

Around Europe

Quaker Council for European Affairs

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Ethics of Electronic Monitoring in Europe

Electronic Monitoring (EM) is a system for monitoring the location of a person using an electronic device fitted to the ankle or, more rarely, the wrist. The signal is picked up by a receiver installed in the home and, as long as it remains in the proximity of the tag, it transmits the location of the person wearing the tag to a monitoring centre via the phone network. EM is usually used to enforce curfews or house arrest; it is useful prior to trial and during suspended sentences, or as a way of monitoring an offender during pre-release, conditional release, or parole supervision.

A more recent development of EM uses Global Positioning System (GPS) satellites, to track the wearer's movements and prohibit entry to designated exclusion zones (an alert is sent to the monitoring body if the offender enters this zone). GPS tracking permits a wider range of movement within a wearer's home or community and can serve as an alternative to prison. It can help offender rehabilitation and reintegration into society after custody or conviction by monitoring but permitting the offender to participate in the community: rebuilding their lives and their social relationships, and improving their employment prospects.

EM may be particularly useful as an alternative to pre-trial detention. With rising prison populations, and increasing prison overcrowding throughout Europe, there is growing need for alternatives to detention in Council of Europe (CoE) and European Union (EU) Member States. These alternatives are not only better for the convicted person but can lower prison populations and reduce reoffending, bringing financial savings to criminal justice systems all over Europe.

Rehabilitation or tracking?

An EM regime can be rigid and oppressive, or the spatial and temporal routines of an offender's daily life can be regulated lightly. Research shows that offenders and their families usually find EM demanding but preferable to prison. The legal and administrative systems in which EM is embedded, and the judgements made by the people who operate them, determine how harsh or constructive the experience is for the offender. Questions have therefore arisen in EU Member States about [the ethics](#) of, and ['best practice'](#) for, EM's use.



The use of electronic monitoring could, as an alternative to prison, help those who would otherwise be incarcerated to hold jobs and contribute to their communities.

Photo credit: Legends 2K CC BY-SA 2.0

['Probation values'](#) is the term used for the beliefs underpinning the work of probation services towards rehabilitation of offenders through assistance, respect, inclusion, guidance, and persuasion. Probation values aim to reduce reoffending and enable reintegration of the offender into society; they step away from punishment.

Nevertheless, there is a tension between probation's traditional values and the surveillant aspect of EM. And there is a worrying commercial dimension to EM, especially when implemented outside probation and its values by private sector organisations, like [G4S](#) or Serco, under contract to national governments.

EM can be implemented by prison services and police forces as easily as by probation services, and these

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agencies may not share the traditional values of a well-functioning probation service with care and insistence on respect for persons. Re-offending may reduce over the period that the tag is worn but not necessarily afterwards, because there is nothing intrinsic to EM which tries to change attitudes and behaviour in the longer term. This is why probation values, and work designed to rehabilitate offenders, matter.

Tracking Offenders in the Community

This year, the [UK](#), the country with the largest and most privatised EM scheme in Europe, is planning a major expansion of GPS tracking with persistent and prolific - not just high risk - offenders, while at the same time privatising 70% of the probation service. This may have a great effect on the predicted element of care inherent in probation values. EM and GPS tracking could become the penalty of choice for the private sector involved in probation - the most cost-effective, the most efficient. GPS tracking may be particularly appropriate to managing particular kinds of offenders. For example, tracking someone convicted of domestic or sexual violence may reassure their victims, giving them a sense of security and freedom to move about themselves. However, this sense of reassurance may be false. Knowing where someone is does not prevent them from doing harm. And, as with other kinds of offenders, tracking may also lead to neglect and rehabilitation of sex offenders: managing risks but forgetting their needs as people.

Initiatives should be used alongside EM to rehabilitate offenders. An example is [Circles of Support and Accountability](#), in which a group of volunteers from a local community forms a social network around a released sex offender, helping to support, rehabilitate, and socially re-integrate them. This person-centred approach is likely to be more effective in reducing reoffending rates than remote surveillance of



Photo credit: G4S

This electronic tag is made and controlled by the global security company G4S. There is increasing concern about privatisation in the criminal justice system.

movements. In a climate of austerity, the more humanistic aspects of community supervision and probation values might be seen as less important than short-term price efficiency. Without proper regulation, we could end up replacing jail cells with GPS tracking, but if we forget the important human advantages of reintegration that EM offers, we have missed an opportunity to reduce crime and improve people's lives.

The Council of Europe and Electronic Monitoring

In Europe today, we are becoming increasingly accustomed to more and more digital technology, normalising surveillance in everyday life. We are running a risk of simply drifting into using EM without thinking carefully or critically about it. If EM is an easy option and cheaper in the short term, it may not only be restricted to those who would be imprisoned. The temptation may exist to use EM on people convicted of minor crimes or who have little probability of reoffending. It could be used to track asylum seekers within Europe. And rehabilitation could be forgotten: if EM yields sufficient levels of control and public safety, why pay extra for probation?

The [Council of Europe's \(CoE\) European Committee on Crime Problems](#) is currently devising [a set of standards and principles](#) on the use of EM in the 47 CoE Member States. This will address the issues of integrating EM with probation measures, the role of the private sector, health and safety issues, and the issue of data protection.

At the national level, there is also a need, alongside these standards and principles, to continue investment in all probation methods - from offender support to Restorative Justice - to implement EM well. This keeps a sense of proportion about EM's role as part of an array of measures designed to protect society and rehabilitate people convicted of crime. EM is a welcome alternative to detention, but if we start to expect more from technology than from knowledgeable, caring professionals and volunteers, or if we think that EM could replace what probation does and has traditionally stood for, we will have made a grave mistake.

Imogen Parker

With thanks to Mike Nellis, Emeritus Professor of Criminal Justice at Strathclyde University.

For more information on Electronic Monitoring please see:

Electronically Monitored Punishment: International and Critical Perspectives. Routledge: Oxford, UK. Eds. Mike Nellis, Kristel Beyens and Dan Kaminski. 2012.

Nellis, M. (2011) 'Quakers, penal reform and the challenge of electronically monitoring offenders' International Review of Law, Computers & Technology, vol 25 (issue 1-2), pp. 95-105.



Introducing Annie Schultz, intern on our Human Rights programme

I have lived almost all my life in France, the country where I was born. However, I have always been curious of what was “out there”; my mother being Dutch, that means that half of me belongs somewhere else, in a way. I realized just how much I valued multiculturalism recently while completing my last year of bachelor study as an exchange student in an international college in Utrecht, where students from all over the world share the same house.

I am a student in Sciences Po Lille, a social science institute, where I am starting my Master’s degree in European Affairs next September. I am particularly interested in EU Law linked with environmental law and human rights.

My great-grandfather was an influential figure of the French Quaker movement. He created a community organised around Quaker ethics where my father’s extended family as a whole lived in what seems to me a ‘different way’. Very intrigued by this part of my family’s history, I am eager to understand who the Quakers are and to put my finger on what this different way actually means.



Photo credit: C Venables

Annie Schultz

If you're interested in a volunteer internship at QCEA, please contact office@qcea.org

EUROPE AND ECONOMIC JUSTICE: GUARANTEEING A FAIR SHARE



QCEA and QPSW Conference 2013 Brussels, 15-17th November



What alternatives are there to austerity?

What are the causes and consequences of the European economic crisis?

How can we contribute to the building of a just and sustainable economy?

QCEA invites you to our upcoming conference, 'Europe and Economic Justice', which will take place in Brussels this November. There will be workshops on specific issues such as a European basic income, the role of cooperatives, local currencies, tax justice and ethical investment, as well as two key-note addresses. Trevor Evans, Professor of Economics at the Berlin School of Economics, will speak on an alternative economic response to the crisis. Judith Kirton-Darling, Confederal Secretary of the European Trade Union Confederation, will draw on her faith to suggest actions we make take.

Visit www.qcea.org and click on 'Events' for more information, or contact Imogen at conference@qcea.org

QUAKER HOUSE NEWS

4th April: Alexandra and Gordon explained to the Irish Permanent Representative the importance of the Horizon 2020 amendment, and the reason that soft guidelines are not sufficient.

12-13th April: The QCEA Council met in Brussels, with Representatives from 10 Yearly Meetings as well as from the Europe and Middle East Section of FWCC, and the national support groups in Britain and The Netherlands.

10-11th May: Chris spoke to Oxford Quaker Meeting on "The militarisation of the European Union". He attended the 'OxPeace' conference the following day.

27th May - 2nd June: Chris joined 30 young activists from around the world on a bike-tour in Germany to raise awareness of the harm caused by the international trade in small arms. The bike tour ended at a conference, organised jointly by IPPNW and 'Aktion Aufschrei - Stoppt den Waffenhandel!'

29th May: Imogen attended a European Parliament Sub-Committee on Human Rights debate about the declining human rights situation in Russia. Two representatives from Pussy Riot were amongst the speakers.

In the month of May, Alexandra met Friends and gave presentations about QCEA at the annual gatherings of Quakers in the Netherlands, Switzerland, and Britain, as well as at the meeting of FWCC European and Middle East Section Representatives.



Then and Now: Prisoners on Remand

Many European policy areas of importance to Quakers in the 1970s and 1980s are still very current for QCEA's work today. Pre-trial detention is one such topic. People not convicted of any crime continue to be held for indefinite lengths of time in varying conditions of detention. As Quakers believe there is that of God in everyone and see everyone, including offenders, as human beings with dignity and rights, QCEA maintains a focus on detention conditions and continues to advocate that crime is an area where both forgiveness and justice are needed.

Then

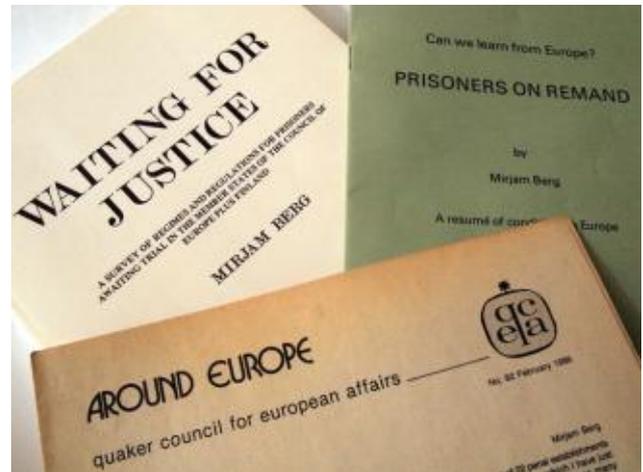
In 1973, the Council of Europe (CoE) passed [a resolution](#) on standard minimum rules for the treatment of prisoners, and, in 1980, [a recommendation](#) concerning custody pending trial. In the mid-1980s, Mirjam Berg at QCEA researched the issue of detention on remand in 19 Member States (MS) of the Council of Europe and Finland (which became a CoE member in 1989). She compared national laws with the 1980 CoE recommendation, and her research also included visits to detention centres in Northern Europe. In the November 1984 edition of *Around Europe*, Mirjam highlighted that in 1983, 76% of the prisoners held in Italy had not been criminally convicted. At the same time, the proportion in France was 51.6%, and 25.9% in Austria. People remanded in custody had long waiting times between arrest and trial. In England, the average delay between arrest and trial for prisoners on remand had increased from 23 days in 1979 to 41 days in 1982. Detention lengths varied considerably between the countries surveyed, and, in some countries, there was no law setting a maximum period that a person could be held prior to trial. Mirjam highlighted that detention conditions could be appalling: in one case, three remand prisoners were incarcerated together in a cell designed for a single person. She noted that prison conditions varied within and between CoE MS, and highlighting the need for reform of these facilities for people detained before trial and after conviction.

Now

Today, about [a quarter](#) of those in European prisons are pre-trial detainees or 'detained on remand'. Approximately [4,500 prisoners](#) are awaiting trials in foreign prisons across Europe. Although pre-trial detention is deemed a last resort by CoE legislation and a measure that should be used as the exception rather than the norm, it is still used throughout CoE and EU MS.

Because of excessive use of pre-trial detention, overcrowding is a major problem for many CoE Member States. In [a recent report](#) issued by [Serbian MP Nataša Vučković](#), the rapporteur for the recent

resolution 'Promoting alternatives to imprisonment' (passed at the end of May), 21 CoE Member States have overcrowded prisons (more than 100 prisoners for 100 places in detention). The cost of imprisonment for many of these Member States is the equivalent of 100 euro per inmate, per day. This highlights why



QCEA publications from 1984 written by Mirjam Berg

alternatives to imprisonment are necessary. They do not only lower the costs related to imprisonment and prison overcrowding, but also stop the excessive use of pre-trial detention. They can protect prisoners at risk of inhuman and degrading treatment, which violates Article 5 of the [European Convention on Human Rights](#). Alternatives to detention can also make offender rehabilitation more feasible. For example, offenders and victims can come to terms with the consequences of crime through such initiatives as [Restorative Justice](#).

In the 2013 report supporting [the CoE resolution](#), 'Promoting alternatives to imprisonment', initiatives created and supported by Quakers, such as Restorative Justice and Circles of Support and Accountability, were mentioned in the report. Vučković travelled to the UK on a fact-finding mission where he met with Quakers involved in these initiatives, to learn more about the positive outcomes of their work in criminal justice reform. In the CoE Resolution, paragraphs 5, 9.8, and 9.9 all refer to these non-custodial alternatives and the particular attention that must be paid to them within European criminal justice systems and legislation.

Nearly 30 years after Mirjam's report, we are still calling for reform of pre-trial detention in Europe, and the use of alternatives to imprisonment in its place. CoE legislation can only go so far in reforming criminal justice. It is up to the Member States to recognise the changes needed within the justice systems in Europe, and embrace alternatives to punishment and incarceration pre-trial, maintaining prisoners' human rights in the process.

Imogen Parker



Photo credit: Alexandra Bosbeer

The undervaluing of nature is obvious when we literally dump our rubbish in remote areas, as seen here on an Irish beach.

How to Value the very Framework of our Existence?

The Bounty of the Earth

For a long time, we humans have imagined that land is important only because of what it provides: wheat from tilled fields, grass to feed livestock, water from lakes, building materials from forests and quarries. Later, but only a few decades ago, we began to recognize the broader spectrum of goods and services we gain from the earth: from the oxygen-rich lower atmosphere essential for animal life, to non-timber forest products like moss for florists, to pollinators for our fruits, and carbon storage in peatlands and trees. In 2005, [the Millennium Ecosystem Assessment](#), an assessment called for by the UN Secretary General and carried out by over a thousand experts all over the world to assess the impact of changes in ecosystems globally, [listed a range of ecosystem services in four groups](#): tangible products from ecosystems; intangible cultural services; supporting services such as the creation of soil; and regulation services such as the regulation of climate and of disease by intact ecosystems.

Incorporating Intangibles

When people recognized that ecosystems are being overused and damaged by economic activity, the first response was to try to price ecosystem services, to include their value in financial assessments. The assumption is that the price will reflect the value to us

humans, and that simple budgeting will mean that valuable resources will be protected for future consumption.

The first problem we encounter is that the word 'value' has two meanings that are not always distinguished. 'Value' is used to mean 'price' - how much something costs - and it is also used to mean how much something is worth. (A third meaning, that of our individual internal attitudes, is also relevant but on a more philosophical level.) However, the price of something may bear little relation to its intrinsic worth. In fact, there are many elements in human well-being which are not priced: a parent's love, the sense of belonging in a community or group, the opportunity to go for a morning jog or a walk in a tree-lined avenue are some examples. The water in the shower is another - imagine living in an urban European setting without running water, and you understand very quickly the importance of even a few litres to wash your hands and face!

Finding a robust value for something not priced is terribly complicated, as very divergent numbers can result from different techniques. Methods are as different as estimating how much people would pay to replace something, and calculating how much an ecosystem contributes to a priced item on the supermarket shelf, and therefore what fraction of the price it accounts for. The characteristics of natural ecosystems make the calculation even more



complicated: if a bit of scrubby land is converted into a car park, we lose not only the few trees and their carbon, but also the grasses and other plants which provide food to insects which might in turn be eaten by something that produces a chemical that can be used to make medicine. (Did you know aspirin was originally found in willow bark -and that some deer chew on willows preferentially, perhaps finding a bit of relief from aches and pains?)

And we lose the complex of surfaces and roots which gather the rain and move it slowly into the groundwater to be drawn elsewhere into a well or lake. We lose the processes - chemical and organic - that create soil over millennia. We lose the sparkle of the sunset tingeing the softly clothed delicate grass seeds, the potential for a tradition of hazelnut collection, sloes for sloe gin, a few birds and the pine martens that feast on them; and we lose the spot where the local children played hide-and-seek and learned to climb trees. We lose much more than we can begin to identify. And without identifying it all, we cannot know its value or price.

Innovative Financial Mechanisms

Payment for ecosystem services and habitat banking have been identified as methods of reaching EU targets to stop the loss of biodiversity by 2020. Habitat banking is a type of credit transfer in which a developer pays for protection of an area, such as a site designated as part of the Natura 2000 network (e.g. an area already protected legally because of designation under the Habitats or Birds Directive) and thereby buys credits which permit the destruction of ecosystem services on another site.

This approach misses the entire point of the concept of ecosystem services: it is not that we may pave over most of our earth if we protect those few areas with special biodiversity. The services we depend on come

from all ecosystems, though to a reduced extent from those which are degraded. Between 2000 and 2006, we lost 30% of our grasslands and 17% of semi-natural sites to urban sprawl. The loss of the service we gained from those sites is not compensated for by protecting a rare species elsewhere.

Someone recently said to me, "don't discourage the developers." This is part of our quandary: do we need jobs-and-growth at the expense of the ecosystems providing services? Are the very foundations of our entire social and economic system of such little importance? Development brings jobs, yes - but the process turns natural areas into artificial surfaces. What are we creating if we focus on manufacturing and consumerism? How many megastores do we need? We may hope that developers will turn to building on land that has already been used (brownfield sites), but every year 5% of natural habitats in Europe are being lost to artificial surfaces. And the European Environment Agency reports that a growing number of ecosystems are degraded. We should heed the conclusions of the 1360 experts who contributed to the Millennium Ecosystem Assessment: the ongoing degradation of ecosystems will hinder the achievement of development goals, and halting this decline will require significant changes in policies and practices.

The concept of habitat banking represents a fundamental misconception of the nature of ecosystem services. The point is that every ecosystem is providing us with something, and if we destroy too much of those sources, we threaten the existence of goods and services from which we benefit. To put it more simply, not only our economic prosperity but our human well-being depends on the intertwined and inter-dependent services provided by nature. We are trying to correct a fundamental problem with little bits of tweaking. But we need a fundamental fix for a fundamental problem.

Alexandra Bosbeer

JOIN QCEA AS DEPUTY REPRESENTATIVE / DEPUTY HEAD OF OFFICE

QCEA invites applications for a Deputy Representative to participate in running its Brussels office. The Deputy will work within a team performing a double task:

- raising Quaker concerns with the institutions of the European Union and the Council of Europe, and
- keeping Friends informed about European policies and issues which they would wish to influence.

The post is open to any individual who is a member of the Religious Society of Friends.

The person appointed will need to be fully cognisant of Quaker testimonies and values, experienced with the Quaker business method, and familiar with the life of his or her own Yearly Meeting; a 'big picture' thinker excellent at both analysis and synthesis; a team player who is skilled at building and maintaining relationships, able to prioritize a heavy workload with tight deadlines, and able to communicate in English simply and clearly for diverse audiences in many countries, both orally and in writing.

This post is may be suitable for a person at different stages in her/his career; for this reason, salary and conditions will be open to discussion. The length of the contract is to be until 30 September 2015; reappointment is then a possibility.

Further details may be found at www.qcea.org or by contacting office@qcea.org.

The closing date for applications is 2 September 2013.



Crossborder Cooperation - it's Natural!

Nature doesn't respect borders or boundaries. Birds migrate across oceans, rivers run through entire continents, and ivy can cause walls to crumble. What can we learn from its disregard for artificial borders? And how can we use this in responding as a community to the environmental challenges that we face?

Yossi Leshem, one of the leaders of the project, says, "The environment in general, and migrating birds in particular, are very effective tools for people-to-people interactions given their shared environment". This is a scheme that is perhaps the international equivalent of a badger family uprooting fences separating gardens in suburban England.

Borderlines

For many years, I didn't know my next-door neighbours. We lived side-by-side in semi-detached housing, yet the only thing I knew about them was what sort of car they drove, that they shopped online with Tesco, and that their cat was called Mollie. This remained the case until a family of badgers moved into the back garden. The earth dug up by the badgers put increasing pressure on the fence that marked the boundary between our two patches of land, causing the old, six-foot-high wooden panels to bow and start to split. What were we going to do about this? An over-the-fence meeting quickly turned into "how about you pop over for a cup of tea?" and a conversation about the fence soon moved on to other, more interesting things that we had in common. The badgers were pushing down the fence between us, literally and metaphorically. This set me thinking about whether the natural world can encourage us to communicate, collaborate, and build peace across borders that hold more significance than garden fences: state boundaries.

The Middle East is at the juncture of three continents and is a funnel for birds migrating between the northern and southern hemispheres. It is also a region of great tension among the human population, where political unrest, if not violent conflict, has become a daily reality. However, a common enthusiasm for birds is helping to break down some boundaries. Bird-lovers from across the Middle East have come together to monitor and research bird migratory patterns. One project [brought school children from Israel and the Occupied Palestinian Territories \(OPT\) together](#) with bird experts from both nations. Another involved [erecting thousands of nesting boxes for Barn Owls across Jordan, Israel, and the OPT](#) to help farmers reduce reliance on pesticides.

Global Agreement

But it is not only individual relationships that can flourish through the love of a shared natural world. Interest in maintaining our shared environment can encourage intergovernmental cooperation, too. To date, the most widely ratified global agreement is an environmental one: the Montreal protocol concerning the phasing out of chlorofluorocarbons (CFCs). In 1989, recognising the threat that the growing hole in the ozone layer posed to life on our earth, 197 nations, many with wildly different political structures, ideologies, and national interests, came together in the agreement that we must act decisively to protect our planet. Are there any other issues that all nations could agree on universally? Surely there are, and the earth, our shared home, is a good place to start.

European nations are currently facing a number of different crucial environmental debates that require this type of common and unified response: [the Emissions Trading Scheme](#), [biofuels](#), and biodiversity are just a few examples.

Another key issue is fracking (see *Around Europe* 349), on

which the Commission is currently drafting an impact assessment that is due to be completed by the end of the year. There is an eagerness in many EU Member States, such as Poland, to become more independent in gas supply. And this unconventional and environmentally damaging extraction method is considered the key. EU Member States consider that the Treaty of Lisbon protects their right to determine their own energy mix. Because of this, many commentators doubt that the Commission will issue a strong proposal, despite its awareness of the problems related to fracking. Nearly 40% of respondents to a



Photo credit: Joanne Goldby CC-BY-SA 2.0

The wildlife in our gardens, such as this inquisitive badger, can change our perception of the boundaries that we create.



recent consultation thought fracking should not be developed in Europe at all. The process of extracting shale gas through this practice has severe implications for water supplies, climate change and even geological stability - all issues that transcend national boundaries. What will be the balance found between Member State benefits and regional or global costs? Will we be able to let the fences between different peoples come down and find a mutually beneficial solution through cooperation?

"Only a demanding common task builds community"¹

The environmental changes that are now beginning to affect our planet have profound consequences for peace. As Quakers, we use the word 'peace' to mean so much more than just the absence of violence and war. We see peace as an approach to life. It is something we choose as individuals, both in our relations with other humans and in our everyday social, economic and political activity. Peace is a way to an authentic humanity and to an integrity with those with whom we share this planet. In his book *Holding Faith*, David Gee describes choosing peace: "to bend towards a relationship with the world that allows fundamental needs to be met in life-giving rather than life-destroying ways, and to work for a society in which that choice becomes more possible to make." If peace is a choice, we, as individuals and societies, can make it a central part of our life by considering whether each decision we make is a 'peaceful' one.



A ceramic relief created by Irene and Azriel Awret in Safed, Israel.

Used with permission from Irene and Azriel Awret, visit www.26art.com

We cannot yet imagine the full scale of the chaos that climate change, environmental degradation, and resource scarcity may cause. We could face these environmental challenges in fear and despair, in isolation and defence. Or, by forming a bond to cooperate to address environmental issues, we could build an international community that can endure the other challenges that global change may bring and encourage responses in which peace and cooperation prevail. Given the wide-reaching implications of environmental issues such as fracking, and their interconnected causes, we must continue to work on

them at a European and international level in order to be effective. Cooperation between France and Germany over the issue of the coal and steel industries laid the foundations of European unity. The environment could be Europe's modern-day equivalent: a reason to unite.

Bethany Squire and Chris Venables

"If we are successful in what we set out to do, we will need to be accountable to one another, but we will also need to be tender with one another, and to support one another through the grief and fear that radical change will provoke."¹

¹Taken from "[Minute 36, our Canterbury Commitment](#)" Britain Yearly Meeting's corporate commitment to become a low-carbon sustainable community



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