




OPEN PEER REVIEW

# Electronic Monitoring of Imprisonment in the Law and Judicial Practice of England

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Received: 2024-05-26


Revised: 2024-08-10

Accepted: 2024-08-19

Published: 2024-08-24

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## 1. Round 1

### 1.1. Reviewer 1

Reviewer:

In the sentence, "Electronic monitoring, as an alternative to imprisonment, became a part of England's penal policy in the 1990s," clarify which specific societal or criminal justice challenges prompted this shift. Providing more historical context will enhance the reader's understanding of its necessity.

When mentioning "less than 14,000 recorded cases in the year ending March 2021," consider adding a comparison to previous years to illustrate growth trends over time, which could highlight the rising importance of electronic monitoring.

Although the article addresses practical aspects of electronic monitoring, it lacks a clear theoretical framework. Including criminology theories such as deterrence theory or rehabilitation theory could strengthen the analysis.

When citing acts like "The Criminal Justice Act 1991," ensure consistency in naming throughout the text, especially in headings and references, to avoid confusion and maintain a professional tone.

The section mentioning "technical flaws" in electronic monitoring systems should describe specific issues (e.g., GPS inaccuracy, battery limitations), as these details directly impact the effectiveness and perception of monitoring.

In discussing the impact on recidivism, provide statistical comparisons of recidivism rates before and after the implementation of electronic monitoring, if available, to illustrate any measurable outcomes.

Authors revised the manuscript and uploaded the document.

## 1.2. Reviewer 2

Reviewer:

The paragraph on page 5 discussing the Criminal Justice Act 1991 should specify the criteria used to decide between electronic monitoring and traditional imprisonment, as this is crucial for understanding the legal discretion applied.

The article would benefit from a comparative section that briefly discusses how electronic monitoring is applied in other countries. This could provide a useful benchmark and context for evaluating England's approach.

In the section on the "Criminal Justice Act 2003," it states, "Various studies have demonstrated that electronic monitoring can be highly effective in reducing recidivism." Specific studies should be cited here, along with brief findings, to strengthen the claim.

Terms such as "conditional sentencing" and "community service orders" in the discussion of the Criminal Justice Act 1972 could be further explained or referenced with legal definitions, ensuring clarity for a multidisciplinary audience.

In the discussion of human rights, include more specific critiques regarding privacy issues related to electronic monitoring. For example, address the "right to be forgotten" or the European Convention on Human Rights' stance on surveillance.

The section on "Judicial ruling in R v. Wright" could benefit from a more detailed discussion of the court's reasoning behind choosing electronic monitoring over imprisonment, particularly any specific evidence that influenced this decision.

Consider adding insights or perspectives from stakeholders like probation officers, offenders, or families, especially in the discussion of the "Offender Management Act 2007." This would provide a human element to the policy analysis.

The article claims to use a "descriptive-analytical method," but lacks specifics on data collection and analysis techniques. Detailing the sources (e.g., judicial rulings, legislative reviews) and analytical approach would clarify the research process.

The article briefly mentions criticisms but could further explore ethical debates, especially regarding the impact of constant monitoring on an individual's mental health and personal autonomy.

Authors revised the manuscript and uploaded the document.

## 2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.