived a few streets away from my family home, and I discovered he was on tag while travelling on a bus we shared. He temporarily lives with his older brother and mother, and worked part-time in a local pub and later in a call-centre. We met for fieldwork three times at this residence while he was tagged at the very beginning, middle, and end of his sentence. I additionally conducted an observation where I travelled home with him one evening, and met him about 24 months post-sentence at a new address.

- Idris, 26. Mixed African and White-British. On SAO EM for common assault. Three months total. Idris had a minor criminal record and was placed on EM six years previously for the same offence, for a period of a few weeks. He is a criminally active cocaine dealer and has a reputation for using extreme violence. In the incident above, he punched a one-time colleague who refused him entry to a nightclub. He is a former bouncer and I have known him for about 10 years from working in the same industry. I found out about his tag after he shared a picture of him wearing it on a shared WhatsApp messenger group. At the time of the interview, he was living alone in an apartment he rented and was not gainfully employed, and had a heavy cocaine habit. Idris served an additional two weeks for numerous breaches. We met for fieldwork which took us from our local barbers to a nearby café for an interview toward the end of his sentence. I also observed him six months post-sentence during a chance meeting in a pub, and another six months later in a different barber.
- Joe, 22. White-British. On EM for a public order offence. Three months and an Exclusion Requirement from the offence location. Joe, had a long criminal record dating back to his youth. He had several short stay prison sentences, mainly for disorderly conduct while intoxicated, but admitted to using violence on occasion. In the incident above, he became embroiled in an argument with a street food vendor in a subway annex he frequented, resulting in the police being called. He is the first participant I met from visiting court, which happens during his sentencing. He lived

at first in a hostel not far from his offence, and later a shared house some two miles away. Joe has alcohol, drug, and mental health problems, and was unemployed. We did fieldwork three times at the beginning, middle, and end of his sentence, which took us from his hostel to a close café, and later at a Christmas market. Around six months post-sentence we met in court and travelled to a pub nearby.

- Neil, 38. White-British. On EM for minor drug offences and theft. Four months and a Drug Treatment and Test Order. Neil had a long criminal record related to heroin addiction, and had been in prison several times for burglary, fraud, theft, and being in possession of stolen goods. In the above incident, he was arrested trying to steal a bicycle while having a small amount of heroin on him. I met Neil during a court hearing arranged by his solicitor after EMS failed to install his EM equipment in his apartment. He was living alone and was getting treatment from the local drugs project, and was not in work. I observed Neil at court and interviewed him outside immediately after his hearing in a nearby café.
- Mikey, 26. White-British. Switched to SAO EM from an Unpaid Labour Requirement after being convicted for dangerous driving. Two months. Mikey, had a long criminal record and had been on EM eight times previously; he had also been imprisoned, although had not been convicted for the past five years. His offences mainly relate to vehicular crimes, and include car theft, theft from a vehicle, and driving while disqualified. In the above incident, he was detected changing lanes without indicating and speeding on a traffic camera. I met Mikey at a breach hearing concerning his first requirement which he could not attend due to ill health. He lived with his partner and child, and was not in work. I observed and spoke to him once in a café near where he lived two weeks after being tagged.
- Dwayne, 22. Black-Caribbean British. On SAO EM for driving without a license. Six weeks. This was Dwayne's only recorded offence. In the incident above, he claimed to have been stopped by the police in a street near his home 'trying out a friend's

new moped'. I found out about him being on EM from his uncle who I occasionally worked with doing security. He lived in his family home with his mother and siblings, and was an art student. Fieldwork was conducted twice at this address late in the evening, two and five weeks into his sentence.

- Terry, 52. White-British. On EM for drunk driving. Five months, and a Drink Impaired Drivers Programme. Terry, had no convictions in the last 10 years but had previously served a 10-year sentence for conspiracy to serve the region with Class A substances, in which he was placed on EM as part of his license requirements. In the incident above, he claims to have been pulled over by the police for driving while intoxicated after coming home from the pub. I met Terry during a breach hearing in court whereby his tag was deliberately removed. He lived with his partner and granddaughter in their home. He had alcohol problems in the past but claimed to have avoided drinking since his conviction, he was currently out of work but was a casual labourer. I observed and spoke to him once at his residence during a birthday party for his granddaughter around the middle of his sentence.
- Chrissy, 24. White-British. On EM as part of a Suspended Sentence Order for sexual assault. Six months tag, one year order. Chrissy had a varied history of minor offences and had spent time in jail for criminal damage. He has been on EM twice previously. Due to the time lapse between the offence occurring and his conviction, he had not been in trouble for just over two years. In the offence above, he claimed to have unintentionally overdosed on a mixture of ketamine, mephedrone, and alcohol and upon waking in hospital, inappropriately touched a nurse. I met Chrissy at court with his friend Dean during a breach hearing prompted by him being evicted by his ex-partner. Dean and his partner were allowing Chrissy to live with them and their child in their apartment, and he worked as a cable engineer. We did fieldwork once at Dean's address three months into his sentence.

- Raz, 28. Mixed Asian-British. Switched to SAO EM from a Supervision Requirement for domestic disturbance. Three months. Raz, had an extensive criminal history from his youth and had served time in prison for GBH and drug offences, and had been on EM previously. However, he had not been convicted in over seven years. In the offence above, he claimed to have mixed anti-depressants, pain killers, and alcohol, and began acting dangerously on his roof. I met Raz at court with his partner during a breach hearing in which he was switched to EM due to his employment situation, but discovered that we also trained in the same martial arts gym. He lived with his partner and three children, and also worked as a cable engineer. Fieldwork was conducted in his home twice over his period of EM, at the beginning and end of his sentence. I also observed him once a few days post-sentence at a charity boxing match.
- Masood, 54. Asian. Switched to EM from a Supervision Requirement for common assault. Three months, but later successfully appealed. Masood had no history of criminal offences. In the incident above, he claimed to have become involved in a parking dispute with another motorist while working as a delivery man, whereby the complainant alleged he had 'caused fear' for her safety. I met Masood in court during a breach hearing whereby he was re-sentenced to EM after missing probation appointments, due confusion about their location. He lived alone and continued to work delivering parcels. We engaged in fieldwork a few weeks into his sentence during a walk around the backstreets of EM City centre.
- Liam, 22. White-British. Switched onto SAO EM from an Unpaid Labour Requirement for public indecency. Six weeks. Liam had small a history of minor offences related to drug possession, and had been on EM more than once previously. He claimed in the incident above, to have been arrested for urinating in public while heavily intoxicated on alcohol. After the non-attendance of his community payback requirement, he was resentenced to EM. He had recently overcome drug addiction and lived with his parents and siblings in their family home, and I met him at court

during his breach hearing. He worked part-time as a carpenter. I interviewed and observed him once at his home a week into his sentence.

- Ted, 44. White-British. On EM as part of an Early Release Requirement after being convicted for distributing Class A drugs. Four months, alongside a Drug Treatment and Test Requirement, 24 months license. Ted, had a long criminal history stretching back to his youth and has been imprisoned before, besides being on EM. In the incident above he was caught by the police with several hundred pounds worth of cocaine and heroin in his car. He was a recovering heroin addict and most of his offences relate to his addiction, although prior to his last conviction he had been out of the CJS for a considerable period. I met him through a training partner who was also rehabilitating himself. He lived with his parents in their home on license, and was unemployed. We engaged in fieldwork once at this address toward the end of his license requirements.
- Frank, 52. White-British. On SAO EM for carrying an offensive object in public. Four months. Frank had a minor criminal record and had been convicted for drunk-driving, whereby he was sentenced to EM some seven years prior. In the incident above, he was arrested for carrying a small vegetable knife after drinking and eating in a central park the day after a terrorist attack. I met him at court with his sister during a breach hearing whereby he violated his curfew requirements. He was an alcoholic and a former church reverend, and lived in a hostel with other offenders and homeless people. He was unemployed. Fieldwork was conducted twice with Frank toward the middle and end of his sentence, in a park next to his hostel.
- Luke, 30. White-British. Switched to SAO EM from a Building Better Relationships Requirement for domestic disturbance and causing fear of safety. Six weeks. Luke, had a reasonably long criminal history including a minor prison stay during his late teens, and EM, but had been out of trouble for around four years. He claimed in the above incident to have been arrested during a confrontation with his ex-partner

outside her home. I met him initially at a breach hearing whereby he was resentenced to EM from supervision requirements due to his non-attendance on 'health reasons', although I discover we have several friends in common. He lived in a shared house and then an apartment by himself, and began working as a plumber over the period. I observed him during his hearing, and conducted fieldwork together once at the beginning of his sentence in a local community centre. About 10 months post-sentence we met outside a central café.

- Liz. 19. White-British. On SAO EM firstly for harassment, and subsequently GBH as part of a Suspended Sentence Order. Six weeks and three months. Liz had been to court as a minor but this was her first adult conviction. The first followed an argument with a resident in her hostel accommodation, and the second an assault on another resident in a shared supported house. I met Liz at court during her sentencing. She lived in the shared hostel where the initial offence occurred, and later with her partner in an apartment. She was unemployed. I interviewed and observed her once in a central pub toward the end of her first period of EM, and later at a café near her home towards the end of her second sentence. I also made one observation with her on a bus between these meetings.
- Amjad, 52. Asian British. On SAO EM for theft. Three months, but removed due to unsuitability. Amjad had a lengthy criminal record for theft and had been to prison several times for short stay sentences, although this was his first time on EM. He was convicted for shoplifting from the city centre and was caught with several hundreds of pounds worth of electrical items, and a fresh salmon. I met him at court during a breach hearing for a curfew violation. He has mental health and drug problems and makes money begging. He lives in his family home with his wife. I met Amjad firstly a week into his sentence in central McDonalds, then two weeks later in a café near his home, and a year later outside a mechanics shop after a chance meeting near my work.

- Vince 33. White-British. On EM as part of an Early Release Requirement for handling stolen goods. EM four months with a Supervision Requirement, a Rehabilitation Activity requirement, and 12 months license. Vince had a history of offences, which (unusually) had gotten progressively more serious, and included credit card fraud and possession with intent to supply Class B substances. He had been on EM bail once previously. In the offence above, he was convicted for supplying fake licence plates for stolen vehicles and was arrested while in a stolen car. I met Vince while working security together some 10 years prior, and discovered he was on tag when he was released. He lived firstly at his mother and stepfamily's home where he was licensed, and later with his new partner. He began working as a heavy machine operator over the period. I conducted fieldwork with Vince at the beginning and end of his period of EM, in a pub near his home and in a restaurant at his birthday. A year later we conducted a phone interview.

Supporting actors

- Bryan, Joe's support worker while he lived in a hostel. I engaged in fieldwork with Bryan once at this location during my second meeting with Joe.
- Kate, Shane's younger sister who was housing him while he was on bail. Kate joined us during our first fieldwork at her home, toward the end of his interview.
- Doreen, Frank's younger sister who provided him much assistance while he lived in a hostel. I interviewed and observed her once shortly after my second meeting with Frank, in a café and on a strip of shops near Frank's house.
- Elle, Liam's mum who he lived with in their family home. Fieldwork was conducted with her once while her son sat with us in their living room.
- Dean, Chrissy's friend who allowed him to couch surf with his family. I interviewed Dean once while Chrissy was in another room after speaking and observing him.
- Adam, Rob's older Brother who resided with him in their family home. We did fieldwork during my third visit to the house; our interview was in his room alone.

- Anne, Dwayne’s mum who he lived with him in their family abode. I observed and interviewed her once a few days prior to his sentence ending, alone in her living room.
- Leila, Raz’s partner who he lived with in their family residence. Leila joined me for an interview shortly after Raz’s, during our first fieldwork at the home.
- Christine, Leon’s mum who housed him temporarily while he was not permitted to live with his girlfriend. Christine joined my conversation with Leon toward the end of this fieldwork.
- Indrit, another support worker who worked with Joe at his hostel. I interviewed Indrit shortly after fieldwork with Bryan.
- Marie, Rob’s mother who he also lived with. I spoke with Marie shortly after Adam in her living room while her sons were upstairs.

Design

ANT, also deploys its symmetrical approach towards data collection. It attempts to deconstruct the view that some methodologies are more scientifically valid than others, and treats the scientific approach as a ‘method assemblage’, which in practice, is often far messier than admitted to. As stated, it tries to capture and outline the pluralised knowledge(s) that emerge during research, which are ‘flattened out’ to trace how associations are made (Latour and Woolgar, 1979; Mol, 2002 cited in Law, 2004, p.50). Typically favouring traditional ethnographic strategies of interviews and observations, this process, however, is to acknowledge the influence of material actors on data creation. Here, for example, the technologies of the recording device or note pad are argued to prompt particular forms of informational enquiry, as is the research setting itself (Law, 2004, pp.104-108; Latour, 2005, pp.134-136).³⁷ Similar neo-materialist ideas have impacted ethnography in recent years, and encourage researchers to employ props and strategies to capture new forms of data. This investigation had initially attempted to employ similar ‘live

³⁷ I note a few instances where my recording device became ‘involved’ in my research (see chapters 4, 5, 6 and 8).

methods' (Back, 2013; Back, and Purwar, 2013), however, due to various issues this was abandoned.³⁸

ANT ethnography, though, differs from more traditional ethnographic approaches that advocate 'seeing the world' from the perspectives of others to garner rich empirical data; typically accomplished through non-covert participants observations and immersive fieldwork inside 'natural settings' (Hammersley and Atkinson, 2007, pp.5-11; Atkinson, Delamont, and Housley, 2008, pp.31-34). In criminology ethnography has often investigated hard to access sub-cultures and organizations, producing sometimes iconic studies (Cohen, 1973; Hobbs, 1995; Bourgeois, 2003; Goffman, 2013). As discussed previously, ANT has been critical of similar interpretivist positions for being overly anthropocentric, whilst also sceptical of researcher's capacities to garner such an 'insider outlook'. It contends that knowledge construction occurs through the *translations* of actors, which are partial and situated (Baiocchi, Graizbord, and Rodriguez-Muniz, 2013, p.326). Mistakes in translation are also cited as common, even for technologies that are far more consistent at copying and reproducing information than 'unreliable humans' (Latour, 1992, p.155).

Much contemporary ethnography is thoroughly reflexive, but typically urges researchers to reflect upon their potential personal values and positions, to get closer to an immersed perspective (Atkinson, 1990, p.180; Aull-Davies, 2008, pp.19-26). ANT questions the plausibility of this, and directs investigators to simply record what is encountered, which as in Latour's ethnography of the Conseil d'Etat, noted varying factors that influenced legal decisions (Latour, 2009, p.23). Furthermore, Latour has remarked upon how social-scientific knowledge has increasingly permeated society, making participants often competent researchers of their own personal experience, who thus have little need of 'expert academic

³⁸ Joe used the camera I gave him to take several pictures of his genitalia in different locations, which led to an embarrassing situation when I got them developed. The children in Leon's home also used the drawing materials I gave him for their colouring books. I was still presented with interesting art, poetry, pictures, and diary entries by some participants.

analysis' (Latour, 2005, pp.150-151). Nevertheless, the extent to which this is true is debatable, as ANT'ers like Latour still essentially perform analysis, but through its own technical language (this thesis will do the same). New materialist ethnographer Les Back has similarly demonstrated how the concept of reflexivity itself is often explicitly understood by research participants, who frequently locate their testimony on a range of self-aware factors (Back, 2007, p.15); although, it must be noted this is something EM equipment *cannot do*.

Regardless, I implemented ANT's ethnographic techniques to observe, as best I could, the device-system functioning in its 'natural environment'. EM research thus far has yet to use observations of users and has tended to implement positivist and quasi-realist designs, typically via official channels (see chapters 1 and 2). Proven to be often invaluable, penal observations of offenders are sadly, however, rare, with such research providing much needed -although sometimes controversial- insights into punishment. Their decline has been lamented (Cunha, 2014, pp.218-22). Ethnographies of punishment have, though, typically focused upon prison and its impact upon neighbouring spaces, with community penalties like EM under investigated and somewhat new in the field.

Therefore, it was hoped that by accompanying human users in non-participant observations (Hammersley and Atkinson, 2012, pp.82-85; Bryman, 2012, p.444), I could capture the 'behaviour of the tag' (and adjoined components), by immersing myself 'in its world' and recording details that might get lost through other methods: pertinent because it could not directly 'speak for itself'. The extent to which researchers exist as mere observer is, however, debated by ethnographers of all stripes (Aull Davies, 2008, p.83, see Law on 'Collusion' below); so called 'observer effects', would thus be likely occurrences that required reflection.

The use of anecdote is suggested to be a useful method of 'showing what objects do'. Through recording examples of object human/interaction that may be routine or unusual, researchers may then contextualise these occurrences amongst wider events (Latour, 2002, cited in Adams and Thomson, 2016, pp.24-27). Consequently, I prepared myself to take

especial note of interactions such as the tagging and un-tagging process, besides its degree of public display, and more subtle moments such as glances made toward the object, or how users navigated the restricted space around them. At the planning stage of the project it was not possible to predict exactly where these observations would occur, and would depend much on the lives and routines of the participants. My hope was to accompany them to places they regularly visited or stayed in, and perhaps take them on journeys to different locations like museums to see how tagging reconfigured the space and people around it. By detailing the minutiae of these interactions, I attempted to decipher how EM mediated their activities by allowing new habits and dispositions to be acquired. I eventually conducted observations with EM users at various meeting points, such as visits to their residences, on walks, at court attendances, performances, trips to the pub, gymnasiums, support meetings, as well as private social media messages; the latter included photos, posts, and 'memes' that might communicate their mental state. Due to the size of EM City I also sometimes ran into participants while I was working, in public houses, or other places they frequented. It was important to ensure that I gained their consent to be researched in these moments (see below), but they often provided interesting insights into their regular lives and offending. Emphasis was placed on observing adaption/maladaptation, compliance/resistance, assistance/friction, and everything in-between; intervening factors such as familial support (or lack thereof), housing tenure, substance use, peer relationships and employment, were also assessed.

I initially planned to undertake a wider investigation including the experiences of related professionals (such as probation officers and EM field engineers), to garner a fuller and perhaps more 'objective overview' of the technology,³⁹ similar to earlier ANT work (Callon, 1999a). Research conducted on offenders today, must, however, be approved by NOMS. Besides entailing a lengthy process that was prohibitive to my schedule, I discovered this route potentially placed restrictions on what could be published and problematised the

³⁹ I use the word objective here to denote a stance which covers 'all perspectives' rather than alluding to the idea of object singularity.

ownership of data. As such, I avoided it, and instead concentrated solely on the experiences of users, who it turns out, are still sorely lacking for representation within research and in need of updating. As mentioned, 'ANT and after' ethnographies attempt similar in-depth research within particular sites (Law, 2002; Mol, 2002; Alcadipani, and Hassard, 2010).

Ethnography, is also valuable in allowing researchers to record verbal data that may spontaneously arise within a setting which may not be forthcoming in formal interviews, or that which can often occur pre, or post, interview (Mitchell-Miller and Ventura-Miller, 2015, p.94). Ethnographic interviews, may also allow researchers to interview participants who may be difficult maintain contact with, or prefer to 'speak off the record'. Although prompting some ethical issues concerning consent (see below for how these were managed), this may be particularly useful in criminological ethnographies whereby offenders' often tumultuous circumstances make scheduling meetings difficult, or where more sensitive material on crime is communicated (Levi, 2015, p.223). For this reason, I carried a spare copy of my consent letter, along with my ethics approval letter, my recorder, interview questions, note pad, and various pens in a plastic wallet during fieldwork. This ensemble, eventually accompanied me around much of the time should I bump into anyone, and became something of a 'personal signature' to the various security guards who had gotten used to conducting searches me while going into court. Still, formal interviews were employed as the preferred methodology for capturing most verbal data (see below). Only in a few instances did non-interview interactions provide details that were not elaborated upon on the record (Idris and Vince sometimes spoke about their offending in more depth). This non-interview material was also felt better illuminated by its context, which is acknowledged in those passages. These moments were recorded in my research diary as soon as possible after a meeting, often on the bus on the way home, sometimes in the toilets at court if possible, or in convenient pubs and cafes. I sometimes also used my phone to record speculative information should I not have an opportunity to write it, lest it be forgotten. Fortunately, only Neil, was the sole participant who agreed to an interview but did not want it recorded; despite being no longer being criminally active, he strongly desired to distance himself from his offending, so we conducted a shorter interview near the court

after his hearing. Vince, also, provided one interview over the phone as we could not meet in person, although this itself was, in itself, empirically valuable.

Ethnographic interviews were also conducted with supporting actors, who sometimes arrived as I was interviewing users. The presence of other people during interviews (such as in focus groups) likely changes the research setting and may alter testimony, but also may help to generate different insights from other vantage points. Although these were not formal focus groups per se (Hammersley and Atkinson, 2012, pp.112, 138), and while recorded interviews were the preferred methodological technique, at points data from these spontaneous occurrences were incorporated into the analysis, as they were often highly valuable in showing how EM mediated wider space and associations.

Interviews typically accompany observations in ethnographic research (Hammersley and Atkinson, 2012, pp.97-112). I used a combination of semi-structured and unstructured interviews to investigate the technology, to 'hear it speak' through its human host. Semi-structured interviews may help researchers develop questions which penetrate specific areas of interest, but are open ended enough to allow respondents to elaborate, and flexible enough to allow for follow up questions and/or prompts (Hammersley and Atkinson, 2012, p.98; Bryman, 2012, p.479). I used semi-structured interviewing to cover a range of ideas, themes, and topics pre-identified through my project aims. Here, sentence modality, curfew hours, sentence length, and routine information on daily habits, as well as employment, housing tenure, offending history/behaviour, alcohol/substance use, and user's overall feeling about the utility of the measure, were gathered to build up a general awareness of their life circumstances, and the typical features of being tagged. I also included some theoretical questions regarding perceptions of time, space, and materiality, to explore the more esoteric components of the sanction.

Anecdotes about technological use can be potentially captured through interviews of device users, who may speak directly or indirectly about how equipment mediate their actions (Adams and Thompson, 2016, p.25). Therefore, I constructed my questions so as to

understand *how tagging* became a part of these topics, for users and supporting actors. Concerning supporting actors, I covered many similar themes to those with users, however, angled my questions to gather data on how the sanction impacted them. Specifically, my areas of interest lay in how their responsibilities and routines had been changed, or not, by tagging, besides the presence of worries about re-offending, and their feelings on the equipment in their personal space -or if it had potentially assisted them in any way. Occasionally, as mentioned, users also sat in on these interviews, which led an interesting dynamic to emerge.

Unstructured interviews, allow for expansive and potentially deeper answers to questions that concern wider opinions and experiences (Hammersly and Atkinson, 2012, p.118). I used this technique toward the end of these sessions to uncover concerns and ideas users had about EM, which took the form of a more open conversation. Here, I also delved into hosts' histories and opinions about the law, society, and technology, to better understand their trajectory toward the measure and future expectations. In constructing these 'offender narratives' (Presser, 2009), information on education, childhood, work, and relationships with parents, family, friends and partners were also collated to later interrogate factors which may have impacted the tag's functioning.

Short-longitudinal studies may also gather longer duration information from participants in the region of months to a few years, and may be useful in providing data on changing circumstances, and have been conducted with EM users on parole (Bryman, 2012, pp.63-70; Finn and Muirehead-Steves, 2002). This investigation implemented the approach on a smaller sample of users who were interviewed multiple times over their period of restriction, and some time post-sentence. Drawn through convenience, this portion was generated from those I managed to maintain prolonged contact with, who also often turned out to be more forthcoming regarding their opinions. Indeed, that some interviewees are more willing to reveal information, and/or, remain a part of an investigation is an often-cited occurrence (Hammersley and Atkinson, 2012), which also likely influenced the data I gathered (see below). This cohort was researched for changing attitudes regarding their sentence, and I kept a record of their often-shifting circumstances and offending habits. I

also kept in touch with my participants through social media, who shared events and developments with me, of the positive, mundane, and challenging.

Data Analysis

ANT's reflexive perspective on data construction extends past mere researcher influence, and acknowledges how data develops through a constant process of refinement and tuning. It tries to include how research tools 'silence', and/or, 'amplify' information, to make sense of tangles of often incoherent data by muting some information and highlighting that deemed important (Law, 2004, pp.104-108; Latour, 2005, pp.134-136). Researchers are also prompted to expand on how initial research objectives and more specific techniques of enquiry (such as interview questions), frequently develop and transform, particularly as researchers become more competent and familiar with their subject matter.

For instance, I became far more comfortable with interviewing my human participants as I progressed, being able to often forgo my list of questions and delve into responses that were particularly interesting or unique, whilst forgoing the repetition that mildly irked certain respondents. My earlier interviews sounded clumsy upon later revisits, with potential lines of inquiry missed. I also eventually developed a set of rhetorical skills which allowed me to 'tease' responses out; leaving certain questions unfinished, or approaching them from another angle and then reframing their answers differently, I prompted clarification and expansion without 'putting words into my participants' mouths'. Interview technique is discussed within ethnography, especially concerning questioning, through the 'art' of careful and attentive listening (Back, 2007; Hammersley and Atkinson, 2012, pp.117-120). For a sociology of technology, prompting participants to 'think outside the box' about the often-mundane equipment was of utmost importance. Here, careful attentiveness about the overall narrative was necessary to understand contradictory testimony and to avoid premature conclusions, as outright positive and negative appreciations tended to be rarer. Furthermore, certain users could sometimes be difficult to open-up on certain subjects, prompting more and specific questions to get a response from them or to make them think differently: asking them if they saw the device as a 'friend or a curse' or whether

they 'missed its company' for instance, sometimes achieved this unusual line of enquiry. As might be expected, I tended to get more data from those who were generally more talkative and who I met on more occasions, who often also introduced me to supporting actors. Therefore, toward the end of the thesis, certain voices are heard more.

Ethnographic observations are most commonly recorded via field notes, and compiled through pen and paper (Hammersley and Atkinson, 2012, pp.150). I adopted this method initially by simply writing everything which seemed important in a research journal, but eventually came to modify my approach while switching technological platform. Regarding my observations, I eventually developed a method for recording more pertinent information by constructing a framework that allowed me to sort data 'on the go' more systematically than simple field notes. My emerging themes were used to create a checklist where I prioritised things like technological interactions, correct/incorrect functioning, and user implications as well as 'surprising findings'. As mentioned, I often found myself increasingly making notes on my smart phone, which was useful during impromptu observations from sometimes bumping into participants, and allowed me to transfer data quicker. This information eventually became compiled into a series of dossiers on each participant that were updated with key details about their changing circumstances. I, also, made short audio recordings after some meetings to quickly formulate a general 'vibe' of the occasion, and to archive details or thoughts about the event that might be fleeting and easily forgotten. 'Digital ethnography' has also been recently discussed (Adams and Thompson, 2010, p.57). Although I did not fully immerse myself within this neo-materialist methodological perspective, I employed new technologies to assist the research at points. These forms of proto-analysis began a process of funnelling that helped build my in-text analytical schemata.⁴⁰

Latour postulates that research often starts 'in media res' (or in the middle), as diligent yet bewildered investigators attempt to make sense of their subject (Latour, 2005, pp.123). The

⁴⁰ This process was, admittedly, far less systematic than it perhaps sounds.

descriptive categories I used arrived in a similar vein, and were necessary to simplify often messy accounts that sometimes shifted from begrudging praise to outright despair, in the space of a sitting. I, therefore, created a threefold classificatory schema developed from narrative analysis, in which more 'positive', 'ambivalent/neutral', and 'negative stories' about the technology were 'performed', whilst also being attentive to how and why narratives transformed over time (Plummer, 1995). These categories were constructed around the concept of affects/outcomes mentioned in chapter 2, and were designed to capture differing experiences that were acquired from being on tag.

Narrative methods are increasingly used in criminology to understand offending, particularly regarding desistance (Sampson and Laub, 2005, Lebel, 2008). However, tending more toward positivist and realist epistemologies, I instead used a more constructivist interpretation. Narrative analysis treats testimonies as 'temporally specific performances' that often follow a story-like structure, and are influenced by research setting (Plummer, 1995; Bamberg, De Fina and Schiffrin, 2007). I also treated the interviews of EM hosts as performances that could be influenced by factors such as offending history, motivation to desist/comply, research setting/environment, researcher relationship, psycho-active intoxication, socio-material stability, and mood. Narrative analysis has illustrated how narrators often perform 'moral versions' of themselves within stories, and are used in a process of self-directed 'becoming' (Ayometzi, 2007; Petraki, Baker, and Emmison, 2007). I, accordingly, paid attention to the way issues of fairness became justified in certain activities (such as non-compliance), and how this allowed participants to create 'coherent stories' about their identity. My relationship with them also likely entailed specific performances tailored toward their perception of me, which I elaborate upon at points. Indeed, the communication of innocence was centrally important to some users, and influenced their emerging affects. Although penal legitimacy is an important feature of EM, I reference to it only when important, but without taking a position as to the 'truth' of these claims.

The 'constructivist versus realist' debate has, however, seen recent attempts at transcending it within narrative criminology; consequently, it perhaps requires further attention. From a realist position, it has been claimed that because future criminal activity

may still be influenced by offender narratives as participants begin 'believing, and then living their stories', they are not required to be accurate depictions of reality per se (Presser, 2009, p.190). Narrative nomenclature, is for example, used to explain desistance as emerging from 'changing stories told to the self' (Patternoster and Bushway, 2009).

Nevertheless, Berry (2020) points out that these ideas are still grounded in strongly anti-realist interactionist ideas concerning 'self-fulfilling prophecies' (Wiley, 2003 cited in Berry 2020, p.42), whilst a range of overlapping factors may be cited in the cessation of criminal activity. It may be advanced, that the realist narrative position also takes a naïve stance concerning how stories are performed. Offenders will not only provide accounts for themselves, but do so for observers, thus presenting changing stories within research settings, and between them. As such, these narratives may be understood better as relaxed 'vocabularies of motive' (as per C. Wright Mills) (1940), rather than causal constructs. Throughout my analysis potential influences on these performances are considered, especially when conflicting versions of an issue arose from participants: this sometimes occurred when interviewed multiple times, but also within a single sitting. The presence of 'lies and mistruths' are discussed as 'frequent yet unavoidable' features of research; however, they may still provide important information about social life even if invalidating certain universal truth claims (Sandberg, 2014). Ultimately, and in line with ANT, I do not view narrative inconsistency as invalidating my participant's stories, but see them as renditions of life on tag that emerge through differing contexts.

ANT has recently been discussed in writings on narrative analysis. Its concept of 'performation' has considered how narrative performances are also *outcomes* of socio-material interactions. This work uncovers how 'versions of reality' become legitimised in organizations (such as hotel administration and banking), despite contradictory accounts from subordinate stake-holders often being present in research on them (Vickers, Moore and Vickers, 2018, pp.2-6). Concerning tagging, this cross-over may be effective in reflecting on how subordinated stakeholders, such EM users, are also *spoken over* by it, despite contradicting experiences. The concept of 'black boxing' has, as discussed, described how certain voices may become 'closed off' from research (see chapter 2). Given how the

narratives of EM users are now difficult to access because of its organizational structure (through the MOJ, in my experience, hampering researchers) this approach is arguably appropriate to re-open them.

Controversy identification (see chapter 2) is another key ANT idea that relates to data analysis. Concerning my chapter topics, this concept was used to perform a form of abridged thematic analysis that delved into areas of interest which emerged from user narratives (such as punishment, surveillance, resistance, etc.). Thematic analysis is usually an alternative to narrative analysis; it attempts to develop analytical categories from recurring patterns and tropes within data (Braun and Clark, 2014). I adopted the approach more broadly to create my chapters, where my lack of success garnering the support of official actors actually proved handy in exploring less well covered topics.

Outlining how organizations function is also central to ANT (see above). To reflect on EM and build my typologies, a form of thematic reconstruction that settled on two general measures was adopted. Here, the previously mentioned ideas of compliance and desistance favoured within administrative criminology were forwarded in chapters 6 and 8 (Robinson and McNeil, 2008; Bersani and Doherty, 2019). This framework was implemented due to it arguably reflecting assessments used by criminal justice agencies that have stakes in EM and involvement in its design, besides being used in previous research (Hucklesby, 2008; 2009). Expanding past this, however, I used ANT's power neutral approach to incorporate *all EM's activity* in this area, particularly non-and partial compliance and re-offending. It is acknowledged that these concepts may have commitments to both realism/positivism that view them as objectively measurable. Instead, in this research they are advanced as *emergent outcomes* from the way the penal system interacts with user's extended associations.

The second measure of EM uses the aforementioned concept of 'affects' experienced by users, and overarches chapter's 4, 5, and 7. This term is developed from Syke's concepts of the 'pains' experienced by penal subjects (1959, cited in Nellis, 2009); however, here it

encompasses a broader range of impressions that may include the potential ‘pleasures of EM’, or more neutral/ambivalent perceptions. This somewhat more suspicious stance on punishment, can assess experiences that may be absent in the more procedural definitions above. The concept of affects (néé pains), is contrastingly, typically associated with more interpretivist understandings of punishment. Here, again, it simply *describes* outcomes of tagging rather attempting to ‘see the world through the eyes of users’, which emerge as they are bound to, and subsequently, experience the penal assemblage.

These typologies are further supplemented with sub-typologies based on individual testimonies, to present variations of ‘overall type’.

Ethics

Criminological ethnographies of offenders often prompt vital ethical considerations, and require familiarity with BSC guidelines (BSC, 2015). They also necessitate much planning and justification to pass scrutinising university ethics committees; these considerations range from those typical for ‘first-hand’ research (such as confidentiality), to more problematic issues regarding potential knowledge of criminal activity. Objects, however, have less status than humans when considering ethical issues. Latour, tries to provide an ‘ethics for things’, although, typically, this has been reserved for ecological issues rather than mundane equipment (Latour, 2017). The morality of objects is discussed within critical postphenomenology, but more concerning design implications rather than their ‘rights’ per se (Verbeek, 2011). As the tags themselves did not directly consent to be researched in this project, and official actors refused to assist me, approval from their guardian users was, thus, required.

This project does not explicitly attempt to research offending (as is the case with direct ethnographies of criminal activity) (Goffman, 2014; Bourgois, 2003), but focuses on the impact of penal sanctioning. Nonetheless, the discovery of continued offending frequently occurred over the course of the investigation, and detailed data of this was even welcome

given its absence in previous work. As such, a series of protocols and strategies were necessary to maintain ethical obligations toward my civic responsibilities, as well as my personal safety and the safety of my participants, and were enacted in conjunction with the BSC and the university ethics committee (articles, 4.4, 4.1-3) (BSC, 2015). These included rapid distancing in the unlikely case a meeting deteriorated, besides careful monitoring for aggressive or troubling reactions. Concerns from the ethics committee (who understandably preferred an official gatekeeper) unfortunately led to a delay entering the field, but they eventually agreed to let me meet users by myself under certain proviso. Here, my training and experience as an offender mentor at the local CRC, besides time spent as a licensed security operative, were accepted as providing me with requisite interpersonal and situational competencies to deal with potential issues: indeed, dealing with drunk and often violent people on a weekly basis I was, in fact, in far less danger interviewing users in the field. It was also accepted that EM is typically reserved for lower-level offences, or offenders who have met stringent parole criteria; certainly, the participants I met through court turned out to be entirely comprised of non-violent low-level offenders, and were often in rather saddening circumstances. The two more serious offenders in this project were tagged for relatively minor offences, and were close friends who I met or trained with often. However, due to the project evolving, continued discussion with supervisors about prospective dangers was required.

Although satisfied that I could conduct the potential project safely, I was, nonetheless, further probed with ethical dilemmas about becoming party to serious offending, or gaining knowledge thereof. Concerning the former it was satisfied that in the event someone on tag hypothetically 'picked up a knife with the intention of using it as a weapon' that I would anonymously ring 999 from a safe location as per my civic duties. However, for the latter it was accepted that my uncorroborated knowledge of offending would likely count for little within the machinations of police investigation, whilst the right to privacy and participant anonymity, ultimately, took priority (article, 4.4); additionally, participants might lie or exaggerate their claims. I also contended successfully that many of these concerns were ethically problematic on their own right, being somewhat inaccurate representations of the majority of offenders who potentially may not be too dissimilar to myself, or indeed my

inquisitors. Nonetheless, one incident nearly led me to ring the police (see below). As intimated, in many instances already knowing the participants beforehand, I would not become party to any information that I would not have otherwise been exposed to, whilst my own right to associate with friends and acquaintances was also a consideration (although this brings other ethical concerns, see below). A unique issue I identified related to users breaching because of a meeting, or somehow using the meeting as an excuse for a breach. It was, therefore, decided to arrange fieldwork around their curfew times to minimise this. Still, I determined not involve myself in a decision to violate should it happen, as this breached their right to freedom of movement as per article 4.1 (even though they were not in a sense 'legally free').

In further accordance to article 4.4, more forethought was still required. Therefore, I took care to anonymise my participants' names and locations with pseudonyms, encrypted recordings, and kept devices securely locked away. Achieving absolute anonymity is accepted as being likely impossible, but the above strategies were used to create solid 'layers of protection and security' (Karagiannapolous and Winstone, 2019). Nevertheless, identifiable information can often be revealed by participants who may mention locations, events, and associates that are plausibly traceable. Ethnographies on well-known criminal gangs have uncovered information on offending and whereabouts that have jeopardised the safety of researcher and participants. Alice Goffman's controversial research, 'On the Run', has been criticised for its often-problematic approach toward not taking enough care to protect participant identities (I also bumped into Shane while on the run) (Goffman, 2013 cited in Labet, 2014, p.15). This issue may be intensified through the increasing prominence of social media, with participants communicating or referencing digitally verifiable anecdotes. As such, a thorough removal of online information pertaining to places, friends, and happenings was necessary to provide additional layers of protection in this project; furthermore, the public social media presence of my participants, some of whom I was friends with, required checking to remove any shared information that might be verified on their profiles. Fortunately, here, the more problematic participants eventually removed themselves from social media altogether, due to their own fears about these platforms saving potentially incriminating evidence. Still, it was important to de-link information that

associated certain participants, as coming from an extended social network many knew each other, or were even relatives. This was achieved, again, by omitting these utterances and carefully searching through their online profiles to ensure that any content they posted that might link them to the thesis was not shared (such as them sharing pictures of their tag), which thankfully it was not. Message platforms such as WhatsApp use end-to-end encryption, which makes it impossible for governments to monitor conversations without access to individual devices that are further encrypted with passwords. Ethnographies of serious organised criminals discuss how these technologies are used to successfully avoid detection (Moyle, et al. 2019, cited in Berry, 2020, p.65). Concerning my ethical obligations to the more serious offenders in this project, my communication with them via these services was, therefore, felt to be secure enough to make reference to it, although message threads with potentially incriminating information were deleted from my device once no longer necessary.

I was also faced with a particularly challenging situation whereby one supporting actor alluded to more severe problems with their ward in confidence to me. In the possibility that this individual read the study and recognised this potential betrayal, I was left with the option of either thoroughly de-contextualising the account, or removing the said admission. I opted for the latter due to analytical difficulties, and more importantly, because I felt it ultimately safer. Conversations with more experienced researchers, was a big help here. Still, it was possible that participants might make references to each other that could cause conflict. In only one instance do I include information provided to me by Frank's sister about breaches he did not communicate. Given how she managed his legal affairs, finances, housing, and overall well-being, besides often speaking plainly about his problems to me in his presence, I felt this would not cause issues. Knowing what has been said between participants was difficult to predict; consequently, I opted to play it safe.

As per article 4.3, the gaining and maintaining of informed consent also needed to be carefully navigated over the course of the project, and was complicated by the gathering of information on offences. Studies of 'deviance' have prompted well-discussed and troubling ethical issues surrounding the failure of researchers to gain consent (Humphries, 1970, cited

in Goode, 2015. p.50). Although essentially semi-covert, it was still necessary for me to ascertain that participants were explicitly aware of the nature and objectives of the study, and their rights. Therefore, letters of consent were drafted that clearly outlined participants' right to withdraw for any reason (including the destruction of any data gathered), the right to avoid any question, and the right to leave the setting if uncomfortable. It also specified that observational data would be gathered from our encounters, and that once confirmed, data would be gathered over the entire duration of the project from the moment of our meeting.

Nevertheless, the 'pragmatic realities' of research may problematise the timing of gaining consent, due to researchers and participants sometimes not distinguishing between data gathered prior or post this, whilst confusion about 'on record' or 'off record' comments also may arise (Goode, 2015, p.51; Mitchell-Miller and Ventura-Miller, 2015, p.96). As such, occasionally, it was necessary for me to ask directly if it was ok to use a specific piece of data, such as Neil's hearing which I sat through. The maintenance of consent over the project's duration is also a key consideration due to changing circumstances in participant's lives and relationships with researchers, especially concerning more incriminating testimony, which may also risk causing emotional harm if uncovering particularly painful memories (Israel and Hay, 2011, p.505). Therefore, to ensure clarity, my objectives and their rights were verbally communicated and the letters jointly read through, before a copy for them and myself were distributed as early into an initial meeting as possible. Additionally, continued letters of consent were created for follow up meetings, to ensure that participants knew that any further data gathered would be treated the same as previously, and that their rights remained the same. Although gaining their consent, several participants disappeared over the course of the project, yet my friendships with others meant that checking their continued participation was not hard. Writings on consent have considered why offenders agree to talk to researchers, and have uncovered that inmates frequently use meetings as opportunities for positive transformation (Copes and Hochstetler, 2014). I perceived something similar, with many participants seeming to sympathise with me while being keen to do something that might be valuable to wider society, besides, admittedly, enjoying having something interesting to do during their curfews.

Nonetheless, the procurement of consent letters can be ethically problematic regarding continued offending. It has been discussed how they may protect researchers but legally endanger participants as these documents may be the only information linking them to crimes, whilst sharing them with other parties may also violate implicit trust, and ultimately undermine anonymity (Roberts and Indermaur, 2003, p.292-295; Levi, 2015, p.223). Consequently, these consent letters were locked in a secure place along with other materials. In this project, only Vince and Idris admitted to serious crime that was unknown by authorities. Despite following consent protocol, I noticed how, at times, each downplayed their activities somewhat during recording, while toward the end of the project Idris took a more inconspicuous role concerning his offending in general.

Having a prior relationship with research participants prompts issues around trust, pre-existing knowledge, secrets, and role conflict, and requires addressing to avoid exploitation (McConnell-Henry et al, 2009). I had known both for some 10 years prior to the project, and due to our mutual history, my awareness of their crimes never became an issue. Still, it was essential to establish that, despite them being happy to help me out, all data gathered had their direct consent and that no sensitive or incriminating information would be included that was not directly communicated by them, besides making them aware they had the same rights as any other participant. Member checking is advanced to bolster the validity of data, but also to increase trustworthiness (Birt, et al. 2016). To help inform their continued awareness of the direction of the project, I employed an informal version of this strategy when meeting them in person and updated them about their specific contribution, besides offering them the opportunity to see the thesis at any point should they wish. Although their consent to be researched was explicitly obtained when occasionally scheduling research on the spot, I was not always able to completely fill them in on the progress of the project in these moments. Nonetheless, this was achieved at later points, and I continue contact with both.

Researchers may still be pressured by the police if suspected of withholding information on a specific case, despite in the UK generally having no legal obligation to report a crime except terrorism (Elliott and Fleetwood 2017). As alluded to, I was challenged by an incident

concerning a fight between a participant and his friend in a pub, whereby a violent assault took place before my eyes. Much personal responsibility was, fortunately, absolved as the police were called by another member of the public, whilst the victim later explained to me that he refused to contact authorities due to a fraternal sense of criminal honour.

Nonetheless, researchers have been imprisoned for refusing to co-operate with authorities, and Boston College University was subpoenaed by the Northern Ireland Police Force in a court case regarding interviews with a former IRA prisoner (Scarce, 1994; McDonald, 2016). Constant discussion with supervisors regarding what I saw was, therefore, necessary throughout my fieldwork, with many ethical dilemmas difficult to foresee as the project progressed.

Many of my participants also committed offences which were sometimes troubling. Ethnographies of gangs have uncovered crimes such as rape (Bourgois, 2003), and, as mentioned, I was challenged by situations whereby continued domestic abuse issues potentially existed. I also declined to rendezvous one potential participant, who I was told from another participant a week or so after meeting him, was on the sex offender register for crimes against children. I lack the professional objectivity to mentally process such offenders, and have strong personal feelings regarding such crimes.⁴¹ At the onset of my investigation I was offered the opportunity to receive counselling for any troubling experiences; however, it, was ultimately not necessary: I come from this world. Strangely, I often had difficulty in switching out of my field persona, and into my role as an academic who both taught and presented at conferences. I sometimes bumped into people who saw me in both capacities, and seemed intrigued by my different characters.

The management of field relations is another concern for ethnographers, who may be challenged by the implications of their research and the social relations developed over the course of a project, which can potentially influence findings (Hammersley and Atkinson,

⁴¹ An unusually eager recruit, I was also disturbed by his WhatsApp profile picture of his (I presume) erect penis.

2012, pp.89-92). I, for example, eventually got know many participants well, with them even coming to me for unofficial legal advice and assistance finding work and training. With Joe, I became especially close, acting as something of an unofficial support worker that led him to phone me one morning threatening to commit to suicide when he could no longer get through to Bryan. I mercifully talked him out of it while I hurried to meet him, although this situation led me to get to work late. On another occasion, Joe attempted to break into a nightclub I was employed in by scaling the fence whilst on high ketamine so he could talk to me, only to get stuck in barbed wire and be carted off in an ambulance.

Law, discusses how researchers can become involved in the maintenance of a network, creating the issue of 'collusion'. In his ethnography of military aircraft, he describes how he was courted by engineers to provide positive feedback on the project, and eventually performed a version of the technology that became a part of its 'totalised whole' (Law, 2002, pp.152, 163). This experience, parallels how I also became a part of the EM system, with certain users, like Joe and Leon, citing my interest in them in their desire to comply with their requirements and avoid future trouble. My effect upon them, I feel, should perhaps be read as further testimony to a lack of necessary support services, although I awkwardly accept our friendship may have influenced them. As mentioned, a few participants also initially confused me for a law student, only to be disappointed when they discovered I could not provide them legal counsel. I did, however, develop a good understanding of how EM cases were dealt with in court, and gave them advice on how they might approach hearings. This knowledge, in one instance, inadvertently, allowed Luke to manipulate the court into getting his curfew removed when I suggested he gain employment.

The importance of developing trust between researcher and participant overlaps both ethical considerations and data collection: prior relationships likely allow for the more open exchange of experiences, and for researchers to fact check testimony (Sandberg, 2014). Having close relationships probably allowed many participants to discuss their offending more freely with me (indeed, many did). Despite this, a potential detraction of being an insider is that researchers may sometimes overlook certain details that are 'too familiar'

(Edwards 2002). I, therefore, attempted to create analytical distance from the field, while endeavouring to 'make the familiar seem strange' (Gordon, Holland and Lahelma, 2001, p.188). To do this, I tried to switch roles as best I could when conducting research and when later typing behind a desk, while mentally rehearsing prior to meetings. The material presence of the recording device also thankfully did much work for me, prompting my participants to quite visibly become serious and focused once the interviews commenced.

Exiting the field is an issue often previously ignored in ethnography. It provokes concerns about participant and researcher welfare due to the establishment of relations, and safety as per knowledge of offending (Iversen 2009). Given the tumultuous lives of many offenders, participants like Joe eventually vanished; their lack of communications devices, fixed abodes, and families made staying in touch sometimes impossible; others like Shane ended up back in prison. I attempted to find Joe by visiting his ex-hostel while looking out for him in a location he often frequented, with no success. I further attempted to get information on Shane's prison location, but the mutual friend who initially put me in touch with him was also imprisoned before I could find out any more information. It was thus with some concern that I left the field, and where I could, I stayed in touch with participants.

Conclusion

This chapter, justified the methodological approach of this project while outlining its research journey. It synthesised the methodological implications of ANT into its broader objectives, and indicated more specifically why its take on ethnography was appropriate for investigating EM. Especially, it explored how the personal foundations and evolution of the project are inherently tied to its findings, with its, perhaps (unintentionally) novel, sampling procedure of note in this. As such, the design and analysis of data are also elaborated upon to provide justifications for the techniques used. The ethics section, further highlights the unique issues that arose from researching offenders, which included gathering knowledge on offending, safety, maintaining consent, anonymity, and managing changing relations in the field.

4. Punishment – The Spatial/Temporal Dynamics of EM

'Look I already told you I can't do a tag, I got my kids, and my job and... it's just...just too inconvenient and it..'

*'STOP! STOP! **STOP!** Listen now! Listeen. It is an electronically monitored curfew! It is supposed to be inconvenient.'*

'You're a horrible little man you know that? You were the one when my kids got taken off me.'

Diagnosing EM Punishment

EM, is employed with punishment in mind. Although frequently discussed concerning how it exemplifies incapacitative and managerial logics (especially in the context of E&W) (see chapter 2), in practice it may embody a range of penal uses, and sentencers will examine the particulars of cases before dispensing it through their own interpretive schema (Nellis, 2013c, pp.143-144). In this way, it may be administered through a simple retributivist standpoint to inconvenience and limit user's time (as above), or to supplement rehabilitative requirements for offenders whose crimes may be curtailed by its restrictive capacities.

Nonetheless, EM has been critiqued for lacking a clear mission in E&W (Nellis, 2017a; 2018b). This, problematises questions about its actual penal objectives, which are further compounded by a lack of official metrics for how to define success on both a practical and policy level. Although community penalties such as EM have been investigated through rubrics of compliance and desistance, data regarding violations and offending is still scant (see chapter 1), whilst the exact relationship between the two is also often unclear (Pearson, 2012; Nellis, 2013, p.153).

These issues besides, EM's automated socio-technical system has been demonstrated to extol a frequently heavy levy on users (Hucklesby, 2013; Paine, May and Wood, 2014), yet in-depth data on user experience is still lacking. The issue of just *how, or if*, it punishes is, therefore, still considerably unexplored; a pertinent consideration because of its technologically mediated nature that has been shown to punitivise users' 'home worlds' (Goffman, 1961, cited in Staples and Decker, 2009). Universally negative proclamations of the penal assemblage, are, however, contradicted by the presence of positive and even grateful evaluations by some, and thus attempts at measuring it simply through the pains it inflicts (Sykes, 1959, cited in Nellis, 2009) have diminished potential.

To account for a range of probable competing experiences concerning the penal technology, this chapter specifically focuses on this concept of punishment through the dimensions of time/space, to explore how users adapt to the measure over their sentence, and how the technology mediates their activities. The auspices ANT and allied perspectives are, as discussed, attuned toward outlining how technologies function within extended 'assemblages of actors' (see chapter 2); consequently, the tag will be demonstrated to be a *fluid punishment* that can vary dramatically in its comprehension. These varying affects will be shown to emerge from how the device system interacts with users' extended, and ever shifting, techno-social associations, which create a 'temporary penal assemblage'.

Binding

Rob looks down at his tag that has just been fitted by an engineer, 'Tony', who is now packing away his equipment into a small fabric tool roll. 'You 'aven't set it to explode if I leave me house have you mate?' He is looking at is his PID, and has just completed a boundary test that required him to walk around the residence: along every wall, in every room, and even stand within his bathtub. Rob's curfew is to run for six months, and his MU is plugged into a phone socket near his bedroom floor, just under the bed. 'We've not got that sort of technology... yet!' Tony quips, before again explaining how the system works, taking on a more serious tone. The monitoring system is calibrated so that Rob's individual curfew hours will run from

8 p.m. to 8 a.m.; if he violates, he will be required to provide an explanation and breach proceedings may occur. After dictating this, Tony begins to pack up to leave: 'See you in six months I suppose' says Rob looking down at his ankle with a somewhat perturbed gaze, the reality of his new situation is seemingly beginning to dawn on him.

Bruno Latour, has argued that technologies transmute 'moral force', and may function as signs (such as traffic beacons) that allow tasks to be achieved in a more consistent manner than by 'unreliable humans', who read them (Latour, 1992, p. 152, 174). By translating design intentions, technological devices, as discussed, may also allow the 'folding' of time and space by materially connecting the past, to both present and future (Deleuze and Guattari, 1988 cited in Law, 2004. p.4; Latour, 2005; p.197).

The illustration above, demonstrates how EM's device-system allows for the CJS to initiate its objectives of control over Rob, by enabling restrictions on his time and space. Acting as a lynchpin that remotely *shackles* him into a socio-technical ensemble (Bijker, 2010), he must obey these or face further punishment. It further illuminates how a process of *binding* is necessary for this, and is reliant upon the work conducted by engineers who must competently install the equipment, besides the scaffolding of his home. As observed, this interaction proceeded successfully and Rob acquiesced to the system, which was facilitated through a rather skilful use of levity by the engineer who also clearly communicated Rob's requirements. Rob through this seminal 'obligatory passage point' (Callon, 1999a), began his journey as a 'cyborg host' with some visible trepidation at the prospect of six months on tag, which would demand significant adaption.

Punishment and Ambivalence

As mentioned, research on EM has uncovered a range of responses by users (Rezema, 2013; Hucklesby, 2013). For many hosts (n=11) in this study, their integration into the EM system was neither definitively positive or especially negative, and many simply viewed it as a temporary inconvenience to be navigated en route to sentence completion.

The observations and testimony from Terry (who was on a 6 a.m. to 6 p.m. curfew), articulated this somewhat mixed reaction:

I meet Terry at his home on a council estate in the north of the City. It's a deprived ward well-known for high levels of heroin addiction. Our interview takes place around 7:30 p.m. during his curfew; it's his granddaughter's birthday and the house is busy with young children. Deciding to speak in the hallway due to worries they might go into his room and accidentally detach his MU which was located under his bed, Terry explains the difficulties and benefits of his period of EM. Like with many users I had spoken to at this point, the insertion of the sanction into his home did not seem to radically interrupt the routine of his domestic life, and he claimed to rarely notice the equipment. Terry, saw himself as well past his criminal days, but he detailed how his curfew had decidedly effected his movements outside, particularly on work and socialising:

Me: 'So generally how have you found your time on tag?'

Terry: 'Well now I'm out of work now look... the time they stuck me on, because I could've had a job in Redchurch, and that finishes at quarter to 6, and I wouldn't av bin able to get back.'

But later:

Me: 'Have there been any things that have been useful about it?'

Terry: 'Its kept me off the drink, I don't drink now and it's been eight months since, on the new year. And I've never done that in me life before... which is a good thing. It's helped, its kept me from the pubs look.'

EM has been asserted to promote certain pro-social behaviours in users, and is also shown to sometimes help create routines and habits that may enable their entry into the workplace. Indeed, full-time employment is often associated with longer-term desistance from crime (Bottoms, 2002 and Farral, 2004 cited in Hucklesby, 2013, p.237). However, it has also been cited as a barrier toward finding employment by some targees. Terry's testimony supports this latter tendency, and he specifically cited his curfew requirements as impeding him from starting much needed new work, prompted by financial strains caused by him having a new dependent to care for.

ANT forwards a *socio-technical model of economic activity*. Callon, argues against neo-classical economic ideas that see human subjects as simply rational and calculative, claiming instead, that it is the socio-material functioning of markets which enables the construction of economic actors (1998, 1999b, pp.190-192).⁴² Here, devices such as accounting tools, price lists, as well as the spatial arrangements of produce, are said to be responsible a process of 'framing' that replaces personal networks, and leads to the achievement of impersonal market based relations. This concept may be useful in reflecting on how tagging also in some ways 'frames' the activities of users through economic activity: it readies them for the impersonal world of employment by constructing curfews around the average working day, encouraging them to leave the personal space of the home during these hours. Furthermore, by 'allying' with the clock (Callon, 1999a), the attainment of new time-frames orientated toward work are prompted by it. Although not forcing users into jobs per se, Terry's experience, however, indicates how attempts made by the CJS to facilitate rational economic activity through the penal apparatus may be counteractively impeded by curfew hours that conflict with more typical working hours. I informed Terry that courts were often amenable toward granting curfew variations around employment, and he expressed frustration at not being made aware of that by the probation officer assigned to his case, with it too late by then.

⁴² Or so-called 'homo-economicus'.

Nevertheless, Terry also cited his period on tag as allowing him to stay away from alcohol, with his drinking heavily implicated in previous troubles, thus supporting research suggesting many users may decrease 'social drinking' while on EM (Huckelsby, 2008, p.62). Terry's 6-6 curfew was dispensed to prevent him from visiting his local pub and getting behind the wheel of his car, and was successful in breaking his routine that involved heavy 'boozing' with his friends. Governmental literature argues that contemporary crime control measures like EM treat offenders as *already* rationally calculative agents rather than malleable and disciplinable actors, which it places temporary restraints upon (Garland, 2001, pp.15-16; O'Malley, 2004 pp.12-14). Articulating a, perhaps, slightly more transformative relationship, Terry, however, cited his curfew as being the principle reason for his continued abstinence, more so even than the drink driving course he was required to attend as probation, and he expressed a longer-term commitment toward avoiding alcohol. Despite this, Terry's experience re-articulates previous criticisms of EM arguing for greater flexibility and foresight in its practical application (Rengerts, 2004 cited Nellis, 2013a, pp.199-200; Hucklesby and Holdsworth, 2016, pp.9, 34), as his inability to find work provided the potential to re-ignite the financial issues implicated in his previous more serious offending.

Chapter 2 discussed ANT literature that re-interpreted governmentality writings, which asserted that successful governing outcomes could become 'insecure' due to the unexpected activity of actors who are relied upon to assist enforcement (Woolgar and Neyland, 2013). This idea may be additionally useful in understanding Terry's violation, which, according to him, was the result of confounding actors. Despite largely complying with his sentence, he was breached once and summoned to court after his bracelet was cut off one night and found in the garden of a nursing home across the street. Terry pleaded ignorance as to how this occurred, blaming his ex-partner or his sleeping medication, yet paid costs. Although, perhaps, throwing some doubt on parts of Terry's testimony regarding his avoidance of alcohol, when combined with the observation above, *it also suggests that the integrity of the equipment can be occasionally challenged by supporting actors*, leading to non-compliance. If, indeed, it was his ex, it suggests a capacity for the PID to become

reconfigured as a 'weapon' against users through intentionally damaging it; younger relatives who are unaware of the importance of the MU, may also accidentally sever the tele-communications system in shared techno-social spaces. Terry, further indicated why he needed to be extra vigilant at the party because of his recent breach hearing, as he did not want to risk heavier reinforcement.

Still, despite these issues, the regime of EM did not develop an explicitly punitive nor rewarding character for Terry: likely due to its mixed impact on his activities and the relative stability of his home situation. With his ex-partner (for now) moved out and seeming to enjoy the company of his family, tagging became little more than a minor and transitory disruption, which only occasionally became visible as they interacted. Appreciative of EM's impact on decreasing his drinking but also frustrated at not being able to work, it may be argued that an affect of *clashing ambivalence* was acquired through his integration into the penal assemblage.

Another user who articulated a neutral/ambivalent perspective on his punishment was Liam:

Liam lived with his parents on the outskirts of EM City in reasonably comfortable area. I arrive during his curfew around 8 p.m. and my entry into his home takes me past the internal door to his garage, which was under construction, and into his living room where his mother Elle is sat watching TV. She offers to get us tea after I sit down, but upon searching the kitchen cupboards discovers that the biscuits have run out. Unfortunately, Liam is unable to go into the garage where extra supplies are stored as his curfew perimeter does not extend out the house, so she must go out to get them. We begin the interview, and she re-enters with a tray; she sits and us watches keenly before later questioning me at length about the purposes of the study:

Me: 'So how have you generally found your time on tag this time?'

Liam: 'Uuh... not too bad I suppose. Um, I got me family around me this time, family home. Like I said, was an addict last time so I was in and out... It was all about the drugs back then look.'

Me: So what's the worst thing about it?'

Liam: 'Umm... just not bein able to go out for a fag when I want. Umm like we got a freezer in the garage, not bein able to go out there... just silly little things really. Goin' out to my car. Normal stuff... uuh, no one else in the 'ouse smokes so not bein able to go to the shops for cigarettes.'

Besides having some productive capacities (as witnessed with Terry), EM is also intended to restrict the activities of users by limiting access to certain locations at certain times, to thus partially retributively punish them through simple inconvenience (Nellis, 2013a, p.198).

Liam's experience perhaps partly supports this claim, although, like Terry, he found his time on EM to be neither especially difficult nor particularly constructive, and he got on with his requirements without beaching his curfew. Liam divulged how on his previous time on tag, he had breached several times -an action hastened by his problems with drugs, which he was currently free from- and he was now instead content to 'ride out his sentence', naming only minor issues regarding his daily routine.

Latour, has discussed how 'mundane artefacts' both fill the space that connects social relations while enabling social activity, 'shaping users' (1992, p.153). This idea may be relevant in understanding how the EM equipment can also become a mundane artefact for hosts, by quickly transforming into another object amongst the many that already surround them; however, still subtly re-orientating them. Liam's experience demonstrates further, how it must firstly undertake a process of *colonization* whereby it inserts into surroundings, that for him, disrupted relationships with everyday things and activities, like smoking or

fetching tubs of ice cream. Despite this, Liam did not seem particularly interested when I asked if he would go to court to get a boundary extension to cover his garage and garden (which are often granted to more compliant users) so he could venture there, and seemed ok putting up with the inconvenience. Law (1986b), has also discussed the role of sturdy objects (or 'immutable mobiles') such as ships and navigation tools, which transmit commands and ideas across time and space. Perhaps being of further use in helping to consider how EM colonised his surroundings, Liam, aware of this insidious activity, was, nonetheless, not especially perturbed or adversely impacted by it, and instead allowed the device-system to regulate his actions at the expense of his former taskmasters. Seeming to derive a sense of relief from sitting at home away from negative influences, he also appeared unwilling to disturb this peaceful period by visiting court again. Although, further interaction suggested more to the story:

During the discussion, the issue of Liam's offence arises. Although claiming he'd been convicted for the minor crime of urinating against the side of a building while extremely drunk, he became oddly uncomfortable when the topic came up: visibly fidgeting in his chair and avoiding details. Elle, also paid especial interest in the subject and quickly spoke over him, closing its discussion off. I was left with the strong feeling that they had downplayed the incident, particularly as Liam was switched onto EM from an unpaid work requirement, after claiming to be bullied by other clients.

Research upon EM has demonstrated that those with 'stronger community ties' (especially through familial support) are often more likely to stick to their requirements and desist than those without (Huckelsby, 2008, p.264). Nonetheless, EM may be dispensed multiple times toward certain users, although exact data of this is unavailable. Liam's testimony supports this claim, and he cited the current offence he was on tag for as a 'minor setback' from a trajectory that had led him away from his previous offending, describing it as: '*just a bit of bad luck really*'. Chapter 7 will explore in more depth the role of supporting co-actors in shaping EM sentences from their own standpoints, but it may be inferred from observing his situation, that the provision of familial encouragement played a central role in his perception of EM. Liam was provided with a socio-material setting favourable toward him

continuing avoiding drugs, with the penal measure thus appearing to only mildly impinge upon his usual activities while assisting him to stay out of trouble, and away from other offenders who intimidated him on his previous CO. Subsequently, the sanction developed a decidedly neutral affect. Vitally, his mother became central in this localised system, assisting in the smooth continuation of the sentence and acting as an 'ally' (Callon, 1999a), to protect him not only from further trouble, but also interlopers who came prying into his affairs. Liam's overall lack of serious issues or benefits gained from EM, perhaps developed into an affect of *unimpeded neutrality*.

Another user with a rather neutral perspective on EM was Chrissy:

Chrissy, buzzes to let me into the block of council flats on the same estate as Terry, and waits on the landing while still in his work clothes. His 7 p.m. curfew is yet to start, but is fast approaching, and he appears eager to get back inside. He's been living in this location for some three weeks following his eviction by his ex-partner; once inside I am greeted by Dean who introduces me to his partner and child, and they take me around the place. Despite being severely cramped, Chrissy seems more optimistic than might be expected:

Me: 'So have those things made your time on tag more difficult this time around?'

Chrissy: 'Umm... not really, not really. I mean... Just gets in the way of work... I was consistent with work but me tag was getting in the way, I breached it one night or jus' made it in and he (Chrissy's former employer) said you can't do that again so they put me on really short days, but it's not fair on everyone else... He said get it off or you gotta go. I went to court and changed me times an that but then he said you ain't reliable anymore so he got rid of me so I went back to me old job, but they're fuckin me about so I'm on me ass.'

Besides being a potential barrier, EM research has also demonstrated that for those in work, the measure may sometimes cause disruptions and result in job loss (Huckelsby, 2013, p.237). Chrissy, unlike Terry, already had a stable job as a cable engineer. Nevertheless, his restrictions also created difficulties for him as his employment required him to travel fair distances and sometimes work into the evening; this left him vulnerable to the sometimes-incorrect functioning of his van. He went to court to request a curfew variation because of this at his breach hearing, which was granted.

EM functions principally through the 'simple but precise control of time', which restricts the position of users in space (Nellis, 2009). Whether EM works by curtailing user's leisure time or by restricting access to locations has been discussed (Bloomfield, 2001); however, in both practical and theoretical terms, it is contestable that for RF EM *the latter is only made possible through the former*.⁴³ Writings discussing the nature of time have used ANT and Deleuzian concepts to argue that the 'temporal order' exhibits an often mutable character, whereby devices such as clocks and calendars both *construct as well as measure* the passage of time. In these localised socio-technical arrangements, the 'sense of now' may, allegedly, vary markedly for different people, besides further entailing radically different social outcomes (Deleuze, 1994 and Latour, 1996 cited in Glennie and Thrift, 2009, pp.67, 74). This concept may be of use in reflecting on how many EM users must make adaptations toward temporality due to their restrictions, with the measure not only functioning alongside 'clock time', but also intensifying the experience by creating rules surrounding where they are in time-space. Chrissy's experience further illuminates how this interaction with his own localised routine was impacted by the sanction, which interrupted his employment situation. Additionally, the accord struck between the penal apparatus and his transportation system suggested a fraught relationship that made the 'balancing act' of maintaining work commitments, while sticking to his curfew, a source of continuous concern.

⁴³ GPS tracking may be seen to do the opposite.

Hucklesby, has suggested that those who see their punishment as fair and have better experiences of both 'distributive' and 'procedural justice' may be more inclined to comply (Tyler, 1990 cited in Hucklesby, 2013, p.233). Chrissy's testimony perhaps supports these findings, as he, in principle, accepted his criminal conviction as being his fault, and was relieved at the court's flexibility concerning his needs. Yet, he strongly attempted to distance himself from what he had been convicted for and blamed it on intoxication. With the conviction appearing on his record for a considerable amount of time and him being on the Sex Offender Register, the implications of this likely provided something substantial to *contrast* the inconvenience of his curfew against, thus diminishing its pains. Indeed, Chrissy conceded that the nature of his conviction, ultimately, caused him far more concern than his 'temporary' overcrowding and restriction issues, and he stated: '*Well... sexual assault its... it's different to... It weighs a lot you know?*' Like Liam, he would look visibly embarrassed and uncomfortable while discussing the issue. Surprisingly, Chrissy did not see his situation as being especially difficult due to the fact that he was still making a decent wage, and he further praised EM's capacity to keep him away from trouble as useful. Nevertheless, Dean's girlfriend strongly implied growing problems with Chrissy's imposition in his home (see chapter 7). At the time, he was likely simply relieved not to be in jail after being thrown out and unintentionally breaching his suspended sentence: the threshold for non-compliance within suspended sentences is substantially lower than community penalties, with immediate activation of custody recommended unless it considered by the court 'unjust to do so' (Sentencing Council, 2016b). Consequently, tagging had not yet especially *punitivised his surroundings*, despite creating issues surrounding work. My closing observation, however, suggested that this situation was likely open to change:

As I leave the apartment, Chrissy and I continue our conversation which has drifted toward music. He is careful to leave his foot with the tag on inside the doorframe as I walk down the stairs so he does not trigger a breach, but begins to lean out further as he becomes animated about discussing his desire to become a Drum 'n' Bass MC. For a second, he appears morose as he remembers his requirements, which seriously hamper his ability to perform. It seems as if EM's regime was becoming, perhaps, more punitive than he had realised.

Still, Chrissy largely complied with his sentence, racking up only two breaches due to being made homeless that were accepted in court. Given Chrissy's greater concerns about his life beyond EM than his current situation, an affect of *situated ambivalence* was perhaps acquired concerning him.

As mentioned, ANT states that socio-material arrangements exist not just as physical relations, but as ensembles of 'knowledge practices' distributed across locations (Jasonoff, 2004, pp.18-27; also see chapter 2). Actors within networks, therefore, are translated –and translate from- prior arrangements, and draw upon knowledge to navigate new situations or network arrangements. This concept is perhaps useful in demonstrating how for certain hosts, the affects EM acquired were influenced by *shared experiences of the CJS and similar socio-technical relations*; pertinent especially given how the carceral net has, allegedly, expanded in recent times to create a 'continuum of punishment' (Cohen, 1984). For this rather neutral/ambivalent sample of users a common experience related to previous periods of EM, with all being tagged more than once before to their sentences or being imprisoned. This prior knowledge likely provided them with a fair degree of awareness of the particularities of the experience, and thus perhaps diminished its punitive bite. Furthermore, this cohort had also been previously on tag during periods of more frequent, and/or, serious offending, which they had already began desisting from. Here, being generally 'on the right track', the measure was seen assisting them to a small degree, yet still created minor problems within their lives.

Restriction and Pain

Hucklesby, has found that for some EM users the period of restriction may be experienced as especially punitive and coercive: problems with equipment, increased tensions at home, stigma, decreased social interaction, substance use, and sheer boredom have been indicted in impacting upon their well-being. Still, this previous research has also demonstrated that many users may desist from offending whilst tagged, although some not (2013, pp.232-235).

A small number of users in this project (n=4), expressed similar views, and the experience of Idris articulated this complex situation:

As I walk into my local barbers, Idris is sat in the barber's chair smiling while getting his hair cut. We'd arranged to meet there in the early afternoon, and I take a seat while greeting some familiar faces who are waiting. The establishment often attracts well known tough guys and figures from EM City's underworld. Idris, talks openly about his latest offence and recent run-ins; he is wearing shorts, and I notice his PID is visible around his ankle. While discussing these events, he exclaims the following:

Idris: 'So there I am, in broad daylight chasin' this cunt down Bridge Hill high street with a baseball bat in me hand ana' tag swingin' aroun' me fuckin ankle... It was a bit silly now really thinking about it (laughs).'

Critics of EM have previously derided it as something of a 'soft punishment' (despite users often citing the opposite), whilst serious crimes committed by offenders released on tag have made national headlines (Lily and Nellis, 2013, p.30; Mair and Nellis, 2016, p.70). When exploring Idris' testimony, it may perhaps be on first appearances rather easy to dismiss it as an example of the tag failing to fulfil its penal dictates, however, this would be mistaken. When talking further it became clear that its imposition had become onerous, despite failing to prevent his re-offending as he engaged in the illicit supply of Class A drugs. Idris' criminal activities had been altered by EM but had not ceased, and the incident above concerned a rival who had tipped off the police about his activities. While deciding to 'pay him a visit', Idris jumped out of his car after spotting him in the street. The following observation further emphasises this conflicting relationship:

Following his haircut, we make our way across the road to a café. I order us lunch before trying to find a quiet corner; however, the location is beginning to fill with parents and young children. Idris' demeanour has changed from his earlier braggadocios and I notice him

roll his sock up over his tag as we sit down. The introduction of the recorder into our dynamic also visibly tempers him: he leans forward in the chair to block the view from potential onlookers, and carefully scans the other customers before we begin talking again.

Earlier ANT texts have argued that 'objects are messy', with the same thing often perceived differently depending upon time, location, and perceiver (Star and Griesemer, 1989). More recent writings have advanced this claim to assert that objects may, themselves, come to construct multiple realities for related actors (Mol, 2002, cited in Law, 2004, pp.65-70; Law and Mol, 2008) (see chapter 2). The way differing performances of EM were not only observable in the same sitting with Idris, but derived seemingly unique existences depending upon his circumstances, perhaps give credence to this concept. The observations above, show how he seemed previously both comfortable, nay, even *obliged* to grandstand his exploits amongst the shady characters assembled. His later concealment of the PID amongst more respectable company, highlights a contrasting performance whereby he felt uncomfortable being seen wearing a tag. Even somewhat appreciative of its fairness, his testimony revealed further that EM had seriously and adversely impacted his familial relationships. Here, he described how it prevented him from spending time with his newly born infant daughter who lived in another city some four hours away (thus risking breaching due to the distance), whilst also making it difficult to spend company with his widowed mother who was caring for his brother who was addicted to heroin. Consequently, EM became a rather alienating experiencing that had starved him of much human contact outside of drug distribution.

The degree to which being on tag creates 'social stigma' or may contrastingly act as a 'badge of honour', has been discussed (Nellis, 2013, pp.203-205). Paradoxically, Idris told me he also hid his tag from his mum, yet shared pictures of it with his friends on WhatsApp alongside other nefarious activities. ANT's focus on performance was discussed previously regarding its similarity to Goffman's work, which itself also contemplates stigmatization and institutionalisation (Goffman, 1968 cited in Law, 2004, p.56; Jacobson, 2010) (see chapter 2). These performative ideas may have value in helping to explain these conflicting accounts of tagging that entailed drastically contradictory and location dependent performances

(particularly of Idris' PID). Idris, illuminated further, how with him straddling both criminal and familial networks, the sanction, in one setting, helped to bolster his criminal reputation (or 'street capital') (Sandberg and Pederson, 2011); nonetheless, whilst in his mother's home it created enough worry to prompt him to hide it by wearing long legged garments and to fabricate stories as to why he could not visit her in the evenings, which was especially suspicious in the summer. She, it seems, was unaware of the degree of his involvement in criminal activity. Idris, eventually acquired multiple violations and ended up in court, and an account will be explored in greater depth in chapter 6. As the regime became increasingly punitive due to its restrictions on him visiting key supporting actors, yet could not prevent him offending, an affect of *resistant pain* perhaps emerged concerning him.

Another user who viewed his punishment negatively was James:

James, asks me to meet him in a sports supplement shop owned by a mutual friend in a small town just outside EM City. He is keen to have our conversation away from his home and seems unconcerned conducting it in the storeroom out back, despite having to clamber over old stock and debris to find seating. He takes a broken chair while I sit on a box filled with tubs of protein powder, there is a light fitting slanted diagonally from floor to ceiling between us; it seems he was just happy to get away from the house:

Me: 'How have you generally found being on tag?'

James: ...'Shocking...'

Me: 'Bad?'

James: 'Yeah.'

Me: 'What's the worst thing about being on tag?'

James: 'The box going off loads of times at night... Just not being able to do stuff, work train. Go out in the evening. I nearly threw the box out the window.'

It has been suggested that younger users may experience EM more punitively due to them living less 'home-centred' lives (Nellis, 2013, p.200). James was one of the younger participants in this investigation, but he did not cite more stereotypical issues that might be expected from someone his age, like socialising or going out. He did, though, view its imposition as being largely unfair from a procedural and distributive position, yet he desisted from offending and complied to his curfew over the period. Being recently released from prison on license, James principally cited his restrictions as a barrier toward him making progress in his vocation as a professional Mixed Martial Arts Fighter, whilst leaving him to cope with long periods of boredom, with the, at times, erratic functioning of the equipment intensifying negative feelings. Our meeting, therefore, provided him with an opportunity to break up what had become an extremely monotonous and increasingly punitive routine. The importance of this is reflected in James' behaviour during the interview:

James sits rather stoically, and is mono-syllabic at the outset. However, he becomes far more animated when discussing his treatment by the CJS. He sits scowling while talking about the saga and protests his actions for some time, describing the system as 'corrupt' and EM as a 'pointless punishment'.

Critical technology studies, have, as mentioned, argued that technologies are 'inherently moralizing', and may supplement ANT thinking concerning James' testimony. Its concept of 'reduction' suggests that by limiting the possibility of alternative actions, objects may steer human activity through deliberate engineering, or sometimes produce unintended consequences (such as a Styrofoam cup inviting users to casually discard it). (Verbeek, 2011,

pp.10-15, 41-43). EM technology, as discussed, is deliberately engineered to penologically 'reduce' certain actions, but may, as witnessed, also unintentionally inhibit others. It, also, however, is intended to function somewhat discretely and be activated only when users violate their curfew (Nellis, 2013, p.203). With tagging offering little in the way of positive outcomes for James, this perspective may be helpful in comprehending why he placed scant practical value to the measure in the observations above: it 'reduced' what he saw as productive activity and prevented other things (such as sleep). James testified how this frustrated him as he frequently received calls in the night to check his location,⁴⁴ whilst both in the day and evening time he sat around trying to occupy himself, due to the training hours at his gym being mostly when he was curfewed. Additionally, because of his girlfriend's shift patterns at work he spent these periods of time alone, with the MU's erratic malfunctioning also disturbing her sleep, which was subsequently blamed on him.

Further work in the postphenomenological vein, has discussed how the development of recent digital interfaces have intersected with discourses and practices surrounding gender. Here, a desire for augmented and often militarised 'cyborg' capacities that transcend human limitations, have, allegedly, transformed ideas concerning the ideal 'masculine body' (Masters, 2006). Although certainly not resembling any kind of 'cybernetic super soldier', this work -despite arguably being somewhat far-fetched-may still be valuable in understanding how the penal technology intersects with some user's gendered sense of 'masculinity'; albeit somewhat differently. From James' account, it can be observed how taken for granted activities became mediated by the technology by restricting his capacity to be economically self-sufficient, as it curtailed his ability to provide an income into the shared household. This led him to rely on his girlfriend financially, which exacerbated

⁴⁴ EM professionals may dispute the likelihood of similar 'false alarms', attributing them to short violations. However, similar accounts have been frequently provided by many users, with the motion sensor inbuilt into the device plausibly triggered by periods of particularly deep sleep: or more likely miscalibration during the boundary construction.

irritations with the malfunctioning equipment, particularly the MU. It thus became an extremely coercive experience, which he linked back to his perceived innocence.

James' choice of vocation has also been discussed concerning the 'construction of masculine values' (Hirose and Keh Ho-Pih, 2010); it may be suggested that EM also impeded his capacity to perform this vital part of his identity. His experience can be contrasted to Idris', whose incorporation of technology, seemingly, constructed a differing 'hyper-masculine' ethos of criminality, again suggesting a degree of fluidity in this area. James' negative appreciation of EM due to it preventing him from progressing in his life perhaps led an affect of *frustrated pains* to arise.

Another user who articulated a decidedly negative account of his time on tag was Amjad, who had at the time of interview breached eight times.

I agree to meet Amjad outside a central McDonalds. He had been begging not far from the location, and we go inside where I offer to buy him breakfast. The security guard near the door looks at us suspiciously as we pass, so I do my best to exaggerate that we are together by talking loudly while looking back. Despite Amjad's tag not being on display it seems that his physical appearance is enough to foster mistrust concerning his criminal motives. He later tells me that he is banned from several stores in the centre for shoplifting, so he avoids these locations because his device could potentially show whether he entered them. We queue together just in case he is asked to leave, and eventually find a table. Amjad was not in a good way, and at times shook during our conversation:

Amjad: 'I've just been rowing with my wife all the time, we're getting our hair off with each other...I've just had to leave the 'ouse I couldn't cope with it, the stress... pressure.'

And later:

Amjad: 'To tell the truth I'd prefer being in prison'.

Me: 'Why's that?'

Amjad: 'It'd just be easier.'

Me: 'In what way?'

Amjad: 'It just... I wouldn't have to worry about breaching all the time, the worry all the time.'

EM research has contended that the 'will dependent' nature of the measure, may lead to a minority of users citing a preference for prison (Gaine, Payne and O'Toole, 2000). Amjad was one of three EM hosts in this investigation whose binding to the technology was perceived as worse than the experience of incarceration: a factor he cited as being caused by difficulties it created at his home, and the stress of abiding to his curfew.⁴⁵ Furthermore, Amjad would be one of two users who claimed the bracelet was very uncomfortable to wear, leading him to wish its removal at almost all cost; he only refrained from cutting it off because of the financial penalty incurred by damaging the device.⁴⁶

⁴⁵ The other two who shared this sentiment were James and Shane, whose high 'status' behind bars also likely made imprisonment easier.

⁴⁶ Another user who articulated this was Frank.

ANT research into how nightclub entrances become reconfigured through the enforcement of drug policies, has demonstrated how material things interact with social goals to construct new 'mutable existences', besides understandings of location and time (Demant and Dilks-Frayne, 2015). Criminological writing on the experience of imprisonment that shares certain materialist similarities with ANT, also speaks to how the spatial dynamics of physical architecture may construct variable experiences for inmates, and have spoken against the recent use of 'modernising aesthetics' that sanitise the pains of psychological and physical confinement (Hancock and Jewkes, 2011, pp.623-626).

The emphasis on mutable spatiality within these writings are plausibly advantageous in understanding how, for certain users, the insertion of the EM device-system in pre-existing spaces may interact and lead negative emotional pains to emerge. Amjad, further expressed how, despite its more benign design intentions, difficulties from being in close physical proximity with his spouse -who he could not distance from- led to the emergence of frequent disputes. He described how these: '*petty little issues*' (although particularly money), eventually became unbearable. With intensified emotional anxieties developing through his curfew requirements, his surroundings quickly began to change into a harsh punitive environment which worsened pre-existing mental health issues. This led him to eventually breach his curfew and find himself back in court.⁴⁷

Goffman's work on asylums has also been applied to prison inmate's perceptions of time, whereby the experience of being punitively confined may produce a sense of 'heavy' and foreboding 'institutional' time, which passes slower and alters usual bodily rhythms (Goffman, 1961 cited in Williams 2011, p.66; Back and Williams, 2014). This work may help in reflecting on how, for certain EM users, their sense of temporality also acquired malign affects as the device system reconfigured their surroundings, relations, and activities: becoming a punitive assemblage. Both Amjad and James described further how this impacted upon them, with the former's pre-existing anxiety disorder and drug taking

⁴⁷ This is detailed further later.

effected due to an intensification of his timekeeping and a sense of constant rushing around to meet his curfew, and the latter forced to develop coping strategies of 'killing time' by mainly surfing the internet and posting on forums. Interestingly, for James, his MU would be cited as more of an issue than his PID (which he often forgot about) due to it flagging breaches, but the reverse seemed more the case for Amjad, who claimed to near constantly feel it on his ankle. Further evidence of how oppressive characteristics developed from their restrictions on time, were observed in how they both frequently spoke about their desire to 'get their time back', and of somehow 'living on someone else's time'. Amjad, would be far more visibly troubled by this, and besides shaking in the observation, often found difficulty in verbalising his thoughts. Unable to take drugs during his curfew or make money and without proper treatment support, he was forced to periodically go 'cold turkey'. For him, the experience of EM, therefore, derived additional punitive features that manifested through *bio-physical symptoms* that appeared at the level of visible gesture, which were linked with his changing narcotic consumption.⁴⁸ With Amjad experiencing EM negatively due to its impact on his mental well-being, an affect of *psychological pains* perhaps emerged.

As demonstrated in the section above, shared socio-technical circumstances can be instructive in making comparisons between the affects derived by EM users who share similar perspectives. A common theme from the users above potentially relates to the fact that, for the main part, it was their first significant period on the measure. Research on EM has yet to uncover if frequency of times on EM influence the experience. It may perhaps be argued that for those just tagged, sentences can potentially attenuate negative perceptions, leading it to feel more coercive. Of the users who viewed the punishment negatively, three also viewed their punishment as being 'unjust' in some way, with James still in disagreement with his re-trial and conviction, and Amjad blaming his offending on his disability benefits being stopped. Interestingly, all three of the above users resided in

⁴⁸ See chapter 8 for a discussion on ANT and genes.

relatively stable accommodation that also became punitivised by EM, besides having deteriorating relationships with spouses and loved ones.

Productive Restriction

As mentioned, for some users EM's restrictive capacities have been indicated to provide much welcomed distance and time away from troublesome locations, activities, and acquaintances: prompting phases of longer-term desistance by decreasing 'anti-social capital' (Hucklesby, 2013, p.236; Henneguella, Monnery, Kensey, 2016). For a section of hosts in this investigation (n=6), integration into the EM system did not become a punishment as it did above. The experience of Joe, who was on EM for two weeks at this point and had an exclusion order, also suggests this:

Joe is waiting outside his hostel when I arrive. It's a reasonably large building near the centre of town that accommodates nearly 100 people. We decide to walk the three-minute distance toward the local strip -which is infamous for both its carnival-esque atmosphere and street crime- as Joe is worried about straying too far, despite his curfew not being for another couple of hours. Although less disordered during the day, we pass several beggars and a couple fighting over a can of lager in the middle of the road. 'Crackheads': Joe tells me, explaining that they share his residency and often get into conflicts. He has little choice but to carry out his sentence in this location for the moment, which concerns him. We decide on a quieter pub that has just opened and sit in the garden with our soft drinks:

Joe: 'A couple times at night I've thought it would be nice take it off but apart from that most of the time I forget its even there, to be honest with you... mostly I think it's beneficial to be honest.'

Me: 'How come?'

Joe: 'Because I like to go out in the evenings. Sometimes I get this urge... like 20 hours of the day I'll be saying to myself to do the right thing, and plan to do the right thing, um thinking the right thing and then all it takes, I dunno this thing comes in my head and I just wanna... I just switch off and I think fuck it.'

Me: 'Is that when you get in trouble?'

Joe: 'Yeah yeah...'

Me: 'So has the tag helped you stop that kind of stuff?'

Joe: 'Yeah well it's either that or jail.'

EM can be modified to fit offenders' criminal patterns when dispensed in court. It may often be considered appropriate for those deemed to be 'nuisances' in public spaces or at night, due to it restricting leisure time and acting as a physical reminder of wrongdoing (Nellis, 2009, p.49; Swaaningen, Uit Beijerse, 2013, p.181). When I met Joe, he was initially positive about his sentence and strongly intended to comply, and was especially hopeful that, along with his exclusion order, being on tag would assist him to stay away from a notoriously crime ridden subway annex in the city centre where his offence had occurred. Joe also had a self-diagnosed problem with alcohol and most his offending involved him drinking and being arrested, often with little recollection of his crimes.

ANT research that explores how physical competencies are acquired, shows how their development can heavily rely on a process of mediation through material objects (Gomart and Hennion, 1999) (see chapter 2). Aforementioned research into wheelchair use, demonstrates how users must go through a process of physical re-adjustment for an 'extended body' to be achieved; however, this often requires much practice to fit the

changing needs of everyday usage (Winance, 2006). In reflecting on how EM also requires a process of quite profound adaptation for users, this idea may assist in understanding how a period of technological acclimation was necessary for Joe to acquire a body that could perform his requirements. Joe, additionally, chronicled several near misses in this early phase, and informed me of a close breach whereby he momentarily forgot his curfew. Also, Joe –who had been out of prison for five months before being placed on tag, and who had been incarcerated several times since his teenage years- put high hopes in this new sanction, and communicated how he firmly desired a clearly defined daily routine. Often staying awake into the early hours while sleeping past noon, he hoped the penal regime would allow for greater use of his free time, ready for work and training as an apprentice barber. Perhaps, ironically, he cited his fondness of the PID at this point as contributing to him nearly breaching, with his perceptions of it as a ‘helper’ leading him to temporarily forget his restrictions.⁴⁹

The exclusion from public space enabled through EM has been debated, though, with critics arguing that inclusion within civic spaces are necessary to allow offenders to re-integrate into, or maintain relations within, ‘legitimate spheres of society’ (Von Hirsh and Sheering, 2000, cited in Nellis, 2013, p.197). Joe, however, accepted his exclusion requirement and recognised the need to avoid hanging out in troublesome places, and when discussing this he stated further: *‘I think um... I should have been offered it a long time ago (EM) like, I’ve done seven short sentences and I think the tag should’ve been one of the first things I got.’* Nonetheless, this was made difficult due his hostel being only some few hundred meters away, which required him to construct entirely new spatial routines as well as temporal. The observation above indicates how problematic Joe’s immediate environment was, as the area was utilised for heavy alcohol and drug use around the clock, making his non-curfew hours a more hazardous period.

⁴⁹Joe was positive also, about the potential of so called ‘voluntary tagging schemes’ (see chapter 1).

The concept of territory has been discussed in ANT, with physical spaces like town squares said to obtain 'uses and meanings' from the interactions of dynamically moving actors: *as processes*, rather than geographically fixed units (Karrholm, 2017, p.3). With some users needing to avoid certain spaces, this concept can further help in considering how Joe also needed new associations based on place to achieve his goals. Joe's experience adds, though, how this may be problematised when living in certain locations, which prompted from him even greater efforts to avoid what was on his doorstep. He achieved this by travelling to other zones across the city (sometimes risking breaching) to get away during daytime hours, and urgently requested assistance with rehousing. By successfully managing the issue over this period, his time on EM, however, had become positive and was incorporated into a new responsible outlook that the following observation highlights:

Toward the end of the conversation, Joe diligently takes out his mobile phone to check the time. We have been talking for about an hour, but he seems momentarily worried that he had lost track of it again. He pulls it out of his pocket and quickly presses the menu button. 'You're all good mate', I tell him, I've been monitoring the time and re-assure him that he has about 15 minutes left before he must leave. He is visibly relieved, as carrying a phone is a new experience that has also become vital in regard to his compliance.

Similar ANT writing, further considers how time displays emergent properties that arise through material and spatial arrangements. It, *as an actor itself*, can allow for situations to be held in place, and also for events to pass (Sorenson, 2007, pp.5-7; Lindstrom and Stahl, 2015, pp.224-226). Again, perhaps relevant in considering how the temporal order of users must often change, Joe additionally outlined how strategies of avoidance became increasingly necessary to avoid 'bad times', besides 'bad places'. The apparatus, eventually, thus pulled him around something like an 'invisible rubber band' as he altered his activities (Sorenson, 2007, p.3); although not coercively as it did for users like Amjad. Despite Joe's initially positive appraisal, he became more cynical as his sentenced passed, and seriously violated his conditions in the final couple of weeks (see chapter 7). His framing of his early time on EM was cited as providing him with new habits that allowed for a more optimistic affect to emerge, and can be perhaps characterised as *developmental constructiveness*.

Another host who shared a positive appraisal of his time on EM at its onset was Leon:

My conversation with Leon takes place a few days after him being released from jail. I'm the first visitor he's had at his mother's home, and having known him for a considerable period prior to this, I perhaps catch him at a particularly happy moment where he was especially pleased to see a familiar face:

Leon: 'Trust me I have never been so happy to see the sky in all my life when I left that place. I had tears in my eyes fam. I was like thank you Lord God thank you! (*looks up and makes the sign of the cross*). Not that I believe in any of that boloney mind you (laughs), I was just so happy, I could've kissed the ground...'

Me: 'Are you gonna stay out of trouble for a while now then?'

Leon: 'Mark my words fam, I will never get into shit like that again... EVER!'

He then lies back on his sofa, grabs his ankle and brings his foot toward his face allowing him to kiss his tag.

Findings have indicated that many users desist from offending and comply with their conditions due to fear of being remanded to custody; although this is often highly unlikely for those serving community orders (Hucklesby, 2013, pp.232-235).⁵⁰ Leon, at this point, was on EM as part of bail, however, and thus under tighter restrictions concerning violations. Furthermore, after being transferred onto tag midway through a period of

⁵⁰ Serial violations may result in extra time, fines, cautions, or switching to other CO's, but rarely prison.

remand in a local prison, and he was especially grateful having undergone a seemingly nightmarish experience where he observed extreme and often violent bullying, prison unrest, rampant drug use, besides serious corruption from guards.

Throughout this chapter, it has been asserted in line with ANT, that physical architecture and geographical location can come to exhibit fluid characters which emerge from interactions with EM's equipment; consequently, this can lead users to develop various perceptions of it. Leon's testimony shows further, how this can result in drastically different feelings, as his testimony at this point was diametrically opposed to hosts like James and Amjad. Here, his restrictions rather than transforming his home into a punitive zone, instead, 'liberated' him from his previous confinement, leading them to derive an emancipative quality. Leon received great enjoyment from partaking in previously taken for granted activities, such as watching his own TV, using the shower at his leisure, eating when he wanted; and especially from not being woken by vindictive prison guards or paranoid cellmates accusing him of stealing their spice. The observation below highlights the comparative impact of these penalties:

The jovial tone of the conversation suddenly becomes serious during a long monologue where Leon discusses his experiences of prison, which shocks me into silence. He goes into detail about frequent brutal assaults, drug dealing, an ex-cellmate dying of cancer, a dirty protest that occurred in the cell next door, and an incident whereby a black prisoner was kept like a dog and made to beg for food by a group of racist inmates. The institution was publicly investigated shortly after our meeting during a, so called, 'spice epidemic': its staff had been both downsized and privatised, which was cited as leading to a spate of suicides.⁵¹

⁵¹ Interestingly, James was incarcerated in the same institution shortly before this, but after a few physical confrontations quickly developed a reputation as someone to avoid.

PID's, as stated before, are intended to be ergonomically discreet and (relatively) comfortable. Nevertheless, for some users prototypes of the device were sometimes perceived as being physically burdensome (Mair and Nee, 1990, p.59). Leon, however, articulated a positive account of its physicality, and besides kissing it during our conversation, claimed to rarely notice it.

Mol's writing on atherosclerosis, further develops the argument that objects (in this case disease) lead 'multiple realities' to be constructed. Here, patients exhibiting symptoms, medical equipment making diagnoses, or surgeons operating on it, can, allegedly, transform the different spaces where these actions are performed. Additionally, the experience of pain from the condition has been claimed to frequently defy medical definitions and tests, but still requires diagnosis by medical professionals to be 'officially translated into existence' (Mol, 2002, pp.29-33, 50). This line of thinking surrounding objects, may be of additional value in reflecting on how varying sensibilities emerge for users from the physical experience of tagging. Leon and Amjad show a dynamic whereby in some settings feelings of emotional and physical pain, and, contrastingly, in others, positive feelings associated with freedom were derived. Indeed, on the odd occasions Leon did feel it when dressing and undressing, or showering, it again prompted feelings of gratitude. Nevertheless, Leon's feelings changed as his period of bail ended and he was transferred onto EM as a CO with continued bilateral monitoring of his girlfriend (which will be detailed in chapter 6). This suggests that the mode of dispensation may also factor in these emerging affects, which initially alleviated the trauma he experienced in his prior surroundings. Leon, still complied with his restrictions despite his partner visiting his house in defiance of the court order, and called the prospect of violating: '*a slippery slope*', he wanted to avoid. Thankful at being on EM rather than in prison, an affect of *grateful constructiveness* was perhaps acquired.

Another user who viewed his time on EM positively, but alternatively sometime after it was removed, was Luke. The following observations and testimony are from two different occasions: firstly, one week after being tagged, and then 10 months after its removal:

Luke walks into the inner-city community centre where I'm sat waiting. It's in a high-crime part of town surrounded by tower blocks and dangerous a subway maze that has seen several serious offences in recent years (including rape and robbery). I notice the tag on his ankle, but he seems neither concerned nor proud about it being on public display, and shrugs when I point it out. A group of parents and children walk past our table on their way to the swimming baths, and he lets out a small grin while joking about what they might think. Although he's glad to be on EM and off his probation requirements, he still feels like he should be a free man.

Ten months later:

Me: So did it take a while to adjust...?’

Luke: /Back to normal?

Me: Yeah back to normal.’

Luke: ‘I’d say so... because I enjoyed it, being in, being a little bit grounded d’you know what I mean? Yeah, sorry to say it’s like when you got a relationship with a partner you got a bit of boundary you got a bit of... a bit of someone else looking after you, d’you know what I mean? You got some...

Me: Rules?’

Luke: ‘Yeah some rules to stick by... cos I can be pretty loose when I’m on a mad one. Kept my end clean.’

Gainey, et al., (2000), have suggested that positive perceptions of EM may develop post sentence for many users, who come to look back on the period differently from when they were tagged. Luke, also reflected on his time on tag much more positively in the months after it was removed, despite initially being somewhat glad to be switched onto the sanction anyway. He recited far more practical benefits to it that he had not previously appreciated, and it was further implicated in his longer-term desistance from criminal activity (Luke's testimony of his time post sentence is reflected upon in chapter 8).

Latour, alleges that a process of 'anthropomorphising' can often occur when technological devices are used, as users project human properties onto machines that reach beyond mere capacity (Latour, 1992, pp.159-161). Nevertheless, he goes past simple anthropomorphising in this work, and advances a thorough *integration of human and machine*. Still, the first argument becomes plausible when considering how, for some hosts, the EM equipment attained properties that extended into the personal and human. In this vein, Luke explained how this was sometimes likened to aspects of romantic relationships (at least, regarding their less exciting moments), which helped the sanction develop favourable affects. He further added that -despite having something of an 'up and down' affair with the technology during his sentence, and understandably preferring to be free- he gained a degree of enjoyment through it preventing him from engaging in mischief, whilst it helped him achieve a new set of habits that he took into the future.

Despite this, EM has been criticised as likely being less effective at enabling longer-term change when used as a short stand-alone measure (Nellis and Mair, 2013, p.73; Nellis and Bungerfeldt, 2013). Perhaps surprisingly, Luke attached more value to his time on the penal sanction than the probation requirements he was switched onto it from (as did Terry); however, he outlined the following frustrations with the system as partly influencing this: *'It's just about ticking boxes these days... they're run by a third person company now and can't liaise with the court. I went in spoke to them an' they told me they couldn't help me... I was like what's the fucking point then?'*

Latour, as witnessed, argues against sociological accounts which are 'prematurely critical', and has claimed that much social scientific knowledge already permeates society. Consequently, actors are required to describe their activity in 'their own words' (see chapters 2 and 3). This argument is perhaps valuable in understanding how knowledge about issues in criminal justice were explicitly understood by many EM users, and potentially influenced its emerging affects. For Luke, these had become especially ineffective due to recent challenges: he was aware of the deleterious impact of TR on client management, and thus developed his own sociological critique of the Probation Service whereby tagging became a lesser punishment that even had a few benefits. In the observation above, Luke's initial ambivalence can perhaps be related to this period of difficulty where he was trying to 'sort out his life' and get away from trouble, yet was faced with a dearth of support by the CJS.

Law, speaking on how networks function, develops a different take on how knowledge 'acts'. Claiming that knowledge is 'dispersed amongst assemblages of actors' (1992, p.4), he de-prioritises the importance of human actors, who exist as mere 'effects' within these ensembles. This perspective may also assist in reflecting on how, because of the issues Luke cited, tagging, for him, became more valuable than traditional 'human services' like the Probation Service. He further expressed in retrospect how, within this conflicting nexus of institutions, he could not attain the support he initially required, yet benefitted from his curfew restrictions. He then helped to sustain the network by being faithfully translated, while accurately translating, its regime. A decidedly more benign post-EM appraisal then emerged, while Luke complied with his requirements (although he managed to get switched from EM to a small fine after getting a new job) (see chapter 6). With him looking back on his time on tag favourably due to its provision of additional support, an affect of *constructive security* perhaps arose.

Mutual techno-social circumstances relating to previous EM research, are also observable for this section. Here, five of the positive appreciations given by users were from those over the age of 30. As intimated above, older users may be more committed to the penalty (and desisting from offending in general), and thus find tagging less challenging (Marklund and

Holmberg, 2009). Both Luke and Leon were over 30 when placed on EM, and were in somewhat better circumstances to improve their lives (particularly regarding employment); Joe, 24, gradually slid back into older habits. Interestingly, most of these users were also in somewhat unstable accommodation, being curfewed to hostels or temporarily housed by family. The sanction was, though, linked to a *strong desire to improve their situations* during the beginning period, and it will be shown later how insecure accommodation is often detrimental to compliance and desistance in the long run.

Translating Punishment and Success

As observed, punitive experiences may often arise from being on EM. Nevertheless, defining *why it becomes a punishment*, or not, depends much on user. The framework of 'affects' in this chapter was applied to help to understand these sometimes-competing outcomes, which occurred through the device-system temporarily connecting an extended penal assemblage. However, as witnessed, criminological outcomes of compliance and desistance did not neatly correlate with these definitions. Still, some findings may be discussed from here that potentially clarify and advance these contrasting understandings. Heavily implicating the role of spatiality and temporality in the development of EM's carceral character, three dimensions are claimed to be present:

Here, firstly, it may be contended that EM's penal affects emerge over the dimension the *temporal order of the body* to allow some users to obtain routines and dispositions around the typical working day; these, however, may have variable levels of success and/or be perceived positively, negatively, or neutrally. In this, some users may readily accept these routines (such as Leon), whilst others experience them painfully (like Amjad), and others may be principally inclined toward them, but are hindered. Secondly, EM acts by controlling *physical space via time* through invisible boundaries that orientate user's movements; although, again, acquiring varied success and being appreciated in multiple ways. Here, some users (like Joe) were glad of their restrictions, or for others (such as Idris) they became especially coercive, whilst others did not particularly perceive them at all. Finally, EM acts over *chronological duration* by extending over time in the form of a sentence period, and

can again develop variable affects. Some users reflected positively on their sentence period (like Luke), whilst others saw it 'as a waste of time' (including James), and others had ambivalent feelings about its impact.

As mentioned, the relationship between affects and compliance/desistance is not always clear, and requires further consideration. ANT forwards the concept of 'translation' to describe the continuous, yet never complete, process by which actors become translated to achieve evolving goals (see chapter 2). This position may, therefore, be additionally instructive in considering how the translation of EM's penal regime emerged across these mutable spaces to sometimes attain its objectives. Here, amongst the 'positive' appreciations of tagging it was detected that many hosts, although not always, were inclined to comply and often desist from offending. Despite this, they required time for the equipment to adequately *train them* and sometimes needed additional motivational or circumstantial supports from extended actors. Negative appreciations of the measure were somewhat, but again not conclusively, correlated with non-compliance and/or non-desistance. In these instances, long regimented offending patterns were not particularly impacted for some, although for others the pains acquired from EM led them to violate, especially as it became a more coercive experience. Amongst more neutral/ambivalent appreciations of tagging, hosts often occupied an unsurprising 'middle ground' and generally stuck to their conditions. Despite sometimes accruing minor violations through small lapses in judgment, this was likely prompted by the lack of a 'sincere bond' with the equipment and unclear outcomes. Users who complied with the measure but did not desist from offending, and vice versa were present also (as has been previously discovered) (McNeil and Robinson, 2013; Nellis, 2013c). This will be explored in greater depth in chapter 6.

Conclusion

This chapter, explored EM through the theme of 'punishment'. It utilised ANT and was supplemented with concepts from similar approaches that emphasise non-human activity. Using a three-fold typology framed through the penal affects that arise from tagging, it

suggested these often vary; however, questioned *how* and *why* this occurred. Factors such as previous exposure to EM, user accommodation, relationships with co-residents, mental health, goals of desistance, sentence type, and experiences of prison were discussed here. The dimensions of time and space were additionally argued to be heavily implicated in how, or if, punishment was meted out. Outcomes of compliance and desistance were demonstrated to have a complex relationship with tagging that were sometimes counter-intuitive. EM, is, consequently, asserted to be a 'fluid punishment' that acquires its penal character from interactions amongst an extended temporary assemblage it becomes connected to.

The following chapter, will delve again into users' lives to uncover how surveillance as a specific part of its penal regime, also leads varying affects and experiences to emerge.

5. Surveillance –The Fluid Pains of Observation

‘What a lot of people don’t realise is that these monitoring units can pick up any tag in their vicinity...they talk to each other. The company installs them all over the place, they’re in most of the shops down town so we can tell by someone’s ID whether they’ve been in and at what time.’

‘Isn’t that... uh against the law or something?’

‘Nah... the... well, we use them for exclusion orders mainly. But we also do security for a lot of these places so the courts aren’t bothered. You’d be surprised just what the government can do these days to be honest. This sort of thing is nothing.’

Locating EM Surveillance

This chapter develops the theme of surveillance and draws it out as a central feature of EM. Surveillance is the means through which its penal regime is enforced and, arguably, its defining trait, which as a criminological issue is also increasingly discussed as characterising our present epoch (McGuire, 2012; Zuboff, 2019; see chapter 2). This investigation provided the opportunity to directly explore a technology of observation through the experiences of offenders subject to enforced monitoring. Although not every participant explicitly responded about experiencing surveillance, this was still taken as being rather telling considering how the technology works. It is hoped that this chapter may provide some knowledge on this burgeoning concern.

Within E&W the surveillant capacities of EM are, as mentioned, typically performed via RF technology. Theorisations of surveillance have discussed tagging as representing an overarching and Orwellian trend employed by criminal justice agencies, which is intended to

achieve the 'street level observation' of individuals/populations (Paterson, 2007; Schuilenburg, 2015, p.77). New technologies are cited as pivotal in the mass arrival of similar platforms, alongside increasingly de-centred organizational relations that, allegedly, challenge the monolithic powers of the nation-state (McGuire, 2012, pp.133-140).

The globalised dispersal of Information Communication Technology has been especially advanced as allowing for the 'time/space compression' necessary to monitor human activity: devices like CCTV, the internet, smartphones, and recently wearable devices have accomplished a desire for increased optical proficiency (McGuire, 2012, pp.88-100; O'Connor, 2015). These technologies are utilisable for many people within contemporary society, yet a definitive monopoly on the capability to control behaviour is wielded by state and adjoined agencies, for whom 'risk management' undergirds expanded agendas (Hui, 2014). This encroaching and tightening network has drawn much concern for infringing individual liberty and collective action, and is argued as being often directed toward bodies and populations already marginalised within wider society (Schuilenburg, 2015, pp.179-183). Yet, its benign uses have also been, debatably, considered through the provision of security amid sporadic and 'asymmetrical threats', besides improving public health (Winner, 2006; Schuilenburg, 2015, p.43).

Surveillant technologies thus require criminological consideration. Testimony about the experience of being under surveillance is in short supply within EM literature, and wider texts. The previous chapter demonstrated how tagging constructs a 'temporary penal assemblage' consisting of other human and non-human actors. Although previous EM writings have reduced the effect of surveillance to enforcement functions (Jones, 2013, pp.447), it is demonstrated below that surveillance may develop into a tangible existence for users. Accordingly, 'affects of observation' like those in the previous chapter, will be demonstrated to emerge from how the observational technology temporarily connects the networked relations of users, acquiring varying appreciations.

The Benevolent Gaze

Surveillance within criminology has often tended toward ruminating its more sinister implications (Cohen, 1984). However, EM user's accounts may sometimes contradict these assumptions, while Nellis, et al. have argued for a less simplistic understanding of the sanction (Nellis, Kaminski and Beyens, 2013). The following accounts show how for some hosts (n=3), being monitored assisted in objectives of desisting from offending:

The solicitor stands at the front and left of the court with his client by his side. Unusually for a breach hearing, it's this party that has asked for an audience with the court. 'Good morning your worships. Mr Brady was made subject to a curfew order here some three weeks ago, whereby he was sentenced to, and requested, an electronically monitored curfew. The reason we are here is because Mr Brady has of yet been unable to comply with his curfew... as EMS have not been to Mr Brady's address to install the equipment. Mr Brady if you look at his file is a recovering heroin addict. As part of his treatment both probation and the local drugs project have specifically recommended an EM tag, which Mr Brady has himself requested also. Now my client, who I have known for many years has made huge steps toward tackling his dependency following this last incident, which honestly has played a massive part in his offending, which as you can see again from his record... it's almost all drug related... and feels that an EM tag will be a huge help toward helping him stay away from bad company whilst providing the time he needs to get through his addiction. Mr Brady has pretty much he tells me, barricaded himself in his flat, and does not accept visitors and answers only his phone, which we accept has likely contributed to this issue...'

EM has a complex relationship with narcotic use within E&W, with many users reporting decreases in stimulant drugs, although opiate use is less known (Huckelsby, 2008, pp.61-62). For 'Mr Brady' (Neil), the spectre of surveillance was anticipated with a keen desire to bolster his commitments toward going straight, by supplementing his desire of tackling drug addiction. In principle, the surveillant capacities of EM may hinder acquisitive crime associated with drug abuse, but do little to prevent consumption alone. Still, the observation above shows how the regime of tagging was intended by Neil to assist in

liberating him from a cycle of drugs and crime, by helping him construct a 'safe zone' of home.

ANT research has investigated heroin and methadone use, and demonstrated that addiction cannot be reduced to 'single factors' alone. These different forms of opiate consumption are further argued to be differentiated mainly by performances in different settings, which arise through an 'ensemble of user's bodies and material paraphernalia' (Gomart, 2004).⁵² These concepts may similarly demonstrate how for EM users with addiction problems, recovery and desistance can become tied to *compliance to the measure*. Neil's experience further illustrates how some EM users, subsequently, employ its surveillant regime to stay away from previous associates and problematic spaces, to allow vital time to break psychological/physical dependencies, and related offending habits. His account can be compared to that of Joe's in the previous chapter, who also used EM to assist in the development of certain pro-social routines by keeping him from 'bad influences', but in this case specifically regarding drug use. Through disassembling his previous negative relations and helping to reassemble new positive ones, tagging was thus hoped to become a positive experience. Therefore, a *positive/disruptive* affect was intended to eventually arise from his enrolment into this penal assemblage.

ANT's ideas relating to networks (see chapter 2), may also be relevant when uncovering the experience of another recovering user, Ted:

Ted: 'To be honest it uh dun't bother me, bother me at all really mate. Even though I got my parents here an that it's, it's summit extra to help me stay in. I know I can't go out and take whatever now because this thing'll go off and I'll probly be straight back to jail.'

⁵² The question of 'is heroin no better than methadone' or 'is methadone no worse than heroin?' is thus, allegedly, dependent upon circumstance.

Research on co-residing family members of EM users with drug problems demonstrates how the measure may prompt them to promote non-consumption habits (Heggie, 1999, cited in Martinovic, 2007, p.96). Ted had been clean from taking drugs since his arrest and subsequent imprisonment two years previously, and was licensed to live with his parents who actively helped him to avoid relapsing.

It is contended by Latour that when working as co-relations alongside other actors, objects may come to re-orientate activities around them by 'disrupting relationships' (2005, pp.79-80). With EM's surveillant capacities helping to keep certain users with drug problems like Ted away from narcotics, this idea may also be instructive in understanding how it allowed for an outcome of rehabilitation and desistance to arise: by restricting his movements (Callon, 1999a). Ted, however, further spoke to how this work was supplemented by human co-actors (i.e., his parents) who helped him achieve this goal; this can be contrasted to Neil in that these immediate associations were far more supportive.

Further ANT research claims that, alongside associations, objects may lead entirely *new subjectivities* to emerge for users, before this process eventually transforms their uses (Demant, 2009, pp.26-28). Ted's experience shows how besides developing into a subjective reminder for him to stay in, EM's surveillant regime helped to transform his spatial-temporal habits by physically 'drilling' him into staying home (Staples and Decker, 2009; see chapter 2). This outcome was, as mentioned, helped by related actors who co-ordinated around Ted's requirements, leading the experience to acquire a benevolent character, which the observation below further highlights:

As we sit at his kitchen table in a council estate in the south of EM City, Ted's father ('Bill') enters the room. Ted explained how he diligently checked on him prior to his curfew at home, and frequently rang him to find his location if outside. Indeed, Bill appears at 18:55, asking: 'everything ok?', and 'who wants another cuppa?' Although his routine had become tightly intertwined with Ted's requirements, I get a feeling Bill's appearance is also prompted by

concerns about Ted's associates. Our meeting was arranged by a member of his previous criminal network who was trying, unsuccessfully, to 'go straight' and he concernedly questioned me on my relationship to this individual. Following Bill's exit, Ted takes me upstairs to his room to continue our conversation away from -albeit well-intentioned- eavesdroppers. I notice several pictures of his daughter and grandson arranged on his dresser that he tells me also hung in his prison cell. He tilts the latest one upward to get a better look; they are a vital part of his recovery, and their presence reminds him to stay clean.

As discussed, EM is frequently spoken about through the concept of 'control' (Nellis, 2009). Nonetheless, in certain cases (such as Terry's previously) its control features may be co-opted or even embraced by users; likewise, with Ted a less one-sided relationship was observable. The concepts of 'active and passive' states are used in ANT research on drug and music use, to assert that actors may switch between actively using objects before being passively acted upon (such as when 'getting high'), for desired moods to arise (Gomart and Hennion, 1999). It may also be applicable in considering how some users adopt being monitored for desired objectives to be achieved. Here, Ted showed how at the onset curfew where he previously would have left his house to engage in illicit activity, he now allowed the allied associations around him to manage his routine; he recuperated in his parent's company while watching TV, or relaxed alone in his room listening to music. Besides altering his spatial habits, new bodily sensations based on location emerged for Ted as he switched into a 'passive state': the space outside his home obtained a 'bad' or 'unsafe' character during curfew, likely also influenced by living in a high crime area. His sense of time changed further in these moments, and the observation above shows how -despite desiring greater freedom and his life back- Ted's memories of addiction and prison when he lost contact with his daughter and grandson, provided him with strong motivation to comply. Seeping into his emotional life, this feeling provoked sentiments regarding longer life episodes, and the past reminded him of previous troubles. It may be observed that EM surveillance developed a *positive/enabling* affect, which alongside other allies, helped Ted to continue his recovery from drugs and crime.

Ted's experience was mirrored by other EM users with histories of substance use.

Discussion with Frank revealed a similar, although more complex relationship:

I arrive at the small inner-city park just as Frank enters from the other side next to his hostel, which is directly opposite the local off-licence. He is carrying a white plastic carrier bag with two bottles of cheap white cider protruding from the top, and he cheerfully greets me. Like most other users his tag is not on display; we sit down on a green wooden park bench and he tucks the bag underneath. During our conversation he expresses the following:

Frank: 'I drink because I like alcohol (smiles). It makes me feel good. I don't plan on stopping anytime soon, not while I'm at the hostel anyway.'

The previous chapter discussed how EM may have a variable relationship with alcohol depending upon user's consumption habits, with it more successful at decreasing social drinking (see chapter 4). Frank was a self-admitted alcoholic and despite having no intention of abstaining, also had this to say:

Frank: 'It reminds me not to do anything stupid again Carl... even though it's a punishment I'm rather glad of it in some ways.'

Callon, posits that the success of socio-technical programmes is far from guaranteed, as 'associated actors must unite' (1999a). This concept may have relevance in exploring how Frank's reliance on alcohol became a confounding variable in the running of his sentence, which due to him breaching several times while drunk, prevented EM's penal objectives becoming achieved. Although gesturing to a less transformative relationship regarding his long-term habits, Frank further highlighted how he, nevertheless, felt a keen awareness of being watched and described feeling the sensation: '*pretty much a lot of the time.*' Going through the CJS and alcohol rehabilitation services, Frank perhaps remained sensitive toward tagging potentially reducing offending for other offenders, if not directly himself.

His testimony may be contrasted with that of Terry's, as he typically avoided consuming alcohol in company. Despite being prohibited from drinking in his hostel the observation above also indicates how the measure had little impact upon his consumption, *yet due to it not preventing him from drinking*, did not acquire an especially punitive character. In further support of this Frank was negative when asked about the potential value of Alcohol Abstinence Requirements, visibly recoiling, and stating: *'that sounds very big brother'*. The prospect of monitored rehabilitation, it seems, activated Orwellian concerns for him.

ANT work on alcohol also shows how inebriation leads altered subjectivities to arise for drinkers, 'distorting perceptions of location and time' (Demant, 2009, pp.30-32). This research may be applicable in contemplating Frank's non-compliance: he violated his requirements twice for extended periods after getting drunk and forgetting his curfew, which landed him in court both times, and he received a final warning before remand to custody. Interestingly, this second breach was confided later through Frank's sister, with him perhaps providing a socially desirable narrative for me. The observation above, indeed, suggests that Frank was eager put across the appearance of being a 'good citizen', although his circumstances made the prospect of recovery problematic. Frank's experience of EM surveillance perhaps developed a *positive/impeded* affect, in which monitoring did not become especially punitive and was even somewhat helpful, yet was not capable of assisting him much.

Shared socio-material circumstances were prior examined to account for user experience and punishment (see chapter 4). Concerning EM's surveillant capacities related to the positive affects explored in this section, a commonality regards this section having issues with substance abuse that were directly correlated with their offending. Framed through a rather comforting hue, although these users placed differing values on tagging they used it per their needs. Deleuzian writings that take a more positive view on the concept of 'dividuation' (Freinacht, 2017; see chapter 2) may have further use in contemplating these accounts of penal observation. A palpable sense of 'relief' was tied to its capacities for the hosts above; consequently, through having their *responsibilities distributed by it*, the burden of managing their activities was alleviated while they recovered.

Observation and Ambivalence

Surveillance is a routine feature of contemporary life in post-industrial society that has allowed for both greater and finer knowledge of populations (Schuilenburg, 2015, p.160). Far more ambivalent/neutral experiences of being surveilled were projected by many EM users (n=14):

Me: 'So do you ever feel like you're being watched, does that uh sort of worry you at all?'

'Vince: Nah I'm not immature like that mate, I'm more worried about getting recalled for something I haven't done to uh be honest... I know they're (the Probation Service) waiting, just waiting for me to slip up so I make sure I'm always on time and near the phone just in case... but that sort of thing, nah.'

Findings have suggested that EM may have little impact on continued offending for some users, particularly those in the moderate/high-risk range (Renzema and Mayo-Wilson, 2005, pp.226-228; Hucklesby, 2013, p.235). Vince, was a self-admitted career criminal and was awaiting the outcome of a separate investigation that could have seen him reconvicted, and at this point had no intention of ceasing offending.

Vince, was, perhaps, unsurprisingly not alone in his lack of sensitivity toward being watched: the 'insidious appearance' of mass electronic surveillance has increased in the last few decades, despite widespread concerns (Nellis, 2009, p.41; Zuboff, 2019). This commonness may be plausibly related to Vince's nonchalance; further writing on technology also suggests that new devices (from the knife and fork to the internet) have had their transformative qualities 'gradually normalised' (Rabinow, 2003; Eglash, 2013). Moreover, likely aware of the fact that previous providers have been known to pass on false breaches to the Probation Service (BBC, 23/03/2007), Vince showed a well-versed knowledge about the extensive capacities of surveillant technologies, and when talking about EM he further stated:

Vince: 'To, to be honest mate my phone can be used to track me better than a tag, and the police can swipe my conversations these days... cunts.'

Although thinking about Vince's account in terms of normalisation is plausible, seeing it in this way fails to account for how tagging may still provoke strong feelings for other users (see below), or do much to illuminate *how normalisation is achieved*. For instance, despite of his lack of awareness during this second period on tag, Vince stated that he was far more aware of 'being watched' during his first stint, which was intensified due to his EM bail conditions while under police investigation. The following observation further indicates how his curfew requirements had become a part of his daily routine:

Vince, is licensed to live at his family home in the country about an hour outside EM City. He's arranged for me to ring him when I get to his local pub as he does not want to risk travelling far. Shortly after calling, Vince arrives in the car park. Despite being happy to be recently released after two years in jail, he is not welcome at home and is glad for a chance to get outside. We enter the pub, order some drinks, and set up the pool table. A few pints in, he noticeably develops a more bombastic tenor so I decide to conduct the interview before he gets too drunk, and the above dialogue occurs as he sits chugging a Stella Artois. At exactly 5:30 p.m. his phone alarm goes off and he seems to suddenly sober up. 'Time to go mate', he says, before downing his lager and quickly grabbing his stuff together.

ANT writing on asthma inhalers, asserts that 'distinctions between actors can dissolve' through users successfully learning how to use them (Prout, 1999). This concept may help to reflect on how EM is subject to a similar process whereby awareness of it eventually recedes, leading the activity of monitoring to become a 'background practice' (Adams and Thompson, 2016, pp.37). The observation above shows how, despite experiencing feelings of 'strangeness' previously, these were normalised come Vince's latest period on tag as he got used to the technology and began trying to get back to normality. Likely pertinent, however, the effect of alcohol may also have factored into his presentation; indeed, the

effect of intoxication on research has been debated in methodological writings (Copes, et al., 2015, p.166). Rather than diminish the validity of Vince's testimony, the object as per ANT, can alternatively, be viewed as a 'co-actant' that provoked *a narrative performance* that likely bolstered his criminal credibility, whilst downplaying unglamorous realities to his audience in the local public house. His account of EM surveillance whereby previous periods under observation led it to derive a neutral character, may be seen as an affect of *contrasted neutrality*.

A similar account emerged from the experience of Rob:

When I arrive at Rob's family home at about 7 p.m. he is out in the garden shed lifting weights. A family member lets me through, and he finishes his last set of dumbbell curls. He puts the equipment away and then rolls his sock over the tag on his ankle, which has unravelled. I ask him if he usually covers it at home, and he replies: 'I just don't like to look at it and be reminded.' We conduct the interview upstairs as his family watches TV in the living room; his MU is located under his bed, although I spot the cable which connects it to a telephone socket just above the skirting board:

Rob: 'The first couple of weeks were definitely weird, definitely. You know it took some time to get used to it... just knowing that you had to be at your home at a certain time and that, and that they could actually detect you were in there, and...'

And later:

Rob: 'You just get used to it man...after a while you, you forget that you're being watched, sometimes I've even forgotten it was there.'

Previous findings have discovered that EM may provoke peculiar feelings (Richardson, 2002). Rob, who had a rather lengthy six month sentence, also initially developed an unusual sensation from being surveilled, which, however, faded.

Classic psychological work on the experience of watching, introduced the now famous 'Hawthorne effect' to understand how the act of observation often changes the activities of the observed, and has been discussed concerning other surveillant platforms like 'virtual work' (Long, Goodman, and Clow, 2010). This idea may also have relevance in reflecting on the changing experiences of Rob, who alluded to how EM's surveillant character transformed over time. He further discussed how its introduction interacted with his personal surroundings, leading a feeling to emerge *within his body*, as a sensation. This was especially related to his home, a typically private place that had become optically penetrated by the CJS. In revealing how the act of being watched not only influenced his behaviour, he, additionally, highlighted how this physical experience was tied to his acute awareness of the fact that *his observers were observing him*. His testimony also indicated how it eventually became an *unfelt* reminder that led to a pre-conscious 'nudging' of his spatial-temporal habits. This fading into everyday life, is perhaps further elaborated by the way he, and others, spoke about the impact of tagging upon their daily routines. For many, evening hours were previously spent socialising and having fun (or offending), but were transformed into relatively 'less exciting' activities such as watching TV, surfing the internet, and having early nights (supporting previous research) (Hucklesby 2008).

EM writings, have, as previously discussed, used the Foucauldian concept of 'docile bodies' to understand how surveillance becomes routinised (Staples and Decker, 2009). Latour, also develops the idea of affects to understand how multiple bodies emerge through socio-technical processes, when developing certain physical competencies (2009; see chapter 2). By discussing how processes of conditioning are needed for attaining correct technical skills, these positions may also be plausibly applied to how compliant behaviour was achieved through Rob. He described how EM surveillance specifically led to this, which required him to develop a 'new body' that was, in a sense, tag attuned. His body, here, was firstly sensitised and then de-sensitised to accept the regime of surveillance, which became

habitual. The observation above also indicates how Rob sometimes *took an active role* in this: he hid his tag even from himself at home, besides tucking his MU under his bed to suppress its visible presence due to it reminding him of his penal status. Still, the PID became conspicuous at certain times, forcing him to conceal it; its objectives were, therefore, achieved through it 'working behind the scenes'. His account of EM surveillance characterised through a process of acclimation, is perhaps best described as developing into an affect of *adapted neutrality*.

Another user who had a rather neutral perspective on EM surveillance was Mikey:

Mikey lives in a council estate near Terry and Chrissy, some distance away from the centre of EM City. We arrange to meet in a local café on a run-down strip nestled between cheap convenience stores. The area is well known for joy riders and frequent police chases, and on the way I notice a police car sat in a layby just off the main road, besides a few visible cameras mounted on traffic signs. I'm a bit early and decide to go inside and wait; Mikey approaches about 10 minutes later, and I see his tag is out around his ankle. Like Luke, he seems unbothered and I get the impression that it's not too unusual a sight in the area:

Mikey: 'This is my eighth time on tag mate (laughs)... Nah... Don't even think about it anymore to be honest... I used to go and breach all the time back in the day, I uh, uh didn't give a fuck when I was younger an that.'

And later:

Mikey: 'I almost breached a couple weeks back, completely forgot about it and went to take the dog for a quick run up and down 'are street when I was takin'a bins out an that.. 'membered jus' in time.'

Research on EM has yet to investigate how multiple periods of it can influence users, although given its continued rate of usage and re-offending data, this is highly probable (MOJ, 2015; 2020). Mikey, explained how like many users, he had been on EM many times, but additionally how his responsibilities toward his requirements changed over time. Despite becoming more compliant he, nevertheless, like Joe previously, indicated that his desensitisation toward tagging presented new issues due to it sometimes accidentally slipping from his mind. He was here, especially challenged by long-standing everyday activities such as disposing of rubbish and exercising canine companions.

As discussed in the previous chapter, ANT writings have asserted that geographical spaces are 'malleable' (Sorenson, 2007). For understanding how perceptions of EM surveillance contrasted between the accounts here and the more positive above, this idea may again be interesting. Mikey, and the rest, spoke to how their immediate environment eventually derived a rather dull character as something to 'just get past', with boredom management becoming pivotal. This was further related to their sense of time, which developed a feeling of 'dragging' and 'living by someone else's clock' that crept into their bodily rhythms and wider surroundings. Besides leading new banal relations to emerge in the home, Mikey also illustrated how perceptions of the outside changed. Here, the restricted world attained a character that was previously taken for granted: becoming *coveted* rather than feared. Nevertheless, the above observation indicates how state surveillance was perhaps not much out of the ordinary for Mikey, as visible surveillant apparatus were a conspicuous feature of the local architecture, making him visible to the authorities both *inside and outside his home*, which he rarely ventured far from. Furthermore, his PID was unlikely to provoke negative reactions from people in his community, who were used to seeing criminal activity. With the EM system interjected into in an already high surveillance neighbourhood, and being influenced by his multiple experiences of it, an affect of *accustomed ambivalence* perhaps arose.

Common socio-technical positions, may again provide further insights concerning EM surveillance for this section. Notably, their experience was often tied to intimate knowledge of the CJS, with familiarity of investigatory and custodial powers often factors. Research has

highlighted that most former inmates tend to view tagging less punitively than prison when released (Gainey, Payne and O'Toole, 2000). Indeed, Vince showed how more serious offenders might place less weight toward being monitored: likely influenced by the more intrusive techniques associated with police inquisition (which included undercover shadowing, financial probing, and the, so called, 'swiping' of his mobile phones). For these users who had been imprisoned, and/or, were engaged with criminal activity the possibility of deprivation of liberty appeared to counterpoise the experience. Rob, who had no prior convictions was, however, tagged for a relatively lengthy six months, thus perhaps providing him with ample time to adjust to the sentence. The accounts in this section may also be compared to the neutral/ambivalent respondents in the previous chapter, who had been on tag in some instances multiple times. Although these users formally complied to their requirements Vince and Rob perhaps 'violated its spirit', which the following chapter will explore.

Big Bad Brother

EM surveillance, in line with concerns about the 'creep of surveillance', led explicitly negative accounts to be presented by a small number of users (n=4).

Masood was one such example:

Masood, requests to meet me in a central location. He turns up with a woolly hat pulled down to his eyes and a dark puffer jacket zipped to his cheeks. He asks if we can conduct our interview while walking, which leads us around several back streets in case he is recognised:

Masood: 'It's a very strange feeling. It makes me feel extremely uncomfortable, being watched like that. You don't feel normal... I can't do the things I normally I do... and I can't relax ever. All the time you looking over your shoulder... and you don't want anyone knocking at your door...'

The concept of the 'malopticon' has recently been coined by Fergus McNeil, to describe a surveillant apparatus that treat users as inherently bad and produces subsequent 'pains of observation' (McNeil, 2019). For Masood, EM surveillance also elicited pains that were unique and somewhat disturbing, and had severely impacted his life.

Nellis, remarks on how little is known about surveillance from the perspectives of those surveilled, due to inherent difficulties in accessing verbal testimony (Nellis, 2009). Masood, in fact, perhaps illuminated how perceptions of enforced monitoring are often manifested *through feelings of strangeness and uncomfortableness*, which are not quite articulable. ANT writings on the body that may be relevant in understanding the unpleasant feelings that arose for him, contend that human corpora exist as 'open and porous sites' that connect socio-technical arrangements (Michael, 2006, pp.55-60). This position concerning how bodies and technologies interface, may have plausibility in reflecting on how through connecting him to the CJS, the penal technology led a punitive physical experience to develop. Masood, however, revealed how sensations extending past the merely 'weird' emerged that prompted feelings of actual physical nausea; he additionally, without hyperbole, stated: *'It make feel sick Carl when they put it on, like I want to vomit. I loathe it.'* Accompanying this, Masood spoke about a sense of unease that crept into the previously routine and normal features of his everyday life, and found extreme difficulty relaxing into a 'passive state'. He also experienced claustrophobic sensations while home and did not take visitors due to fear of discovery that he was on tag.

As discussed, postphenomenology also focuses on how technologies transform experience (Aagaard, 2017, pp.527-529). It may further help in illustrating how EM surveillance led paranoid feelings to arise for certain users, articulated by Masood through 'being watched'. He indicated how this feeling emerged as his surroundings were *deprived of their usual comfort*, making them hostile and alien. The habit of sleep is also discussed by Michael, who asserts that 'correct socio-technical arrangements are necessary for good or proper rest' (2006, pp.57-60). This writing may further assist in considering how familiar arrangements are often required to attain a sense of ease in everyday life, which being under surveillance, became tainted for users like Masood. Interestingly, Rob, who was

generally neutral, cited disturbed sleep due to recurring anxiety dreams where he was desperately trying to get home for his curfew, perhaps indicating that tagging has some 'unconscious impact' below the level of mental awareness. The observation below further highlights Masood's paranoia:

During our walk, Masood occasionally directs worried glances toward the many security cameras located around the centre. He also slows at corners, changes direction in a seemingly random fashion, and when a delivery man with a stack of parcels approaches us becomes extremely nervous and asks me to hide the recorder.

As discovered in chapter 4, EM may lead feelings of both shame and pride to develop for users. For Masood, however, tagging acquired a particularly virulent sense of *extreme shame* that even impacted his physical movements. Criminological writings on different cultural groups, discuss how criminal convictions may 'tarnish a sense of honour' more for some (Rigoni, 2018). This idea is perhaps also relevant when considering how for Masood - who was keen to express that he had a respectable profession before arriving to the UK as a refugee, and continued in employment- a sense of dignity had become severely blemished by EM. The measure especially interfered with his values concerning decency and led feelings of humiliation to emerge: he explicitly linked being watched to being 'treated like a criminal'. The observation above also shows how this feeling of shame changed how he related to the space around him, and he was especially wary of being seen interviewed. Recording objects, have, as mentioned, been argued to influence research dynamics (Back, 2013). With Masood the presence of the recorder *prompted his sense of paranoia to surface more intensely*, leading him to request its shielding. Of note, Masood also initially mistook me for a law student hoping I could help him with his case; upon discovering my, admittedly, limited legal nous instead eventually treated me as something of a sympathetic ear, although the communication of his innocence heavily informed his testimony. With Masood attaching a great deal of shame to EM surveillance, it thus perhaps acquired an affect of *dishonoured negativity*.

A sense of unease about EM surveillance was also expressed by Raz and his partner Leila. He stated the following:

Raz: 'One thing I find really weird is having the box in the bedroom with me and the missus like... sometimes I think, thinking is that thing fucking listening to us talking at night an stuff? (laughs). It really puts me off of uh... You know... we uh put a towel over it and stick it under the bed so we cant see it. Creeps her out as well.'

Research on co-residents who live with EM users suggests that shared intimacy may be impeded by the measure (Vanhaelemeesch and Vander Beken, 2014, p.398). Raz's testimony supports this by highlighting how the personal space of the couple's home became penetrated by EM surveillance: he alluded to its impact on the typically intimate space of the bedroom, which led feelings of paranoia to arise. The observation below further highlights how it crept into their home life:

Raz and Leila live in a quiet street, but in a notoriously high crime council estate in the south of EM City. When I arrive at their home, nothing much 'out of the ordinary' immediately stands out. Nonetheless, Raz, like Rob, has hidden the PID on his ankle while the MU is also out of view. There are three young children in his home who have become increasingly curious, and the couple do not want to explain to them what the equipment is for. I sense that Raz is initially somewhat embarrassed with me there also.

Cohen, predicted that individualised 'theatres of punishment' would eventually appear as the carceral net of the CJS expanded (Foucault, 1977, cited in Cohen, 1984, p.209). This idea may be excavated further, to help uncover the experience of Raz and Leila for whom the invasive presence of EM surveillance in their home led it to transform into a carceral space, via the MU *and* his PID. Other neo-materialist approaches, such as material anthropology, also highlight how everyday activity is 'provided with meaning' through relationships with physical surroundings (Miller, 2009). These combined concepts may be useful to understand

how, through Raz's equipment, a highly personal and negative affect emerged as the couple's physical intimacy became awkwardly mediated by the surveillant system: it disrupted usual activities, and bodily comportments. The impact of the MU was perhaps articulated best by Leila: '*Yeah that box creeps me out, especially when it beeps and makes weird noises in the night.*' They attempted to mitigate its unwelcome presence by storing it away in various places as best they could, away from their immediate vision. In the above observation, with his children coming to an inquisitive age, Raz further showed how *his relationships with them* had become mediated by the regime of EM. This led him to hide his PID lest he be forced to explain his penal status, something he understandably felt loathe doing. With Raz and Leila's sense of unease arising through how EM surveillance impacted their intimacy, personal space, and family relationships, an affect of *intrusive negativity* perhaps emerged.

Another user, Dwayne, tied his concerns about contemporary governance and a distrust of the CJS to EM surveillance, he stated:

Dwayne: 'It's a tag so yeah obviously they're watching, this thing here (*points toward his MU*)... it's a mini reminder innit? We still got you, even though you're out, we still got you. That's why I don't talk about certain things 'round here. Not that there's anythin' goin on, but just in case... you know what I mean?'

And later:

Dwayne: 'See what you said about them boxes being put in places? that don't surprise me at all fam, they watching everythin'... everythin' (*raises eyebrows*).'

Although concerns that users may have about being surveilled have not been especially interrogated, its impact on compliance and desistance is noted (Paine and Gainey, 2004,

cited in Nellis, 2009, p.47). Dwayne, though, above showed how EM surveillance was intimately tied to his political views, and vice versa.

As discussed, Latour remarks on how social-scientific ideas have, in many ways, become common knowledge; consequently, he advocates treating all actors, including non-humans, as 'co-constructors of knowledge' (Latour, 2005, pp.150-151) (see chapter 3). Given how much publicised scandals about surveillance and security providers have become increasingly known to all (Ford, 2015), concerns about it, therefore, may not just be limited to academics but be shared by users too; it has perhaps even become 'an actor' itself. Dwayne's anecdote suggests that his cynical view on EM was linked to a general pessimism about the creep of surveillance in society, leading him to become wary of the potential for the equipment to spy on users. As a 'researcher of his personal experience' he indicated an acute awareness of his position within an unequal power relationship, and his sentence was incorporated into worries about the practices of the security state and commercial providers, alongside an understanding of systemic biases operating within his neighbourhood (particularly over-policing). Although absurdly unlikely to be 'bugged', the peculiarity of being observed while interacting with other factors, may, understandably, have led a mild degree of paranoia to emerge. The observation below further highlights this:

Dwayne, lives in his family home in a notoriously heavily policed inner-city area, once famed for its social problems. We speak in his living room late in the evening, and unusually, the MU is on a table stand next his TV, which I initially mistake for a cable box. When sure that his family are asleep, we take a break and he lights up a cannabis joint near his window, breathing the smoke outside. He begins talking more lucidly about surveillance when we re-join, besides occasionally hushing his voice and ending certain topics before conspiratorially drifting into silence.

Goffman's concepts of the 'home and institution worlds', have been used describe how divisions between the two may become blurred by EM (Goffman, 1961 cited in Staples and Decker, 2009). Potentially useful for considering Dwayne's behaviour above, the

observation showed how his awareness of the measure also became more apparent *at certain points* during his day. Likely prompted by his inhalation of marijuana, the presence of the MU in clear sight, and our discussion on the subject, these *converging factors*, subsequently, led his living room to turn into somewhere he deemed too risky for certain conversations. With Dwayne especially concerned about being spied upon through EM surveillance, an affect of *paranoid negativity* was arguably acquired.

A shared circumstance for this section, relates to their lack of previous or recent contact with the CJS. A link between offending history and perceptions of tagging is yet to be fully investigated, and all three received short SAO's for rather minor offences; Masood and Dwayne were also unknown to the police before their sentences. Another factor concerns them all having stable jobs/vocations and accommodation, thus locating them as low risk regarding re-offending. US research demonstrates that black inmates are more likely to perceive EM harshly than white prisoners upon release (Payne, May, and Wood, 2014), and this cohort were also from ethnic minority backgrounds.⁵³ This section would neither violate nor try to subvert their requirements, despite viewing their punishment as being unjust, and often expressed their perceived differences to other, so called, 'real criminals' besides speaking to their usual law-abiding actions and ambitions.

An ANT 'View' of Surveillance

It can be observed that EM surveillance *acts*. Being irreducible to the basic enforcement functions of curfews, it may, through user's associations, develop a substantive quality and obtain varying appreciations depending on circumstance. Arising through how the device-system creates a temporary penal assemblage based on enforced monitoring, particular 'affects of observation' were, consequently, often seen in the accounts above. These findings will be evaluated in greater depth below, using three dimensions:

⁵³ However, Leon and Idris did not particularly speak to 'being watched', whilst Raz and Dwayne did not especially perceive EM harshly per se, regardless of their sensitivity toward being monitored.

It may be argued firstly, that by restricting freedom of movement at curfews, EM surveillance manifests through a *spatial-temporal dimension* that alters perceptions of the home and outside, leading 'permitted' and 'not permitted' zones to develop. For some (like Ted), this was positive and allowed them to avoid the temptations of going out, whilst for others (such as Rob), the outside world became coveted. Secondly, EM surveillance may prompt activities within the *socio-material dimension* of the home to derive new associations, thus compelling them to accommodate its presence. Here, users (like Neil) used their homes to recover from cycles of drugs and crime, yet others (such as Raz and Dwayne), acquired paranoid feelings from the equipment in their private space, whilst it (for people like Rob) developed a decidedly neutral and bland character. Finally, EM surveillance arises through an *embodied dimension*. This may lead feelings of comfort to emerge (again for users like Ted and Neil), or attain strange sensations that gradually subside (such as Vince), and occasionally (in the case of Masood), aroused extremely unpleasant feelings associated with shame.

These findings challenge, although sometimes support, assertions made by theorists of surveillance and securitization (Lyon, 2007; Schuilenburg, 2015), and can be examined further due their relevance concerning fears about tightening control. Against more pessimistic arguments, the presence of grateful accounts of EM surveillance suggest a capacity for 'benevolent usage', especially for users with substance-related offending issues who request assistance. Although the negative reactions may appear to support concerns about surveillance, user's keen sense of being watched and awareness of wider issues gestured toward the possibility of 'productive resistance', besides providing empirical insights on how monitoring infiltrates everyday life. Perhaps supporting the concerns of control theorists, is the section who acclimatised toward being surveilled and became neutral/passive. Although initially perceiving its strangeness, this cohort showed how enforced monitoring can easily become a part of normal activity, and slip from comprehension, despite still subtly orientating behaviour. Yet, this arguably again, can lead to positive outcomes if it helps escape destructive behaviours and harmful relationships.

Notwithstanding its potential for enlightened use, it must be stressed that EM surveillance is asymmetrical: it prohibits reciprocal activity (Lyon, 2007). Consequently, the idea of 'fluidity' must not be seen from a voluntarist position whereby users simply 'decide' how they experience being surveilled, but relates to how varying factors lead affects to develop; even if it relies on their 'will power' to, some degree, work. Foucault describes this as the 'conduct of conduct', or the attempt to govern others through them governing themselves (Foucault, 1991, cited in Rose, 2000, p.322). EM's surveillant regime functions in a similar manner, albeit in a more limited fashion. In accordance with data on offending, the cohort above, also typifies a population that is often subject to CJS interventions. This re-emphasises how monopolistic contemporary observation is, prompting the question of 'who is watching who?'

Conclusion

This chapter explored EM surveillance. Utilising ANT and allied approaches, it showed how various comprehensions of the experience arose for users. It suggested that EM surveillance does not always conform to one-sided or foreboding appraisals, yet contains the capacity to provoke strong perceptions in many. Here, EM surveillance was shown to acquire occasionally positive, frequently neutral/ambivalent, or sometimes negative affects. These 'affects of observation' were said to emerge from how a temporary penal assemblage was connected through surveillant technology. Nonetheless, these different outcomes must be understood as non-voluntary and backed with further sanctions. The issue of surveillance compels further understanding from those subject to enforced monitoring.

Despite indicating issues concerning the unequal nature of EM surveillance, this chapter suggested that resistance sometimes also occurred. ANT emphasises how socio-technical programmes are frequently subverted or disrupted; consequently, the following chapter explores a range of 'resistance outcomes' that emerge from EM.

6. Resistance -Pains, Negotiations and Coping with EM

'It's so disorganised... I've heard of people waiting to have their tag installed and no one turning up, breaches not being passed on... One Polish guy came to court six weeks after his tag was due to be removed. He still had it on.'

Defining Resistance to EM

This chapter develops the theme of resistance. Criminological writings on surveillance often emphasise how technologies of control present ominous threats to freedom and civil liberties (see chapter 2). The reality of tagging, may, however, defy these presumptions as malfunctions and disruptions are commonplace. Nonetheless, as explored previously, notable negative affects may emerge from the new relations connected by EM, as it temporarily intersects user's techno-social associations and impacts their activities, sometimes adversely. Understanding resistance toward it, is, therefore, a central issue as it sheds lights on its more routine daily operations, while pointing to wider issues within monitoring and control.

EM sentences are in principle non-negotiable, and further punishments exist for users who violate them. Courts are provided with guidelines for breaches, which suggest a range of further penalties (Sentencing Council, 2016b). Despite this, previous research has demonstrated that many users breach their conditions or re-offend at certain points. Although these violations can often be minor and unintentional, precise numbers on how frequent this happens is unavailable (Hucklesby, 2008; 2009). Research has indicated why many users comply with their sentences, but somewhat less is known about those who deliberately breach them. Furthermore, it has been suggested that more compliant users have tended to be researched so far, with testimony from those who are less agreeable to the sanction difficult to attain (Jones and Hudson, 2016).

Resistance toward sanctioning, is, in general, under researched within criminology. Work done has tended toward investigating anti-establishment social movements, while ethnographic studies have investigated how criminal organizations frame alliances through shared 'outlaw identity' (Snow, Soule, and Kriesi 2004; Goffman, 2013). Security and surveillance studies have investigated how intrusive monitoring measures are resisted by those on welfare (Gilliom, 2007), and other work has attempted to understand how resisting is contemporaneously manifested through technologies (Marx and Guzik, 2017). Still, direct research on resistance by those already within the gaze of the CJS is absent.

In chapter 2, it was argued that attempts at assessing penal sanctioning tended to fall within two competing positions of critical and administrative criminology, which were then critiqued through ANT. Given the lack of criminological engagement with resistance, it may be instructive to anticipate how these approaches might frame resistance against EM, and be replied to.

Emphasising the context of criminal justice policy and typically highlighting its more punitive elements, more critical criminological perspectives may plausibly define EM resistance as a 'rebellion' by those enmeshed within a punitive nexus against the technology: contra an *oppressive apparatus* (Cohen, 1973; Wacquant, 2007). Although admittedly only a presumption, this position may still be challenged for being at odds with more positive views on tagging (see chapters 4 and 5), and also critiqued for 'romanticising' attempts at beating it by hosts who sometimes engage in decidedly anti-social behaviour.

Administrative writings, have, in some respects, a pre-ready set of definitions to understand resistance against tagging. Measures of 'non-compliance' and 're-offending' potentially exist as anti-programme metrics, which could again be used for developing effective sanctioning. Criticisable on previous lines (see chapter 2), though, the perspective's narrow agenda could plausibly 'silence knowledge' not fitting its parameters, as 'deviant voices' and information that shows the techno-social system in a negative or even embarrassing light (Walters, 2003), is perhaps 'unflattering'.

This chapter will again attempt to *redefine* resistance toward EM by using ANT's power approach, which, although stressing how power is achieved through localised instances of control, is often 'messy' and influenced by related actor's objectives, and associations. It borrows ideas from Deleuze and postphenomenology to further explore EM's embodied components related to surveillance. EM resistance will, subsequently, be shown to be an outcome of how the device-system temporarily enrolls an assemblage of actors, and often emerges as tagging becomes more punitive and coercive during user's sentences.

Defiance

Professionals working with EM have outlined a range of techniques devised to circumvent curfews, and their often lack of success has attained near 'mythical status' (Paterson, 2007, p.320). Covering the tag in kitchen foil, or freezing it (leg attached) in the refrigerator are common strategies; DIY YouTube videos of this are available online. Nevertheless, of the users investigated in this project just two admitted to speculatively wrapping their tags in foil on previous stints, only to receive immediate calls from monitoring officers. Many of the users complied with their sentences, and experienced the sanction as a somewhat annoying obstacle as their conviction was gradually spent. Compliance was bolstered by a range of factors that often supported previous research (Huckelsby, 2008, Pearson 2012). Non-intentional or minor violations were, though, frequent: 52% of users (n=11), reported a small infraction at some point; breaches were typically attributed to things like bad traffic, problems with time keeping devices, momentary lapses of memory, or the equipment itself. More hi-tech strategies of counter surveillance were absent when exploring resistance, although the tactics used were still very mediated by EM's technological system.

A portion of users who deliberately disregarded their sentences for periods significant enough to warrant court summons were present, 24% (n=5). The account of Idris details one such event:

Me: 'So you said you breached before about the bath... Uh, have you breached any other way... like gone out or....?'

Idris: 'Uuhhh... yeah yeah (laughs).'

Me: 'What happened?'

Idris: 'Basically... as uh, I wun't plannin' to, wun't planning to at all... had some shots an stuff, in town at the waterside, ana had drink, went to look at the time an' it was quarter past, half past eight. And I was like nah, can't drive back because I bin drinkin'. Taxi'd, an uhh ended up stayin' out a few more hours (winks).'

Compliance theories outline several concepts to explain how offenders acquiesce to community penalties, although EM is argued to implement a specific 'surveillance based compliance' that reinforces conditions (Nellis, 2006, cited in Hucklesby, 2009, p.252).

Despite being expected to comply with his curfew and cease offending, Idris, however, frequently violated his curfew while distributing Class A drugs and engaged in various other criminal activities (see chapter 4). Research has suggested that some users may simply change their offending habits to fit with their restrictions (Hucklesby, 2013, p.235).

Nonetheless, the observation below indicates how his performances varied over the course of the meeting:

Idris, relaxes somewhat at the beginning of recording. He seems relieved when a speaker over our table begins to play music, although this concerns me due to its likely impact on the recording. Prior to our lunch arriving, Idris gets up to use the toilet and when he gets back he seems agitated and sniffs occasionally; I notice his pupils have dilated and he leaves his burger untouched. Toward the end, he pulls out a copy of his court summons which contains several more breaches than admitted to in the interview, and he allows me to take a picture of it. The breach above was later shared to his friends on WhatsApp with a picture of a cocktail and a

caption saying: 'oops think I missed my curfew...' At a later point, he also shares a picture of himself sat outside Magistrates' Court with a copy of the summons in his hand. Still, I do not press him too hard on this: the cocaine he has likely taken appears to have affected his emotional state, which appears somewhat unstable.

Writing on technology and crime that may be relevant to Idris' case, employs the evolutionary concept of 'criminal adaptation' to theorise how certain offenders alter their offending habits to overcome new technological barriers (Ekblom, 2009; 2017). Although a realist approach, it may be incorporated into ANT's framework with certain caveats attached to consider how some criminals on tag use their knowledge about weaknesses in the programme, leading resistance outcomes to arise as they adapt their offending habits. Indeed, Idris explained how he continued his criminal enterprises, with his requirements merely a brief disruption to business. He further explained how he avoided his perceived odds of increased detection by transferring much of his distribution and enforcement activities to daytime, while relying upon associates to deliver his product during curfew. He, though, additionally, illuminated how new risks arose from this: he chanced greater odds of arrest regarding the assault he committed in daylight hours due to more witnesses being present (see chapter 4), yet was at lesser risk of being unintentionally caught selling narcotics as random police stops on the road were less likely. Still, the observation above demonstrates how he was careful to avoid being over-heard disclosing information in certain locations, as his other breaches were down to nefarious night-time activities, and he did not feel as safe as he did previously in the barber shop.

Deleuze's writings on surveillance tend to adopt a more 'controller perspective' (see chapter 2). Despite this, ethnographic research on organised crime and technology has employed his concept of modulation to demonstrate *how the objects of control*, i.e., offenders, may sometimes deceive surveillant technologies by reconfiguring objects like mobile phones to create 'digital alibis' (Berry, 2020). This idea may also be valuable in reflecting on Idris, who later implicated EM in the emergence of an alibi himself. Speaking in a hushed voice, he detailed how the rival he attacked previously had tipped off the police regarding the distribution of cocaine from an address he was using. However, the digital timestamp from

Idris' equipment proved he was not in the address at that moment, ironically, releasing from the investigation. Acutely aware that observational technologies depend on devices monitoring movements and communication, Idris opportunistically disrupted the surveillant nexus he was in. This also allowed an outcome of resistance to emerge without him being detected, which, being on tag, was more likely than usual. He claimed to have read the name of the informant on a statement in the police station after being arrested and questioned (although whether this was the result of sloppy police work or his own paranoia is uncertain, as he, at this period, was heavily consuming cocaine while receiving psychotherapy).

Criminals like Idris continuing their enterprises despite restrictions on their liberty is not especially new, though, and crime bosses have been investigated for directing activities from behind bars using mobile phones (Watts, 06/03/2018).⁵⁴ His testimony outlines how criminals on tag probably more easily co-ordinate using technologies. Interestingly, EM research has indicated how its regime may endanger users due to them becoming locatable to other offenders (Hucklesby 2013, p.234). Idris, was in some ways similarly endangered by the measure, although not from physical harm, but from rivals who were beginning to move in on his outfit.

Writings on compliance divide the activity into categories: 'formal strategies' whereby sentence completion and avoidance of further penalty are more central, 'substantive' or 'ethically motivated strategies', and constraint-based approaches (like EM) (Bottoms, 2001, cited in Hucklesby, 2009; Robisonson and McNeil, 2008, p.434). Accruing over 10 violations and using them to gain recognition from his friends and rivals, Idris appeared to defy all such groupings. Therefore, having very little normative regard for the moral legitimacy of the punishment while continuing to offend, it may be argued a negative outcome of *criminogenic resistance* arose.

⁵⁴ Indeed, Leon (although not a crime boss) self-deprecatingly described how he smuggled a mobile phone into prison using the only means available to him in the stint he was released onto EM for, to get legal advice.

Another user who defied his restrictions, albeit differently, was Shane. The interview below takes place three months before the observation that follows:

Shane: 'Well I've been on tag since December, ana' depending what happens at my trial I'll be on tag until June.'

Me: 'So tagging is part of your bail conditions then?'

Shane: 'Yeah my bail conditions, I'm allowed out at 8 a.m. until 4 p.m. An' I gotta go sign on at the police station every day at 12 p.m.'

Three months later:

I exit my lift to walk the remaining distance to work. It's about 10:45 p.m.; the venue is next to an alleyway infamous for the distribution of crack cocaine and heroin in the city. Moving past the revellers, nitrous-oxide salesmen, and beggars, I recognise a large figure standing with his back to a boarded shop covered in graffiti. It's Shane, who'd disappeared following our first meeting. He is cautiously watching people go by and tenses as I approach, but relaxes when he recognises me. Someone yells: 'NOS-BALLOON MATE?!' into my face, which I decline, and I greet Shane who offers his fist to bump. As I suspected, he was on the run; he'd cut his tag off and left his sister's home, and being unable to work or claim benefits, had gone back to whatever means he had to survive while sleeping on a friend's floor. After work, I receive a message from an unknown number cryptically declaring: 'whisky brandy'. Confused I text back and the reply states: 'white or brown', and is signed: 'bandit'. I realise that it's from Shane's new phone –we'd swapped details and this was his alias- the message was code for crack or heroin, referring to the colour of the substances. It seems he'd sent out a blanket message to all his contacts to boost demand.

Compliance, is defined by Nellis as the ‘willing alignment’ of one’s behaviour, however begrudging, with the prohibitions of a penal civic code’ (2013b. p.166). Shane for some six months, more or less, aligned himself with the bounds of his requirements, despite being breached once due to a miscalibration of his curfew times by a monitoring engineer. This mistake allowed him to stay out from 4 p.m. to 8 a.m. (which he took full advantage of) until his times were corrected at a pre-trial hearing. He eventually performed the most extreme form of non-compliance and cut his tag off with a bread knife, only to reappear before his upcoming trial. Awaiting this court date, Shane blamed the constant pushing back of his case over seven months (which happened three times), and the reasonable likelihood of his conviction as leading him to remove it. He, therefore, opted to wait out the rest of the period without his rather onerous 16-hour curfew that also required increasingly irritating daily trips to the police station.

The previous chapter used Deleuze’s concept of dividuality, to explore how differing experiences of EM surveillance arose as users became ‘digitally dispersed’ by the penal technology. His ideas may also be reformulated to consider the perspective of users like Shane, who *interface with technologies of control*. Tagging must negotiate its demands; however, his story above shows that rather than lessening the burden of personal responsibility (as it did for people like Ted), it became an extreme aggravation for Shane, and he opted for life on the run instead. As witnessed previously, EM’s regime may sometimes acquire punitive affects through its behavioural restrictions and impact in the home, which can become increasingly coercive. Shane, who was also unsure about whether he would face prison at the end of his bail period, and was worried that he was becoming a burden on his family, consequently, developed a degree of *ontological anxiety* that interacted with frustrations about his lack of progress in life. Indeed, in our first meeting, Shane expressed dismay at his lack of positive movement, and stated: ‘*When I get out of prison... I can’t be goin’ around with nuffin... I can’t be walking around the streets with nuffin, I can’t be going out with my friends and him be buyin’ me drinks. Like, I’m the kind a guy who wants to be offerin’ you the drinks, d’you know what I mean? It’s just shit.*’ Also likely ‘institutionalised’ to the prison regime to some degree at this point, it appears that

eventually the certainty of jail became preferable to EM, thus leading his outcome of defiance to arise. Detailing his reasoning when I caught up with him later, Shane explained how it would have been far easier to simply have served the period in jail as part of remand, which would have counted as time toward his sentence.⁵⁵ To add insult to injury, the charges against him concerning his assault on a prison officer had been dropped due to an incorrect restraint procedure being used on him in his cell, and he was jailed only for the breach. Regardless, Shane weighed up his options and violated his conditions altogether.

The work of Deleuze is also discussed by Nellis concerning EM compliance, who argues that divduating practices of control are often 'achieved only partially', making dysfunction inherent to the system (Nellis 2013c, p.159). With tagging typically used for shorter-term control within E&W the sort of non-compliance witnessed with Shane is perhaps anticipated, which is intensified through the necessity of user's goodwill to work (2013c, pp.157-158). It may be argued, that an outcome of *instrumental defiance* emerged from Shane's growing uncertainty about his case, and his penal status.

Another EM user who outright defied his sentence was Amjad, which our second meeting explores:

Amjad, is already waiting at my bus stop when I arrive. When I greet him, he seems, sadly, in worse shape than before. He is glassy eyed and his pupils have shrunk, which I recognise as a side-effect of opiate consumption, and he very weakly shakes my hand. We cross the road to a café; when inside, I order us both teas but he doesn't touch his. It's a difficult conversation: Amjad slurs, repeats himself, and is often monosyllabic so I decide to cut it short. He complains

⁵⁵ Interestingly, Shane also cited a police tip off in which he was arrested for selling narcotics after I pressed him for more detail. He was let off this charge due to the low amount he was caught with and his impending incarceration.

about the PID causing him pain, and at times rubs his ankle. He has been begging most days, and has little money:

Me: 'So how's it been since our last meeting mate?'

Amjad: 'Um...not very good at all Carl, I've been breaching it quite a few times due to my illness, manic depression and PTSD' and 'I'm just like rowing with my wife all the time getting my hair off, not dealing too well with the pressure... the pressure of having to be in.'

Writings assert that longer-term compliance (which is also linked to desistance from offending), is associated more with 'substantive commitments'. It is claimed this may be accomplished through various strategies: moral attachment, socialization and Cognitive Behavioural Therapy; or the positive influence significant others, or the perceived legitimacy of the punishment (Braithwaite, 2013). When used in as an SAO (as it was with Amjad), EM functions without the kind of programmes that can potentially foster these commitments, whilst significant others may not always be positive influences. As highlighted earlier, by leading an 'inhospitable zone' to emerge, tagging developed a particularly unpleasant character for Amjad, and he breached multiple times. Later, he explained how his post-traumatic stress disorder and extreme anxiety about enclosed spaces -caused by a severe racially aggravated assault committed on him while a taxi driver some 15 years previously- was worsened by EM. This on-going issue was exacerbated by his curfew restrictions that increased the frequency and intensity of his panic attacks, due to him being unable to forget about them or get out the house.

Bauman's concept of 'liquidity' has, as mentioned, been applied to community penalties (see chapter 2). More specifically, they consider how the erosion of traditional probation 'impacts their legitimacy' and challenges compliance (Bauman, 2000, cited in McNeil and Robinson, 2013; see chapter 2). Nellis, uses Deleuzian concepts to make a similar case to

criticise the lack of heed paid toward 'developing norms' within the current EM programme, which, however, rest in the aforementioned ideas of modulation (Nellis, 2013, p.159). With Amjad suffering from mental health issues, these arguments are also perhaps relevant in understanding how he failed to identify with the sanction. He further indicated, how when applied without more traditional probation programmes, the penal regime can intensify certain mental health issues by punitivising socio-material associations, and thus lead to resistance outcomes. Criminal offenders like Amjad are disproportionately likely to suffer from mental health problems, and he was not alone from the sample (LAHC, 2017, p.3). Although certainly likely to influence how varying outcomes arise through tagging, the commonness of psychological problems amongst offenders makes it something of a given in offender management, besides this research (Bourne, Rajput and Field, 2015; MOJ, 2018b, p.21). The observation above indicates just how severe EM had become for Amjad's mental health, and he seemed to have problems participating in even regular activities.

Concerning Bauman's work, it is additionally suggested that liquid institutional arrangements can negatively influence perceptions of fairness for those serving CO's (Bottoms, 2001 and Braithwaite, 2003, cited in McNeill and Robinson, 2013, pp.120-121). Indeed, Amjad complained about a lack of additional support, but also highlighted how he was struggling financially due to his benefits being stopped, which he also blamed for his last offence. External factors are often under-represented in contrast to 'offender motivation' in compliance literature (Serin, et al., 2013, p.100). As discussed, ANT attempts to resolve similar social scientific debates by showing how physical objects are pivotal in allowing both social and individual goals to be accomplished. The observation above, however, shows how Amjad's PID actually led *punitive feelings to intensify*, which, alongside these other factors, contributed to multiple outcomes of non-compliance. With his mental health worsened by strains on his inter-personal relationships, Amjad –who also had a long history of petty criminality, arrest, and imprisonment - thence resisted. Due to a range of non-conducive factors that impacted his emotional state, an outcome of *impeded defiance* perhaps emerged.

Shared socio-technical circumstances may also be considered when exploring outcomes of resistance. Concerning this defiant section, a shared circumstance involves frequent continued criminal activity, which for Shane and Amjad involved multiple periods in prison, and Idris its near constant threat. It may be argued, therefore, that for users who were still engaged in criminal activity, and/or, had already crossed the threshold of incarceration, breaching EM was made considerably easier and was more blatant. The users above also viewed tagging more negatively (see chapter 4); although, Joe and Frank also seriously breached their requirement despite having initially positive appraisals, whilst James who had a negative appraisal, did not breach.

Manipulation and Technological Neutralization

EM research highlights how many users formally stick to their requirements to simply 'get them done' (Hucklesby, 2009, pp.260-261). As discussed, EM's technological reliability make non-compliance difficult to conceal; nonetheless, it relies upon on an ensemble of allied actors to do its work (see above). Still, outcomes of resistance that appear on the surface to align with requirements, may be common. Research has of yet uncovered such activity, however, the following section uncovers sneakier attempts to get around EM (n=3), beginning with Luke:

Luke, is sat behind the glass dock during his breach hearing while alternatives to the 18 months' probation requirements he had yet to complete are considered between the Probation Officer and Magistrates. Luke, cited problems attending due to ill health and his responsibility of looking after his children, who had been placed at risk by social services while living with his ex-partner. The possibility of an EM curfew is proposed by the Magistrate, which brings up protestation from him: 'I told you I can't do a tag! I picks me kids up from school everyday, and then I gotta look after them after they play football on Wednesdays, and they're with me all day Saturday'. The Magistrate continues despite the objections, seemingly more determined. After some discussion involving his solicitor in which Luke outlines the days he could not adhere to a 7 a.m. to 7 p.m. curfew, he is resentenced to a period of EM for six weeks, with his curfew on Wednesdays and Saturdays beginning at 9 p.m. With the decision

made, Luke exclaims once more while leaving the dock: 'This is fucking bollox, I'll see you in two weeks when I breach.' Outside of the court Luke approaches me as I wait by the water fountain ready to initiate a conversation; he is smiling and whistling. I'm slightly confused at this but offer my sympathies as he stops, he then speaks over me and states: 'You see that mate? Stupid cunts, I just got off 18 months' probation for a six weeks tag... Good innit?' It is then that I realise Luke had been playing the court all along...

Compliance research identifies 'game playing' as a strategy in tax avoidance cases, whereby actors may sometimes manipulate legal rules to assist in their own ends, despite appearing to comply (Braithwaite, 2013, p.97). It has been suggested that such strategies do not substantively alter offender habits, whilst occasionally allowing for the undermining of sanction rules. The above example, shows how Luke also used a game playing strategy when he employed knowledge of the breach process to get transferred from one CO to another, by violating the former sentence. He cited the six weeks of tagging he received as far preferable to the 18 months worth of programmes still to complete, described by him as 'pointless'. Interestingly, on Luke's first time on tag the engineer failed to install the equipment and six weeks later another arrived to de-install it. Luke, was not required to re-serve the sentence as users are instructed to stick to their curfew until the device is set up, but it was not possible to prove that he had not done so; the potentially embarrassing case was likely 'hushed over' by the monitoring company or court.

Law, uses the concept of 'discretion' to highlight how actors may use tactics in decision making processes by deliberately concealing intentions, allowing certain outcomes to be achieved (Law, 1991 p.176).⁵⁶ Given how EM is penologically flexible, besides having a 'fluid existence' for hosts (see chapter 4), this contention may, therefore, assist in comprehending how some users deem tagging preferable to other CO's seen as unfair, irrelevant, or unhelpful. That the sanction is weighted differently by actors from differing positions (especially by sentencers) *may also be anticipated by users*, who secure desired outcomes

⁵⁶ Although this is acknowledged as another limitation of non-humans.

by employing this knowledge. The idea is further valuable when reflecting on Luke's awareness that many sentencers view EM more harshly than supervision, despite it being seen as less harsh by him. He gambled that breaching would be unlikely to garner a custodial sentence and that it would not represent a 'failure to uphold justice' should he be transferred onto it. Consequently, an outcome of manipulation emerged from these shenanigans; the observation above shows how he even solidified this decision through a phoney protest. Of note, however, Luke's case revolved around the welfare of his children, and his solicitor (who also was dealing with his custody case) alluded to serious evidence that was not available at his trial. The court were perhaps somewhat sympathetic to him because of this, with it another factor in this game.

The idea of 'multi-stability' is employed by Don Ihde, to discuss how ad hoc uses may be found for technologies (Ihde, 2009, p.12-16). This concept differs to ANT's idea of fluidity in that technologies do not construct multiple 'realities' as such, but suggests they may sometimes attain unconventional uses that even defy their, so called, 'messy boundaries'. When considering the passage above, this idea may have some relevance in reflecting further on how EM allows extraneous aims to be achieved. Luke's manipulation of his sentence perhaps highlights how individual outcomes may sometimes *go against what the regime is for*, which he pursued to get himself 'off the hook'. The observation above shows that Luke was *already in a heavily punitive situation*, which going onto EM for a short while was hoped by him to soothe. This was not only due to it being a shorter sentence, but perhaps more importantly, because it *was unrelated to his offence*, which led considerably more emotional stress to arise than a curfew. Indeed, he admitted to being partially upset during the hearing, but was mainly frustrated by his on-going case. Visiting court a few weeks later, Luke eventually got his tag removed entirely and his punishment reduced to a small fine after starting a job as a plumber. With him having his tag switched by manipulating sentence procedure, it may be argued that an outcome of *subversive transfer* arose in which less punitive affects were acquired by EM, leading his difficult circumstances to improve.

Another user who resisted their tag by subverting the criminal justice process was Rob, who attended court to have his curfew hours amended:

On our second meeting, Rob arranges to meet outside a cocktail bar in the centre of EM City. Although the evenings are becoming warmer and longer, it's an unusually upmarket location to conduct fieldwork. He has been with his friends, but it's now 8:30 p.m. meaning he must leave for home. Despite his curfew starting at 10 p.m., he explains how departing at this time allows him to get back using a bus at either 8:45 p.m. or 9:15 p.m. just in case there's a problem with the earlier one, as it's a 30-minute ride. He is clearly enjoying his later restrictions, and is visibly disheartened to leave his companions who have just bought shots together. 'It's just nice to get out and about a bit more', he states after finishing a tequila. Our bus ride home takes us through somewhat less opulent surroundings, and he ponders how the temptations to breach have now actually increased: the impending activation of his curfew have reminded him of what he is missing out on, besides forcing him to change his location:

Me: 'So uh, did you find any way to get around your curfew?'

Rob: 'I didn't really try to tamper with it... you know? I mean the uh guy engineer who put it on, he told me it was heat sensitive and had a motion detector built in... as well as the fibre optic band which could break if it got stretched and stuff like some people try... So I uh didn't fancy getting breached for doing something stupid.'

Although later:

'Uh like I said I um figured out when they put me on it they would change your hours to fit around work an' that... Like I said after four or five months in it, it started to really really get to me so I figured the best way to avoid it, get out of it, was to uh just get an extension of my hours... And I uh, basically hit on the idea of getting another job... I found this crappy telesales job, went in, did the training and you know... uh got a

copy of the contract. As soon as I got that I went court... Ended up getting my hours changed to 10 a.m. to 10 p.m. which um, suited me better cos my mates met sometimes in evenings and, you know I didn't have to rush, rush home and risk breaching man. Already had flexible hours on the weekend because of my other job... it pretty much meant Friday and Saturday I had no curfew. Which is pretty much peak times (laughs).

Me: 'Did You stick to the job?'

Rob: 'For about a month because I actually needed the cash, then I sacked it off. It was absolute shite, worse than being on tag to be honest.'

As discussed previously, EM curfews can be formatted around working hours and changed to accommodate new circumstances (see chapter 4). Generally praised (Hucklesby and Holdsworth, 2016, pp.9, 34), some insiders have, however, spoken against curfews being sometimes 'overly flexible' and setting up times that confuse users, which is worsened by there being no fixed guidelines to assist sentencers in E&W. As mentioned, the physical equipment of EM is also demonstrated to be consistently reliable in multiple studies (Nellis and Mair, 2013a, pp.70, 74; Nellis, 2013, p.199); Rob had an explicit awareness of this contrasting elasticity concerning curfew times, but durability related to the device, and knew that tariffs are not supposed to interfere with users' right to work. Therefore, as it became summer and pains he had not especially noticed before began to emerge, he used this knowledge to change his curfew into a more 'suitable arrangement' that decreased the risk of violating, by pushing his hours to an unusually late 10 p.m. This allowed him to socialise with friends who were getting out more, giving him greater breathing space to go out as the evenings grew brighter, thus partially soothing its increasingly coercive character while appearing to better himself.

The idea we live in an era of technomia where a process of 'technological stupefaction' has occurred, is forwarded by Mike McGuire to explain how increasing reliance on technologies has led to a de-skilling of previous human competencies (the ability to read maps for instance, have been undone by the mass availability of GPS systems) (2012; 2018). This claim may have value when considering how EM has, in some ways, led to a de-skilling of certain probation work competencies, which leads resistance outcomes to arise as users capitalise on a dependence on flawed technologies for offender management. Still, although also plausibly motivated by an unwillingness of the court to jeopardise Rob's new job by alerting them of the presence of a convict, it is possible that as 'street level bureaucrats' Probation Officers in previous epochs (Lipsky, 2010), may still have attempted to, at least, ascertain the truth of his story by checking the job's existence. Indeed, Nellis has discussed how recent transformations in offender management represent an 'upgrading of EM and a downgrading of the Probation Service' (2014); Rob, elaborated how going to the lengths of gaining a contract was perhaps even unnecessary in the achievement of this favourable result.

As discussed, ANT tries to establish how through the work of official actors in 'sanctified spaces', versions of reality become translated (Latour 2010, see chapter 4). This idea, is again perhaps worth contemplating in how resistances arose for hosts such as Rob, who were capable of *subverting official processes* through their awareness of legitimate channels of appeal. Despite being in an unequal power relationship, Rob's knowledge of how EM functioned in court led him to uncover a strategy that was viewed as 'legally just', but was mainly intended to alleviate an increasingly punitive experience. Interestingly, practitioners working with EM have proposed a system of early or graduated release: to encourage good behaviour, reduce violations, and potentially add rigour to sentences (Bainbridge, Berry, and Casey, 2017; Hodgekinson, 2017). Even though appearing to be an abuse of such a system, Rob's testimony possibly demonstrates that some users are, indeed, *willing* to undertake pro-social activities to ameliorate their requirements.

Research has also suggested that compliance to EM may become more difficult during summer months (Herzog-Evans, 2012 cited in Nellis, 2013c, p.147). The observation of Rob

supports this, by showing how due to a change in seasons, tagging was becoming more onerous. Although attaining greater latitude, Rob, however, did not exploit the situation to 'go out partying' and sensibly made allowances for potential transport malfunctions. Aware that his new hours also required more strength of will to adhere to, he, nevertheless, shared an anecdote concerning a date he brought home who was unaware of his tag. He was forced to hop around his bedroom naked -apart from a rolled-up sock on his tagged ankle- in an ultimately unsuccessful attempt to conceal it. With him having his hours amended by tricking the court, it may be argued an outcome of subversive adjustment emerged, led by the negative affects of his restrictions.

A user who appeared to formally comply yet continued to offend was Vince:

My second meeting with Vince takes place on his birthday. It's the first time he's celebrated it outside of prison in three years and he's decided to risk coming to EM City for the occasion. We meet around midday at a central restaurant with other friends so he has a reasonable amount of time to get back for his curfew. He has a new girlfriend who he met on a dating app, who he introduces as Claire. Claire is driving and has a new car making the odds of a breach due to it breaking down low, also the courts have agreed for a curfew variation to her address which is closer. It's still a slight risk, so Vince has made sure it's running ok. 'I just want my life back': he says when I ask him to make a birthday wish, but he states the following shortly before recording:

Vince: 'I mean I'm pretty much clean to be honest, only little thing I got goin' is this little letter thing.'

Me: 'What's that?'

Vince: 'Get this, right... basically I found a way using section 39 solicitor correspondence to get spice into my mates... Section 39 is official case letters... you know? the screws

ain't allowed to open them. What I do mate right, what I do right is I make up the letter, make it look real. I got my own emblem and everything, made up the Solicitor's name and address and everything (laughs). Got the letter identical to the ones I got when I was in... printed them off a computer. I dipped them in the in synthetic liquid spice comes as... then I send it... Last time I quadruple dipped it and got half the wing hospitalised (laughs). My stuff is the dogs bollox. The screws don't have a fucking clue... I can get seven hundred notes of one and it costs me less than a tenner to make.'

Although some EM users change their offending patterns to fit around their sentence, some like Vince may also switch offence type to decrease the, supposedly, enhanced odds of detection (Hucklesby, 2013, p.235). Vince, as previously elaborated, was on tighter restrictions due to him being on early release from jail, and violations carried the chance for recall; frequent meetings with probation officers also placed him under greater scrutiny. As such, he was forced to become 'criminally versatile' (Berry, 2020, p.26) to pursue his illegal gains.

ANT research on how power often *fails* to be actualised, has demonstrated how 'unruly subjects' may frustrate socio-technical programmes and make the accomplishment of diverse activities (like high-speed rail links and medical experimentation), sometimes nigh impossible (Law, 1986a; Latour, 1989). This idea allows for additional discussion concerning how different agendas can compromise successful network alignment, and, therefore, potentially how EM hosts are also competent at innovating new forms of criminal enterprise to circumvent its deterrent capacities. Vince, illustrated how this subversive activity may go undetected, whilst further appearing on the surface to formally comply, leading a resistance outcome where EM failed to prevent him from re-offending, to arise. Nevertheless, in the observation above, he showed how *careful* he was required to be so as to *appear* like he was 'playing by the rules', despite implicitly breaking them. He considered several potentially confounding variables that might jeopardise his curfew or lead him to get caught, and due to his changing romantic life, was capable of safely extending his geographical boundaries.

The idea of a ‘technological arms race’ existing between crime control agencies and criminals (Ekblom, 2009; 2017), was discussed above. It may be worth revisiting to compare the accounts of Idris and Vince, who were both involved in illicit economic activity, but led somewhat different resistance outcomes to emerge through their criminal pursuits. Indeed, EM texts advance the idea of ‘partial compliance’ to acknowledge that certain users may continue offending while complying to their requirements, and sometimes the opposite (Pearson, 2011, cited in Nellis, 2013c, p.153). Due to his restrictions, a different *adaptive strategy* that placed greater emphasis on avoiding detection developed concerning Vince, which included the innovation of acquisitive crimes committed from home that minimised suspicion. Vince articulated explicit knowledge of this game playing, and stated: ‘*Mate you just gotta know how to play it, show them what they want to see and they’ll back off from ya*. Of note, however, he also capitalised on the benefits of his situation by using the Probation Service to eventually obtain employment in a decent job after finishing a training course. Explaining his situation further, Vince’s life had become increasingly difficult in the period after his release: he had little money due to his license interfering with work and was living off his parents and new girlfriend, and badly desired an income. Being in the ‘carceral net’ for some time, he, nonetheless, had a strong degree of criminal knowledge and a network in jail he could easily exploit to alleviate his economically punitive circumstances. Vince continued offending whilst complying, thus it may be suggested that an outcome of *subversive deception* emerged, led by his finances becoming penalised by the sanction.

For this section, shared socio-technical circumstances concerned a common desire to avoid further punishment. This was often accompanied with a less nihilistic outlook on the future, even for Vince.⁵⁷ Another commonality potentially relates to the overall sentence length these users were subject to: Luke was initially required to attend two years’ supervision, Rob six months on tag, and Vince an impending two years of requirements. As mentioned, offender motivation is a vital factor in compliance writings (Bottoms, 2013). ANT is, though,

⁵⁷ The final chapter will explore Vince’s path toward desistance.

not opposed to psychology, and Latour has expressed an interest in recent developments in cognitive science (Hutchins, 1995 cited in Latour, 1995). It is possible that for hosts who were interested in developing a non-offending identity, yet due to their conditions found this difficult, that subversive strategies which softened their requirements arose.

Refusal and the Anti-Penal Attitude

The above sections explored forms of EM resistance that directly disobeyed or manipulated sentence boundaries. Nonetheless, outcomes of resistance that did not always contravene requirements, but were in certain ways opposed to the 'penal logic' of the programme, were presented by other users (n=5), and are evidenced through Leon's account:

When I arrive at Leon's the second time, I notice his front door is heavily damaged. He's dispirited, and explains the police have recently raided the home. As I move past the stairs into the living room, I see household belongings scattered across the floor. His brother was caught in a police sting selling heroin, and a squad had broken the door in at dawn a few days earlier. With the living room -where he was sleeping at the time- adjacent to the entrance, it had been a shock, and he tells me they narrowly missed his brother's gun which was hidden from the family upstairs. Leon, is now a week away from being released and is no longer on bail, but is serving EM as a community penalty. His bilateral monitoring requirement prevents him spending time with his six-month-old daughter, who he greatly misses, and he desperately wants to get out of his current predicament.

Compliance research suggests that user's 'motivational postures' may transform into more substantive commitments, and can be influenced by relationships with regulators (Braithwaite, 2013, pp.97-99); nevertheless, 'postures of capitulation' are differentiated from these more diligent forms of engagement. Although many hosts capitulated to the sanction, some such as Leon, had postures that were neither entirely submissive nor characterised through identification with wider penal goals. Leon, began his time on EM with great relief, but after his mother's house was raided was increasingly unhappy.

Moreover, he was unable to see his daughter, and even though his girlfriend visited him to get past his bilateral monitoring requirement, she was unable to stay. He still complied and desisted from criminal activity, but strongly desired an outlet for his frustration through another medium. Here, as an aspiring local musician who prior to his recent troubles had frequently performed, Leon took the time to distil his feelings concerning tagging and wider criticisms of society into rap verses. He expressed the following:

Leon: 'Yeah the music keeps me going... what with everything that's been going on here recently um, it's been stressful, stressful you know? If I get time in the evening I sit down and write... (and)... definitely, definitely um music is my way of clearing my thoughts, it's my way of not letting all this... (*gestures toward his box*) get to me.'

And later:

Me: 'Do you think the system does enough to help people?'

Leon: 'The system? The system is fucked! Blud! Don't even get me started.'

More critical approaches toward technology assert that it is *political-economy* that determines the shape and uses of equipment, with surveillant devices often employed to 'discipline the workforce'; furthermore, the contradictions and failures of these programmes, allegedly, becomes visible when uncovering their 'actual objectives' (Marcuse, 1964 cited in Feenberg, 2004, pp.69, 79; Fuchs, 2013). ANT, however, stresses how regardless of design aims, technologies still must *negotiate their demands*, often amongst disagreeable micro-relations (see above). Despite this, EM is rather different to devices that operate without clearly defined rules and penalties, and as seen in chapter 4 also has some relationship to employment. Therefore, occasionally, a more critical slant can be useful in understanding why resistance outcomes develop with users. In the above observation it was evidenced how, with Leon's private space already under observation through EM, the

additional impact of having the police knock down his front-door and trash his house had further punitivised his situation. The space of his home, subsequently, derived a depressing character due to this *dual invasion* that he was unable to escape or seek comfort from with his child. This led Leon through a creative format to develop a critique of the programme that contextualised it within a wider system of inequalities, as a method of control over lower class people such as himself, whose lives are often invaded by varying arms of state surveillance.

Fergus McNeill, has researched offenders under supervision using 'creative methods',⁵⁸ which allowed them articulate how they coped with restricted liberty. Here, mediums of expression such as music, poetry, art, storytelling, and photography were shown to develop new vital roles for probationers: sitting against the backdrop of 'pervasive mass surveillance' (2018). Contended as allowing for the expression of agency and resistance against this expanding net, this research may have value in highlighting how for EM users like Leon, artistic mediums may be implicated in the emergence of subtle everyday resistances that allowed him to cope. He added, though, how being on EM also affected his art as he was unable to perform live whilst curfewed, leading his work to become more introspective, dark, and politically charged over the period. With Leon utilising music to critique tagging, it may be argued that an outcome of *critical refusal* arose, led by his surroundings becoming penetrated further by the state.

Another host who enacted a subtle form of resistance was Raz, who took up boxing during his time on EM. He had a charity bout a couple days after being unbound, which the following observation details:

I arrive in the venue around 45 minutes before Raz's fight. When I find him he is standing with Leila and his brother in law Jake near the ring, and looks clearly nervous amidst the hundreds

⁵⁸ Similar to live methods (see chapter 3).

of people gathered. We talk about the match and wish him good luck as his name is announced over the speaker system, and he heads into the changing room to prepare. Raz's fight is the fourth of the evening and is billed as a 'welterweight clash', and eventually he climbs into the ring after his walk out to face his opponent who is a bit shorter, but heavier set than him. The referee provides them with instructions for the potentially best of three, two-minute rounds contest and sends them to their corners before the bell rings, and they come out to fight. Starting cautiously, Raz begins to circle away from his opponent and throws some tentative jabs. His cornerman yells: 'move your feet after you punch', but his opponent seemingly timing him, advances and lands a big looping haymaker cleanly on Raz's temple that nearly knocks him down to the canvas. It's a terrible start and we begin screaming at him to hold his opponent who is swinging wildly in an attempt knock him out. Somehow, Raz manages to get a hold near the ropes and buys some time before the referee breaks them. He's still dazed, yet seems to be waking up and for the rest of the round continues this strategy as he recovers. As the bell sounds to signal its end his eyes thankfully appear clearer, whilst his opponent looks visibly tired after frenetically attempting the finish. 'Stay focused' Jake bellows between rounds, and I shout: 'He's fucking knackered! look at him', by way of encouragement. Raz begins much more assertively after the interval and takes the centre of the ring and begins jabbing his opponent, before slipping out of the way to avoid the now predictable haymakers. Stinging his opponent -whose hands are clearly dropping lower after every exchange, and is breathing increasingly heavily- Raz lands a crisp one-two combination which backs him, up and we yell with excitement. Raz sensing that his opponent is hurt moves forward, but is grazed by another big punch which narrowly misses his face. Staying content to win the round safely, Raz moves back to centre and continues to pepper his opponent until its climax. We await the interval nervously for the announcement, and discuss the bout. All of us agreed that it should be scored one round each, but despite Raz easily scoring more frequently, his opponent had landed the biggest punch of the contest and had come a hairs breadth from knocking him out. Thankfully the judges are in agreement with us and call for a final deciding round. They come out, both now looking pretty much exhausted, and after a few failed rushes his opponent begins to back up again, although Raz is unable to put much pressure on him. The round continues in this fashion and despite receiving a few laboured punches, Raz manages to reply with his cleaner more technical shots. With both combatants leaning heavily on each other, the final bell rings. After a short deliberation the referee

declares it a draw and raises both of their arms. It is the most dramatic fight of the evening so far and I exclaim that a draw was fair; Leila, however, disagrees and thinks Raz won, whilst Jake scored it for his opponent. 'Lucky git' he says.

Volunteer tagging schemes using social workers have revealed that wearing the EM device may put users off certain activities, including the gymnasium (Mazzoncini, 2016). As witnessed earlier, James also discussed how his curfew interrupted his training; however, Raz (alongside Joe) testified to how being on EM provided a new motivation to get into physical exercise, and was hoped to further prompt lifestyle changes. Raz stated how his new craft of Boxing was intended to keep his head and emotions straight, but also provided him with much needed relief from his curfew, which was leading his relationships at home to become difficult.⁵⁹ His charity match gave him a clear objective to work towards while under EM, and the court allowed him a curfew variation to attend boxing classes and raise money, while the sanction simultaneously motivated him to train.

Critical research into surveillance demonstrates how 'oppositional consciousness' may emerge as a response from those stuck in the surveillant apparatus of workfare, and are located alongside subtle strategies of everyday resistance against the system as, so called, 'weapons of the weak' (Gilliom, 2007, pp.120-125). As discussed, ANT is not necessarily against critical stances on technology; however, it requires researchers first outline how oppressive states of affairs and subsequent resistances against them arise, rather than seeing them as a given. Therefore, a censorious slant on object/human relations may sometimes be helpful in outlining how anti-programme outcomes were achieved by hosts that did not necessarily violate the boundaries of their curfews. Raz, disclosed how critical views on the CJS are not always of the same standpoint, though, and communicated opposite political views to Leon: he vented his anger at a system that had 'gone soft on crime' and was penalising the 'wrong people' (which of course, included himself).

⁵⁹The following chapter will explore Raz's home situation more thoroughly.

Other literature on embodiment used in technology studies, examine how certain bodies experience 'somatic dissonance' if deemed out of place in certain spatial-temporal arrangements, by both the perceiving and the perceiver (Purwar, 2004). EM's impact on physical routine, space, and time can also plausibly lead a sense of 'somatic misalignment' to emerge for hosts, which makes their lives increasingly punitive in some cases. This idea, may thus be plausible in showing how subtle resistance against tagging arise through an embodied dimension, which for Raz was alleviated by constructing a new *body regime* also geared to help him avoid future offending.

Criminological work on desistance, also investigates the link between boxing and the cessation of offending (Jump, 2020). It is suggestible that EM, depending upon user, has the capacity to interact with activities deemed helpful toward developing pro-social lifestyles, to acquire a sort of synergistic effect. Although already having a steady work routine, the Spartan regime Raz undertook in preparation for his bout further promoted healthier habits, and led him away from his dependency on the prescription medication blamed for his offence. Consequently, his new physical regimen soothed the growing negative affects he experienced, which threatened to surface emotional problems that had been dormant for several years. A resistance outcome of *embodied refusal* based on the development of physical and mental resilience, and his desire to overcome his issues, thus emerged.

Another user who used a somewhat similar approach to cope with his time on EM was Frank, who, though, appeared to play down his problems.

I meet Frank the second time in the same location. Once again, he's carrying a plastic carrier bag filled with cider from the off-license. He appears mainly unconcerned about his situation as we begin conversing, but details a couple of recent disagreements with co-residents in his hostel. A meeting with his sister immediately after reveals he has, in fact, violated his curfew twice for significant periods after getting drunk and arguing with another resident, and has a breach hearing coming up in a week. It's the second such hearing, and could see him convicted.

EM writings, often reference the work of Goffman to understand user's experiences (Staples and Decker, 2009; Goffman 1961, cited in Schwedler and Woessner, 2017, p.840). The idea of 'coping strategies' are central to his work on stigmatisation, and the various management strategies he outlined have further explored several alienated groups (Jacobsen 2010, p.12; Ytreberg, 2010, p.302). Previous chapters detailed how hosts managed the stigmatising consequences of EM (which included the concealment of the device); consequently, they may help in reflecting on how resistance outcomes emerged for Frank also. Indeed, as evidenced through the observation above, with Frank withholding information about his breaches he was likely invested in managing *my impressions of him*: a form self-monitoring thus arose in our meeting in which he appeared more compliant than he actually was. Moreover, Frank was probably in denial about his problems, and I got a feeling our conversation became involved in his self-deception, by allowing an 'alternative reality' in which his life had not slid into destitution to be performed. Still, being tagged prompted a series of more practical activities that helped Frank cope with his sentence also:

Me: 'So what have you been doing with your free time?'

Frank: 'Ooh, I've been going on walks, sitting at the park next to the Cathedral... Elizabeth Square... and down by the docks a lot. I like drawing with my pencil mainly... I've always found my art enjoyable.'

Me: 'So what so you do usually do during your curfew time?'

Frank: 'During curfew... I watch TV, read, write poetry, draw pictures...those sorts of things really... Yeah sure it helped to take my mind of things, I mean I like do it anyway..., but being on tag has actually has given me something to do in that sense.'

Research on prisoners has found that 'frictions', defined as 'micro-resistances' that subtly challenge the regime, may arise from the social and material structures of prison. This work demonstrates how inmates often try to exert control over their lives behind bars through mediums such as tattooing, slang, and sexual relations (Rubin, 2016, pp.646-648, 657). EM, per Nellis, 'restricts rather than deprives liberty', yet still exerts significant control over hosts' bodies that may become increasingly punitive and coercive. Accordingly, this work may have relevance in exploring how a series of plausible micro resistances emerged concerning Frank, which became vital in coping with his sentence. He spoke to how these activities derived new important meanings when under surveillance that occurred through a period of introspection, whereby he reflected upon, yet, ultimately, appeared to accept his situation. Despite this, he expressed how he refused to be 'defined by his punishment' and, instead, as a former reverend, incorporated it into what might be described as an attitude of penance whereby a somewhat deeper moral transgression and process of atonement were elevated above his mere requirements. With Frank using introspection and contemplation of his situation to exonerate himself, it may be argued that an outcome of *absolutised refusal* emerged: led by his avoidance of dealing with his situation.

A shared circumstance regarding this section relates to these users' articulating a what may be described as a strong 'non-offending identity'. This idea has been used in desistance literature to characterise a later stage outcome of offender internal transformation, tied to motivation (Paternoster and Bushway, 2009). With the above users, a somewhat more thorough distancing from offending was spoken to, with Raz and Leon having already begun the process of cessation from offending, and Frank in some ways atypical with his offending beginning in his 40's and being directly tied to alcohol. As discussed, the analytical sections in this section are not entirely discreet, and overlap. Frank, for instance, completely broke his curfew at points. Nevertheless, the defiant section offered a somewhat bleaker and nihilistic outlook, whilst often embracing their criminal activity. Rob, also cited more productive activities such as reading as a resistance against his punishment, but of course manipulated his requirements.

The Dimensions of Resistance

It can be plausibly argued that resistance is central to EM. Counterintuitively, as an integral part of the programme itself, cracks, spaces, and contradictions are frequently witnessed in user activity, which may even be necessary for the programme to define what is permitted, or not. With resistance outcomes emerging from the way volatile circumstances sometimes intersect the penal measure, Foucault's claim that 'where there is power there is resistance', is perhaps given credence within this chapter (Foucault, 1976 cited in Heller, 1996, pp.80-82). Specifically, these outcomes were often tied to how *increasingly punitive affects* arose from the regime of EM, leading to various anti-regime practices. These different resistance dimensions may be further analysed below:

Advanced firstly, the *penal status* of users can play a significant role in the emergence of resistance to EM, with uncertain outcomes and particularly lengthy periods in the carceral net (like Shane or Rob), leading hosts to defy or manipulate their sentences. Secondly, *techno-social associations* may also be implicated in user resistance, with particularly challenging events (as with Leon) leading an attitude of refusal to arise, or in continually anxiety inducing situations prompting outright defiance (as per Amjad). Thirdly, *motivational factors* can also influence how tagging becomes resisted, with strong anti-programme sentiments leading users to disregard their requirements entirely (as with Idris), or adopt sneaky tactics to deceive the system (like Vince). Finally, EM resistance can emerge within an *embodied dimension* whereby unpleasant feelings develop from restrictions on physical routines, provoking some hosts to undertake new regimes (such as Raz), or violate their curfews.

EM resistance, must, therefore, be defined as more than a 'rational decision' to simply not-comply, but an outcome that arises through complex techno-social interactions, and again, is perhaps even necessary through its prompting of sanction reinforcement (Neyland and Woolgar, 2013). Despite this, it must be noted that despite defying, subverting, and refusing the goals of tagging, users do not wield sufficient capacity to slow or halt its operations. Deleuze, stated that 'new of ways thinking' and 'creative acts' can still arrive through

contemplation, and can in themselves be seen as forms of political resistance (i.e., *thinking is resistance*) (Deleuze, 2004, cited in Mackenzie, 2018, pp.73-89). Consequently, although doing little by way to challenge EM concerning its wider implementation strategy, user's resistances may still provide insights into the failings of the regime, while, due to it becoming more onerous, attaining vital breathing space for themselves also. Given the very different implications of these various resistances, however, further analysis is provoked. More 'constructive activities' that provided relief from monitoring frequently allowed hosts to 'improve their situations, while sometimes developing greater emotional resilience. In contrast, although appearing to embody an ethic of rebellion, simply defying tagging often resulted in further and sometimes worse penalty: a self-defeating outcome for those desiring freedom. The emergence of game playing may be interpreted as 'abusing' mechanisms intended to help users legitimately improve their situations, yet they also gesture also toward innovative uses of EM.

Conclusion

This chapter explored users' resistances to EM, and uncovered three variations. Outcomes of outright defiance, manipulation, and refusal were asserted to perhaps be central to its functioning. Consequently, ANT was particularly useful in outlining how these resistances arose, alongside Deleuzian writings on surveillance. Resistance outcomes were shown to often emerge from how EM increasingly punitivised user's individual circumstances and became more coercive, leading them to seek ways to ameliorate their sentences. The specific socio-technical arrangements of individual users were outlined as influencing the type of resistance enacted. It may be argued that dystopian pronouncements concerning techno-corrections may, at least for now, be overly pessimistic. Still, it must be noted that resistance to EM exists within a bounded system that can enforce a range of punitive counter measures, and thus indicates how penal control must pass through a process of negotiation in practice.

The following chapter will explore the role of 'supporting actors'. As frequently alluded to, the influence of extended actors is heavily implicated in the continuation of EM sentences.

ANT, is well-suited to uncover the different characters who assist tagging, and are enrolled to create a temporary penal assemblage.

7. Support –Networks, and Assisting EM

'You can pretty much tell who's gonna breach the second you walk through the front door.'

The Components of EM Reinforcement

This chapter develops from previous findings where the importance of user's relations are related to the success of EM, and how the carceral technology further impacts on personal space. It explores data gathered directly from supporting actors, and investigates how EM mediates their lives, and how they subsequently influence its functioning. It is asserted that social units like the family, have become contemporaneously constructed through technologies, with their role in social reproduction 'inherently political' (Hirsch and Silverstone, and Morley 1994). With EM devices extending the reach of the CJS into the familial and private spaces of user's lives, research on these actors is vital for understanding how associations are transformed by the penal equipment.

Users subject to EM within E&W are required to live within 'stable residences' to be considered suitable. Many live alone, but most will typically cohabit with parents, partners, children, friends, or others. The sanction, in many ways, drags these associated actors into its penal orbit. Research on cohabiters who reside in the territory connected to the CJS by EM, has demonstrated they are essential in the running of sentences. However, the relationship between themselves and users can be complex and often impacts emotional ties, both positively and negatively (Martinovic, 2007; Vanhaelemeesch and Vander Beken, 2014). Nonetheless, in-depth data is minimal in the context of E&W and research has yet to investigate non-residents and users on requirements other than post-custody release, besides of course, the likely impact of non-humans.

The experiences of supporting actors' concerning EM, as in the last chapter, may plausibly be separated into competing penological perspectives. In this vein, somewhat more critical writing has considered the 'collateral consequences of punishment', which discusses how correctional apparatus may adversely penalise family members and wider communities. This work theorises this, frequently detrimental process, as a consequence of how increasingly punitive mechanisms have extended past inmates to punish wider relations, including measures like prison and EM (Staples, 2005; Kirk and Wakefield, 2018, p.173). Although advancing crucial issues regarding the civic impact of increasing criminalisation, this writing, has of yet, to directly research the significant others of EM users, and is arguably orientated toward negatively outlining penal sanctioning. Indeed, although convicts' family ties may be unfairly burdened by them, malign feelings are not always shared by the caregivers of offenders (MOJ, 2017; McCarthy and Adams, 2019).

More administrative criminological research on EM has touched upon community ties and user's compliance (Hucklesby, 2008, p.264). Other investigations have directly investigated how tagging impacts co-residing family members post-release from custody, and later work has demonstrated how roles of 'convict' and 'controller' may be interchangeably experienced by cohabiters (Martinovic, 2007; Vanhaelemeesch and Vander Beken, 2014). Providing valuable insights into the experiences of co-relations that, perhaps, go somewhat beyond mere sanction effectiveness, they have, nevertheless, been limited to a section of supporting actors (see above).

Previous chapters used ANT to explore how EM requires an 'ensemble of socio-technical relations' to work (see chapter 4). It was shown how various affects were acquired for users from the device-system temporarily connecting an assemblage of associations to the CJS, which sometimes led compliance and desistance outcomes to emerge also. This chapter further utilises these ideas to identify the key human and non-human allies that are enrolled through tagging. It demonstrates how, various 'affects of support' may be derived by these co-relations, whose work is often essential in allowing sentences to run. These relations are advanced as often messy, contradictory, and fluid; consequently, narrow definitions of activity fail to capture their importance.

Positive Associations

Exact data on the living arrangements of EM users in E&W is currently not available. Most hosts in this study cohabited with people (n=19), although for a proportion this included people who were not emotionally close (n=5), such as housemates and hostel residents. Nonetheless, this network of supporting actors often made significant contributions to sentences. The account of Bryan, who was Joe's support worker, articulated a positive view on EM and illustrated how pivotal this activity may be:

Me: 'So do you see tagging as a generally positive thing?'

Bryan: 'Definitely in a couple of cases... where it's motivated clients to stay away from, to stay away from certain damaging behaviours, uh you know late at night, in the case of the person I'm thinking of most of their offences were late at night and related to substance misuse and nightlife.'

Previous research on tagging shows how proximate persons usually provide users with a range of support strategies, which help rather than hinder compliance (Gibbs and King, 2003 and Roberts, 2004 cited in Martinovic, 2007, pp.93-98). Bryan, who worked at the hostel full-time was on call to help Joe up to 12 hours a day following his release from prison six months previously, and they developed a particularly close relationship. Although he was not allowed to discuss Joe's case directly due to client confidentiality, he specifically alluded to him in the above quote. Joe, was estranged from his family for several years and although not a loved one, Bryan still gave him much help regarding his curfew, and further assisted him in acquiring more stable accommodation besides avoiding his alcohol problems.

That key allies are essential in allowing EM to run was shown through ANT previously (see chapter 5). Bryan, like these accomplices, was particularly supportive in his contribution toward Joe. He illuminated further, how he provided him with encouragement to comply through moral support and occasional reminders to manage his spatial-temporal

movements. Recognising also how the socio-material space of their hostel presented a significant risk toward breaching and re-offending- down to its often-chaotic happenings, and how close it was to his offending location- Bryan worked toward getting Joe moved to a shared house in a different area. The observation below highlights the issues presented by the accommodation:

Joe, has arranged for me to talk with Bryan and Indrit, who also works at the hostel. Bryan, takes me upstairs through several security doors to the staff area which requires a personal swipe card to enter. I pass several CCTV cameras on the way, and notice large red alarm buttons placed at each access point. Bryan explains that EM engineers often install tagging devices in the building, and are instructed to calibrate the equipment to clients' rooms during curfew hours. He's on a state of alert during our conversation and about halfway through an alarm goes off; I hear distant screaming interspersed with several loud bangs from somewhere on another floor. Bryan, stiffens up, tilts his ear toward the sound and momentarily puts his hand on his walkie-talkie, but it quickly subsides. Later, when talking with Indrit we are also interrupted by loud sirens outside, although I'm unsure as to whether they are police or ambulance, or connected with the hostel. They continue past and Indrit relaxes, rolling his eyes at me.

Research on third sector workers and EM is an unexplored area, although work on offender management discusses their increasing role (Meek, Gojkovich and Mills, 2011; Maguire, 2012). Being professionally obliged to assist Joe, Bryan could both devise and practically facilitate strategies to hopefully break his cycle of crime and incarceration, by moving him away from the bad influences in this space. Blurring the boundary between co-resident and Probation Officer, Bryan, as found in some research on these actors gave a positive appraisal of EM; additionally, he had a set of institutional resources at his disposal to help move Joe out (Johnson, Haugen and Maness, 1989, p.159; Vanhaelemeesch and Vander Beken, 2014, p.407); the recent fragmentation of offender services suggests an increasing importance of similar workers and EM.

Previous chapters also showed that *non-human actors* are central in allowing EM to achieve its penal goals, but may sometimes impede it (see chapter 5). ANT/STS work on bridge building demonstrates further how such projects rely on the 'successful co-ordination of hybrid ecologies' for completion, and are again plausibly useful in understanding how the regime of EM needs similar ensembles for requirements to be met (Suchman, 2000). The acquisition of a handset through Bryan was shown in chapter 4 to become essential for Joe in sticking to his curfew: he had lived without one since before his last jail stint, and had rarely carried one most of his life. He discussed how the device 'gave him a feeling of security' about his requirements; consequently, a hybrid collective that helped achieve a set of shared objectives, perhaps evolved.

ANT writings on mobile phones, further discuss how multiple uses in locations such as concerts lead subjective experiences of these events to arise via devices (Chesher, 2007, pp.442-444; Lasen, 2010). This work may have further value in reflecting on how compliance to EM was also attained for Joe, as he developed a new awareness concerning time and space through the assistance of his mobile handset, which played a vital role in a training and maintaining the new temporal affinities necessary for his sentence (also see chapter 4). Eventually upgrading to a cheap smart phone to have better contact with people who emerged within his support network, later, perhaps, less useful influences were connected also (see chapter 8). Interestingly, Joe stated how a phone alert system about curfews would be useful, although it is foreseeable the many users would have differing views; indeed, the 'dubious prospect of assisted compliance' has been considered by Nellis (2013c, p.155). Law, also speaks about how researcher presence can contribute toward network maintenance through 'collusion' (2001), and, interestingly, Joe cited my interest in him as another motivation to stick to his curfew which had arisen at that moment.

Despite the support, Joe's circumstances still presented significant challenges. The observation above highlights the frequent tumultuous happenings at the hostel, which appeared to occur hourly. It may be inferred that Bryan saw EM as something that *made his job easier*: keeping less problematic residents in their rooms, and away from disorder. Concerning Joe, this allowed for EM to acquire a generally benign character that was tied to

it assisting him to comply, and in developing new positive habits. Of importance, however, Bryan admitted that he was new to the job and had recently migrated to the UK from a jurisdiction with relatively less social issues than contemporary E&W, and in which rehabilitation services were far less stretched. My conversation with Indrit shortly after, provided a decidedly more negative perspective on EM. Having worked at the hostel for some years, he cited multiple issues with equipment that led to residents getting the wrong, or sometimes no curfew times, besides false breaches when they had been in their rooms. This led him to be generally cynical of the measure's objectives and effectiveness.

Over the next two months Joe made progress by moving into a shared house, but could not find training or work. He largely complied and viewed EM positively in this period, but violated his requirements for an entire week following a housemate's suicide, in which he engaged in a prolonged drug and alcohol binge, got beaten up, and threatened suicide himself. Research has demonstrated that offenders often live in vulnerable situations, with housing, employment, and mental health precariously balanced (Shinkfield and Graffam, 2010; O'Gorman, 2013, p.4; Wilson, 2017). Findings on EM also demonstrate how responsibilities and support (or their lack) from significant others influences compliance (Hucklesby, 2009, pp.264-265). Joe's testimony strongly supports these findings, but he also cited how his movement away from Bryan eventually deprived him of crucial support, despite the improvement in his surroundings (see chapter 8). With Bryan, identifying and assisting short and longer-term rehabilitative objectives, a positive affect of *constructive support* arguably emerged for him.

Another supporting co-actor was Kate, who accommodated her brother Shane with her infant daughter:

It's my first meeting with Shane, who's bailed using EM to his sister's address. It's a side street just off a main road known as the most crime afflicted in the region, and although it's early in the afternoon, I pass crack dealers and sex workers who are waiting in building entrances; I remind myself to be vigilant. When I arrive, I notice Shane's physical stature, and he jokes that

I'm bigger than he thought I'd be as well. Inside he makes us tea, which he drinks from his niece's pink my little pony mug with a somewhat embarrassed look. He confides his goal of finding a place of his own, and regret at losing his last home and possessions. Toward the end of our conversation, however, Kate arrives through the front door and he gets up to help her with her pushchair and bags of shopping, and offers to make her a tea. She's interested in our conversation and joins in:

Kate: 'It's not bad... because it's keeping him out of trouble. He's been tempted to breach many a time, there's so many times...

Shane: /and she's stopped me (laughs).'

Me: 'Like right on the brink sort of thing?'

Kate: 'Yeah he's gone to put tinfoil around it... he's gone to figure ways to just rip it off his ankle...

Shane: /She'd be like nah don't... don't do it.'

Me: 'So having someone there has sort of helped... you?'

(Shane nods)

Kate: 'And cos I got a two-year-old here... it's like, not like there's too many rules here, and he can just kinda chill he's got his own room, but it, sometimes he gets...'

Me: 'But if you were on your own would you probably end up?'

Shane:

/I'd be gone, straight away.'

Kate: 'Yeah like almost every other time.'

The idea of 'informal social controls', are used to explain the importance of non-institutional rules in reducing offending within writings on situational measures of crime reduction. The use of penal tools like tagging is alleged to have resulted from a decline in similar social prohibitions, although the observation above shows how compliance to it may still be keenly influenced by them (Clarke and Eck, 2005 and Cohen and Felson, 1979 cited in Schaeffer, Cullen and Eck, 2016, pp.37-38; Garland, 2001, p.6). This exchange between Kate and Shane demonstrates the vital work often undertaken by co-residents in allowing EM curfews to be maintained, and as a supporting co-actor, she illustrated how both moral support and encouragement were necessary for successful compliance outcomes to emerge (supporting previous research also) (Vanhaelemeesch and Vander Beken, 2014, p.402). Kate, highlighted further how she was sometimes required to directly intervene to prevent her brother from absconding during moments of particularly extreme frustration. Acting as a 'capable guardian', the surveillance-based compliance of the technology was thus bolstered through her. Nonetheless, these duties were performed as more than a mere rational deterrent, and led to the development a more substantive sense of gratitude and responsibility toward his family that, up until that point, prevented Shane from breaching.

'Declining informal controls' are also used to explain changing macro-crime rates, particularly their debated increase in the post-war era (Garland, 2001, pp. 5-6).⁶⁰ ANT, is, though, committed toward collapsing similar sociological divides through the work of non-human actors (see chapter 2). This perspective may, accordingly, be useful for reflecting on how Kate's home became pivotal in allowing Shane's sentence to run, again as a 'hybrid

⁶⁰ Although, with different implications and agendas.

collective'. Here, firstly, approval for Shane to be granted bail was achieved through the secureness of the residence. Moreover, she stated how Shane was prevented from bringing home friends who may have tempted him into breaching or re-offending, due to her refusal of letting, in her words: *'Idiots from the street around my daughter.'* During the conversation Shane would slightly wince at this statement, yet, regardless of inevitable frictions had a relatively comfortable time in this arrangement: he had his own room and bed, and often helped around the house while caring for his niece. The above observation shows that Kate, on the surface at least, was grateful for his assistance around the home and she was also likely appreciative of the notable presence of her older brother at the address, as a young single parent living in a dangerous neighbourhood. As such, EM did not develop into an especially punitive experience for her, and helped her move more safely through her environment. Of importance, Kate herself, had also been on tag a few years earlier while a minor; consequently, she was perhaps used to the carceral equipment being in her personal space already. Interestingly, with her arrival, Shane stopped speaking about his perceived burden on her and his temptations to violate, and a more positive tone arose.

Notwithstanding, Shane, as explored, violated his tag and was later remanded to custody. It may be observed that even with the supporting work of Kate and the scaffolding provided through her home, that compliance outcomes are often difficult to achieve due to the complex matrix of factors present for some users. Nonetheless, a positive affect of *containment support* emerged that was orientated toward limiting the influence of potentially challenging variables.

Another supporting actor, who had a slightly less favourable view of EM, was Elle:

Elle, is present during my interview with her son, Liam. Initially suspicious, she asks numerous questions about my background and at times monitors Liam's responses, even interjecting over him. She eventually relaxes somewhat and continues watching T.V., although, occasionally, directs furtive glances toward me from the corner of her eye. When I sit, I notice a couple of recently used tool boxes in the corner of the room and plastic sheets on the floor

in the hallway, besides the signs of construction in the garage. She says the following in our interview:

Me: 'So what do you make of him being on tag?'

Elle: 'Been a nuisance...' (looks at Liam).

Me: 'In what way?'

Elle: 'Um... Not meeting appointments, the case that happened... They said they sent a letter but it never arrived, still hasn't arrived. Since we told them that hasn't arrived all the rest have.'

But later:

Me: 'So has it affected your life, with him being on tag here?'

Elle: 'It hasn't... No, he's in more I know where he is (laughs)

Liam

/Beneficial.'

Me: 'In what way do you think it's beneficial?'

Elle: '(Laughs), Um getting jobs done, cos this is a new abode look.'

Previous research on co-residents hints at issues with probation workers, but has also demonstrated that many view EM positively due to it providing them greater knowledge of user's whereabouts, while allowing help with chores, and sometimes improving bonding (Martinovic 2007, p.99; Vanhaelemeesch and Vander Beken, 2014, pp.397, 401, 405).

Although looking like a somewhat ambivalent appreciation of EM, Elle, despite having some frustrations was more concerned about the Probation Service, and listed its benefits. Elle, also contradicted other findings that suggest co-residents often disproportionately assist users with household burdens, by making good use of her son's presence to get DIY jobs done. Indeed, I was left with the impression that Elle initially thought *I might have something to do with the Probation Service*, and took the opportunity to complain at Liam's treatment. Nevertheless, she was unwilling for him to divulge certain information about his offending, and did not fully trust my motives as the above observation shows.

ANT has been used in research on the internet to show how, despite some user issues, the maintenance of relations amongst the elderly is achieved through it. Contrastingly, virtual schools for cared for children, have, through the approach been shown to have their potential diminished by unfavourable organizational practices, particularly in social work settings (Lepa and Tatnell, 2006; Parker, 2016) Although seemingly at odds, these different takes on how technologies can be useful in attaining, or not, successful outcomes may also be plausible in contemplating how concerning EM, conflicting experiences commonly arise from it. Elle, as a relatively older co-actor in the penal assemblage eventually benefitted from its presence, but only after liaison issues with Liam's Probation Officer were rectified. The observation highlights how its regime allowed her to make use of her son's skills as a handyman to work on their new home, and was hoped to keep him occupied until he found stable employment, thus assisting both of them in attaining desired outcomes of compliance and non-offending.

It was demonstrated previously that disconcerting sensations can emerge from EM, as it punitivises user's home space (see chapter 5). Elle, contrastingly, paid Liam's MU little heed, and stated: *'I don't see it. It's in his bedroom out of the way.'* Therefore, like Kate, tagging did not lead her surroundings to derive a punitive character, and it seemed to help in

completing household jobs. Nonetheless, unlike Kate, she appeared to exercise far more control over her ward which was likely due to her relationship to him as a parent, besides his differing offending history. With Elle grateful for Liam being on tag in some ways, a positive affect of *receptive support* perhaps developed.

Shared socio-technical associations may be especially important for supporting actors, as they temporarily form part of EM's penal assemblage. For this section, a shared factor may relate to their relatively stable roles/positions. Research demonstrates that EM can take a toll on those who are required to emotionally and practically help users (Aungles, 1994, p.6); however, for the co-relations examined above the penal technology did not require much out of the ordinary, whilst sometimes even providing them additional support. ANT advances that new actors can disrupt or alter relationships between associates, which in previous chapters entailed multiple reactions for users (see chapters 4 and 5). This idea plausibly extends to supporting actors also, for whom new relationships constructed by EM resulted in multi-lateral outcomes that proved beneficial. Yet, despite these more positive appraisals, Shane and Joe still seriously violated their requirements: something perhaps due to extraneous circumstances, and/or, their particular regimes.

Negative Associations

Some co-residents can express negative accounts of EM. Four (n=4), provided such narratives, and Doreen, who was not living with her brother Frank, shared these views:

Doreen: 'I honestly think sometimes that it might actually be better for him (prison).'

Previous research shows that most family members view EM as preferable to prison (Vanhealemeesch, and Vander Beken, 2014, p.394); yet, like a minority, Doreen confided the opposite. To assist her brother, she sent daily text messages concerning his curfew and frequently rang to check his location, besides often driving him back across the city after finishing work from their mother's home, following his frequent visits there. As mentioned,

the role of 'controller' has been advanced to explain how co-residents may take on comparable duties to prison wardens (see above), and Doreen's admitted similar thoughts. She added that this was done mainly out of duty and expressed frustration at Frank's frequent rebellions against being managed, and his lack of motivation to improve his situation. The observation below highlights some of her tiring work:

My meeting with Doreen immediately follows my second conversation with Frank. It was Doreen who scheduled our sessions as Frank had difficulty reliably using a phone, and she joins us on her lunch break outside a laundrette opposite his hostel. She has just put his clothes in to be washed and has brought him his weekly shopping, paid for by a bursary he gets from the sale of his flat. She gives him a set of orders to stay put and looks disapprovingly at his bag of cider. Frank, scolded, looks down, takes the bags of food, and goes inside the laundrette to wait. We cross back over the street to a café; Doreen, is clearly worried about her brother, and she seems close to giving up.

Callon, employs the concept of 'mediation' to describe how specific *types of work* enable organised economic activity, which is furthered in ANT research on music (Callon, 1998, pp.23-31; Hennion, 2015). This concept has potential in outlining how *specialised input* is necessary from supporting actors in enabling EM to achieve its penal regime, which may also lead negative affects to arise for them. Here, for instance, Doreen described how she mediated Frank's spatial movements by taking time from her day to transport him from their elderly mother's home after work (which they both cited as vitally important to the family's wellbeing), back to his hostel for his 4 p.m. curfew start. She also provided daily prompts to remind him, which he expressed both gratitude and irritation with.

Nonetheless, ANT has also been criticised for sometimes failing to distinguish between the 'character of work' done by different actors, and for treating it one-dimensionally (Vandenbergh, 2002, pp.52-54; Star, 1991). Research into the impact of EM on women that relates to this, has uncovered a gendered dimension whereby the role of supporter is frequently adopted by female co-residents who undertake 'emotional labour', often

through additional unpaid domestic work (Martinovic, 2007, p.101; Smith and Gibbs, 2013, pp.93-97; Vanhaelemeesch and Vander Beken, 2014, p.393). This was also likely evidenced in the observation above through the supporting work provided by Doreen, in which she adopted a somewhat stereotypically gendered role as a care provider to feed and clean for Frank, besides managing his finances. With Frank struggling to care for himself and his capacity to stick to his requirements negatively influenced by alcohol, this work was vitally important. Given the extent of this exclusively one-sided assistance, her evaluation of prison becoming preferable is perhaps understandable, and she stressed how she felt unable to refuse the demands placed upon her. Nonetheless, her substantial work could not help in achieving an outcome of successful compliance and she made me aware of another series of breaches, while indicating dismay at Frank's continued presence at the hostel. She was, however, confronted with his relative satisfaction at his situation, which he felt was much easier than his previous responsibilities, despite being occasionally harassed by other residents.

Previous research demonstrates how restrictions upon time can negatively impact the well-being of co-residents, which is explained through the Foucauldian concept of 'corporeal control' (Staples and Decker, 2005 cited in Vanhaelemeesch and Vander Beken, 2014, pp.394-396, 408). Doreen's experience, which likely contributed to the emergence of her pessimistic feelings, echoes these findings even though she did not reside with her brother; consequently, besides altering the spatial-temporal habits of co-residing family members, EM may do so even when not cohabiting. Highlighting how she was required to position her routines around Frank's sentence, its regime began to punitivise her life more than his. It, therefore, became yet another issue she has was forced to deal with during his period of self-destruction, leading feelings of coercion to surface that sometimes blurred the distinction between convict and controller, which she bounced between. A negative affect of *fatigued support* was thus perhaps acquired, led by Doreen's overloaded schedule and dismay at Frank's problems.

Another co-resident who provided a negative evaluation of EM was Leila, who lived with Raz and their three children:

My interview with Leila follows my first conversation with Raz. The house is busy: their children have not long had their tea, and are playing while Leila attempts to get them to watch TV. She enters the back room from where we are sat at the dining table, and Raz offers to make us a drink while we begin. Leila, appears to be more stressed about the situation than her partner, who leaves the door open during the conversation and busies himself in the kitchen with the washing up, while checking us periodically.

Leila: 'Uh...it's just annoyin... cus like everyone is meant to help, yeah? And we, Raz, has tried to do everything he can... They know our situation, like with the probation. He's said to her sometimes he's got no credit, obviously he can't phone her but she doesn't try to phone him and see what's going on, and obviously he's got the problem with his back, the sciatica and things like that.... But to send him to court... cus they were first thinking about sending him to jail, it's just that he's been outta trouble for such a long time. I dunno, and with the fine, with fine as well. They're supposed to be worried about our situation with the money, but they're making things harder again... And what with Christmas coming up... I'm just worried he's gonna breach it and end up going to jail. I mean earlier I was just sat looking out the window waiting for him to come home from work, and there was a cop car sat there. Do you know what I mean? It's just ridiculous.'

It has been suggested that, as a 'digital jail', EM may plunge users into debt, and that financial difficulties are also frequent concerns for many co-residents (Vanhaelemeesch and Vander Beken, 2014, p.397; Kofman, 2019). Indeed, other jurisdictions require early release EM users to have paid employment in place before leaving jail (Heggie, 1997 cited in Martinovic, 2007, p.96). Although Raz was not out on early release, Leila's testimony still showed how worries about money arose from him being on tag, alongside a range of issues already facing the family. His curfew was cited as causing especial worry; furthermore, his intermittent back pain, problems his former Probation Officer, and fear of further and worse penalty led feelings of constant anxiety that the family would suffer greater hardship to

arise. Raz, was their main 'breadwinner' and was working only irregularly, thus the need to provide for their extended dependents was acute and prompted fears about heading to prison, which was worsened with Christmas approaching.

Chapter 4 used ANT to show how object-human relations are *mutually influenceable*. This idea, perhaps, has further relevancy in reflecting on how EM can drastically impact a range of extended activities, leading negative affects to emerge for supporting actors who are relied on to assist its penal regime. Leila, explained how her already hectic and stressful situation was worsened by EM, which sometimes allowed the family's basic welfare to become challenged. Findings show how EM users rely on practical assistance for sentences to run, often at the expense of co-resident's well-being (Gibbs and King, 2003 cited in Martinovic 2007, p.101). Having anxiety problems from being seriously attacked some years earlier, Leila was fearful of going out alone at night. Subsequently, with Raz under curfew, tasks like going to the shop to put electricity and gas on key cards became logistically impossible, leaving them sometimes without basic amenities. EM has been shown to also adversely impact the social lives of co-residents, who can feel duty-bound to 'share the punishment' (Vanhaelemeesch and Vander Beken, 2014, p. 407). Leila, also cited how restrictions on her social life arose because of the measure, and she eagerly anticipated opportunities to leave the house to see her family and friends, which did not come often.

Notwithstanding its advantages, ANT has been sidestepped by certain feminist scholars for 'silencing the work of women' and ignoring how gender, power, and technologies reproduce domestic identities and circuits of action (Cockburn, 1992). As such, it might be instructive to contemplate how for Leila (like Doreen), several gendered inequalities became intensified due to her assisting Raz stick to his requirements, while keeping their home. She, here, articulated how she felt his sentence had led their problems to worsen, and actively shared the burden of his pain. The observation above shows how she was also required to manage their children after Raz got home from work, besides a list of other tasks. Research asserts that tagging may become 'doubly punitive' to female users through it restricting them to the home: a place identified as being traditionally oppressive toward women (George, 2006, p.6; Smith and Gibbs, 2013, pp.94-97). Leila, was not on EM herself, yet a

somewhat similar dynamic was perhaps observable in her situation due to it prompting much domestic and penal work, which became increasingly coercive.

Leila's situation also potentially highlights risks concerning co-residents. Findings suggest that by restricting users to the home, tagging can contribute to increased chances of conflict due time spent together, which may be heightened by the stress of the situation and not being able to leave locations (Martinovic, 2007, pp.97, 99). As such, concerns about the welfare of women caught in EM's penal web have led to courts to employ it to keep offenders convicted of domestic assault away from their partners (Erez and Ibarra, 2007). Although not convicted of domestic assault, the couple's situation indicates how the financial impact of bilateral monitoring may actually increase domestic tensions (as it likely would in their case); indeed, domestic violence is often closely associated with both monetary problems, and abuse (Fox, et al., 2004; Women's Aid, 2019). Leila's constant worry about Raz and the family perhaps led a negative affect of *anxious support* to be acquired.

Another associated actor who was negative toward EM was Christine:

Christine arrives home from work just as Leon and I are finishing our interview. She calls out to him as she enters the house, and through the living room doorway I notice her bend over to pick up some belongings off the floor from the police raid. She sighs, and says something I can't quite hear as he calls back: 'Yo I'm in here mum!' The front door no longer closes properly, and she is annoyed that the locksmith has yet to arrive; it's another worry to add to her substantial list of problems. Over the many years I've known Leon, I realise that I've never met Christine properly, so he introduces me. She struggles to smile, and appears very downhearted:

Christine: 'The system is supposed to help people you know? Get them on track. As for that... *GS4* or whatever they're called... how are they helping people? Just putting people on tag, it's not fixing anything.'

And later:

Christine: 'I really don't know what's wrong with young black boys today... something, something has just.. gone wrong. It's like they come out of school... just disappear off the radar and end up reappearing up in jail. It's become normal for them. Something just goes wrong in that time...'

Christine worked in the CJS. At the time of our conversation her youngest son had recently been arrested for possession with intent to supply Class A narcotics, and her eldest had just been released from remand on tag. Feelings of guilt have been shown to be felt by co-residents about their relative freedom in contrast to users, alongside aforementioned feelings of shame or embarrassment (Aungles, 2004, p.69; Vanhaelemeesch and Vander Beken, 2014, pp.396, 407). Christine did not cite her capacity to move around freely as an issue, but expressed a sort of deeper guilt through an attempt to understand what had gone wrong with her sons to end up in current circumstances. Additionally, as a CJS professional their legal troubles were a great source of great embarrassment: her colleagues were aware of her situation, and had even dealt with their cases. Within her contemplation, Christine discussed how she had tried to do what she could, and gestured towards the achievements of being able to provide a home for her boys and their finishing school (no easy feat) with grades as evidence of her input, despite significantly adverse circumstances. Regardless of these efforts, she was now, alas, faced with having the family home become a site for significant criminal justice presence.

As examined, ANT has been criticised for having difficulty explaining how things like morality transform over time, although it may still be useful in understanding how objects and ethics

intersect (see chapter 2). Postphenomenology in contrast, focuses more on how design ethics are constructed through technologies, but is orientated toward outlining intentions over outcome (see chapter 2). These differing positions on morality and technology are perhaps resolvable when considering how EM impacted Christine. As a technology that is scripted with clearly defined penal objectives, it, nonetheless, once practically administered, may develop a variable life. This creates *passages* whereby the personal morality and emotional work of supporting actors *converge* with its carceral regime, to obtain localised affects. For supporting actors like her, this may be illuminated through how despite her attempts to assist Leon, as a man in his thirties who had lived away from home for considerable time, she felt there were limitations in what she could practically do to help him avoid longer-term trouble. She, alluding to her son's domestic problems, stated: '*I just hope that he... they, can sort their problems out*', and was left with little choice but to ponder with observable sadness on possible past mistakes. Christine, looked towards Leon while saying this, who ashamedly looked away; indeed, he had received assistance regarding tackling it (with her help), but its escalation was met with more severe penal sanctioning. Leon, perhaps unsurprisingly, expressed difficulties about the living arrangements when his mother was out of earshot: he was sleeping in their shared living room between two pushed together sofas, and I noticed his belongings cleanly folded into piles in the corner. Nevertheless, despite in her eyes, having little practical input, the home was still pivotal in allowing Leon to successfully achieve an outcome of compliance and later move away from crime (see chapter 8), and was especially welcomed because it led to his early from release prison onto bail.

It was also discussed how ANT tries to avoid critical analysis in explaining the 'causes of social injustice'. Contrastingly, it lets actors describe their own activity through ideas that often precede social science, to understand how injustices may come to pass (see chapter 5). This stance can help in considering Christine's account that, in fact, mirrored academic critiques of EM in E&W but were often far sharper, which working as a civil servant, likely arose from an insider awareness of issues. Although noting how EM allowed her to 'keep an eye' on her son, she was still mainly critical of it. The concept of 'penal legitimacy' was discussed beforehand concerning how current instability in offender management has

created institutional challenges (McNeil and Robinson, 2013; see chapter 6). Christine's testimony also shows how supporting actors working in the CJS may arrive at similar opinions through practical experience, which she directed towards EM providers and the current state of rehabilitative services, besides wider socio-economic issues that disproportionately impact black families.

Research on co-residents has also found how a lack of information about EM from the CJS can lead to stress and fear (Vanhaelemeesch and Vander Beken, 2014, p. 406). Christine, however, complained mostly about the ME who visited her house to re-install Leon's MU after it was, bizarrely, taken away in the police raid a few days earlier, who she described as 'rude and incompetent'. The encounter fed into a worsening punitive affect that emerged from the family being on the receiving end of tight surveillance and control, and these hostile feelings became directed toward the assorted personnel who had visited there over the last three months. Guilt over Leon's situation, arguably, led a negative affect of *compensatory support* to emerge for her.

In contrast to the co-actors in the previous section, a plausible shared techno-social factor relates to the more *intensive demands* placed upon them by EM, and their difficulties in meeting them. Here, despite on surface appearances not occupying too dissimilar a situation to those above, they, nonetheless, were required to substantially modify their routines: ensuring users met their curfews, received basic amenities, or they had their usual living arrangements significantly disturbed. Thus, more unilateral associations temporarily developed that were often difficult to refuse. Regardless of these issues, both Leon and Raz complied with their requirements, yet Frank did not. It may be suggested that a somewhat different dynamic exists concerning the pains of supporting actors and non-compliance, with the relationship perhaps weaker than in users.

Ambivalent Support

This section explores residing co-actors who had more ambivalent/neutral relationships with the penal apparatus of EM, but crucial assistance was still given. Adam's experience highlights this:

When I arrive at Adam's home, I detect a palpable sense of relief from his family. Marie, his mother, welcomes me in and we all talk for a moment in the dining room while Adam makes us drinks. Rob is due to have his tag removed in the next few days, which being a lengthy sentence, had made the possibility of breaching much higher. Rob, also explains the family had been back to court following the fastener on his PID breaking, claiming it got caught in his gym equipment. Furthermore, Marie was taken ill to hospital, leading him to violate his curfew by accompanying her. Although no further action was taken due to them providing evidence, Adam speaks with some animosity about the ME who re-fitted the tag, who had been disbelieving about the equipment's failure. Adam claimed to have been with Rob when it happened: 'He was a right bell-end.'

Me: 'Did you ever feel like you were a prison warden in your home looking after Rob?'

Adam: 'Uh.. I think so, but I think to a certain extent... being in a family with people you do look after your relatives, siblings and close relatives anyway so it wasn't really anything different than what it would have been I think...'

Me: 'Did you ever feel like a convict?'

Adam: 'I felt like, that uh... we were maybe seen as a problem family.'

Me: 'But not directly controlled?'

Adam: / Not directly controlled, nah.'

How alternating roles of convict, and/or, controller are acquired by co-residents was discussed above. Adam, though, did not especially identify with either, nor did not he cite his situation as requiring much additional practical or emotional assistance. Citing some difficulties in maintaining contact with family members who lived further away due to Rob's curfew (as has been found previously) (Martinovic, 2007, p.96), he, nevertheless, directed more concerns about his sibling re-offending or breaching his curfew. The existence of worry from co-residents over these issues has been found beforehand, and Adam was similarly vigilant concerning his brother's activities, especially in relation to socialising with his friends who he had been out drinking with during his offence (Gibbs and King, 2003; Vanhaelemeesch and Vander Beken, 2014, pp. 397- 398). As such, he reminded Rob of the potential for worse penalty and put pressure on his associates to help him avoid going out by contacting them, to stress the seriousness of his predicament.

It was also discussed above how ANT sometimes needs revision to understand *specific forms of mediation* (see above). This adaptation was necessary for outlining how through supporting actors becoming temporarily integrated into its penal assemblage, particular support activities which intersected wider socio-technical inequalities arose for them, and were intensified by EM's regime. For example, Adam outlined how even with his more neutral appreciation of tagging, Rob's requirements led serious concerns about the possibility of imprisonment to arise, which were especially heightened as they were a low-income family and had already been financially deprived by his loss of income following his offence. The above observation also highlights how fears may be worsened by longer sentences, besides likely requiring more effort overall to stick to. Indeed, as the recording stopped, Adam sat back and contemplated how he had not fully appreciated how much the period had impacted him until discussing it: a new relationship had emerged with his brother that was mediated through its carceral influence.

The concept of 'emotional labour' is borrowed to also outline the work carried out by Probation Officers, who must manage clients and their own emotional states to secure objectives (Hochschild, 1983 cited in Philips, Knight, and Chapman, 2016, p.2). For reflecting on the assistance of supporting actors', who may attain 'social worker like duties' when trying to achieve objectives of programme completion and criminal de-escalation (Vanhaelemeesch and Vander Beken, 2014, p. 408), this claim may have relevancy. Adam, testified to how financial issues particularly created additional emotional labour, as worse restrictions on income jeopardised the family's tenancy. Therefore, he took personal responsibility to nullify negative influences, by 'converting allies', who may previously have been problematic. Adam, despite this, cited how he felt being on tag helped his brother avoid going out drinking at night, and had faith it could make a longer-term impact.⁶¹ Consequently, EM did not become especially punitive for Adam, likely bolstered by his family, friends, and Rob himself successfully converging around his requirements. Nonetheless, he said the following about having the equipment in his residence:

Adam: 'And I think also just having the, the sort of... criminal system just invade your lives like that, to that extent it's not nice when you know you've got like... this machine in your house that's uh monitoring your family members and you can actually see it on your family members, um it's not nice at all I don't think.'

The ideas of postphenomenology were also advantageous in exploring how feelings of invasion are derived through the physical presence of the EM equipment in user's homes (see chapter 5). EM research on co-residents similarly indicates that some view tagging as an 'intrusion', which produces stigma besides embarrassment (Martinovic, 2007, p.92; Vanhaelemeesch and Vander Beken, 2014, p.404). Adam, likewise, expressed how the penal eye of the CJS within his home was particularly troubling, and stated how the MU aroused stigmatising associations he felt marked them out as a 'problem family'; besides the PID being a frequent reminder of his brother's criminal status. Consequently, despite it not

⁶¹ Rob, did eventually change his habits.

being especially coercive, some punitive feelings arose. Further data shows also how bad interactions with monitoring staff are sometimes related to non-compliance (Hucklesby, 2009, pp.261-262). Adam, like other participants in this investigation spoke to how ME's were sometimes seen as unnecessarily abrupt and condescending, which likely fed into concerns about the families perceived criminal status. Nevertheless, it was not directly related to non-compliance for Rob; indeed, no participants in the study did.⁶² With him trying to regulate Rob's wider associations, an ambivalent affect of *preventative support* perhaps developed, whereby he limited potentially challenging variables by 'converting' them, yet felt some stigma.

Rob, also relied on an 'ensemble of actors' to assist his tag, which included a mobile phone. The additional anecdote below shows how the device on one occasion, contrastingly, challenged his compliance:

Rob: 'Yeah this uh other time when I had a near miss... Basically what happened, I got this replacement phone and lost my other one.... but the uh, time on it didn't change when the clocks went forward... Ended up leaving my house an hour early to go work... Walked to the bus stop which is about 10 minutes before I realised from reading the time on the clock board. I 'member thinking... why is the fucking time wrong? Then I remembered they'd changed! Fucking panicked, sprinted home, tried ringing on the way, couldn't get through, got through the front door just as they stopped ringing me. I phoned 'em straight up and just told 'em I was in my shed and that I'd heard the end of the call. I was fucking out of breath, not ran like that for ages (laughs). They were ok with it, believed me, didn't breach me or anything but shit like that can happen unintentionally... I'm just glad I didn't get on the bus otherwise I'd have been fucked.'

⁶² Although, they may still have *indirectly* mattered.

The concept of technomia was introduced previously to account for how reliance on technologies may 'stupefy previously taken for granted competencies' (McGuire, 2018; see chapter 6). As observed with Rob, in certain instances technologies may similarly malfunction and lead to unintended problems concerning curfew requirements for those on tag. Alongside the idea of 'disruption' also introduced earlier (Neyland and Woolgar, 2013, pp. 222, 245; see chapter 2), these concepts that stress the defective nature of socio-technical arrangements, may have additional credibility in showing how 'systems of reliance' can become insecure when help with taken-for-granted tasks (like time-keeping), are not performed as anticipated. Here, Rob was threatened when the 'trusted ally' of his mobile phone failed to provide the correct time, leading to an outcome where a potential violation was only narrowly avoided.

Another supporting actor who had a more ambivalent relationship with EM was Dean:

After being welcomed in by Chrissy, Dean, who had been playing Xbox with his friend in the living room, gets up to show me around the extremely crowded apartment they share. Belongings are boxed or carefully stacked in piles every room, and I notice the MU on top of the refrigerator in the kitchen. Dean's girlfriend is noticeably less positive than the two men and complains about the lack of space, causing them to momentarily go quiet; it'll be worse once their second baby arrives. I get a suspicion that the issue of Chrissy living there is becoming a cause of tension:

Dean: 'He's my friend, like... he was livin' with his partner and then got kicked out his partner's house so I'm letting him stay 'ere for bit. Obviously, he's on tag so he's got somewhere he can get bailed to cus obviously he'll be in trouble even more. So Just helpin' a friend out really... He just needs to sort himself out a bit and stop getting in trouble...'

It has been speculated that the decreasing use of EM in E&W in recent years is linked to the rising number of offenders living in insecure accommodation, with, so called, couch surfers like Chrissy described as the 'hidden homeless' (Reeve, 2011, pp.4, 16). Chrissy, who was serving the remainder of a suspended sentence including EM had been curfewed at his ex-partner's home, but was thrown out leading him to unintentionally breach and appear in court while he secured an alternative residence. GPS tracking has been offered as a potential 'solution' to situations like his, although users will still require somewhere to charge devices. This idea, however, has been criticised for failing to recognise that *homelessness itself is linked to re-offending*; consequently, increased investment in punishment over welfare gets priorities wrong (Berry, Bainbridge and Casey, 2017, p.4). The above observation also shows how difficult these circumstances often already are for supporting actors, which may become intensified by the imposition of someone on tag.

Goffman's concepts of 'home/institution worlds' have also been applied to the experiences of co-residents (Staples and Decker 2009, cited in Vanhaelemeesch and Vander Beken, 2013, p. 408). In chapter 5 these ideas were re-interpreted using ANT to uncover how - through becoming temporarily integrated into a penal assemblage- spatial territories could derive new meanings and uses that were increasingly punitive for users. This may be considered further to reflect on how for supporting actors, serious difficulties can arise due to a lack of physical space: Dean tried to assist Chrissy's requirements by accommodating someone who was not in his usual family unit. Research on co-residents, however, typically investigates females, who -because of familial ties- can sometimes feel 'more obliged' to assist EM users post-release. As a male friend, Dean perhaps expressed a slightly different motivation, and cited a sense of fraternal obligation: '*We're mates so I know he'd do the same if it was the other way around*'; this explanation was directly tied to worries about Chrissy being imprisoned without it

More critical criminological literature contends that measures like EM represent an 'outsourcing of probation work duties' onto community members, whilst commercial companies reap profits from crime (Paterson, 2007; Paterson, 2013; Green, 2014, p.35) This claim perhaps has merit when looking at Dean's situation, where besides putting Chrissy up,

he accompanied him to court for morale, and to confirm his changing circumstances (see chapter 4). He elaborated how, although perhaps doing less than Doreen, going to court was of vital importance in allowing for the successful continuation of the sentence, with him vouching for Chrissy' while being on hand to take care of his personal affairs should the Magistrate 'send him down'. Despite the significant issues faced from Chrissy living with them, Dean did not cite the situation as becoming especially punitive at that point, although the observation above suggests this could quite easily change. With Chrissy's circumstances temporarily stabilised he may, like his friend, have simply been relieved at that moment and also seemed to enjoy hanging out playing video games. Having been on tag and in prison himself beforehand too, Dean (like Kate above), was probably already acquainted with having the CJS in his personal space, and claimed not to notice the MU. Still, he was sceptical about its longer-term impact unless accompanied with more substantial changes to Chrissy's circumstances and mindset. An ambivalent affect of *reserve support* perhaps emerged through dean giving Chrissy vital 'fall back' options, although his circumstances presented growing issues.

The testimony of Anne (who was Dwayne's mother) also entailed a more ambivalent appreciation of tagging:

Anne, invites me to take a seat in the living room after I enter her house. She appears to be still very upset with Dwayne over his recent run in with the law, and I also get the feeling that she does not fully trust me at first. Coincidentally, a former class-mate of mine from school arrived during my first interview to visit her daughter. When I mention his name, she pointedly replies: 'Yes, I know all about Andre', and purses her lips, so I move on; I hoped it might endear me to her somewhat, but it appears to be a sore subject. She points toward the MU box next to the TV which sits on a table stand by itself. Anne, tells me she keeps it on full display to remind Dwayne of his wrong-doing, and to force him to explain its presence to visitors:

Anne: 'When I first got the call that he was locked up... I was very angry, I felt like I could've killed him... 'Cus I didn't raise my children to be getting themselves into trouble.'

Findings suggest that emotional discomfort may negatively impact the wellbeing of co-residents of EM users (Roberts 2004, p.109). Anne's testimony supports this, although her distress was characterised more by a sense of *anger and disappointment* with her son for breaking the law, then sadness per se. This feeling, however, was incorporated into Dwayne's curfew: he was placed under strict rules and observation and non-compliance was simply not tolerated. Severe familial sanctioning would be forthcoming in the case of further misbehaviour, perhaps even eviction; indeed, Dwayne told me that he feared his mother and uncles more than the courts.

It was further shown above that the physical materiality of the EM device-system may sometimes lead punitive affects to arise for supporting actors. Furthermore, when inserted into these familial spaces physical surroundings can transform, changing the activities of those who assist its penal regime. These contentions plausibly help in reflecting on how some co-residents -rather than passively experience subsequent pains- actively *take control* of the device-ensemble to achieve compliance and desistance outcomes, thus significantly bolstering its surveillant capacities. For example, the observation above shows how Dwayne's MU was incorporated into the family's living arrangement by Anne, who located it on full view in the living room. Through appropriating the equipment her pains were re-directed into an informal kind of retribution, intended to make her son feel guilt and fear about further wrongdoing.

As mentioned, research shows that black ex-prisoners may sometimes feel the pains of EM more so than white (Nellis, 2013a, p.203; Payne, May and Wood, 2014 p. 144). Although a co-resident, Anne's experiences of EM also appeared to manifest through a lens of ethnicity (as her son's did), and became subsumed into a pre-existing set of concerns about the disproportionate number of young black men within the CJS; trouble, which her son, who she described as: '*a good boy*' had until now avoided, despite growing up in an especially high crime area. Certainly, her worries were well founded, as custody rates amongst juveniles and young adults indicate that black offenders get the highest proportion of,

besides often longer, custodial sentences for indictable offences for all ethnic groups in E&W. Regardless of a recent steady increase for white offenders, stop and search rates also remain disproportionately high (MOJ, 2018c: 2018d). It may be inferred, that becoming a temporary part of EM's penal assemblage intersected with Anne's acute sensitivity toward matters of race and the law, especially relating to her neighbourhood. Consequently, an affect of extreme worry arose that prompted her to ensure Dwayne did not violate his curfew or re-offend.

Writings on deterrence assert that 'extra-legal punishments' may supplement desistance from offending, and often come from family members and the wider community (Stafford and Warr, 2003; Stafford, 2015). Sharing similarities with the idea of capable guardians (above), deterrence, however, centres around the *psychological threat of punishment* compelling the avoidance of trouble. EM may have a minimal deterrent effect based on the threat of imprisonment for users (see chapter 4); nonetheless, Anne's testimony demonstrates how family members may allow its deterrent capacities to be reinforced through further sanctioning. Still, she did not derive the same intense negative affects felt by other supporting actors; Dwayne had a significantly less serious criminal history, the period did not require too much out of the ordinary for her, and thus feelings of desperation and failure were not expressed.

Further literature on punishment has argued that 'familial practices' are drastically altered by incarceration, which often adversely impact black and minority ethnic families more. This work also asserts that neo-liberalism has eroded the formerly fixed ties that maintained familial reproduction in previous eras, replacing them with 'performative structures' that need repeated reaffirmations to maintain their cohesion (Finch, 2007 cited in Jardine, 2018, p.14). With Anne highly fearful of losing the integrity of her family, this writing may have relevance in contemplating why worries about her son emulating other young men in her neighbourhood, and subsequently experiencing systemic bias in the CJS, led her to try harder to assist the running of his sentence. Although ANT does not favour similar sociological explanations, tagging -as part of the penal system- is likely to re-articulate familiar inequalities in justice experienced by certain groups. Nonetheless, Anne illustrated

how these biases became negotiated in differing ways following its installation in her residence: she took control of the measure, and its capacities became synergised through her, arguably, much needed 'tough love'. With Anne supplementing Dwayne's requirements through further unofficial sanctions, although still feeling a great deal of concern for her son, an ambivalent affect of *regulatory support* perhaps emerged.

Amongst this section of supporting actors, a common socio-technical theme relates to EM not acquiring the same punitive feelings experienced by those preceding them. Previous chapters outlined how compliance is often bolstered by commitments to ceasing criminal activity (see chapters 4 and 6); the supporting actors here -despite not being explicitly fond of tagging, and having it occupy a prominent place in their lives- still aligned with the penal aims of the measure, and perceived it as a means of assisting their wards in breaking problematic behaviours. Furthermore, the users in this section also, bar Chrissy, had less extensive offending histories, although even he had recently made strong strides to improve himself through finding a decent trade. Consequently, these co-residents may have had more optimistic outlooks than the negative section. However, rather than repair or reconstruct badly damaged relations, their charges still sometimes needed much one-sided support.

Socio-Technical Supports

It can be observed that for EM to achieve its desired penal objectives, supporting actors are vital. This chapter shows that ANT is valuable in outlining the crucial work provided by these supports, who developed variable affects through being enrolled into a temporary penal assemblage. Influenced by the relative demands they faced, their faith in the measure, besides users themselves, these affects varied much depending on circumstance and could be often intense. Supporting an EM user can require the significant alteration of spatial-temporal habits, routines, and emotional health just as it does with hosts. These support strategies emerged over four overlapping dimensions:

Firstly, it may be observed that supporting activity develops across a *spatial-temporal dimension*, where (like with Doreen), transportation was provided to help users travel across locations in time for their curfews. A *socio-material dimension* of supporting activity also manifested, whereby (as in Kate and Dean), the space of the home allowed for sentences to run, and for users to have a secure base. Thirdly, support activity emerged through a *psychological/emotional* dimension, in which attempts to motivate users through a more punitive approach (like Anne) were present, or (like Leila), when the emotional burden of the sentence was shared. Finally, *a dimension of technical* support also arose (through people like Bryan), who created strategies to help users get out of the CJS in the longer term.

This chapter further shows how solely focusing on offender motivation is far too reductionist to understand EM compliance, besides longer-term desistance. Recent discussion on offender rehabilitation similarly criticises E&W's tagging programme for its 'faceless and technistic design', and applauds the success of more welfare centred uses in other jurisdictions (Burke, Collet, and McNeil, 2019, p.36, 38). By highlighting how an assemblage of support is vital in allowing EM sentences to run, and, indeed, users to survive, the experiences above directly show how the technology depends upon being effectively integrated into an extended care network to be successful. Further writings on how recent technologies have impacted the family, also claim that new tensions arise from how domestic devices 'interact with pre-existing routines and roles' (Livingstone, 1994). This work, concerning the way new equipment transform relations in the home, may be additionally useful in tying together how EM intersects pre-established associations, leading negative, neutral, and positive affects to emerge concerning supporting actors. Their wellbeing is a pertinent issue that is often overlooked in the pursuit of justice, and when considering the vitality of their role in achieving its penal aims, 'support for the supporters' ought perhaps be given greater forethought.

Despite this, as discussed in chapter 6, user associations may also *impede* EM. Consequently, a range of 'unsupportive factors' which prevent the measure attaining its goals can also be identified. Here, *detrimental circumstances* may suddenly arise from

difficult and unforeseen events (as with Joe); whilst, the spontaneous capacity for relied upon allies to malfunction (like Rob), can disrupt compliance, leading *contingent outcomes* to emerge; and finally, the presence of *disinhibiting* actants such as alcohol may prevent compliance (as it did with Frank).

Conclusion

This chapter demonstrates that EM requires a constellation of co-residing bodies, that it cannot be de-coupled from, to function. It further demonstrates that EM acquires fluid affects of support due to the way it both negotiates, and is negotiated, amongst pre-emplaced but dynamically mobile user domains. These human and non-human co-actors are central in allowing for the successful completion of sentences, and in return they are transformed by being temporarily integrated into a penal assemblage. The CJS in E&W has been criticised for its lack of awareness regarding EM's impact upon families and the wider community; it is conceivable that by being concerned with superficial definitions of 'success', and by lacking awareness of the importance of these wider supports, continued issues with the programme are likely.

It has been indicated throughout this project that perceptions of tagging often change dramatically over time, as do outcomes. Its capacity to enact longer-lasting transformation post-sentence is debated, and it has been criticised for failing to do much regarding longer-term desistance from crime, whilst more longitudinal data is especially sparse. The penultimate chapter explores ex-users across a variety of timeframes after release from EM, to investigate how, or if, their time on it led to development of enduring affects and outcomes related to desistance.

8. Post EM –Legacies, Change and Offending

'I've seen the same people on tag a dozen times.'

Exploring EM's 'After Life'

This chapter explores the period following hosts being unbound. RF EM in E&W is intended as a temporary criminal sanction, although as observed, its introduction is frequently impactful upon users, if often subtle. The termination of a sentence ends its visible life cycle, and is a critical moment whereby usual life starts re-asserting itself for ex-users. Whether any habits or associations acquired while on tag become long-lasting will, potentially, develop in this period alongside any enduring affects. As discussed, EM's impact on offending is a key feature of its penal script, yet is arguably somewhat less central in E&W due to preponderance of SAO's being dispensed (see chapter 2). Still, concepts such as desistance and rehabilitation provide useful criminological tools to understand the measure's latent activity. As such, besides investigating how ex-hosts are 'haunted by the ghost of tagging', this chapter expands on previous findings that assess whether it can help them desist from offending when they are no longer monitored. ANT's fluid approach has highlighted how multiple penal affects and outcomes may emerge through the device system temporarily connecting an extended penal assemblage. This argument will further be applied to its 'after life', whereby a range of dynamic socio-technical factors are considered as its impact recedes from the period of tagging, and possibly other periods of it.

EM sentences are relatively short and typically fall within the lower than custody threshold, and/or, are used for early release from prison, usually for a period of weeks to months (MOJ, 2019). Nevertheless, most research has been conducted during sentences; consequently, post-tagging data is scant, and its effects on offending in the mid or longer-term require further investigation. Whether tagging can prompt longer-term change is doubted, especially when used without additional support (Nellis, 2006; Lily and Nellis,

2013, p.29). Research measuring recidivism for ex-prisoners serving HDC's (which included EM), has, however, found that offenders were no more likely to re-offend than other parolees not eligible for the programme in the following 12-24 months (MOJ, 2011); this is considered successful given the reduced cost compared to prison. Findings from Canada have shown no significant reductions in offending for lower risk users, but some for higher risk when treated alongside other measures, although this prompts the question of whether less intensive forms of supervision could have been used. Research from Argentina also shows 40% decreases in recidivism for ex-prisoners treated with EM, while longitudinal work in France suggests significant reductions in offending and reconviction after five years when contrasted to prisoners, especially when supplemented with control visits (Andrews and Bonta, 2003 cited in Wallace-Capretta and Roberts 2013, pp.50-51; Di Tella and Schargrodsky, 2010; Henneguette, Monnery, Kensey, 2016).

Despite this, more in-depth data on former user's experiences post-EM are absent, especially in E&W. Accordingly, knowledge about how users' wider associations and habits are impacted after its horizon, lacks. For some, sentences may potentially occur during phases of desistance from crime, or be aberrations from otherwise general law abiding behaviour; although for others, make little impact on reducing offending (Hucklesby, 2008, pp.58-61; Renzema, 2013, pp.260-263). As with prior chapters, writings concerning 'EM's after life' can be plausibly divided into competing administrative and critical/governmental criminological perspectives, which may also be valuable for understanding key issues surrounding offending and re-offending.

Desistance theories attempt to explain why offenders undergo the process of ceasing crime (Bersani and Doherty, 2018). They are subdivided into three general strands: biological change, sociological life-course development, and cognitive transformation (Bersani and Doherty, 2018). As discussed earlier, desistance theory is lauded over risk-based models, which are criticised for treating offenders 'mechanistically' (Burke, Collet, McNeil, 2019, pp.42, 149). Yet, it is similarly criticised for failing to recognise wider factors that influence offending, and not challenging definitions of criminality (Galiher, 1999; Hough, 2014; Weaver, 2019, pp.1-2, 13). Within recent years, these more individualistic approaches have

become the dominant practitioner paradigm within the CJS (Andrews, Bonta, and Wormith, 2013). Risk based models assume that offenders use rational decision-making processes when committing crimes, which can be tackled through environmental management, and by challenging them to self-recognise their 'criminogenic triggers' (Schaefer, Cullen, and Eck, 2016, pp.24-26). More sociological work on of desistance has, however, attempted to understand how pivotal life events (like marriage, children, and steady employment) gradually 'tip' offenders into non-offending habits and lifestyles (Sampson and Laub, 2003, cited in Bersani and Doherty, 2019, p.316).

Although more critical and governmental approaches do not attempt to understand desistance specifically, they have discussed how macro transformations in crime control influence offender practice (Feeley and Simon, 1992; 1994; Wacquant, 2000). Within these perspectives, concerns about offending are subsumed into political-economy and broad sociological processes, and often lament the decline of more humanistic and rehabilitative approaches. Writings on rehabilitation that echo these sentiments call for greater civil and community engagement for offenders, and have praised more welfare centred uses of EM (Mair and Burke, 2012, pp.100-102; Burke, Collet, and McNeil, 2019, pp.26, 31, 109, 123).⁶³ However, these positions are criticised for sometimes 'losing track' of individuals, whilst the assertion that the CJS has become increasingly punitive has also been challenged (Matthews, 2005; Matravers, 2007, Schram, 2010, p.289); they may further be indicted for ignoring non-human interactions.

ANT, as discussed, attempts to overcome opposing positions like these. It potentially allows for insights into how offenders define their own activity, and thus how re-offending or non-offending outcomes emerge. Due to it being penologically scripted into EM (see chapter 2), and its pre-dominance within criminology, this chapter adapts the concept of desistance. However, it uses it to simply help frame ex-user's experiences rather than measure penal

⁶³ The dividing line between offender treatment versus management, is acknowledged as not so clear as presented here.

outcomes. It tries to understand how, or if, the associations temporarily connected by tagging lead to the development of habits, routines, and relations which linger post-sentence. The termination of a sentence is asserted as allowing for the *emergence of new associations*, but often the *re-emergence of older ones*. It argues that EM has a 'fluid after-life' that -although sometimes subtle- leaves *traces of its penal regime* within the memories and activities of users, and that its legacy may leave enduring affects, besides allowing some to attain goals of ceasing crime. Despite facing significant issues regarding recidivism, it also indicates that desistance is itself a mutable concept, which relies even more on the alignment of an assemblage of supporting actors once users are de-coupled from the device-system. Consequently, post-EM legacies associated with more non-offending, mixed/ambiguous, and re-offending outcomes are outlined; positive, ambivalent, and negative post-penal affects are also shown to fit quite closely with these results.

De-binding

The door knocks at about half two, and Rob gets up from the sofa to answer. He'd been awaiting the visit, which might have occurred at any point during the day. In a seemingly good mood, Rob welcomes the ME inside who greets him with: 'Hello' before introducing himself as 'Lloyd'. 'Bet you can't wait to get this thing off!' Lloyd exclaims: 'you're fucking right' laughs Rob. Lloyd explains the un-tagging process, and Rob leads him upstairs to his room where his MU is located. After pulling the unit from under the bed, Rob sits as the device is tested and Lloyd uses the phone attachment to call the station to give a status update. 'I just need to check your ID one last time mate' he asks, and Rob consents by showing him his passport. 'There's no way I'd take someone's tag for six months for them', he proclaims, to which Lloyd replies: 'You'd be surprised what some people would do for a few hundred quid'. 'A few hundred? Fuck that! Try a few thousand mate'. After getting through to the station, the engineer pulls out a pair of black handled scissors from a box, 'You mean you just cut it off?' Rob asks surprised: 'Yeah' Lloyd replies, 'the fastener pretty much locks it in place... they tried adjustable ones but basically the locking device wouldn't break, which it needs to if it gets caught in something otherwise you could have your leg ripped off.' Knowing all about that, Rob stays standing while the rubber fibre optic band of his PID is snipped. 'There you go' exclaims the ME, 'free at last!': 'Yeah but I'm hardly Nelson Mandela' Rob ripostes, and they

both laugh. Lloyd then unplugs the MU from the wall and packs it away into a duffel bag on the floor. 'Off to the pub later then?' he asks: 'Nah... maybe Sunday though, I'm gonna stay in.' Lloyd gathers the equipment and Rob leads him downstairs. 'Hopefully I won't be seeing any of you lot anytime soon... in a good way', Rob declares: 'Yeah likewise' replies Lloyd, before saying: 'cheerio', and leaving. Rob is standing looking relieved in the hallway, but seems to be thinking while looking down at his ankle which is now unshackled. His brother Adam appears and asks him how he feels: 'Good... in a weird way, I got kinda used to it being there. My um foot feels... lighter.'

Post-EM and De-escalation

ANT was used in prior chapters to show how EM constructs a 'socio-technical ensemble' that remotely connects users across a surveillant monitoring system. Its removal may be seen a vital 'obligatory passage point' (Callon, 1999a) that formally severs them from the observational arrangement, and re-instates their legal rights to freedom of movement and association. Crucially, it entails the decampment of the equipment from both their homes and physical person, disassembling the collection of extended actors it once temporarily united. For Rob, this de-coupling was met with observable relief, but also some rumination. Besides altering their spatial-temporal activities, for some hosts, EM's regime was experienced through an embodied dimension whereby it moulded into everyday habits, leading a significant process of adaptation to arise (see chapter 5). Rob's immediate reaction supports these earlier findings, but gestured to a new moment where the device-system was no longer present to direct his activity, yet, the PID was strangely apprehended somehow, even if just momentarily. As was the case in his binding to it, he illustrated how its removal provokes a period of acclimation.

As discovered, EM requires the development of certain competencies for hosts to successfully stick to their requirements. It is plausible these habits can mature into longer-term dispositions associated with positive 'pro-social lifestyles', which was confirmed by five (n=5) users. Luke's account suggested a continued impact post-sentence:

I catch up with Luke some 10 months after our first meeting. We rendezvous at the harbour at his convenience; he's moved near the centre of EM City into a housing association apartment after a re-housing battle with the council, and the surroundings are admittedly far nicer than our last encounter. He seems cheerful as I order us both coffee sat outside a café, watching people go by. Luke is in between jobs as a plumber and tells me has full access to his children following his custody contest with his ex. Things appeared much improved for him:

Me: 'So looking back do you think tagging helped you stay out of trouble since it was on?'

Luke: 'Um.... I suppose it did because it kept me in a little bit you know... cos I was always.. well at that time they gave me the tag I was still a little bit all up in the air an... it kept me grounded you know what I mean? So...'

And later:

Me: 'Did you find it odd when it got taken off of you?'

Luke: 'Hmmm' (*looks slightly puzzled and pauses for a second*).

Me: 'Or... weird?'

Luke: /Odd... cos it's like a fucking bracelet innt? Keep checkin it's there an stuff... so...'

Me: 'Yeah?...'

Luke: /It's like 'avin a watch when you start wearin' a watch all the time and suddenly it goes.'

Me: 'Did you miss it all after they took it off?'

'Luke: 'Maybe a bit of the stability around it mainly, and 'avin a timescale... because I'm not a very organised person... so even on certain days... because my tag wun't every day, I'd still, still rush back, so even though I didn't have tag on a Saturday I'd still rush home for 7 o'clock, and I'd be thinkin', why? There's nuffin to rush 'ome about. It's mad!'

EM can sometimes provide an 'interval from the cycle of offending' that is much welcomed. (Hucklesby, 2008, pp.66-68). For Luke, tagging was also seen positively when reflecting on his continued avoidance of trouble past his sentence until our interview. Optimistic about the future, he testified to how he had 'finally turned a corner' and was no longer interested in his previously 'chaotic life', while speaking about promising new developments.

Postphenomenology has contemplated how car drivers can 'feel the road', and how blind persons 'sense the street through canes' (Merleu-Ponty cited in Welton, 2006, p.203). These ideas concerning object/human interactions may have interest when further considering how a felt aspect arises from being electronically monitored, whereby users come to pre-consciously perceive equipment. Lingering after its removal, Luke's experience, however, indicates that latent feelings were derived from his PID *that extended beyond the period of binding*, which are not accounted for in postphenomenology's focus on the point of use. The emergence of non-offending outcomes were also implicated in this embodied experience, which amplified pro-social habits while reducing the anti-social.

The Foucauldian concept of drilling, as discussed earlier, is also used to contend that technologies like EM impose physical routines that are learned by user's docile bodies

(Staples and Decker, 2009; Rao, et al., 2015, p.452). Given that Luke spoke about how even on days when his curfew hours were varied the regime of EM was still duplicated, this alternative account of technology that emphasises the habit-based nature of human behaviour, may assist in reflecting on why he still experienced it, even when de-coupled from the device-system. Becoming part of his daily activity, an *adjustment period* that Luke's body was slow to recognise emerged: the PID became something of a phantom limb which, nevertheless, assisted him in achieving a continued desistance outcome. Indeed, Luke described how temporal routines and organisational skills were obtained over this entire period; ala Foucault, tagging transferred 'governing conduct into his own personal conduct' (see chapter 5). Greater effort of will, though, was now required to maintain these habits with the physical reminder removed, causing mild concern for him. Yet, the above observation gestures to a new positive outlook and improvements to his circumstances, which were markedly de-punitivised from our first meeting.

Luke, also spoke about how his new occupation and re-housing away from the: '*merry go-round*' of temporary accommodation, were pivotal in attaining his goal of going straight. By cultivating new habits and synergising with his growing positive associations, a productive non-offending outcome and optimistic post-sentence affect developed. Having a stable home from where he could contest his children's custody, while providing them with the opportunity to enjoy visiting him, were further vital to his progress. This extension of EM's regime past Luke's sentence which orientated him away from offending, perhaps led a positive outcome of *assisted pro-desistance* to arise.

Another ex-user who desisted from criminal activity post-sentence, but had a slightly less favourable evaluation of EM was Leon:

Me: 'So do you think tag... do you think it helped at all?'

Leon: 'Naaaah..... not really bro... not really nah...Well it a did actually because ... I managed to uh... I just basically kind of blagged to the Judge to get tag. If I didn't take the tag I'd have been in prison longer. It helped me get out.... but that's the only thing.'

Me: 'Did it teach you anything?'

Leon: 'Nah, it didn't each me anything... well apart from I don't want that shit again. Fuck that, fuck that (indecipherable) just fucking staying in all day.'

Work on Intimate Partner Violence suggests that many men desist from domestic offences, although the reasons why remain under-researched (Walker, Bowen and Brown, 2014). EM may be used in domestic violence cases to protect victims, but can potentially endanger them if dispensed incorrectly (see chapter 7). Leon, had a history of minor domestic offences, and was sentenced to EM with bilateral monitoring while attending a Building Better Relationships Requirement. His partner still visited him during this period, and they moved into a new home together shortly after his release. Despite this, they broke up some 18 months later, but Leon did not re-offend following this; he moved to a remote village some hundred miles away with his parents.

ANT, beforehand, was employed to outline how EM can sometimes disrupt problematic associations, leading beneficial outcomes to arise for both hosts and supporting actors (see chapters 4 and 7). Although certainly not suggesting Leon's partner was the cause of Leon's offence, this argument, may, nonetheless, be useful in reflecting on how his period on tag allowed for the breaking of previous behaviours, prompting a period of introspection that coincided with a shift away from offending to emerge. Indeed, victim blaming is a critical issue in domestic violence, yet 'perpetrator vilification' is cited as failing both by preventing proper intervention (Corvo and Johnson, 2003). Leon, no longer blamed his partner for the incident that got him tagged: perhaps testimony to his changing mindset. He elaborated

further how the inevitable end of his relationship was necessary for both parties, which became increasingly apparent after he moved back in and re-assessed the volatile dynamics of their situation.

As stated, EM can sometimes deter offenders from criminal activity while monitored due to a fear of imprisonment (Hucklesby, 2009, p.60; see chapter 4). Whether the threat of future periods on tag can deter offending, however, is doubted.⁶⁴ Although adamant tagging had little constructive impact in instilling positive habits, Leon gave something of ‘no but yes answer’, which, alongside my knowledge of his personality, indicates he perhaps was reluctant to admit its value on egocentric grounds. His strong desire to avoid future trouble was, though, linked to the measure restricting him to his home, while he had a particularly punitive history concerning tagging. Previously serving two six-month sentences concurrently (particularly unusual at the time), he also served four and a half months for his last offence when combining bail and his CO. His worsening circumstances (see chapter 6) led EM’s regime to become increasingly painful; consequently, afterwards, it likely *left its traces through his memory of these periods*, which reminded him to keep on the straight and narrow. His recent time in the carceral net of the CJS, additionally, in his words gave him: ‘*one last kick up the ass*’, to sort his life out. The following observation indicates his changing attitude:

I meet Leon at his birthday in an inner-city pub. It’s in another high crime area punctuated by tower blocks that loom over run-down Victorian terraced houses. Although no longer residing near, it is necessary for him to journey back to visit friends. Leon, is happy about his recent successes, especially at finally earning a decent wage as a shopfitter. We find a quiet spot to conduct our interview, but towards the end an uninvited acquaintance, who is both very drunk and clearly high on cocaine, walks over and tries to get Leon’s attention. Very politely, he tells the interloper that he’s temporarily busy but will join her shortly, which unfortunately is taken as an insult. Becoming more agitated they repeatedly demand his attention, and ask: ‘Why

⁶⁴ Indeed, the presence of users with multiple EM sentences to their name makes this seem unlikely.

are you being a prick for?’ before lurching unsteadily into his space. Leon’s eyes momentarily flash with anger and he tenses; I ready myself to jump up and pull the intruder away, however, something unusual happens. Instead of rising to meet the challenge as he once might have, Leon settles down, smiles and apologises in soothing tones. A minute later his new girlfriend arrives and drags her away. ‘Back in the day I’d have...’ he begins and kisses his teeth, but then starts to laugh. Shortly after finishing, his girlfriend, who works in the Probation Service, joins us. ‘I’ve known Leon for 15 years and I’ve never seen someone change so much’ she says. Knowing him for about 20, I’m in agreement.

Despite this change in attitude, much effort was still required from Leon to continue his path toward non-offending after the disassembly of his penal network. He, here, implicated his wider environment, particularly his old neighbourhood and associates, as problematic. Further ANT writings on geography argue that urban spaces exist as networked techno-social practices, from whose performance, different ‘ecological zones’ arise (Farias and Bender, 2011, p.17). This concept of spatial territory that highlights how environments are shaped by emergent activities, may help to understand how for many former hosts, spatial territories unequally patterned by high crime are also implicated in offending. Certain urban spaces like Leon’s old area are, indeed, especially defined by frequent anti-social behaviour. Nevertheless, these writings have prompted criticism for ignoring the ‘flow of capital in shaping urban territories’ (Brenner, Madden and Wachsmuth, 2011); certainly, criminological geography has long shown how spatial distributions of crime often correlate with wealth and income (Park, 1925, cited in Bresleu, 1990, pp.419, 422; Stretsky, Schuck and Hogan, 2006, pp.819-820). Irrespective of this debate, the observation above testifies to how volatile encounters frequently occur in similar places; yet, the new associations, and perhaps more importantly the *responsibilities tied to them*, allowed Leon to ‘pull back’ from older reactions. He further illustrated what tagging meant in this context: *‘To the kind of person from where we are... it’s nothing... I remember I went out to pub and found a tag in the toilet bud, in the toilet!’* Drastic changes were thus necessary for Leon to avoid self-identified ‘criminogenic triggers’, and continue his newly found successes in more legitimate spheres. Complete extraction from his previous toxic environment allowed his long-standing offending patterns to be gradually replaced, and an optimistic post EM-affect to be

acquired. Benefitting from his family's decision to leave the city due to his and his brother's continued legal problems, they were ultimately brought together.

Research on desistance from a sociological perspective has identified how life crucial events can act as turning points that, often unconsciously, tip offenders toward ceasing crime. Interactionalist approaches similarly assert that offenders may 'knife off from offending' through targeted self-transformation (Laub and Sampson 2001; Sampson and Laub, 2016; Maruna, 2001; Maruna and Roy, 2007). Leon's account suggests that EM was similarly implicated in enabling a desistance outcome, by becoming an *additional impetus for change*. The legacy of tagging was perhaps observable in the new self-control habits he continued developing after being untagged, and the memory of previous woes reminded him of the progress made in improving his life. A far mellower disposition thus arose from the interplay of these extended relations. Leon's cessation of offending whereby he had subtler help from EM is perhaps a positive outcome of *inconspicuous assistance*, characterised through an affect of affableness.

Another ex-user who desisted from crime and also seemed in a much better place was Vince. Although, his testimony again somewhat de-emphasised EM's constructiveness:

Me: 'Do you think tagging helped you at all?'

Vince: 'No it's a hindrance, hindrance.... I think maybe when you first get out... It's maybe good to be on it because the first thing you wanna do is go out on the piss. And I think if the first thing you did when you got out is get smashed, that could cause some trouble because you'd be on it out every weekend... But it's also a hindrance because you could be back three minutes late because you got caught in traffic or something and get recalled for that and get in shit in for that, and go back to court or whatever.'

Despite offending whilst tagged Vince's cessation of crime shortly after was abrupt, and perhaps even surprising. Data on acquisitive crime and EM remains un-investigated, whilst the effect of the measure on moderate to high-risk offenders has not drawn reliable conclusions (Renzema and Mayo-Wilson, 2005). Vince's offences were almost exclusively intended to make money, to fund his consumption of narcotics and lifestyle. Offender narrative research has, however, explored somewhat similar cases, and shows that typical desistance mechanisms like social relations and life events still apply (Weaver, 2013). Fourteen months after being untagged, Vince, had for now at least, relinquished crime and expressed a strong desire to stay away from further trouble, although whether EM assisted in this transformation prompted a mixed reaction from him. Ascribing some benefits to it keeping other offenders away from 'risky activities', he articulated frustration at his release conditions, which he claimed had jeopardised his employment prospects and held him back. Nonetheless, the observation below highlights how his life continued to change for the better:

My interview with Vince is the sole conversation that takes place over the phone. He is now living in a town about 45 minutes away with his new girlfriend. Typically eager for a chance to visit EM City to see his friends, his time is now, however, divided between a new job (which requires him to travel around the UK), his son, and her. As such, we cannot find a suitable moment to meet up. Regardless, he's upbeat and tells me he's at Claire's home when I ring, enjoying a relaxing Sunday afternoon in after a long week spent working on a railroad.

Latour's claim that technologies transmute a 'moral force' whose meanings are, nevertheless, shifting was applied to EM prior (Latour, 1992, p.152, 174; see chapter 4). Acknowledging how competing 'moral codes' can sometimes lead desired objectives to be undermined, this position is perhaps beneficial to return to concerning EM's legacy on Vince. He, here, highlighted above how users often have specific needs and extrapolated further how, because of its restrictions, *conflicting barriers and advantages* toward reform could emerge, thus mirroring testimony from users like Terry (see chapter 4). Yet, like Leon, he quite possibly downplayed the importance of EM's capacity to restrict activities he himself was especially prone to: his re-entry into criminal networks shortly after his previous

jail stint, led him to re-offend and be re-incarcerated shortly after. Being initially licensed to his mum's house in the country, Vince's restrictions allowed him to achieve a non-offending outcome by breaking contact with former associates, while his negative views were plausibly linked to the much tighter controls he was subject to. Also discovered in chapter 5, his first period of EM was through bail where he was subject to intense surveillance from the police, likely shaping his memories of the sanction. Interestingly, by not providing eye-witness data, evidence of his transformation was perhaps more observable. Indeed, Vince, once, would have likely spent Sunday afternoon nursing a bad hang-over from a weekend spent binging on drugs, alcohol, and flirting with trouble, or he would have travelled to EM City to partake in just that. He was instead relaxing after six days working hard, and enjoyed our introspective conversation. Traces of EM's penal regime were, consequently, likely seen in the continued habits and associations Vince initially acquired while on tag, which led an upshot of desistance to arise. His downplaying of EM's positives may have additionally been influenced by a wider scepticism of the CJS; he successfully appealed to get early release onto tag after the Judge ignored the sentencing framework in his original sentencing, and like James used our interviews to vent his anger (despite admitting his actual legal culpability).

As stated, research asserts that longer-term avoidance of trouble is often linked with the arrival of substantive commitments (Braithwaite, 2003 cited in Robinson and McNeil, 2008, pp.438-439). Vince did not particularly claim to identify with EM, though, he later outlined a substantive change in his mindset:

Vince: 'The rich are getting richer and the poor are getting poorer... but that's the way it's always been.'

Me: 'So what do you think the relationship between that and crime is then... is there one?'

Vince: 'A lot of us see fucking... people want what they see on telly, they want all these fabricated dreams like, they fucking want a nice car, and if they try a few attempts to work it and they're doing their shit jobs or whatever and they're not quite achieving it... they're just making ends meet but they see next person with it... obviously they want that. So if they fucking want it and they can't have it... and if they have a similar mindset to certain people they're just gonna fucking take it... by any means necessary.'

Me: 'Do you think you've changed your mindset then in terms of what you want how you're gonna go about getting it?'

Vince: (pause) 'To be honest... half those things I wanted... I just don't really want it anymore... Only thing I want is a decent enough TV. I got that on finance, but I bumped that off (laughs). That's it really. A decent car cos I'm fed up of them breaking down. Maybe a holiday when my tax rebate comes through, treat the misses like.'

As stated, desistance theory often divides into literature that highlights internal transformation versus changing life circumstances (Patternoster and Bushway, 2009; Sampson and Laub, 2001). Despite interactionalist approaches attempting a middle route, they still, arguably, place greater emphasis on non-offending identities (Maruna, 2001; Giordino, Schroeder and Cernkovich 2007). ANT tries to overcome these intractable arguments; it stresses how often *evolving goals* emerge from dynamically changing socio-material relations, and rely upon non-humans for resolution (see chapter 3 and 6). This stance may be further advantageous in illustrating how binary thinking also fails when confronted with the complexity of offender narratives, and, accordingly, how outcomes of criminal de-escalation can arise. Vince, highlighted how starting an apprenticeship as part of his license provided him with stable employment and responsibilities, and the above observation shows how his relationship with Claire provided additional support.

It was previously discussed that the prohibition of heterosexual relations is a central pain of imprisonment (Sykes, 1959, cited in Nellis, 2009, p.46). It is extendable to single EM users who will struggle to meet people due to their restrictions, and likely embarrassment. Vivality, the emergence of the pro-social associations above were also traceable to Vince's time on tag and were assisted by a, perhaps, unexpected, recent technology that resultingly de-punitivised its worsening affects. Here, he joked about the usefulness of dating apps in allowing him to avoid temptations of going out late to meet people while curfewed (which is how he began dating Claire). Given the importance of entry into committed relations in desistance this may be no small issue.

The goals of attaining employment, modest consumer luxuries, and steady relationships are described as the so called 'English Dream'. They are linked by Hucklesby with desisting EM users who may be impacted less by it than prison (Bottoms, 2004, cited in Hucklesby, 2009, p.60). Although having some utility in thinking about how Vince eventually obtained a similar set of values he, contrastingly, showed how they sometimes actually lead offending to arise. Indeed, he had strongly conformed with these goals previously, *but instead used illegitimate means to pursue them*. Criminal career research employs the criminological concept of 'general strain theory' to predict why some young male offenders cease offending, and has indicated that crime often correlates with strain and delinquency (Agnew, 1992, cited in Eitle, 2010, p.1119). This concept may be advantageous in thinking about the process of desistance for Vince, for whom a transforming relationship between his goals and means led an outcome of criminal de-escalation to be obtained.

Without labouring the point, ANT is dubious of similar sociological explanations as it claims that actors are often *already competent analysts* of their socio-technical associations (see chapters 3 and 5). However, it is not necessarily against quantitative work like criminal career research highlighting social broad patterns, but challenges its claims about universal validity, and demands reflexivity concerning the research process (Law, 2004, p.5). Consequently, strain theory is not used here to explain Vince's criminal de-escalation, but simply relates to how he *self-described* the achievement of a positive new non-offending outlook. He, perhaps, indicated how he shifted from a strategy of 'criminal innovation'

based on attaining markers of material success, to a slightly more 'retreatist position' where he partially opted out of the consumerist value system that had previously influenced his criminal behaviour (Merton, 1938, pp.167-165). A positive legacy concerning tagging thus emerged, as an accelerant alongside his improving associations. With Vince getting less explicit help from EM post-sentence, an outcome of *partially assisted-desistance* perhaps developed for him, alongside a hopeful affect.

Concerning shared techno-social associations for this section, a likely factor relates to their relatively similar ages. Desistance research acknowledges how most offenders reduce crime as they reach their 30's, and seeks to understand this 'maturational process' (interestingly, so called, white collar criminals tend to get worse as they age, and may cause more social harm) (Pantazis and Pemberton, 2012; Piquero and Benson, 2004; Farrall, et al., 2016; Sampson and Laub, 2016; Gleuck and Gleuck, 1940, cited in Weaver, 2019, p.5). All of the above ex-users were aged between 30 and 35 around the time of tagging, and several desistance indicators were present: entry into full time employment, stable residency, children, and new interpersonal relationships. Importantly, they also undertook significant amounts of geographical relocation besides working away from home for long periods. Another circumstance plausibly relates to them all being on other CO's alongside EM; notwithstanding, their negative views about these programmes (see chapters 4 and 6), they still attended them. Vince especially benefitted from his rail track scheme, while Leon made significant steps regarding his conflict resolution skills; accordingly, their criticism is plausibly linked to TR, which Luke directly complained about.

Desistance and Ambivalence

Previous chapters showed how ambivalent/neutral outcomes often arose related to a range of issues related to tagging for hosts. Uncertain results on re-offending were also common post-EM, besides mixed affects. Amjad, typified this:

Amjad, like many participants disappeared after our first interview. Nevertheless, about 12 months later he passes my place of work with a companion, who I recognise as a local beggar.

He looks healthier when I go over to greet him; he has put on weight, his eyes are clear, and he more firmly shakes my hand. 'Do you or any of the lads need any blue pills?' he asks, but I decline the offer of Viagra and instead arrange an interview. Amjad, has a new phone number and half a week later we meet in the same place as before. Unfortunately, the cafés near are busy so he takes me around the corner to a mini-industrial estate. We sit opposite a mechanics garage and conduct the interview on a step. He tells me: 'I'm gonna give you a much better interview this time Carl I promise', although I try to explain he's been of great help already:

Me: 'So is your life generally in a better place or worse place since we spoke?'

Amjad: 'It's in a much better place Carl because before I didn't know if I was coming or going. I was depressed, I was begging, I was taking drugs and my whole life was... was down under. It felt like, like there was no coming back out of this... underground life.'

But later:

Amjad: 'I've done a bit of shoplifting... in... about, about six weeks ago from the local shops to mine. Got caught and went to court about six weeks later and had a fine and a compensation fine back to the shop, and um that didn't go too bad. The judges bin um to my advantage an they bin helpin, they're great people and they've... uh looked after me'.

Work on desistance frequently debates how to measure it, and often criticises the CJS for emphasising the immediate cessation of criminal activity (Bersani and Doherty, 2018 p.327). Consequently, it is asserted to be a gradual process often punctuated with less frequent and severe offences (Healy, 2010). EM sentences may occur in similar periods, and within longer and complex offending trajectories. Amjad's account 12 months' post-tag gestures to a

reasonable reduction of offending concerning his previously prolific shoplifting, despite his reconviction.

Educational work using ANT asserts that new devices (like iPads) need practice from students and teachers, and highlights how deficits in 'technical know-how' can prevent objectives being achieved (Hembre, Lundvoll-Warth, 2019). Showing how the development of necessary skills are often impacted by a lack of prior exposure, this work may have merit in reflecting on the mixed outcomes concerning Amjad's offending, which related to him lacking the technological competencies required for EM. Indeed, he had an especially long offending trajectory and struggled with technology, and often misplaced mobile phones as seen in the observation above. The concept of a 'digital divide' also describes new inequalities that have resulted from advances in ICT, and may have value in further understanding why Amjad eventually benefitted from more traditional offender services instead (Castells, 2000, cited in Lupac, 2018, p.17). Placing little worth on tagging in his modest progress, the device-system was de-installed by the courts a few weeks into his sentence following multiple violations (see chapter 6). Nevertheless, the period was, inadvertently, successful, as his breach hearing prompted an in-depth inquest into his needs which directed him toward a more suitable supervision programme and penalty in the form of a fine. Consequently, a far brighter post-EM affect that linked to his partial de-escalation of crime emerged, while his mental and physical health appeared greatly improved.

Key issues, nonetheless, remained for Amjad: he was in his mid-fifties and still offending fairly regularly. Research on older prisoners demonstrates that over 50% are diagnosed with psychiatric illness, while the number incarcerated increased over 120% between 2003 and 2013 (Clinks, 2013, p.3). Representing a minority of offenders who display 'strong resistance toward reform', Amjad's age and underlying psychological problems point toward outcomes of likely continued, albeit minor, crime. Despite this, he cited the reinstatement of his disability benefits as being helpful in allowing him to avoid acquisitive shoplifting, which also reduced financial strains on his family. Like many claimants since 2010, Amjad had his benefits stopped following an evaluation by the Department for Work and Pensions (Merrick, 20/12/2018).

ANT has also been used in the 'psychiatry of dangerous personality disorders'. This work explores how classifications of these mental illnesses are today heavily contested, and emerge through risk-based criteria that emphasise 'continuous behaviour rather than fixed symptoms', unlike other pathologies. How socio-physical infrastructure lead diagnosis and treatments to be officialised, and how criminal justice is impacted by this legislation, is further considered in this work (Manning, 2002). Although Amjad was not 'classed as dangerous', both he and the court Probation Officer heavily implicated his mental health problems in his early hearings, and predicted his likely non-compliance, which was ignored by the presiding Magistrates. Consequently, a performative understanding of how mental illnesses emerge in different settings, may shed light on how illiteracy from sentencers led incorrect measures being dispensed to manage his offending. Indeed, the use of EM initially led worse behaviour to arise for Amjad, as his circumstances derived increasingly punitive characteristics that placed him back in court for violations.

Interestingly, trials on offenders in semi-secure community facilities sectioned under the mental health act have used GPS tags, which are advanced as preferable to prison. Compliance to the measure, however, has been taken as an indicator of recovery that then leads to jail transfer; a worrying issue that may impede rehabilitation (Veliz, 2016, p.4). Although the legacy of EM was observably weak with Amjad and further criminal activity still occurred over the period, it was decidedly less than before, and his acquisition of appropriate support allowed for him to improve his circumstances. Nonetheless, the following observation highlights the complexity of Amjad's issues and the challenges meeting them:

During the interview, Amjad receives a call from his wife that leads his demeanour to change dramatically as he speaks to her in a mix of Urdu and English. The matter, about her family business, seems urgent and I notice he begins to use a more extended and precise vocabulary when he informs her of how to take care of the problem, which involves a supplier. After it ends, we continue talking about his shoplifting and as we part ways he states: 'Well um, I'm

not gonna rule out stopping completely, completely... there's a buzz I get out of it Carl, it's mainly about seeing if I can get away with it, and because of my illnesses it'll always be there.' This remark is made with a wink and something of a wry grin, and differs from his earlier narrative portraying himself as a 'victim of the system'. I get a feeling Amjad was playing everyone somewhat, including me.

The role of 'thrill-seeking' is considered in desistance research that considers how to abate the positive emotions linked to certain crimes; individual motivation versus cultural/environmental factors are also debated in this work (Farrall, 2005; Burt and Simons, 2013). Nevertheless, the limitations of positivist work into offending that try to detect causal factors concerning the cessation of crime, are illustrated by the above observation. At court, Amjad initially claimed he was coerced by a group of individuals into stealing, yet to me blamed his benefits being stopped, whilst at other times his illness. Gesturing again to the messiness of offender narratives, it may be inferred that *all these stories may be true, or none*: Amjad was probably a compulsive liar. Crucially, it also leaves uncertainty concerning EM's, albeit minimal, legacy on him. Although a positive affect arose following him being placed on supervision requirements for his crimes, he could not guarantee a longer-term non-offending outcome and spoke to the likelihood future shoplifting.

'Reading between the lines to get to real motivations', is something Latour critiques. Instead, he prompts researchers to describe the observable, if messy, activity of actors (see chapters 3 and 5). Still, the concept of active/passive states (which was applied concerning EM users in rehabilitation), considers how *intentionality and action often overlap* (Gomart and Hennion, 1999; see chapter 5). These ideas may also help in figuring out how different reasons seemed to arise for Amjads' offences in his various testimonies, which were likely presented as per the needs of the situation. Accordingly, his sentencing likely led a narrative that de-emphasised his legal culpability due to being bullied to emerge, whilst for the tape recorder he emphasised how 'the DWP fucked him over'. His compulsive disorder, however, was plausibly a constant that *linked these performances*, and from where his persistent pilfering often emanated. Indeed, Amjad, explained how his feelings of anxiety were alleviated through his enjoyment of petty theft, which he was content to go along with,

although issues with offender management and welfare services, besides predatory people in his network, led its frequency to increase. As he reduced his offending but did not cite EM as being useful, an ambivalent outcome of *unassisted desistance* perhaps emerged, besides a relieved affect.

Another former user who had a somewhat ambiguous post-EM outcome, was Joe:

I meet Joe at Magistrate's Court. He's on trial for an alleged incident that occurred in his new shared house. He is accused of damaging a roommate's door by kicking it and using racially abusive language, which he denies. I accompany him into an office used between hearings for a pre-trial meeting with his solicitor, and listen to the statements read against him. The evidence is weak, and Joe's council (a rather theatrical character), believes his story that the complaint is malicious and motivated by the desire to claim criminal compensation, and he lays out his strategy. I stay with Joe, and with the non-attendance of the complainants, the case is thrown out of court. We are both relieved and leave to play a game of pool in a pub, where Joe later admits to using racist language toward a housemate, but claims the door was already damaged. The incident, he states, was sparked by him performing a sexual act on an uncooked chicken in front of them, which caused the house to kick off. The following exchange takes place while he lines up his shot:

Me: 'Do you think it was easier when you were on tag?'

Joe: 'Oh fuuuuck yes. I told that stupid fucking cunt not to move me out into a shitty shared house... I probably said that to you in the first interview, because I knew... what would happen. I knew what would happen...'

Me: 'Do you think the tag helped... you? Looking back on it?'

Joe: 'Well in the end it fucking didn't. I breached it about three or four fucking times but in the end for some reason they let me off. Uh... so no it didn't really.'

And later:

Joe: 'At the end of the day the system doesn't really give a fuck about people like me.... I'll probably end up back in a police cell... in um, a court....and jail I imagine.'

Recidivism figures for offenders serving CO's have demonstrated a 34% re-offending rate over one year, making them more effective than short-term prison sentences (MOJ, 2015). Nonetheless, Joe, was re-arrested, charged, and ended up back in court five months after being on EM and although acquitted, was still evicted. As discovered previously, he initially saw his time on tag positively but became frustrated in the following months, and slipped into older habits. Explaining how his mental health deteriorated, Joe also began drinking heavily again and using crack cocaine and heroin.

That 'time has a mutable character' was something argued previously concerning how differing perceptions of the temporal order, were acquired by hosts while tagged. Joe's new time-based affinities were perceived as constructive, and the organisational competencies he initially developed relate to the situational concepts of self-management discussed later (see chapters 4, 6, and above). Writings on time elaborate further, however, that following disruptions long-standing physical habits and wider socio-technical entanglements often lead *timescales to return to previous rhythms* (Glennie and Thrift, 2009, pp.77-80).

Highlighting how temporal regimes often reassert themselves despite brief fluctuations, this assertion may also help in illuminating Joe's experience, whereby outcomes of further re-offending appeared imminent. Here, notwithstanding his major progress in dissociating from problematic situations, the fledgling chronological habits that emerged during his period of monitoring were easily undone by the disassembly of his previous support network, and an extended binge session of alcohol and drugs led to the above incident. As

such, although benefitting from EM initially, his hectic surroundings became implicated in a new incident and he narrowly avoided being reconvicted. A rather a cynical post-EM affect emerged alongside this slide into older habits, which lead traces of his positive routines to vanish.

Inconsistent sanctioning is also related to non-compliance in research (Hucklesby, 2013, p.232). Joe's experience supported this: he confessed that a lack of enforcement led him to take his requirements less seriously leading up to his release. His final week-long breach occurred during a period of widespread prison unrest and riot in E&W, later blamed on serious overcrowding. Joe, claimed a Probation Officer reasoned this why he narrowly escaped jail, which if true, sheds doubt on the 'pursuit of justice' being the only guiding inclination of sentencers. Through ANT, it may also be viewed as an 'act of silencing' whereby a blind eye was turned toward his disobedience from officials (see chapter 2); this later would likely contribute to the re-emergence of criminal behaviour, as he lost faith in the CJS to help people like himself.

Community mental health practices have also been evaluated in ANT research from Sweden. This work petitions for a greater integration of work cultures, services, and objectives in securing desired outcomes for clients, with failures in provision asserted arising from inter-agency misalignment (Timpka, et al., 2007). The fragmented structure of contemporary offender management services are, in a comparable manner in the UK, forwarded as leading to a loss of trust from users and subsequently non-compliance (and is quite plausibly worse) (McNeil and Robinson, 2013). Falling back toward the cycle of petty offending characterising much of his adult and juvenile life, Joe, due to service issues once released, also spoke to how important inter-agency co-ordination is for many offenders, which had broken down. He stressed how he was unready to be integrated into accommodation amongst other criminals, leading his circumstances to derive an increasingly negative and criminogenic character that suggested a high likelihood of further crime. From an Latourian perspective on the law (2009), the probable offence he got away with above can also be viewed as an inability of related legal actors to align around evidence which physically was unconvincing, and thus a successful passage failed to be constructed.

It is contended in desistance literature that 'how offenders think about the future' has a significant impact on their offending, with negative expectations preventing the development non-offending identities (Paternoster and Bushway, 2009). Becoming especially fatalistic, Joe also began to see his waywardness as something of an untreatable defect, and his experience can be compared to Amjad's in that his situation *considerably worsened without his previous stability*. He highlighted, though, how for ex-users in similar vulnerable situations the evolution of pro-social habits into more long-standing identities often fail to arise, due to an inability to escape unchanged anti-social associations. Indeed, a 'return to an older-self' in conjunction with an older time arose; his period of EM became just a memory of a temporarily more stable and happy moment. Joe's likely return to offending post-EM, despite its early success, was perhaps an ambiguous outcome of *impeded ambivalent desistance*, also characterised by a pessimistic affect.

Another former user in a similar situation post-EM was Nigel:

Nigel: 'What do you want me to say? You know my situation' (laughs while shaking his head sadly).

Nigel, was made homeless at the beginning of the year and was sleeping in his car with his dog, while occasionally staying on friend's sofas. Following his release from EM around 42 months previously, he had a tumultuous journey: Nigel left the location he initially lived at, privately rented a place until he slipped a disk and stopped work, and then had to leave another friend's house after he committed suicide; this forced him to drop out of his music degree. He went back to court twice after being on tag for an alleged assault charge he was cleared of for a fight at a party, and later was convicted for cultivating a small amount of cannabis for which he received a one year suspended sentence, but had been out of trouble for about 24 months. He explained that the cannabis helped his severe sciatica, which he also used to make a small amount of money selling to his friends while he was unemployed and struggling with his rent. Unlike Amjad or Joe, Nigel stated a stronger desire to avoid

trouble and spoke about his previous offending as though it were a 'different person', perhaps suggesting a more profound internal transformation (Paternoster and Bushway, 2009). However, given the direness of his situation Nigel accepted that he may, in his words, be forced to: '*do things to survive.*'

My interview with Nigel occurs at his friend's home. They are away on holiday for two weeks with their children and have let him sleep on the sofa temporarily. When I enter, I immediately notice he's lost a lot of weight. Nigel was previously heavily into weightlifting, but was unable to go to the gym, and has been eating tinned food and cheap takeaways from the back of his car. He looks exhausted and is extremely downcast, and has deep bags under his eyes from sleep deprivation: the car is too bright and hot to sleep in during the summer, so he has been resting only a few hours a day. Still, he is enjoying the temporary luxury of being able to shower and cook food, and is preparing a meal for him and his dog Major when I enter.

Other more critical work on EM has located its arrival with expanding surveillance and intensified social control, as a 'soulless form of observation' which compels the observed to become complicit in their own observation (Marx and Corbett, 1991). This rather one-sided appraisal has been challenged, though (see chapter 4 and 5), and Nigel, like some others, used his time on tag as period of substantive introspection, where he made plans to enrol at university and committed himself to learning music production. Besides this, he started a process of gradual criminal de-escalation from his previously sporadic, if petty, violent actions; nevertheless, a string of unfortunate events had left him in an extremely difficult position. The above observation helps to understand why Nigel was seriously contemplating whether he was better off in prison where he would get regular meals and his own bed, as he was currently getting. He only refrained from more serious crime at that point because of his sense of duty toward his dog, which would be likely euthanised in the event. Still, an outcome of future re-offending was highly probable given how his circumstances had derived an increasingly depressing and desperate character, after coming off tag.

Chapter 7 discussed how EM may also adversely impact upon cohabiters. Nigel, later, discussed how issues with his former landlady, who he lodged with at the time, related to his current circumstances. He explained how tagging had deteriorated his living situation, and stated: '*Yeah it (EM) probably did contribute toward why I had to leave Watkins' house... all that bollox surrounding it.*'⁶⁵ With her unhappy about the equipment in her home and blaming him for the incident leading up to it, Nigel highlighted how a complex but delicate relationship may exist for many users regarding their accommodation, and may lead further criminal activity to arise if jeopardised. Indeed, his testimony shows how EM can occasionally disrupt already precarious relations, which when compounded with wider de-investment in public services, makes both homelessness and recidivism real possibilities. Consequently, *a thoroughly ambivalent legacy emerged* for Nigel concerning tagging, whereby his curfew regime led a greater sense of direction in his life to be attained; nonetheless, particularly negative socio-technical associations were derived afterwards, that if anything, were worse. Unfortunately, his time on EM also *converged* with a period of extreme housing scarcity across the country, worsened by his misfortune concerning his health.

The concept of austerity is used in criticism of TR, which links increases in re-offending to it through changing offender management practices (Roberts, 2018, pp.131-133). Although ANT criticises positions that use 'pre-established ideas to explain injustices', it still urges researchers to uncover where oppressions lie, reasoning them as 'matters of concern rather than matters of fact' (Latour, 2005, p.87). Therefore, in theory, sensitive to showing how contemporary sufferings arise, it might ask: *which austerity and how?* Its performative ideas have, in this vein, been adapted to investigate how low-budget collective organising has emerged for urbanites experiencing socio-material and spatial constraints in a period of austerity (Latour, 2004, cited in Hilbrandt and Richter, 2015, p.163). Perhaps useful in illuminating Nigel's account by reframing austerity through a techno-social lens, the idea may assist in considering why a probable re-offending outcome was linked not so much to

⁶⁵ Joe Watkins, is the name of a mutual friend Nigel lodged with, alongside Watkins mother and sister.

offender management, *but a simple a lack of accommodation services* for him. Despite his strong desire to move forward, his immediate circumstances developed an increasingly criminogenic character.

Voices within the Probation Service also raise concerns about increased recidivism under TR (Mullen, 2019). Although not under probation requirements at this point, Nigel faced many of the challenges probationers do. Sadly, his account shows how some ex-SAO EM users may *sometimes fare worse than users on license*, who through early release programmes, can move through the housing system quicker. Indeed, Nigel was acutely aware that he did not qualify as being high priority. His situation poses important questions regarding desistance and outlines how only targeting services toward the most vulnerable, may lead to outcomes where people on the cusp re-offend more easily. With EM leaving both a positive and negative legacy since Nigel's unbinding, yet facing worsening difficulties an uncertain outcome of *ambivalent desistance* perhaps was acquired, besides a desperate affect.

Common socio-technical circumstances linking this section, relate to both housing and mental health. Amjad and Joe, described how their sometimes-worsening offending arose from the improper and inadequate distribution of services, while Probation Service transformation is implicated in increased re-offending for similar offenders (see above). Indeed, both pointed toward community care and appropriate requirements being issues. Despite not experiencing the same mental health problems (although unsurprisingly increasingly developing depression and anxiety), Nigel shared with Joe a similar precariousness regarding his housing; however, this was intensified due to his lack of priority within the system. The above accounts also indicate how relationships between ambiguous affects and re-offending outcomes are often messy in these cases: some ex-users improved their well-being yet still committed crimes, whilst others became more desperate while reducing offending.

Post-EM and Re-Offending

Re-offending data on EM users in E&W post-sentence is rare, and criminally active ex-users may be difficult to access. Consequently, in-depth information on this is somewhat novel. An observation of Idris one evening around six months after being unbound, illuminates continued violent crime:

I'm in a local pub on a date. As I use the toilet, I hear someone in a cubicle snorting loudly while urinating. When I go to wash my hands, Idris emerges and we begin talking. After exiting together, we walk over to his group of around 12 friends who are assembled by the bar. They are all dressed in black, and the mood is particularly sombre: Idris has just come from a close family member's funeral. I offer my condolences and he tells me he's 'out on it' while clenching his jaw and blinking rapidly. Idris offers me to join them, but I tell him I'm with someone and I'll catch up with him a bit later. He then shows me his hand: he'd hit someone a couple of months back and broke it badly. I go to my date, and around 30 minutes later I hear a commotion behind me near the bar. I hear a loud crunching sound and my date puts her hands to her mouth and exclaims: 'Oh my God!', Idris has just head-butted a friend, who is staggering backwards with blood pouring from the middle of his face. His companions jump in to pull him back and he begins fighting with them, rapidly punching another two who go crashing into tables, then a melee erupts. A woman behind the bar shouts: 'Get out! Get out! I'm phoning the police. I hear a very large man from amongst Idris' coterie exclaim: 'That's fucking out of order!' whilst attempting to pull the fight apart. The brawl becomes a tangle of wild punches and bludgeoning limbs, and they all bundle out toward the door somehow seemingly cognisant of the bar-women's threats, despite the mayhem. The fight exits into the street, and after some confused action, I see Idris standing over someone who is pressed up against the pub window. He is punching and kicking, stamping repeatedly as the body slumps downwards while jerking violently from the blows. It's a brutal attack, and whoever is receiving it will almost certainly be very badly hurt. I hear the landlady on the phone to the police. I have no intention of running into the middle of the affray, and instead sit watching the carnage. Suddenly they all scatter. The landlady begins to close the pub abruptly, telling everyone: 'Drink up', so we do. When I get outside the pavement is splattered with four large patches of

blood; it's a fair amount, which runs down the street toward an alleyway and trickles into the gutter. I hear sirens approaching from the distance...

Research on violent prisoners in the US, demonstrates that parolees on EM were statistically no more likely to re-offend than those who did not receive the measure up to four years after release (Finn and Muirhead-Steves, 2006). Though, previously on a SAO, Idris' experience perhaps suggests that in this modality tagging is also no more or less likely to influence offending for this group in E&W. His criminal activity, however, paints a decidedly more negative picture.

Latour's concept of 'moral force' was applied beforehand to understand how EM's penal regime led pro-social associations to be acquired for certain users. Sometimes extending beyond sentences, 'faithful translation', was, nevertheless, far from guaranteed (see above). Although partially successful in allowing him to be temporarily 'spatially clamped', Idris was still able to achieve his criminal objectives while tagged (see chapter 6). The above observation also shows how, with it gone, he was no longer restricted to committing offences in daylight hours, but was now free to batter people as he saw fit.

Organised crime studies have used 'social network analysis' to understand how extended criminal ties within the community can facilitate illegal endeavours (Matrix Knowledge Group, 2007 and Von Lampe, 2016 cited in Berry, 2020, pp.25, 27). Other research on violent crime groups, also shows that many offenders become more specialised and instrumental before eventually desisting (Farrington, 2003, cited in Berry, 2020, pp.13-15, 100). Although the concept of organised crime is challenged for being a 'political idea' sometimes used to secure funding by justice agencies (Berry, 2020, p.6), this work may still be useful in reflecting on how violent offending outcomes re-emerged after Idris came off tag, which if anything were worse. He was embedded in a criminal network in a leadership role where the use of force frequently had symbolic value, linked with financial gain. Indeed, in the above incident, he reverted to a seemingly more spontaneous outburst that contrasts to the calculated assault he committed while on EM (see chapter 6). It seems following Idris'

release from its surveillant gaze, his re-association into familiar a criminal network led unhindered violence to arise.

Social network analysis is, nonetheless, further challenged for treating enrolment into criminal networks ‘mechanically’, through ignoring their ecological features (Felson, 2003, cited in Berry, 2020, p.24). Indeed, research on community violence suggests that continued exposure to physical conflict within peer groups is a key issue for high-risk offenders (Aiyer, et al., 2012). ANT research on conflict in the field of international relations advances past explanations that reduce violence to things like emotion or tradition, and instead locates it to how contests on various scales amongst techno-social actors lead *conflict outcomes to emerge* (Srnicek, 2010). Despite only, perhaps, distantly connected to ‘global resources’ at that moment, by recognising that violence often relates to how human *and* material actors vie for position, this idea may still be useful for contemplating why Idris’ seemingly random brutality post-EM arose. It is also valuable in illuminating how traces of EM were perhaps observable in the incident above, albeit anti-socially. Idris, it seems, was engaged in a continual power struggle in his enterprises, in which turbulent relations with potential threats provoked periodic explosive conflict: led by the trafficking of illicit substances. During his EM sentence Idris’ rivals started to challenge his position, even using his restrictions against him (see chapter 6). Accordingly, his status became uncertain, which lead violent offending to later *become a necessary adaptive strategy* to discipline increasingly treacherous associates. The above observation further shows how the negative affects acquired while on EM had worsened due to his recent bereavement, and also influenced his behaviour.

Previously, ANT research on how altered perceptions of place and time were acquired through alcohol consumption, helped when reflecting on curfew violations for EM users with substance dependencies (see chapter 5). With psycho-active agents also heavily involved in Idris’ worsening offending, this idea may be further relevant. Here, his dependency upon cocaine and heavy drinking, arguably, acted as a kind of ‘bio-social mediator’ (Latour, 2005; see chapter 2), which alongside his continued financial involvement in organised narcotic distribution, led to occasional explosive outbursts. Talking

at a later point about the above incident, Idris admitted how following a close rival speaking disrespectfully toward his deceased relative in front of his associates (who he feared were scheming for his downfall), while intoxicated, and with emotions running high, he felt compelled to make an example of him lest he 'appear soft'.

ANT is not against acknowledging biology, and other work has proposed an equivalence between genes and other actors in how socio-technical networks are maintained, which 'mutually shape each other' (William-Jones, and Graham, 2003). This idea has been taken up in criminological work to explore how knowledge about advances in DNA criminal profiling and prediction, can, counterintuitively, often lead to greater behavioural change than the genes involved themselves (Dufresne, 2015). Potentially valuable in considering the legacy of EM concerning Idris, it plausibly also offers a bridge between desistance approaches by showing how a series of converging factors prompted an outcome of savage criminal persistence, which -catalysed by his dependency on aggravating substances- led to a decidedly violent post-tag affect. Despite this, I bumped into Idris around one year later at a different barber shop; his circumstances had recently improved, and he spoke about the difficulties of the prior period, especially his drug use, and stated: *'I was out of it back then, I was fucked, fucked... My head's sorted now.'* Looking in considerably better shape from regularly training and staying away from narcotics and alcohol, a meeting with a mutual friend confirmed his improved state of mind. He continued to distribute cocaine, but in a more inconspicuous role. Still offending post-EM but having never subscribed towards reform anyway, an outcome of *continued persistence* emerged for Idris, besides an unstable affect in the immediate period post-release.

Another former host who persisted offending was Shane, who had this to say:

Me: 'Looking back, do you think the tag helped you at all?'

Shane: 'Nah I wouldn't say it did. I don't think it does help people to be honest it just... it just restricts the fun you can have so I wouldn't say it *helps you*... Tag's... tag's a strange one because it's like... if anything it helps the authorities, the police an' things like that... I wouldn't say it helps the person who's on it. Cos if they're gonna do something they're gonna do it in the day before their curfew, or they're gonna just wait 'til, wait 'til the next day to go out an' do it. It's not like the tag's gonna stop them from doin' something, an' most people these days if they wanna do something they just go breach their tag an' do it. So I wouldn't say it helps anyone, it's a shit thing really. Like there's other things they can instead of tag... like prison... I wouldn't say none of that helps. Cos in prison no one rehabilitates in there. They got like three officers for six hundred people.

EM bail is intended to avoid the deleterious impact of remand, reduce prison numbers, and improve public protection besides allowing users to maintain employment, while giving them time to prepare their defence (Nellis and Mair, 2013, pp.73, 77). Regardless, Scottish research indicates non-compliance and re-offending is high amongst many EM bailees, whilst it may actually prevent users gaining jobs, and counts less than traditional remand despite severely restricting them (Barry, et al., 2007, pp.58, 62-64). Shane, was previously on EM as part of his bail conditions, and its regime led him to breach due being caught in sort of a 'penal limbo' (see chapter 6). Having been on tag several times, his negative opinions about its ability to assist longer-term rehabilitation, or to even restrict offenders, are perhaps unsurprising. The following observation shows how being discharged from prison this time without EM requirements, initially allowed Shane to make positive progress:

Our conversation occurs a few months after Shane's release. We meet in a café garden around five minutes from the Bail Accommodation and Support Services hostel he's currently staying in. Receiving support from the Probation Service in a range of programmes intended to get him into employment and permanent accommodation, he appears fit, healthy, and positive about his future. Interestingly, his hostel has a curfew that means he must be inside between 11 p.m. to 6:00 a.m., and has a daily sign in at 12:30 p.m. Yet, he is not bothered by these

restrictions in the same way he was on EM: 'Nah, they're just a bit of temporary inconvenience until I get rehoused' he states.

Writing on rehabilitation employing critical postphenomenology, asserts that the pervasive use of technologies like EM have arrived largely unchecked in the Probation Service, and have 'shaped its moral landscape' to the detriment of probationers. Also discussing automated probation kiosks -a flagship policy of TR intended to downsize service personnel- their failure due to service issues (particularly hygiene), led many to be recalled (Verbeek, 2016, cited in Burke, Collet, and McNeill, 2019, p.40). As stated, sometimes a critical perspective on technology is needed to reflect on EM. This contention about new platforms is interesting for considering why Shane, who lamented a lack of traditional rehabilitative services, also thought re-offending outcomes were likely to emerge for offenders on tag. He also echoed grievances that call for a holistic approach to help offenders at an earlier stage, besides the importance of greater civic reintegration; indeed, he had only now received this degree of support (Burke, Collet, and McNeill, 2019, pp.57, 65, 149). Consequently, for Shane, a legacy arose concerning EM that was likely influenced by his memories of previous sentences where he frequently breached and re-offended, leading severe doubts about its ability to work on a basic level to arise. The above observation shows how access to services and a clearer penal outcome meant his new curfew did not acquire a coercive character as it did previously, and by being able to make longer-term goals, a new optimism appeared. He looked forward to obtaining a CSCS license besides volunteering on courses, so he could eventually work with offenders. However, the next observation around six months later shows this situation eventually changed:

I'm sitting next to Joe waiting for the solicitor to return with a trial-list for the day's proceedings. When I look out the window, Shane walks past us with a document in his hand toward the courtroom next door. It looks like a court-summons; he recognises me, but he's in a hurry to get inside. About 20 minutes later after the meeting, I put my head inside the courtroom, but Shane is no longer there. A further three months later I learn from our mutual acquaintance, who had been put in charge of his affairs, that Shane had once more begun

selling Class A substances to support himself, while associating with a well-known criminal from the region. He was convicted for this besides being in possession of offensive weapons.

Research on gang membership proposes that 'inter-group dynamics' are pivotal in the cessation of offending, which often follow a pattern whereby core-members become disillusioned with, and/or, become pushed out of the affiliation structure (Berger, Abu-Raiya and Zimbardo, 2017). Criminal career research also contends that younger persistent criminals are more likely to engage in riskier activity, particularly if experiencing incarceration while juveniles, before developing greater criminal nous and switching to more lucrative offences later (Farrington, 1991, cited in Piquero, Farrington, and Blumstein, 2003, pp. 450, 458). Shane's outcome of re-offending post-EM may be considered through these ideas, as he also became involved in a criminal network that shifted large amounts of narcotics shortly after our interview. Despite their instrumental uses of force and more organised distribution strategies, Shane appeared to take more risks than other members of this group, who, to my knowledge, have notoriously avoided jail.

These more positivist perspectives on desistance, however, can be reframed using ANT to consider how the legacy of EM became intimately tied to Shane's outcome of criminal persistence. Due to his almost equally fearsome reputation on the street, as well as their offending mirroring each other, a comparison between him and Idris may be instructive to contemplate why a range of associations led Shane to eventually take more individual risks when released from tag. Here, being on EM bail beforehand, Shane had been under a tighter surveillant regime in which his penal status was also uncertain. Having also been in the CJS a frustrating four years following his original offence (which was only an 18-month sentence), he was, nevertheless, later *re-inserted into more fully transformed associations*. This initially prompted a clean break from crime, leading a positive post-EM affect centring on avoiding crime to be acquired. Yet, due to being subjected to frequent periods of imprisonment and EM from a young age, Shane had a very different history with authorities, as he progressed from theft, to drug dealing, with occasional violence. Idris -who started selling cocaine in his early twenties through an older mentor- had, contrastingly, never crossed the threshold of incarceration, and exercised far more caution by carefully stashing

evidence and using 'runners' to deliver narcotics. He had also accumulated a fair amount of financial capital over the years, and could afford his own place, car, and expensive clothes. Still developing a name and a market for himself outside of prison, this, alongside his slightly more junior position within his own criminal network (in which he became a runner), consequently, led Shane to take more chances as his life began to eventually derive a more desperate character.

The reality of material poverty has also been considered in recent ANT literature. Reframing it through a socio-technical lens in which associations/connections are emphasised in the emergence of new inequalities, these are said to often be contemporarily manifested through a lack of access to new infrastructures and devices (Fine, 2005; Harrison and Popke, 2011). However, this investigation has also shown that stability in less high-tech things like housing and employment, may similarly prevent successful desistance outcomes arising for EM users (see chapter 6). Accordingly, this idea, with caveats, may illuminate how post-tag Shane's circumstances stagnated, leading his early motivation to wane and prevent him from achieving his goal of reform. Explaining beforehand how he had little familial support besides his younger sister who was now busy with a child, Shane had pretty much subsisted alone since the age of 15. Although wanting a 'fresh start', he shared further how basic items such as his own place, clothes, and other simple necessities were not easily accessible after his last stint in jail. His criminal record, lack of qualifications, and work experience also meant that attaining them would be especially difficult, leading a frustrated affect to emerge. Therefore, he tried to accelerate the process of obtaining them through illegal activity, but got caught. Shane's return to incarceration after at least attempting to reform himself post-EM, may be seen as an outcome of *restored persistence*, in which his initial optimistic affect became desperate.

Another former EM user who was reconvicted was Liz:

I board my bus and go upstairs as the lower deck is busy. As I reach the top from the stair-well, I see Liz sat at the front. It's been about nine months since we first met, and we recognise each

other. The deck is mainly empty, so I go over and sit in the row behind, and we begin catching up. This prompts the following exchange:

Me: 'So how's it been since I last saw you on tag.'

Liz: 'I'm back on it again' *(she rolls up her jeans and shows me the PID on her ankle).*

Me: 'Really? What happened?'

Liz: 'Um one of me 'ousemates knicked three hundred quid out me room so I bit his ear off.'

Me: 'Fuck, what did they charge you with? You're lucky to get tag for that.'

Liz: 'Yeah um it was GBH, I would have done prison but lucky I was eight weeks pregnant at the time.'

Me: 'What, when you went to court or when you bit him?'

Liz: 'When it happened, it was bad for me to do that... but it was all the money I had in the world.'

Research on female EM users has found a gendered character, whereby it may punish them more than men (see chapter 6, Aungles, 1994; George, 2006, p.6). Liz, being initially single and living in a hostel while on tag, did not, however, experience domestic restrictions that are often linked to this. Still, difficulties have been cited for vulnerable people living in insecure accommodation, particularly women (Belknap, 1996, cited in Rodermond, et al., 2015, p.2). The offences that landed Liz on EM on both occasions (although certainly not to

be condoned), were directly relatable to conflicts with co-residents, which, like with Joe, were common where she lived. She was placed on tag in our first meeting for harassing an alleged paedophile in her hostel, who she claimed had tried to befriend the children of another female resident who were visiting the place. Upgrading to shared supported housing a few months after, Liz still had no option but to cohabit with other offenders, which she deemed problematic due to her initial naivety toward more hardened criminals in her environment.

The previous chapter incorporated feminist writings to reflect on how gendered activity often patterns techno-social associations. More contemporary ANT exploring gender and technology, also shows how *the uses of devices* (like microwave technology), have gendered outcomes (Lagesen, 2012). For considering how re-offending outcomes emerged for Liz, these writings are again plausible. Although not 'doubly punitivised', her account, nevertheless, indicates how inequalities can arise more acutely for women on tag. Progressing through temporary accommodation is a central priority for most offenders, and is tied to longer term cessation of offending (Williams, Hopkins and Poyser, 2012). Liz, illustrated how, due to her pregnancy, she was determined to shorten the process by attempting to save the small amount of money she got from her benefits for a deposit for privately rented accommodation, to get out of her situation. Unfortunately, this was stolen by a housemate who took advantage of her trust, leading her to maim him sometime later. Their perception of her being 'soft' because of her gender and age, led her period post-EM to acquire an antagonistic character strewn with continuing confrontations in her personal space, and worse offending in the short-term.

Desistance research on female offenders identifies similar processes to males, although differences in the 'onset and retreat of criminal activity' are typical, with women having shorter criminal careers overall (Block et al., 2010, cited in Bersani and Doherty, 2018, p.314). Liz's age and offending history indicates she was perhaps entering a phase of increasing criminal activity, and it is worth noting that during her first EM sentence not long prior, she breached several times and was re-arrested for a minor motoring offence that occurred while driving her friends around during curfew hours. As such, scant positive

legacy had developed from her first time on tag to the second nine months after, and her memories of its restrictions were minimal. Despite this, following our chance meeting I arrange for a more in-depth conversation the following week, which provokes a somewhat different story:

Liz, and I, arrange to meet close to her new apartment shared with her partner. It's in EM City's pink-light district, and despite it being about 10:30am, it's difficult finding a quiet café. In the places we try, it seems popular to play loud electronic music, which is worsened by having speakers directly over the tables: I hypothesise that it's to prevent concerns about eavesdroppers, but has the opposite effect of causing patrons to shout. To my dismay, my recorder has also stopped working! Although checking it the night before, it does not switch on when I press the power button. I have no choice but to record the conversation using my phone, which requires us to awkwardly lean in and converse loudly while other customers watch us with curious expressions. Interestingly, Liz, during the conversation, changes her story and claims to have bitten the victim's hand; she also claims to have largely complied with her requirements this time around.

Research shows how gender specific inequalities are particularly worsened by prison (Block et al., 2010, cited in Bersani and Doherty, 2018, p.314; Rodermond, et al., 2015, pp.18-20). Recent recommendations have, therefore, steered sentencers toward CO's like EM rather than custody (MOJ, 2018e). In Liz's case, the Judge presiding over her second offence accepted her circumstances as mitigating factors, and dispensed a suspended sentence with EM as an additional requirement, despite its seriousness. Given the discrepancies between Liz's accounts, it is plausible that her initial story may have been an exaggeration of the incident, meaning her re-offending outcome was less serious than initially thought; indeed, a degree of hyperbole seemed present. This may have arisen due to her attempting to bolster her criminal reputation, and could explain the relatively lenient sentence. Still, the second could also conceivably be an attempt at downplaying it, as this rendition emerged while other people were in ear shot. How accounts of tagging become temporally specific performances that are influenced by the research setting, was discussed in chapter 5. It is

possible that a sanitised performance arose from Liz, due to us talking loudly about her offence while close to other patrons.

Further work on desistance contends that fixing housing alone cannot solve re-offending issues, and emphasises the importance of offender motivation (Maguire and Raynor, 2006). Nevertheless, data on the relationship between accommodation and recidivism highlights that 79% of homeless offenders are reconvicted in the first year in contrast to 47% of those in stable residences, whilst five times as many offenders are homeless in contrast to the general population (Williams, Hopkins, and Poyser, 2012; MOJ, 2018b). Liz, above, clearly expressed how conflicts with other co-residents in insecure housing led her circumstances to become increasingly conflict ridden, and to an outcome of criminal persistence. A definite improvement in her circumstances had occurred following our first interview, though, and from being re-housed with her boyfriend, she strongly expressed how avoidance of future trouble was desirable and easier. Speaking about how she had less time for her older friends, and the importance of the welfare of her coming child, it is possible that the escalation of her criminal activity may have been slowed by these changing associations. Still, whether EM's regime was linked to the acquisition of her non-offending habits is doubtful. With her return to EM shortly after her initial release, but her then making some tentative attempts at reform, an outcome of *ambivalent persistence* perhaps developed alongside an ambiguous affect.

Shared circumstances linking this cohort, again concern their relatively young ages. Idris was 27, Shane 23, and Liz 19, locating them all within the age-range associated with frequent re-offending (Bersani and Doherty, 2018, p.317; Weaver, 2019, pp.3-5). Furthermore, both Shane and Liz resided in less stable accommodation, although Idris had more stable circumstances and generally better relations with his family. Contrastingly, Liz and Shane spoke about parental neglect, foster care, dropping out of school, besides serious poverty. Another factor relates to their frequent violent offending, and, interestingly, all three were rather physically imposing. Physiognomic explanations of crime have, quite rightfully, fallen by the wayside despite 'Lombroso's man', arguably, periodically reappearing in more sophisticated criminological forms over the years (Kanazawa, 2009; Caspi, et al., 2002, cited

in Dusfresne, 2015, p. 55). Although form does not always follow function (or vice versa), it could not escape my attention that violence usually accompanied their anti-social behaviour: likely made easier by the fact that they could, if desired, use force rather effectively.

Beyond the Gaze: the 'Fluid Dynamics' of Desistance

EM, it can be observed, acquires a 'fluid after-life'. Sometimes implicated in outcomes of desistance, former users may also develop various post-EM affects. This latent activity is frequently subtle, occasionally unanticipated, but is, nonetheless, observed through the traces left by EM's penal regime upon their memories, habits, and extended associations. I will further discuss this lingering impact below, which arises across four distinct dimensions:

Firstly, EM's 'after life' emerges through an *embodied dimension* that has an immediate, though, inconspicuous corporeal character. Ex-user's bodies, often *physically sense* the unbinding of their PID and the absence of restrictions on their movements, which can sometimes require adjustment over several months. Depending upon ex-host, the pro-social routines obtained on EM may continue afterwards (like Luke), be negated by returning to re-offending (such as Shane), or lead to ambiguous consequences (see Joe). Secondly, a *temporal dimension* also arises concerning these post-EM outcomes/affects, whereby time-based habits may persist or be undone (as with the users cited). Extending *over time* as well, ex-users may become challenged or supported by unfolding events in their lives. Thirdly, this 'after-life' has a *psychological dimension* which may lead former hosts to attain new goals without the equipment. Somewhat ambiguous experiences may arise here, with negative evaluations of EM offered by some while still desisting (such as Leon), and other having some positive things to say about it but being likely to re-offend (see Nigel). Finally, this after life emerges across a *socio-material dimension* whereby older associations re-assert themselves or new relations are derived, which can include human relatives, peers, and professionals. Non-humans; i.e. accommodation, geography, and psycho-active substances also factored into this, and may again lead to varying affects that were positive (such as Vince), ambiguous (like Nigel), or were negative (see Idris).

Latour's research on administrative law, discussed earlier, uncovered how pivotal both human and non-human objects were in achieving legal outcomes, within their ad hoc passages. His work on the Aramis rail project, also shows how techno-social programmes may sometimes be abandoned entirely due to unexpected or changing events (Latour, 1989; 2009). Although unlikely to be rolled back anytime soon, for understanding how desistance outcomes sometimes emerged post-tagging, these ideas may be further useful in reflecting on how ex-users' activity did not always fit more official definitions, while the dynamic interplay of various factors often influenced whether they were attained. Certainly, as the tag was removed and its penal tendrils receded, this chapter highlighted how vital user associations became in allowing them to continue securing their goals, but also how they led many to re-offend shortly after. Consequently, for the pro-social habits and associations acquired on EM to continue in achieving non-offending objectives post-sentence, they require consistent reinforcement and *replacement supports*, e.g., substitutes like work, peers, psychological and well-being support services, and housing: the failure of these to emerge will likely lead future criminal activity to become imminent. Negative influences may also undo progress; indeed, the testimony of ex-users like Nigel prompts troubling questions surrounding support for ex-offenders.

Conclusion

This chapter considered the experiences of ex-EM users post-release over various time periods. It indicated that tagging may have a 'fluid after life' that can lead various post-EM affects to emerge, and sometimes outcomes of desistance. Related to the legacy of its penal regime, the habits, associations, and memories that arose for ex-users were shown to significantly influence their contrasting experiences. The criminological concept of desistance was deployed to help frame these differing narratives *as potential outcomes of EM*, and were arranged into positive pro-desistance, ambivalent/uncertain, and more negative re-offending experiences. Life stage, motivation, techno-social associations, offence type, substance use, and habit were all identified in whether the cessation of crime was attained or not. It was further asserted that 'desistance' is a mutable concept that does not always align with official

definitions, but that EM can assist in breaking patterns of criminality, although requires substantial support for success due to the often highly criminogenic and desperate circumstances ex-hosts continued to reside in.

9. Conclusion

This thesis investigated life on tag. It aimed to address several gaps in knowledge concerning the penal technology of Electronic Monitoring by ethnographically investigating users bound to it, as 'hosts'. By 'provoking the device-system to speak through them', it examined offenders serving EM sentences in various modalities and their experiences post-sentence, besides those of supporting actors. In broad terms, it tried to understand how tagging functions on a practical level and how it impacts upon these hosts, *leading to emergent outcomes and affects*. The investigation took place in a city in England: aka 'EM City'.

Taking a theoretical approach, this project also employed Actor Network Theory alongside allied approaches to garner in-depth data from EM users, which, despite its global use, is still lacking. As these perspectives emphasise the importance of non-human objects in social activity, they were argued to be valuable in reflecting upon the measure, which is technologically evolving. Serious concerns about EM's future and wider issues concerning punishment and surveillance are, accordingly, hoped from this investigation, to have had some light shed on them.

Research Questions/Findings:

1. How well does ANT's descriptive approach, account for how the socio-technical activities of compliance and desistance are *achieved* (or not), through the extended assemblage of actors temporarily connected by EM?

EM is designed to enforce curfews that keep offenders within a designated address. Compliance, however, is not guaranteed, and many users may also offend while tagged (see chapter 6). This study provided data that supports much previous findings in these areas, although not exclusively (Hucklesby, 2008; 2009; Pearson, 2012). ANT's socio-technical

tenets showed that compliance and desistance to EM were *outcomes* from the way the device-system temporarily connected an 'extended assemblage of heterogeneous actors', and were often messy and fluid. I will summarise below some general findings through descriptive frequencies and proportions, while outlining these different factors. Given the sample size, this data is not intended to be generalisable, however, they may indicate key trends within the project that can be compared to other study samples.

This investigation demonstrated that most users took the sanction 'seriously'. Still, 28.5% (n=6) accrued violations serious enough to warrant court sanctioning, and only another 24% completed their sentences without any form of violation. These minor infractions were dealt with via written letter or phone call, or were dismissed. Reasons for compliance tended to be typically instrumental: avoidance of further penalty was frequently cited, but commitments to supporting co-actors were also expressed. A minority had more substantive commitments toward the penal aims of EM, and actively incorporated them into their daily routines. This supports previous findings on compliance (Hucklesby, 2009; Pearson, 2012). Nevertheless, this project showed how identification with penal aims *did not necessarily guarantee compliance* (see Frank and Joe especially). Furthermore, procedural justice interactions with monitoring company staff were not explicitly related to non-compliance as they have been previously, although may have been additional implicit factors. A small number directly spoke about the surveillant capacities of EM and compliance, but most anticipated the equipment would detect violations. Additional factors related to compliance included stable residences, support from family and friends, work and training, future prospects, and motivation. Concerning residence, it was discovered that non-compliance was particularly high amongst those who lived in hostels and shared accommodation for extended periods; conflicts with other residents, bad influences tempted them to breach, proximity to high-crime locations, and a lack of further support were factors. Furthermore, these users tended to also lack support from positive influences and were estranged from family, and were more likely to be unemployed. Offending history and type additionally emerged from testimony, and it was amongst users with more serious criminal histories who had not distanced themselves from crime, that violations were more common, serious, and nonchalant. For those who had substance related offending but were

committed to rehabilitation, however, compliance was high regardless of offence. The issue of mental health was also researched, and although at least half cited some form of psychiatric problem, it was directly related to non-compliance by some. Age further factored in compliance, with users in their 20's somewhat more likely to violate than the over 30's portion; yet, interestingly, certain users over 50 breached multiple times. Sentence type was also a factor, as those with suspended sentences, bail, and early release, unsurprisingly, took their tag more seriously due to a lower threshold for non-compliance. Interestingly, due to my sampling procedure, I procured many offenders who were switched onto EM for breaching previous probation requirements. Although this must be noted, it was still, nevertheless, found that amongst those with additional rehabilitative requirements who had not been switched, compliance was generally higher than amongst SAO users.

Most users in this project reported reductions in offending while on EM, with n=16 (76%) claiming to have substantially desisted. Forty-four per cent of the n=11 interviewed post-sentence alluded to re-offending, but only 27% of this was serious and frequent. Factors related to desistance involved enhanced detection through EM's surveillant capacities; additionally, it allowed for a break from offending lifestyles, associates, and places. This sometimes-lasting post-sentence, and helped in the development of pro-social habits, whilst eroding the anti-social. A motivation to avoid future trouble was related to commitments toward supporting actors, besides the adoption of more 'normative ideals' concerning lifestyle. This once more supports much previous research (Hucklesby, 2008; Renzema, 2013). However, it was uncovered that a desire to reduce offending did not necessarily predict users would, and many slipped back into older routines. Several factors relating to criminal persistence were implicated while on EM and after, such as age (a higher proportion under 30 reoffended), unstable residency, lack of familial support, and issues with certain substances; furthermore, a lack of employment, support from the Probation Service, and mental health issues were cited by certain users/ex users. These factors often mirrored issues surrounding compliance noted above, although in these instances issues with other residents, rough, sleeping, bad company, and a lack of necessary services led to criminal recidivism. Additionally, the absence of positive influences, family, and

employment were further associated with 'deviant behaviour' that sometimes led to further sanctioning. Concerning requirement type, it was found that some users benefited from other probation requirements assisting in de-escalate their offending (even though this was sometimes only begrudgingly acknowledged), and was likely a result of TR legislation. As proposed, a relationship with non-compliance and non-desistance was observed in this study, building upon previous research (Pearson, 2012). Here, 73% of the cohort who frequently violated mirrored 73% of cohort who re-offended while tagged, thus suggesting a minority of particularly at-risk users were problematic, with many violating curfews while continuing offending. Not all of these offenders presented obvious risk factors, however, and some continued lucrative criminal enterprises while tagged besides often breaching if on SAO's, although not those on early release.

This thesis advanced several *ontological dimensions* to understand how compliance and desistance outcomes emerged through EM. Reasoned as forms of *socio-technical work*, these dimensions were forwarded as 'messy' and sometimes overlapping, e.g., techno-social associations and penal status frequently intersected, as did embodied routines and spatial-temporality. Nonetheless, they may be re-visited to summarise their key findings:

The plane of *techno-social associations* sheds light on how EM had a networked existence that led compliance to arise through several variables: housing tenure, human support, non-human devices, besides entry into other related hybrid systems like employment and the Probation Service. In certain circumstances, their alignment assisted in successful compliance, whilst their failure in others prevented it. Desistance outcomes can also be understood through this dimension, as the above relations overlapped them quite closely; however, despite helping somewhat, objects like phones and cars performed a less direct role.

An *embodied dimension* exploring the corporeal aspects of penal observation, can further deliberate on how compliance and desistance emerged (see chapter 3). Here, it was indicated that compliance was frequently tied to how successful EM was in inscribing its

requirements into user's physical routines and habits, or rested upon 'tag-ready dispositions'. Being variable, some hosts actively embraced the stability it provided, whilst for others EM's penal regime derived punitive and coercive affects that led them to violate; many, though, did not notice. Regarding desistance, the penal device-system, in some instances, led pro-social habits that extended post-sentence to be obtained, which assisted entry into legitimate employment. For others, it reinforced restrictions limiting anti-social behaviour by acting through the body; however, this process of drilling could be undone as intervening factors arose, whilst others had in many respects already begun the process of desistance within their life course (Bersani and Doherty 2018, p.316).

Compliance and desistance also developed across a *spatial-temporal dimension*. Linked to the level of restriction users were subjugated to besides their length of sentence, compliance sometimes became challenged as longer sentences and longer curfews led more punitive associations to emerge, especially in the summer. By sometimes punitivising the home, pressures and tensions that arose through the way EM interacted in these spaces, also influenced non-compliance and re-offending. Nevertheless, many users still complied despite often citing an 'invasion of their private space'. Concerning desistance, tagging was implicated in how time-spaces associated with previous offending, became restricted. However, in line with previous findings (Hucklesby, 2013, pp.234-235) certain users simply switched offences or changed offending times to fit their restrictions, and this project provided in-depth data on *how and why*. Sometimes, tagging was cited as also problematising pro-social activities like employment; contrastingly, it sometimes led the same users to socialise with pro-social associates: a rather messy situation.

Individual motivation is another dimension extendable to the emergence of compliance and desistance. This plane can be understood through ideas that stress 'self-regulation' or 'subjective transformation' (Parternoster and Bushway, 2009; Schaeffer, Cullen and Eck, 2016, pp.37-38). As maybe expected, successful outcomes were achieved more frequently by users who stated a strong desire to adhere to their requirements, whilst those who did not often breached. Although perhaps rather self-evident, EM was sometimes implicated in developing of self-management skills, and for users to recognise risky situations related to

crime. Nonetheless, many users cited a desire to stick to their requirements but often breached, as their initial optimism waned due to adverse circumstances arising. Furthermore, individual motivation often tied to commitments and responsibilities toward others (particularly family members), besides personal goals. Concerning desistance, a similar rubric was observed: strong motivations allowed users to desist more successfully. Additionally, it was found that the application of EM can coincide with pre-existing periods of ‘targeted internal transformation’, associated with the cessation of offending. Sadly, many users frequently slid into recidivist activity and worsening circumstances following the emergence of challenges in their lives.

A final dimension that can reflect on how compliance and desistance arose, relates to user’s experience of procedural justice and their *penal status* (Bottoms, 2001, cited in Hucklesby, 2009, p.253). Here, interactions with courts sometimes led to non-compliance through issues regarding the processing of cases, particularly involving bail. Besides feelings of unfairness being linked to violations, users who required more support sometimes received inappropriate sentences. Additionally, those living in hostels cited a lack of support or issues with cohabitants as leading them to breach or re-offend, which was especially the case for those who persisted in insecure accommodation post-sentence, and resided in highly criminogenic circumstances. Furthermore, inconsistent or slow enforcement also led to more violations and a loss in faith in the CJS by others. These factors challenged the punishment’s legitimacy (McNeil and Robinson, 2013), which this research elaborates in greater detail.

2. How well do ANT’s ‘performative’ tenets help in understanding how various *affects* are acquired for users, from the way the EM device system temporarily connects an extended penal assemblage in their lives?

EM can prompt significant changes to user’s routines and habits, while the device is an often-ever-present physical reminder. Provoking frequently contrasting responses, in depth data on user’s perceptions of it are, however, rare, and direct research is often evaluative. Attempts at theoretically engaging the technology have been illuminating (Nellis, 2009;

2017), but empirical analysis still lacks. This investigation contributes knowledge about perceptions of EM through a theoretical lens; it attempts to better understand sometimes-contradictory findings established in previous research, by offering greater analysis of *how and why* these contradictions exist, besides forwarding much new material. The project employed a three-fold typology of user experience developed from Paine and Gainey's concept of the 'pains of restriction' (1998), which was reconceptualised using Latour's idea of 'affects' (2001). This move was intended to advance upon why EM is not always perceived as a punishment by users, but *acquires affects* through how it interacts amongst an extended socio-technical assemblage that are connected through it. Divided into 'positive, neutral/ambivalent, and negative' appreciations, it provided a more balanced view that captured contrasting viewpoints, and showed how EM *may become* punitive, or not. A summary of these findings is provided below:

Regarding positive evaluations, this study demonstrated that 28.5% (n=6) saw EM as beneficial, while 14% (n=3) also perceived surveillance as a benefit. Reasons for this included the additional support provided by EM, or its capacity to help construct pro-social routines, or its provenance in avoiding jail. Interestingly, some had a positive evaluation of EM and viewed it as a reminder (like many) to stay out of trouble, yet cited the equipment as being physically uncomfortable. Concerning resistance against EM, pre-established or dynamically changing variables often led tagging to become more punitive and coercive, which prompted anti-programme actions. Nonetheless, the emergence of pro-social strategies indicated more positive outcomes, and 24% (n=5) were motivated to 'fight against it' more constructively. Twenty-eight point-five per cent described their time post EM as improving (despite sometimes being critical of the measure): self-improvement through physical health, studying, partaking in art and music, and critical reflection improved the experience; breaks from criminogenic situations and changing outlooks further led positive affects to emerge about the future, as did age.

This project, however, uncovered far more neutral appreciations of EM that did not explicitly present pains or benefits, and/or, were ambivalent. Fifty-two per cent (n=11) unveiled these attitudes surrounding the measure, and 66% (n=14) did not admit to feeling

directly surveilled. Reasons related to how some positive activities such as work became problematised, yet it allowed them to socialise away from negative influences. Many, though, simply perceived the sentence as a temporary inconvenience which did not strongly impact their circumstances, while its surveillant capacities were gradually accustomed to. Furthermore, many described how they often forgot the presence of the PID, and/or, MU (although this sometimes-presented issues). Concerning neutral responses to resistance, it must be noted that 43% (n=9) of the entire sample did not attempt to circumvent their restrictions at all, although 14% (n=3) did so in a sort of 'intermediate manner'. The resistant cohort, therefore, must be viewed as a separate entity given how many users simply capitulated without any resistance. EM's 'penological flexibility', was, nonetheless, indicated in allowing for user manipulation, particularly through the process of procedural justice. Of those interviewed post-sentence, 27% reported somewhat mixed experiences that suggested continued, if moderated offending, and/or, returns to criminal habits. A lack of services and necessary support was cited as problematic, sometimes leading retrograde outcomes to arise.

Explicitly negative evaluations of EM were also encountered. Twenty four per cent (n=5) experienced it as especially punitive, and/or, a hindrance, while 19% (n=4) specifically cited surveillance as troubling. Nevertheless, these sections did not directly correlate, and users who perceived the ill effects of surveillance were sometimes neutral toward the punishment in general, and vice versa. Interestingly, ethnicity was a recurring factor for negative perceptions of surveillance: all were from BAME backgrounds, however, not all BAME users shared this perspective. Additionally, those who resented being surveilled often resided in more stable circumstance; though, again the reverse was not necessarily the case. A factor linking both cohorts, related the fact that for many this was their first time on EM. Users here cited the physicality of EM as leading to physical, and/or, emotional pain and stigma, or it restricting their ability to see loved ones. For twenty-four per cent of users, anti-programme, and therefore, perhaps, 'counter-productive resistances' arose which directly

violated sentences and prompted further sanctioning.⁶⁶ A variety of factors were presented: commitments toward offending, procedural justice issues, mental health, and becoming a burden on family. Some 27% of ex-users continued to disobey the law in general post sentence, which overlapped the more resistant users. A lack of wider support external to the CJS, accommodation, and criminal intention were again central.

Although sometimes unclear, certain 'types of work' often arose from the coupling of EM with users, which, in tandem with the above evaluations, functioned in three distinct ways:

Concerning positive takes on the measure, it was illustrated that EM often *strongly aligned* with user objectives so that requirements overlapped and merged goals, diminished issues, and synergised outcomes. Secondly, these positive evaluations often suggested a role of *greater agency* for hosts, as EM developed into a tool that they could implement rather than being dictated by it; consequently, its punitive affects became mitigated and the positive enhanced. Thirdly, EM sometimes *galvanised associations* leading productive relations to emerge, at the expense of the anti-social.

Relating to more neutral/ambivalent appreciations, firstly, a *partial or conflicted alignment* arose through competing or 'loose fitting' outcomes with user objectives. Secondly, hosts in this section articulated a more *apathetic agency* where they were frequently nonchalant about being tagged, and were content to just get their sentence out of the way. Thirdly, a *mixed or inconclusive* impact on associations, where the maintenance of certain relations was both helped and hindered, or did not especially impact them in either direction, was derived.

On more negative appreciations, tagging, firstly, often clearly *misaligned* with user goals and prevented the achievement pro-social (or sometimes anti-social) objectives, leading

⁶⁶ These figures are not exact, as users such as Frank employed multiple strategies of resistance.

frustration and antipathy to arise. Secondly, a decidedly more *restricted agency* emerged, with hosts limited in their ability to comport themselves in time-space as they desired. Finally, thirdly, the carceral apparatus sometimes had a *detrimental impact* on relations that impeded interactions with preferred contacts and spaces; consequently, negative associations became galvanised, which sometimes intersected with wider socio-technical inequalities concerning poverty, ethnicity, and gender.

3. What can an investigation of EM *add to the theoretical precepts of ANT*, and allied approaches?

Not only has ANT has been valuable for investigating EM, the participants in this study also provided much data that contributes toward developing it as a theoretical perspective. The insights they offered fleshed out its various premises, and at times prompted new lines of reasoning or required supplementation from other approaches. By using its ‘assemblage’ approach toward outlining how various outcomes emerge from socio-technical associations, this thesis was able to apply ANT to a technological system that is non-voluntary and backed with further punitive sanctions by the state. Indeed, one fact remains: *EM monitors offenders through penal surveillance, not vice versa*. Another finding reconfirms that this monopoly on control is held over the poorest members of the working-class, i.e., those with histories of abuse, low education, mental health, and substance issues. This is, therefore, a rather novel interpretation that also answers some of the challenges laid against ANT for its lack of political engagement (see chapter 2), which will be further analysed below:

It was shown that EM’s penal regime was often negotiated, adapted, manipulated, or defied *in defiance of it legally obliging users to follow requirements*. How different material components in the ‘actant-ensemble’ that it comprises (i.e. the PID and MU) became implicated in these different outcomes, was further explored. Here, sometimes despairing and unpleasant affects became derived as the device-system interacted with pre-existing, yet, often changing user circumstances. Consequently, some users like Amjad claimed to be more impacted by the PID causing them physical pain, whilst for other like James the MU

became an issue due to it falsely flagging breaches. Others like Raz hid the ankle bracelet because of feelings of shame, while the box's presence (plus cannabis) led Dwayne to develop paranoia. Contrastingly, users like Leon acquired positive feelings from his PID from its association with freedom, and Joe saw it as a useful reminder; however, for Idris, it boosted his criminal prestige. Interestingly, amongst more positive appraisals the MU appeared to be noticed less, suggesting that for those who were content to go along with their sentence, the physical apparatus was not as important: not attached to their bodies, it simply allowed the sentence to run in the background.

Again, it was shown that only by *uniting* a temporary set of relations with a common goal of programme completion, could EM achieve its objectives of compliance and desistance. Detrimental events, deficits in pro-social relations, lack of progress in life, criminal intent, and issues with other relations presented serious challenges to its penal regime during and after sentences. For users like Joe conflict with other offenders led him into recidivism, whilst for Shane barriers to entry into legitimate spheres of work etc., made offending easier. Nigel's worsening housing situation jeopardised his progress, and Idris, simply did not care about EM. These findings, add to the canon of ANT, by outlining how different *types of activity frequently intersect wider techno-social inequalities*, which became especially important post-EM as usual life began to re-assert itself, and replacement supports were needed. Additionally, the approach, as discussed, has been criticised for failing to address traditional sociological concerns such as poverty, gender, and ethnicity (see chapter 2). Although contested, it is alleged the approach fails to differentiate between 'types of work' and the experiences of the marginalised, despite it purporting to have an interest in power relations. It was indicated throughout this thesis that EM was, sometimes even surprisingly, mediated by such asymmetries in power, thus indicating that the concerns of more critical criminologists on wider political social issues on criminal justice require continued consideration. These will be addressed more thoroughly below:

Firstly, intersecting with gender, female participants highlighted how pre-existing issues were at times intensified by EM. Here, the measure often led supporting co-actors to provide more supporting work through domestic and emotional labour when assisting

curfew requirements, increasing their responsibilities regarding care. These participants also usually shared the burden of being on tag while sometimes being effectively curfewed themselves, which led to basic amenities not being met for themselves, their wards, or dependents. The sole female EM user in offender accommodation additionally outlined how being in community care left her vulnerable to predatory individuals, and for re-offending outcomes to likely arise (data here was extremely scant, but is still comparable to other studies).

Concerning male hosts, gendered experiences were also present. It is arguable that EM, like many interventions from the CJS is disproportionately 'masculine' already. For some users, however, the performance of parts of their identity related to economic provision became challenged by its regime. Contrastingly, others incorporated it in 'hyper-masculine' displays of criminal prestige. More gender sensitive ANT writings were applied to better reflect on these intersecting issues (Cockburn, 1992; Lagesen, 2012, pp.443); furthermore, 'Goffmanian' concepts helped in elaborating on how the gendered performances of users arose (Goffman, 1968, cited in Law, 2004, p.56).

This study further indicated how EM intersected matters of race and ethnicity. Viewed as more punitive by BAME users and supporting actors, the penal assemblage often interacted with pre-existing concerns about systemic biases like over-policing and harsher sentencing, which led malign perceptions to emerge. With greater feelings of shame and persecution sometimes arising, this section was more sensitive toward feeling controlled and sometimes led them try harder to avoid further penalty, due to low trust in the CJS. Criminological writings on ethnicity and culture, besides previous EM data in this area (Payne, May, and Wood, 2014; Rigoni, 2018), were integrated into the ANT framework to help reframe these concerns through a techno-social lens.

Finally, EM was demonstrated to intersect the issue of poverty, with users who faced deficits in supporting connections often faring worse.⁶⁷ A lack of resources like stable accommodation, supporting co-actors, and material necessities; besides clothes, phones, and transportation, often made requirements tougher to abide to, and re-offending likelier. This issue was also geographical, with spatially distributed problems linked to criminal activity necessitating greater effort to avoid further trouble. As such, writings redefining the concept of austerity were necessary to understand inequality as emerging from interplays in these areas, which interacted with EM (Brenner, Madden and Wachsmuth, 2011; Mullen, 2019). More critical technological writings also helped to reflect on upon how -when inserted into pre-existing asymmetries, or through being 'built in to its moral design'- certain inequalities became intensified by EM (Verbeek, 2016 cited in Burke, Collet, and McNeill, 2019, p.40). This understanding of technology was especially important in contemplating resistances against the measure, which sometimes arose as reactions against these states of affairs. Additionally, post-EM, deficits in key techno-social associations also led re-offending outcomes to become more likely. Nonetheless, it was demonstrated using ANT *that new iterations of these problems emerged*. It is likely, that such problems are becoming increasingly technological as older problems are re-articulated through recent devices, although older problems may still be central.

This investigation further highlighted how the body was central to EM. Focusing on the point of technological use, the integration of postphenomenology was considered appropriate for understanding how user activity became transformed by tagging (Feenberg, 2006; Ihde, 2009). It furthered these ideas to explore how a felt component arises from the sanction for hosts, which connected to the sensation of surveillance. That physical perceptions of surveillance became eventually accustomed to, however, may be of note to theorists seeking to understand the pervasive presence of mass observation.

⁶⁷ Although frequently, only marginally worse.

Building upon ANT, this project also reframed its concept of 'fluidity'. This idea was especially useful in reflecting upon the messiness of EM. As discussed, ANT has been challenged for sometimes ignoring the 'addressees of socio-technical programmes', and outlining associations from a normative and managerial position (see Chapter 2). 'Anti-programme' activities are not entirely absent in the perspective (Latour 1989); nevertheless, because this investigation highlighted how wider inequalities were intersected by EM, a reconsideration of *what fluidity means* became necessary. Here, although sometimes resisted, the device-system consistently performed its penal regime and at points derived punitive affects. Additionally, violations frequently met further sanctions, whilst non-violations were pursued through court summons or phone calls in the night that often led feelings of extreme annoyance and conflicts with co-residents to emerge. Furthermore, spatial-temporal habits were heavily mediated by the penal technology, which 'physically drilled' users. As such, I argue that EM entails a form of fluidity that is *bounded*: it is non-voluntary and backed up by the legal structure of the CJS, and is often applied to those with the largest deficits in the techno-social associations necessary to survive in contemporary society.

Still, this investigation found that framing EM as simply harsh or controlling, was often not valid. It, however, prompted testimony from several users that touched on systemic injustices facing offenders. Accordingly, a more critical Deleuzian stance on the CJS was sometimes deployed, particularly concerning surveillance and resistance. This 'controller perspective' was useful in reflecting upon the how the objectives of criminal justice are contemporaneously achieved through technologies like EM; however, it was demonstrated that despite being in this matrix of control many users developed constructive ways to navigate issues, although some reverted to nefarious ends also. A 'critical pragmatics of ANT' that is cognisant of how these enduring inequalities become mobilised and re-articulated, yet takes the time to trace and describe their salient features, is needed.

4. How well do ANT's socio-technical tenets help in *understating the work of supporting actors* within the EM network, and how EM impacts them?

The EM system temporarily unites an 'assemblage of extended actors', who often provide vital support in allowing its penal objectives to be achieved; however, they may sometimes impede it too. It was demonstrated throughout this project, how EM relies on the alignment of these socio-technical connections to practically run, while the presence of the carceral equipment results in various penal affects developing for relations also. Research thus far, has been mainly conducted with co-residents living with EM users released from prison; it has discovered that the measure is often significantly impactful, prompting loved ones to at times move between the roles of 'convict and ward' (Martinovic, 2007; Vanhaelemeesch and Vander Beken, 2014). As discussed, besides focusing on a substrate of early release EM users, this research has not investigated non-co-residents and has yet to be conducted in E&W, it also takes an 'anthropocentric position' that ignores non-humans (see Chapter 7).

This investigation supported many previous findings, while generating new insights in this area. Given the limited number of people interviewed (n=11), numeric data is again, however, perhaps misleading. Nonetheless, positive, negative, and ambivalent/neutral experiences of the technology that fitted the typological schema of the study were uncovered. It was found that most supporting co-actors viewed EM as preferable to prison, while allowing users to make progress in certain areas, and even occasionally profited them through additional help in the home. For others, mixed affects were acquired: benefits such as allowing residents to keep an eye on users were outlined, although simultaneously, some resented the equipment's presence in their personal domain. Problems emanating from already cramped space were sometimes-intensified by EM, but others adapted the device-system to perform additional familial regulation. More negative affects that developed from tagging, related to it offering little longer-term value, and/or, how it increased the amount of demands placed upon them; accordingly, some supports indicated a preference for prison concerning their wards.

ANT's materialist approach also helped in outlining how other physical equipment/techno-social systems, were sometimes crucial in securing successful outcomes for EM. Here,

additional time-keeping devices played a pivotal role in enabling some stick to their requirements and build temporal proficiencies, which were previously lacking. However, trust in these extended allies sometimes disrupted and jeopardised requirements when they did not perform as anticipated. Others also spoke about how their reliance on work transportation allowed them to continue employment, but became liabilities if they malfunctioned (indeed, many postponed gaining work because of these potential issues). The techno-social setting of the home was also vital in enabling EM to be dispensed, and in providing a secure base to progress from; furthermore, rules placed by other cohabiters supplemented its capacities at times. Nonetheless, these settings occasionally also became hindrances, particularly in less secure accommodation: disruptions with volatile co-residents led to violations, and sometimes hastened recidivist activity.

Both ANT and postphenomenology were also valuable in reflecting on how multiple affects emerged through EM's material presence for supporting actors. Concerning malign perceptions, this supported work suggested that EM may sometimes 'invade the personal space of the home', which can adversely impact intimacy. Here, bodily comportments became particularly mediated by its surveillant design, especially the MU, which randomly flashed and beeped; besides this, the PID was sometimes implicated in feelings of stigma arising. Nevertheless, more pro-active uses of the equipment were observed in how supporting actors utilised its stigmatising affects to ensure wards behaved themselves. Many neutral appreciations of the equipment, however, emerged: being former users themselves in some cases it was not their first interaction with the device-system, and they especially seemed not to notice it. The amount of agency retained was also implicated in these mixed reactions, with those who exercised less control over it attaining more negative appreciations. For many, though, the equipment simply became a temporary part of their lives that they did not especially perceive, likely influenced by its limited demands on their activities and associations.

Policy Considerations

This investigation demonstrated that EM can ‘work’. By using ANT’s maxim that urges researchers to outline what it means *to work*, it, however, became apparent this idea requires further consideration. As outlined in chapter 1, a lack of official metrics to define what ‘success’ is for EM in E&W make conclusions about it difficult. The administrative criminological concepts of compliance and desistance perhaps provide as close an approximation to official measures as possible, and this thesis suggested that EM is indeed capable of maintaining curfews and reducing offending for many users, albeit temporarily and in a limited fashion. The penal work of EM will be considered briefly through the four philosophies of *rehabilitation, retribution, deterrence, and incapacitation*.

Measures of success from a rehabilitative standpoint, have proffered less scientific and more holistic estimations to consider re-offending than compliance and desistance (Burke, Collete, and McNeil, 2019). A slightly unfavourable picture of EM in this project, though, arrives from this position: many users slid back into offending quite shortly after being released. Still, some, were for a reasonable period after sentence completion able to maintain non-offending activities, perhaps intimating more definite transformations.

A more retributivist reading of EM’s success is also possible from this research (Nellis, 2005). Although shown to sometimes restrict users and result in penal pains emerging, the sanction still did not uniformly distribute its just desserts, and certain users even enjoyed their time tagged. Counteractively, the development of malign experiences sometimes prevented it from performing as intended, by leading to breaches.

Deterrence features somewhat less than other penal philosophies when considering EM (Hucklesby, 2013). Still, certain users serving sentences with lower thresholds for non-compliance appeared to change their habits more substantially to avoid likelier incarceration; however, some just offended less conspicuously. The potential threat of future periods on tag seemed not to worry those on SAO’s particularly, although, interestingly, multiple *long periods* could be discouraging sometimes.

For users, the penal work of tagging often aligned more closely to an incapacitative logic, supporting Nellis and others (Nellis, 2005; Nellis, Kaminski, and Beyens, 2013). Most reduced their offending in the short-term due to their restrictions, which often made offending more difficult. Again, though, its relatively brief life cycle and inability to impact much on wider criminogenic triggers (deficits in housing, poverty, neighbourhood, employment, etc.,) means that returns to familiar habits and situations make re-offending likely for many.

From my interactions with the participants over the course of this investigation, an implicit position eventually developed. Likely also informing the angle of my findings, I -despite preceding in as neutral a position as possible- inevitably became invested in the progress of these digital convicts, and even at times colluded with them in the running of their sentences. With them frequently stating desires to become free from the CJS and seeking to break from troubling behaviours and circumstances, this was perhaps inevitable. The recommendation of policy, is, therefore, inherently tied to this, which (as perhaps suspected) aligns with a more rehabilitative position of sparing use of EM, alongside other offender support. It, however, keeps a critical eye on techno-social issues external to the CJS that impact on its practical and policy implementation (which I strongly argue require remedying), although does so from a pragmatic perspective that seeks to identify things that can be achieved in the programme, as it stands. Before proceeding, it must be acknowledged that the sample was predominately male, and thus any recommendations must be framed through that. Nevertheless, it was fairly diverse in terms of offending history, sentence modality, age, ethnicity, and employment; yet almost all were from the poorest section of the working-class.

The following considerations are offered:

- User appropriateness has been discussed as a key concern regarding EM (Nellis and Mair 2013, p.69), and certain other jurisdictions may more thoroughly vet

prospective users in line with specific rehabilitative objectives (Cho 2013, p.107; Smith and Gibbs, 2013, p.87). In E&W this issue may be especially pertinent regarding SAO use. For users with certain mental health needs it is arguable that EM has the potential to exacerbate issues linked to offending, likely prompting non-compliance also. Therefore, to avoid net-widening consideration must be taken when recommending the measure, with additional support from the Probation Service provided where needed.

- The appropriateness of user residence is another issue in the use of EM, with many prospective clients excluded from it due to a lack of stable abode (Hucklesby and Holdsworth, 2016, p.36). Although temporary accommodation and Bail Support and Accommodation Services are permitted when dispensing EM, users in such circumstances may frequently face issues regarding compliance and offending: conflicts with other residents are frequently implicated in violations and new offences. Moving users through these phases of accommodation is necessary, but requires maintained support where appropriate, to again, avoid the potential for net-widening and failure.
- EM, has, as discussed, been related to worsening the potential for domestic violence due to increased tensions at home, although may be used for bilateral monitoring to enforce no contact orders (Erez and Ibarra, 2007). This research demonstrated, however, how difficult it may be to prevent users from being contacted by partners, or to identify domestic issues during sentencing. Nonetheless, EM proved to be somewhat successful in breaking patterns of domestic abuse in certain cases, but when intersecting financial issues further care must be taken to avoid worsening situations.
- Research on co-residents demonstrates they usually provide vital support to users, who may also fare better than those without (Martinovic, 2007; Vanhaelemeesch and Vanderbeken, 2013). However, these extra responsibilities can frequently

impact upon them and may intensify certain gendered tensions. This research supported these findings, and reiterates previous concerns about supporting actors' continued welfare, i.e., 'support for the supporters'.

- Regarding substance use, EM has, as discussed, also a variable relationship (Hucklesby, 2008). This study supported findings that suggest a decrease in social drinking and certain stimulant use; however, drinking and cocaine use at home continued unaffected for some. Nonetheless, EM appeared to assist recovering opiate users who were committed to desisting and was used alongside rehabilitation services.
- The impact of EM on employment has been previously cited (Hucklesby, 2008). Its use in E&W occurs somewhat independently to services for building employment skills, and this investigation re-affirms the claim that gaining work is vital in longer-term desistance, and that EM may hinder users. Still, it showed that work-based habits built while on it could be long lasting, if not immediately apparent. Therefore, it may be advanced that for tagging to bolster its potential regarding employment, greater communication between users and courts in the pre-sentencing phase is sometimes necessary. Linking it to, or even incentivising employment and training, is another possibility
- This project provided unique and in-depth data concerning user violations. Although user compliance and sentence completion have been discussed (Hucklesby, 2009; Renzema, 2013, p.265), less is known about why some users violate sentences. A key issue concerning violations (and re-offending) was linked to EM preventing progress toward goals, while others cited it financially penalising them; uncertain procedural justice outcomes, commitments to continued offending, insecure living arrangements, substance abuse, and mental health were also factors that contributed to sentences being breached. Sentence manipulation was another novel finding in this study, which was prompted by perceptions of unfairness, particularly

long sentences, the changing of seasons, and again criminal intent. Although not entirely avoidable, providing users with clear goals and outcome certainty may help to alleviate these problems, alongside relevant support where required.

- EM can provide a temporary respite from the cycle of offending, that also builds non-offending habits (Hucklesby, 2008). This research supports this, and further demonstrates that this may often be subtle, but potentially long reaching; that is, if circumstances permit committed users to continue them post tagging. Here, wider support from aforementioned extended associates and material arrangements, become increasingly important as EM's impact fades.
- As discussed, graduated release or 'rewards' such as time off have been forwarded by professionals working with EM (Bainbridge, Berry and Casey, 2017). This investigation suggests that users may be receptive toward similar strategies, especially regarding employment incentives for longer sentences. This could potentially allow the measure to play a stronger role in offender reintegration. How such a programme may be implemented is open to consideration; however, care is required to avoid the possibility of up tariffing sentence lengths to accommodate time off, or penalising a lack of progress.
- EM has been frequently discussed concerning its relationship with prison, particularly its potential as an alternative to it, or its consequence of net-widening (Nellis and Mair, 2013). Indicating that even in higher risk users, the measure was sometimes effective at moderating offending and maintaining compliance, most of the sample adhered to their restrictions with only minor problems. Given the nature of this study, it is not possible to gauge whether the EM was intended as an alternative to custody by sentencers. However, it suggests a possibility for it to be sometimes used effectively in that capacity, with only one user being remanded to custody for breaching their bail license.

- EM's variable impact on bail has prior been researched, with it sometimes viewed positively over remand, but at others negatively (Barry, et al., 2007, pp.58, 62-64). Again, this investigation supported this research; it also highlighted how non-compliance may be linked to previous experiences of imprisonment, as more institutionalised users cited a preference for custody in cases with uncertain outcomes, making them higher risk for violations.
- Sentence modality is also considered regarding EM (Walter, 2002, cited in Hucklesby and Holdsworth, 2016, p.9). This investigation demonstrated success with users who had additional support, whilst some who were perhaps appropriate for services but were not provided with them, struggled. Despite this, many SAO users still complied and desisted, and certain users discussed how the Probation Service was currently failing. This creates questions about whether EM was even necessary for similar clients (Hucklesby, 2013).
- The issue of up-tariffing is a further consideration concerning EM's use (Nellis, and Mair, 2013). Although it was not possible to investigate the sentencing decision-making process, it was, nonetheless, observed that amongst certain BAME users the measure was dispensed for relatively less serious offences in lower than custody threshold cases (although, some were switched onto it). Further research here is necessary.
- The physical equipment of EM is also a consideration that relates to its reliability and user's perceptions (Nellis, 2009; Hucklesby and Holdsworth, 2014). This project indicated that the device-system functioned as intended in terms of detecting violations, with issues occurring through likely miscalibration or poor communication with courts. It, additionally, uncovered that some users experienced it as physically uncomfortable or stigmatising; however, many did not notice it after a period of acclimation, or even felt relief to be on tag. Though, several complained about false breaches and calls in the night from EMS.

- Surveillance is a key feature of EM that has been remarked upon (Nellis, 2009; 2017). Despite many users not directly citing a feeling of ‘being watched’, some did, which was described as unusual or sometimes unpleasant. ‘Pains of observation’ (McNeil, 2019) were experienced more acutely by users of BAME backgrounds: this is important regarding its use with certain groups.
- Ethnicity is further a vital issue relating to EM. Previous research suggests that black former inmates may experience it more punitively than white on release, and even prefer prison (Payne, May and Wood, 2014). As discussed, some users and supporting actors in this project from BAME backgrounds perceived the measure more harshly, which was linked to over-policing and biases in sentencing.
- Convincing sceptics that EM is a ‘genuine punishment’, has been mostly accomplished through evaluative research of users and professionals working with tagging (Payne, May and Wood, 2014; Renzema, 2013; Hucklesby, 2013). These claims were supported, and this research indicated that tagging exerts significant ‘affects’ or ‘pains’ that are experienced punitively, even when compliance is challenged.

Study Limitations and Recommendations

Although this thesis sheds much new light on EM, it faces key limitations. These may, however, gesture to further possible research:

From a methodological perspective, as a comparatively small-scale study, generalizable conclusions are not possible. The numbers offered here indicate specific patterns within the data set. For example, users on bail were limited to just two users in the project. As discussed, previous findings helped to understand these experiences rather than ‘validate them’ (see chapter 3). Still, they plausibly indicate lines of future enquiry.

Due to difficulties accessing female users, this project was also unable to investigate gendered experiences in much depth or breadth. Nevertheless, it gestured toward some gendered concerns for co-residents that extend into this territory, making it an avenue of future work that might benefit from a similar theoretical approach.

Similarly, this thesis indicated certain ethnic tensions. However, a larger and more focused investigation regarding BAME users is necessary to uncover linkages in this area.

Despite highlighting the experiences of EM users post-sentence, a dearth of longitudinal data still exists in E&W concerning longer-term outcomes. Again, this requires longer and perhaps more quantitative studies. Offending history, offence type, living arrangements, sentence modality, length and pattern, age, and employment are all potentially further variables that could inform future work.

Young offenders on EM bring specific age-related issues (Deuchar, 2012). The users in this project were all adult offenders, but age was still demonstrated to be important in the experience of monitoring.

GPS tracking is a new incarnation of EM. This study did not investigate users who were being tracked; how tagging will evolve is uncertain, nonetheless, this project indicated that perceptions of it were often tightly correlated with EM's design, requirements, and circumstances. This implies a likely different experience concerning this tighter form of monitoring, and an updated theoretical investigation.

For this investigation, ANT and allied approaches proved valuable for understanding user's experiences. Still, its focused approach limited it to exploring an, albeit previously under-investigated, part of its life. Especially absent, were detailed experiences of monitoring staff, Probation Officers, and sentencers. Although users provided much testimony about these

actors, and the meeting points where they were encountered, the difficulties I faced in sampling this group led me to avoid expanding upon them too much, as this may have provided an unbalanced view of their involvement. Future research on these actors from an ANT position could, therefore, potentially illuminate their occupational perspectives and the monitoring programme.

Final remarks

I hope this thesis provides some satisfactory information relating to EM. I sought to theorise the penal technology to better understand how it functions, from users' perspectives. By offering empirical data on a range of topics concerning the measure, I argue that EM is an often a significant levy upon users, which can drastically impact them. Using ANT, I asserted that EM connects an assemblage of extended socio-technical actors, whose activities led outcomes of compliance and desistance to sometimes emerge, and varying affects to be acquired. In attempting to re-define success from this more neutral perspective, it was shown that EM can plausibly meet its penal objectives, if applied correctly and with proper support.

Both critical and governmental criminology were also used to understand EM's implementation, and contextualise it amongst wider CJS transformations. These perspectives were, however, argued to be somewhat overly critical of EM, and did not fit with the penal measures it settled on. ANT helped to transcend these theoretical tensions, as its socio-material approach straddles both micro and macro sociological planes. It was here useful in breaking away from narrow and individualistic models of user activity, but also against more foreboding structural interpretations of tagging related to political-economy.

The project occasionally stepped outside of ANT, though, and included more critical stances on technology. This was intended to reflect on findings that did not fit into its neutral framework, and included Deleuzian control theory, critical postphenomenology, besides the work of Goffman. These approaches helped in understanding why EM -as a socio-technical

system which is backed with further sanctions for non-compliance- is at times perceived critically by users, and may develop punitive affects that are significant. It also allowed for elaboration upon how wider techno-social issues like poverty, ethnicity, and gender intersect with EM, which in turn can influence compliance and desistance.

EM continues to be a frequently dispensed criminal sanction that mobilises a particular form of penal surveillance. Its evolving use, gestures to a widening carceral space where the 'criminal class' will likely be controlled in future times. Across societies increasingly governed through technologies of observation, understanding how similar systems function is, therefore, arguably of critical concern to the social sciences. Potentially both *liberating and intrusive*, how measures like EM are implemented, however, is dependent upon policy and design objectives: shaped ultimately by social pressures, concerns, ethics, and potentially users themselves. I hope this investigation contributes toward a more progressive application of EM that maximises its potential for pro-social outcomes, whilst illuminating its limitations, and in some small way perhaps informs future debates. Whether tagging can achieve its objectives of prompting de-carceration remains open to question; nonetheless, its application through a neo-liberalised and austerity driven mandate, has, through this thesis, been shown to frequently fail users and the wider community. Thus, a more welfare and treatment centred approach may allow EM fulfil its potential, while avoiding unnecessary coercion and control, and can perhaps be useful in reducing the use of prison for many offenders.

I am in continued contact with several ex-users; however, many disappeared after being researched. As stated, this thesis provides a snapshot of life on tag from people who lived in frequently chaotic and wildly misanthropic circumstances. I keep a distanced contact of ex-users such as Raz and Luke, who since their last period on EM have remained clear from further trouble. I am in touch with Leon and Nigel more frequently having known them for many years previously, and the former of these has to the best of my knowledge continued strides toward maintaining a non-offending lifestyle, while he has recently become a Grandfather. Sadly, Nigel's dog died, although he has finally been provided with more permanent accommodation, and is planning on obtaining an SIA security license at my

recommendation. Before this, however, he had been acting as a minder for a crack dealer in a small town nearby, while he also 'has beef' with the son of a well-known bouncer in the city after a street fight. This individual has been previously convicted for kidnap and being in possession of a weapon used in a murder; Nigel's uncle is a close friend of the elder individual, which may hopefully ameliorate the situation. While recently attending our mutual barber's birthday party, I also bumped into Idris: he did not speak about his criminal activities, but had been released from a psychiatric hospital after a major psychotic episode six months earlier, which he partially blamed on his heavy cocaine use. He stayed clean during the event and looked healthy, and spoke about wanting to improve his life. I received a message from an unknown number earlier this year, and after replying I discovered it was Shane who had just been released from prison. He told me he had discovered Islam while inside and was in the process of conversion; his new faith, he told me, provided a new sense of purpose and a resolve to improve his life. Finally, I received a message from Vince's brother in the last few weeks. After being acquitted for an incident related to his now -ex-girlfriend that landed him in court, he was re-arrested and is currently serving remand for conspiracy to manufacture Class B substances, which I presume to be spice.

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Appendix A: Consent Forms

Researcher: Carl Berry.

Student number: 0752565.

You are invited to participate in a research study called, 'Life on Tag'.

This is a PhD thesis carried out under the supervision of Professor Gregor McLennan and Dr Michael Naughton in the Department of Sociology Politics and International Studies, 11 Priory Road, Clifton, Bristol. BS8 1TU.

This is a study to understand Electronic Monitoring, or 'tagging'. Tagging is often used by the courts for minor crimes or as early release from prison, or bail. There is a lack of information about tagging from the viewpoints of people on it, or the people who are close to them. Some people see tagging as useful in helping them stay away from crime and moving forward in their lives, but some do not. Not enough is known about why there are different opinions on it. Because of this, your experiences can be highly important in understanding tagging and will shed light on how useful it is.

For this project, I will be interviewing and observing people on tag and their close friends or relatives. I will also be collecting pictures, artwork, and diary entries from people who agree to take materials I give them, or who decide to share documents with me. These materials will give you the chance to creatively share your experiences should you wish to use them.

The interviews will be audio- recorded using a digital recorder and will take around 30 to 45 minutes, but might be a bit longer if you wish to talk more. They will ask you questions about what it's like being on tag and its impact on everyday life, besides whether you think it's useful. It will also ask questions about things like offending, offending history, school, where you grew up, substance use, and future goals.

If you are supporting someone on tag, I will ask you questions about how this impacts you, and your opinions on how it impact on them.

The observations will happen over the course of the project, beginning from the moment we meet until I finish it. At meetings, I will be looking for how tagging effects your behaviour by restricting your movements, besides how it impacts your relationships with people and things around you. I will also write down what you say about tagging during these moments. On top of this, I will collect other information that might come from conversations we have over text message, social media, or chance meetings. These will be written up as field notes. If you prefer, I will also record your interview using field notes instead of a recording.

This project is due to end in July 2021, but may finish sooner. To make sure you are happy to continue with this research and that you are aware of your rights, I will give you another consent form should we meet again. You also have the right to look at the material I include from our meetings at any point during the project, or after if you wish. I will make sure you have my contact details for this.

This study might sometimes go over sensitive topics about your life and criminal activity. You are under no pressure or obligation to give me information you are unhappy about. Also, all information in this project will be completely anonymous and will use fake names and places; it will also be stored in a safe and secure place in accordance with the data protection act, along with my copy of this form (see below).

However, there may be minor risks which are currently unforeseeable but all effort will be made to tackle these in advance. If there are any worries you might have I am happy to talk about them further.

The benefits of taking part in this study are that you are helping to understand how tagging and the criminal justice system really work. Many people find that interviews can be useful in thinking about their lives, and can help to make positive change for the future. They can also give a chance for people to talk about injustices they may have experienced; hopefully, your participation in this project will be the same.

You are a volunteer. The decision to participate in this study is completely up to you. If you decide to be in the study, you may stop at any time. You will not be treated any differently if you decide to stop once you have started. Furthermore, if you wish for me to remove and destroy your data I will.

As mentioned, any information about your participation, including your identity, is completely confidential. The following steps will be taken to ensure this:

I will take notes in my observations, but your real name will never be used or written in my notes.

During interviews, I will give you a fake name.

No information that is traceable to you will be used in this project.

The location of this research will also be given a fake name.

The only place your name will be used is on this consent form, and the consent form will be kept separate from my notes and locked in a secure file in my office.

My field notes, transcripts of our interview, and audio-recordings will be locked in a different file, and the audio-recordings will be kept on an encrypted hard drive. I will delete these audio-recordings from the recording device once they are moved onto this, and any potentially identifiable information from the transcript will be removed.

Should the pictures, poems, or diary entries you gave me have any identifiable information they will not be used.

The University of Bristol wants to make sure that you are treated in a fair and respectful manner. If you have any questions about the project please contact Dr Emma Williamson, Faculty of Social Sciences and Law. University of Bristol, Senate House, Tyndall Road. BS8 1TH.

- I..... voluntarily agree to participate in this research study.

- I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer any question without any consequences of any kind.

- I understand that I can withdraw permission to use data from my interviews and observations at any point over the research period, in which case the material will be deleted.

- I have had the aims and nature of the study explained to me verbally and in writing, and I have had the opportunity to ask questions about the study.

- I understand what my participation involves.
- I understand that I will not benefit directly from participating in this research.
- I agree to my interview being audio-recorded.
- I understand that all information I provide for this study will be treated confidentially.
- I understand that in any report on the results of this research my identity will remain anonymous. This will be done by changing my name, the location of the research, and disguising any details of my interview which may reveal my identity or the identity of people I speak about.
- I understand that disguised information from my interview may be quoted in a published PhD thesis, journal articles, books, conference workshops, and university classes.
- I understand that if I tell the researcher that myself or someone else is at risk of harm they may have to report this to the relevant authorities - they will discuss this with me first but may be required to report with or without my permission in extreme cases.
- I understand that signed consent forms and original audio recordings will be retained in a locked safe and on an encrypted external hard disk drive.
- I understand that a transcript of my interview in which all identifying information has been removed will be kept in this location.

- I understand that under freedom of information legalisation I am entitled to access the information I have provided at any time while it is in storage as specified above.

- I understand that I am free to contact any of the people involved in the research to seek further clarification and information.

Signature:

Date:

Signature of researcher:

----- (I believe the participant is giving informed consent to participate in this study).

Signature of researcher date:

Continued consent form

Researcher: Carl Berry.

Student number: 0752565.

You are invited to continue in a research study called, 'Life on Tag'.

This study is being carried out under the supervision of Professor Gregor McLennan and Dr Michael Naughton in the Department of Sociology Politics and International Studies, 11 Priory Road, Clifton, Bristol. BS8 1TU.

As explained before, this is a study to understand Electronic Monitoring, or 'tagging'. By agreeing to continue, your experiences will be of real importance in understanding tagging, and will shed much light on it.

These interviews will also be audio-recorded, and will take around 20 to 30 minutes. They will ask questions about being on tag, and its impact on your life since we last met.

I will continue observations of our meeting and will be looking for how tagging influences your behaviour since last time, besides your relationships with people around and things around you. Like before, information you provide will be included until the project is finished and I will write down things you say during these observations concerning tagging. I will continue to use our continued conversations over text message, social media, or chance meetings to update the project. If you prefer, I can record your interview by writing it down instead.

As stated before, this project is due to officially end in July 2021, but may finish sooner. To make sure that all information has your consent, this new consent form is to check whether you are happy to continue with me gathering information. Again, you also have the right to look at any material I include about you at any point, and I will check that you have my correct contact details.

This study may sometimes go over sensitive topics about your life and criminal activity. Like before, you are under no pressure or obligation to give information you are unhappy about. Furthermore, all information you give will be completely anonymous and will use fake names and places; it will also be stored in a safe and secure place in accordance with the data protection act, along with my copy of this form (see below).

Should you wish to withdraw at this stage of the project your rights will be the same as before, and I will destroy all data gathered should you wish.

However, like before, there may be risks which are currently unforeseeable but all effort will be made to tackle them in advance. If there are any worries you might have I am happy to talk about them further.

The benefits of taking part in this study are that you are helping to understand how tagging and the criminal justice system really work. Many people find that interviews can be useful in thinking about their lives, and can help in making positive change for the future. They can also give a chance for people to talk about injustices they may have experienced; hopefully, your continued participation in this project will be the same.

The same rights and measures that were put in place to protect your identity previously still stand:

I will take notes in my observations, but your real name will never be used or written in my notes.

During interviews, I will give you a fake name.

No information that is traceable to you will be used in this project.

The location of this research will also be given a fake name.

The only place your name will be used is on this consent form, and the consent form will be kept separate from my notes and locked in a secure file in my office.

My field notes, transcripts of our interview, and audio-recordings will be locked in a different file, and the audio-recordings will be kept on an encrypted hard drive. I will delete these audio-recordings from the recording device once they are moved onto this, and any potentially identifiable information from the transcript will be removed.

Should the pictures, poems, or diary entries you give me have any identifiable information they will not be used.

The University of Bristol wants to make sure that you are treated in a fair and respectful manner. If you have any questions about the project please contact Dr Emma Williamson, Faculty of Social Sciences and Law. University of Bristol, Senate House, Tyndall Road. BS8 1TH.

- I..... voluntarily agree to continue participating in this research study.

- I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer any question without any consequences of any kind.
- I understand that I can withdraw permission to use data from my interviews and observations at any point over the research period, in which case the material will be deleted.
- I have had the aims and nature of the study explained to me verbally and in writing, and I have had the opportunity to ask questions about the study.
- I understand what my participation involves.
- I understand that I will not benefit directly from participating in this research.
- I agree to my interview being audio-recorded.
- I understand that all information I provide for this study will be treated confidentially.
- I understand that in any report on the results of this research my identity will remain anonymous. This will be done by changing my name, the location of the research, and disguising any details of my interview which may reveal my identity or the identity of people I speak about.
- I understand that disguised information from my interview may be quoted in a published PhD thesis, journal articles, books, conference workshops, and university classes.

- I understand that if I tell the researcher that myself or someone else is at risk of harm they may have to report this to the relevant authorities - they will discuss this with me first but may be required to report with or without my permission in extreme cases.
- I understand that signed consent forms and original audio recordings will be retained in a locked safe and on an encrypted external hard disk drive.
- I understand that a transcript of my interview in which all identifying information has been removed will be kept in this location.
- I understand that under freedom of information legalisation I am entitled to access the information I have provided at any time while it is in storage as specified above.
- I understand that I am free to contact any of the people involved in the research to seek further clarification and information.

Signature:

Date:

Signature of researcher:

----- (I believe the participant is giving informed consent to participate in this study).

Signature of researcher date:

Appendix B: Ethical Application Form



Application for Ethical Approval

Research involving humans by all academic and related Staff and Students in the School of Sociology, Politics and International Studies is subject to the standards set out in the University of Bristol Ethics of Research Policy and Procedure which can be found at: <http://www.bristol.ac.uk/red/research-governance/practice-training/researchethicspolicy.pdf>

It is a requirement that prior to the commencement of all funded and non-funded research that this form be completed and submitted to the School's Research Ethics Committee (REC). The REC will be responsible for issuing certification that the research meets acceptable ethical standards and will, if necessary, require changes to the research methodology or reporting strategy.

A copy of the research proposal/upgrade document which details methods and reporting strategies must be submitted (as a separate document) together with the research ethics application.

Applications to external bodies for research funding must obtain *prior* clearance from the REC.

Name:Carl Berry.....
0752565.....

Student number:

(if applicable)

Supervisor/s (if applicable):Prof.Gregor Mclennan, Dr Michael Naughton.....

Please answer 'YES' or 'NO' to the following questions in the boxes below:

Programme Title (if applicable) e.g. MPhil/PhD:Yes.....

Title of research project:The Life of the Tag; A "Live" Ethnography of Electronically Administered Punishment.....

Questionnaire:

1	Does your research involve living human subjects?	Yes
2	Does your research involve only the analysis of secondary data? If yes please specify.	No
3	Does the study involve participants who are particularly vulnerable or unable to give informed consent? (e.g. children, people with learning disabilities, your own students)	No
4	Will the study require the co-operation of a gatekeeper for initial access to the groups or individuals to be recruited? (e.g. students at school, members of self-help group, residents of nursing home). If 'yes' please give details under 'Further Details'.	Yes
5	Will it be necessary for participants to take part in the study without their knowledge and consent at the time? (e.g. covert observation of people in non-public places)	Yes
6	Is it likely that the study could induce psychological stress or anxiety or cause harm or negative consequences beyond the risks encountered in normal life?	No
7	Will financial inducements (other than reasonable expenses and compensation for time) be offered to participants?	No
8	Will the study involve recruitment of patients or staff through the NHS?	No
9	Will you give your informants a written summary of your research and its uses?	Yes

	If 'No' please explain your reason(s) under 'Further Details'.	
10	Will you give your informants a verbal summary of your research and its uses?	Yes
11	Will your informants be identified in your research? If 'yes' please explain why this would be important to your research under 'Further Details'	No
12	Will any monitoring devices only be used openly and with the permission of informants?	Yes
13	Have you considered the implications of your research intervention on your informants?	Yes
14	Will your research be available to informants and the general public without restrictions placed by sponsoring authorities?	Yes
15	Does your research involve fieldwork in the community i.e. face-to-face interaction with person(s) off University premises?	Yes
16	Does your research involve travel outside the UK?	No
17	Have you completed a risk assessment form?	Yes
18	Have you sought advice on data protection including the safe handling and storage of data and the security of computer equipment	Yes
19	Are there any other ethical issues arising from your research?	Yes

Further details (please include a short explanation of your methodology i.e. who you intend to interview, how/where your interviews will take place and a brief summary of the data you hope to collect)

This project will involve the investigation into the lives of criminal offenders currently subject to Electronic Monitoring (or tagging) and agents involved in its implementation. It will use interviews with said participants regarding their experiences of being on tag, and experiences of its practical employment by those implementing it. This will include the experiences and opinions of Probation Officers, Private Security operatives, and Voluntary Sector employees. It will further use semi-covert /non-participant observations of court proceedings in Bristol Magistrates court (Marlborough Street) in which tagging is recommended as part of a criminal sentence by Magistrates, and observations of participants in their daily lives on tag. These observations will hopefully include meetings with Probation Officers, bail signings with the Police, and visits perhaps to the job centre. Bristol Magistrates court is open to members of the public who wish to observe court proceedings, and visitors there are frequent. I will not be hiding my role as a researcher and will inform necessary persons (such as security, and court ushers), however it is likely that not all present in court will be directly knowledgeable of my aims as such. All names and identifying information (such as dates times, or descriptions) will be therefore omitted from field notes and data.

This project will also utilise recent “live methods” which advocate the use of probes such as cameras and diaries, to allow participants to generate their own data, whilst techniques such as going on walks and visits to places will also be used. As of yet these locations have not been decided, although will be in public. Previous work has for instance included visits to museums or theatre; however further data collection from interviews is necessary before deciding on relevant destinations in this project.

Around 12-20 participants on tag will be sought, and a further 10 actors involved in its implementation, as mentioned. Interviews will be recorded in places of general convenience of participants, which will likely be mainly at their residences, or work in the case of workers involved in tagging.

Participants on tag will of course be known to the Police and courts, however the nature of their offending will be of only a minor nature, and unworthy of a custodial sentence making them of a low risk.

This investigation will principally be investigating the experience of being on tag, and therefore will not seek to directly investigate other criminal offences.

In the event that knowledge of offending should emerge, it must be weighed against the public interest and the right to anonymity. The disclosure of such information is in any event without supporting evidence, unlikely to result in criminal charges (and may perhaps even be untrue). My supervisors are also at hand to discuss these potential issues.

A more problematic issue regards witnessing offending. In the instance of minor offending (like smoking a reefer), again the public interest and right to anonymity must be weighed against this information. In the unlikely instance of serious and violent offending, then I will immediately contact relevant authorities for both the public and participant safety.

Regarding future offending, it must be noted that many participants may be expressing frustration or anger at a situation or person, and may not mean what they say or may simply be bragging. However if I feel a potential incident is likely and serious enough, I will consult my supervisors regarding the correct course of action.

It is the view of the researcher that despite these concerns however, there is no real basis on which to presume that the researcher (or public) is in a greater danger when interviewing an offender or ex-offender than when engaging in any number of regular activities. Indeed, it is precisely these presumptions which social scientists are charged with challenging; as walking home at night through an unlit area or having a drink in a bar are likely to be several times more "risky". Therefore the research process entails nothing different to any number of potential situations, and probably less so. How the researcher manages a potential but unlikely incident will be the same as in another circumstance or for any other person; requiring diffusion through verbal means, or a physical exit in a particularly bad predicament or calling the Police if necessary.

Nevertheless a withdrawal strategy is necessary for fieldwork should danger seem imminent, and careful monitoring of verbal exchanges and non-verbal cues is vital, as well as the situation entire. A communication plan has been added to the risk assessment form for this reason also.

Please continue on separate sheet if necessary

SignedCARL BERRY..... Date 17/12/15.....

Please add electronic signature or type name here

Please email your completed application document(s) to Susie.Potts@bristol.ac.uk

****Please submit a summary of your research proposal with this application***

Appendix C: Interview Schedules

Interview, hosts part one: *Greetings, salutations, thanks.*

1. How long have you been on tag (and then), how long do you have left?
2. What was the offence that you were given tag for?
3. Could you give me run down of what happened for you to be arrested and sent to court? (Try to unpick details of charges and dealings with solicitors, CPS, Police, Probation, magistrates, changes of plea, legal wrangling, etc.).
4. Have you been on tag before, what for? (If yes, ask them later if it has been any different this time around and why, say at about 40).
5. Could you tell me what your conditions are? (Curfew times, any other restrictions imposed).
6. Could you tell me generally how you've found your time on tag? (Ask same question again later once they've opened up).
7. What is the worst thing that you've found about being on tag? (Press for how and why).
8. Are there any other things that you've found difficult? (Press for how and why again).
9. Have you found tagging to be useful or even enjoyable in any way? (Give examples of ways it might help to them, i.e. 'some people have said...').
10. Are there any other ways it might be useful?
11. Have you breached your conditions ever, what happened? (If no then have you ever almost breached it, and how).
12. Do you think about breaching it, what stops you?
13. Do you find your conditions difficult to stick to, why?
14. Since being on tag have you re-offended, what happened? (Or have you almost offended what stopped you)?
15. Do you think you are likely to re-offend, why?
16. Do you think tagging works to stop people from re-offending from your experience? (Press for information regarding friends or associates who may have been on tag).
17. Do you think being on tag can deter people from committing crimes long term? (If yes or no why)?
18. Have you committed crimes before? What were they and what happened?
19. If so, what do you think has led to you committing crime in the past?
20. Who monitors you?
21. How have dealings been with them?
22. Have you ever had problems with the equipment, what were they?
23. Have you found ways of getting around your curfew, what are they? (Give examples for their opinion).
24. Where are you living at the moment?
25. Who do you live with?
26. How would you describe your home situation?
27. Does this make it harder to stick to your curfew?
28. Is tagging affecting your life at home how? (Give examples of tension with other familiars etc.).

29. What's it like having that box in your house? (Relaxing/tension invasion of private space, or not).
30. Do you feel like your home is your prison?
31. Do you ever feel like you're being watched?
32. What's that like?
33. Has the tag become like a friend or a curse?
34. Do you ever forget it's there?
35. When do you remember it's on?
36. What do you think when you look at it?
37. Do you talk to it?
38. Is it uncomfortable wearing it?
39. Who do you normally hang out with?
40. Do you see them much since being on, is it difficult?
41. How has tagging effected your personal relationships?
42. What's it like having that thing on your leg, do you hide it in public?
43. Do you take pride in it?
44. Has anyone ever noticed it, how did you feel?
45. How do you find travelling around and sticking to your curfew?
46. What sort of journeys do you make at the moment, where do you mainly go?
47. What sort of effect does having a tag make to your movements? (Press for feelings of rushing and or confinement).
48. How does that make you feel?
49. Are you monitoring the time a lot, when do you check it?
50. Does having a tag prevent things you normally do?
51. Like what?
52. Could you describe your average day?
53. What do you do in your curfew time?
54. Have you noticed an impact on alcohol or drug use?
55. Are you working at the moment?
56. What do you do for money?
57. How would you describe your financial situation right now?
58. Has it effected being able to find work or keep your job, how?
59. What would you be doing now if you were free?
60. Do you think it was a fair punishment?
61. Do you think it's preferable to prison?
62. What do you generally think of the CJS, courts and police and the law?
63. Do you think the system treats people fairly?
64. What are you looking forward to the most when you get off tag?
65. So overall how has tagging been so far? (Try to jog them with the intermediary responses, and pay especial attention to contradictory answers).
66. Could you tell me a bit about yourself? (Age, where you grew up, school, usual job, left home when you first got in trouble).

Supporting actors: *Greetings, salutations, thanks.*

1. Hello could you tell me your relationship to x?
2. What do you make of x being on tag?
3. Could you list some positive aspects of being on tag for them?
4. How about negatives?
5. How has it effected your life with them being on tag?
6. Do you think it was a fair punishment?
7. Has it changed their habits or lifestyle, how?
8. Has it changed any of your habits?
9. Has it been a strain at all, in what way if so?
10. What do you think of having that box in your home, do you feel like you are being watched alongside x?
11. Do you forget it's there?
12. What's it like seeing it on them?
13. Do you find yourself worrying about them breaching?
14. Has it ever happened?
15. How did you feel?
16. Have you had any dealing with the tag company?
17. How did you find them?
18. Have you had any other problems with the box?
19. Where have you put it?
20. Is it hidden?
21. What would help x avoid re-offending?
22. What else could be done outside of this?
23. What do you think has contributed to them getting in trouble in the past?
24. What would you like to see for them in the future?
25. Have they re-offended to you knowledge, what happened?
26. How will you feel when it's removed from your home?
27. Does your home feel like a prison?
28. Do you ever feel like you are the warden?
29. I know it's difficult to answer but have you ever felt like it would easier if x was behind bars?
30. Could you tell me a bit about yourself please?

Hosts follow up on EM: *Greetings, salutations, thanks.*

1. So how long do you have left on tag then?
2. How have you found it since last time we spoke? (Easier or more difficult)?
3. What things in particular have got easier or harder, or easier?
4. How is the relationship with people around you, is it better or worse?
5. Have you managed to stay in contact with friends or relatives?
6. How is your work situation, is it any different (have you found any or left your job)?
7. Is your financial situation in general any better or worse?
8. Have you drunk more or tried more drugs?
9. Have you spoken with the tagging company since last time, what about?

10. Have you had any difficulties with the box since last time?
11. Or your ankle device?
12. Are your restrictions the same?
13. Have you breached or almost breached, what happened?
14. Have you re-offended or almost re-offended, what happened?
15. Has your opinion on its usefulness changed in anyway? (Remind them of their last meeting if necessary).
16. Are you travelling more or less? (Remind them of last time).
17. Has your opinion changed at all about whether tagging can have any uses?
18. Is the tag on your mind more, or less since last time, in what way?
19. Do you feel freer or less free, how so?
20. Have you found yourself talking to it?
21. Do you find yourself thinking more about life after tagging since last time we spoke?
22. Do you see the tag as just an object, or is it more than that? (Press for how they feel when they look at it again).
23. What sort of things make you notice it? (Same question as previous but there may be more cues).

Hosts follow up post-EM: *Greetings, salutations, thanks.*

1. Can you tell me how you've generally been since we last spoke? (Jog them with a few details).
2. Have your living arrangements changed since we last spoke, if so how?
3. Has your employment situation changed since we last spoke, if so how?
4. Is your life generally in a better place or worse, how so?
5. Have you managed to stay out of trouble with the law since then?
6. Why do you think that's been the case?
7. Do you think looking back, that tagging has helped you at all, why?
8. Did you find it odd when it got taken off or not, how?
9. Did you sort of miss it not being on your ankle or in your house?
10. Did you ever still feel like it was there?
11. Did it take a while to adjust to not having a curfew?
13. Did you still feel a bit like you were being watched, if you ever did?

12. Do you think tagging can work to deter people from offending in the long run?
13. If so how, or why not?
14. In what ways do you think the criminal justice system can help to keep people from getting in trouble?
15. Looking back do you agree with your punishment, was it fair)? (Jog them with former response).
16. Do you feel more free now you are not being monitored, if so how?
17. What have you enjoyed doing the most since being off tag?
18. What do you want from the future, can you see yourself getting it?

