



Ministry  
of Justice

# The use and operation of counter-terrorism polygraph examinations

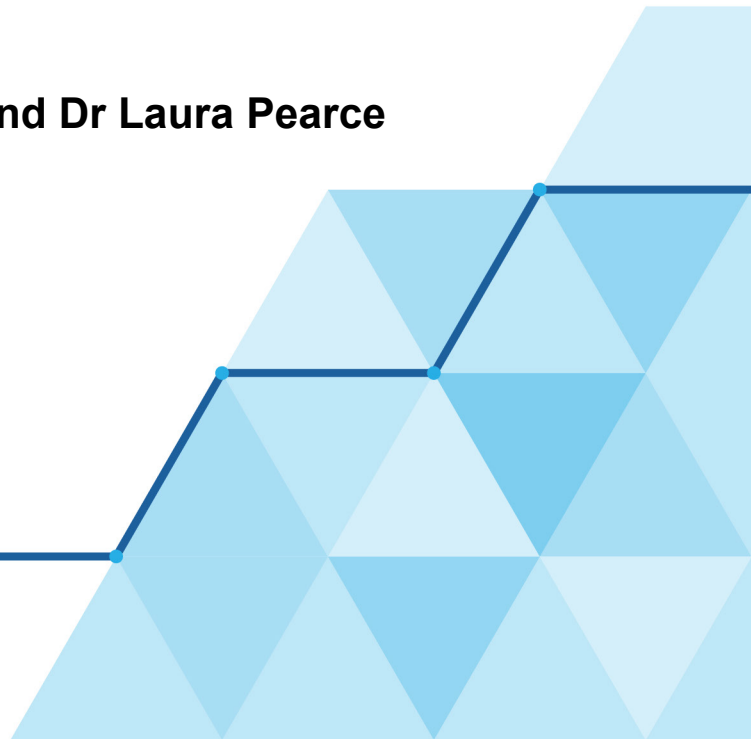
## Process evaluation findings

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# 1. Executive summary

## 1.1 Introduction and aims

The Counter-Terrorism and Sentencing Act 2021 introduced a licence condition for mandatory polygraph examinations which could be used for eligible people on probation who have been convicted of a relevant terrorist offence.<sup>1</sup> The Probation Service has rolled out polygraph examination with this cohort, and it has been implemented nationally in the five National Security Division (NSD) areas across England and Wales. In passing the Counter-Terrorism and Sentencing Act 2021, the Government made a commitment to undertake a review of the use and operation of the polygraph licence condition on those convicted of a relevant terrorist offence and report on findings after two years. This report presents these findings in the form of a process evaluation.

## 1.2 Methodological approach and interpreting findings

A mixed methods approach was taken. Quantitative data takes the form of an overview of management information (MI) data. All people on probation convicted of a relevant terrorist offence, that meet the legal and policy criteria,<sup>2</sup> are eligible for the polygraph licence condition. The qualitative data comprised a sample of polygraph examination reports, and transcripts from interviews and focus groups with polygraph examination stakeholders. A survey was also undertaken with people on probation subject to the licence condition to understand their views and opinions on the polygraph licence condition. The research included interviews with examiners and probation practitioners (PPs). Additionally, the views were sought of HM Prison and Probation Service (HMPPS) psychologists advising on polygraph examination cases, Counter-terrorism (CT) police, Heads of National Security Units (HONSUs), HMPPS policy leads, and portfolio leads involved in the implementation and delivery of polygraph examination.

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<sup>1</sup> A 'relevant terrorist offence' refers to a terrorist offence that is specified in Part 1 or 2 of Schedule 19ZA to the Criminal Justice Act 2003 or a non-terrorist offence that the judge, at the point of sentencing, determined to have a terrorist connection.

<sup>2</sup> Further information on the eligibility criteria is at Appendix A.2

The findings from the focus groups and interviews are broadly representative of the stakeholder groups, as most stakeholders from each group participated in the research. However, it was only possible to include a limited number of respondents from Counter-terrorism police, as they have much higher staff numbers, many of whom have lower case exposure. Their views may not be fully represented as a result. As the cohort with the polygraph licence condition is small, findings from the survey of people on probation are descriptive. Due to the response rate for the survey (~20%) findings are unlikely to be fully representative and a caution must be applied when interpreting findings. Findings overall are not fully generalisable to other cohorts subject to the polygraph licence condition, such as people convicted of sexual offences or domestic abuse offences, due to differences in the profiles of the people on probation.

### 1.3 Key findings

- **Management Information Data:** A total of 46 individuals have been subject to the polygraph licence condition between 29 June 2021 and 30 June 2023. A total of 88 polygraph examinations were completed by 39 individuals. The examination result was classified as a “significant response” in 31 instances (35% of examinations). A significant response is an examination result interpreted as ‘deceptive’, where the examiner concludes the individual has not been telling the truth when answering one or more of the polygraph examination questions. Disclosures of risk related information were recorded in 63 instances (72% of examinations). All disclosures of risk related information made during polygraph examinations are considered alongside other risk relevant information. In three cases this has led to individuals being recalled. A lack of compliance with the polygraph licence condition by a fourth individual also contributed to their recall.
- **Polygraph examination implementation:** HMPPS policy and portfolio leads considered early implementation of the policy and delivery to milestones and timescales had been largely met. This was said to be facilitated by learnings from implementation of polygraph examinations with people convicted of sexual offences and by development of an overarching polygraph examination policy framework that set standards across all cohorts where the polygraph licence condition is applied. Some polygraph examination stakeholders reported that they



would have liked more coordinated central communications and briefings on the legislation, policy framework, eligibility, and the polygraph examination process during early implementation.

- **Operational delivery of polygraph examinations:** Polygraph examination was widely considered to be well embedded into practice amongst most stakeholders from each group participating in the research. A positive culture for polygraph examination was reported within NSD, where generally stakeholders valued the use, outcomes, and purpose of polygraph examination. A few CT police and psychologists felt there was still room for additional learnings, specifically on proportionate responses, polygraph examination processes, eligibility, and the role of psychologists in the polygraph process. As the policy embedded, levels of confidence, understanding, and the value stakeholders placed on polygraph examination were reported to increase. Stakeholders broadly felt that having a shared understanding of the purpose, limitations, and process of polygraph examination, as well as having the examiner integrated into the team was key to successful operational delivery.
- **Multi-agency polygraph examination process:** All stakeholders commended the multi-agency approach to polygraph examinations, which was thought to be important for the process to work well with this cohort. The pre- and post-examination Core Group, and Multi-Agency Public Protection Arrangements (MAPPA) meetings facilitated collaborative management of people on probation. They were considered crucial for information sharing, effective case management and fostering stakeholder relationships.
- **Managing the person on probation:** Practitioners reported that people on probation often appeared to find the first examination the most difficult and anxiety-inducing. It was believed by most stakeholders that the anxieties of the person on probation decreased after the first examination, and their openness with the examiner increased over time, although some remained hostile to the polygraph examination. Prior to each examination there was significant stakeholder input regarding how best to manage needs of the person on probation to ensure the smooth running of the examination.

- **Views of the polygraph examination by people on probation:** Eight individuals who were currently, or had previously been, subject to the polygraph licence condition responded to the evaluation survey. Most said they had been notified of the licence condition at least a month before release from custody. Most respondents said they were happy with the information given prior to their first examination and were content with the practical aspects of examinations, such as rooms, locations, and timings. Most people on probation said they were 'confident' but also 'anxious or worried' before their first examination. Overall, most understood what might happen in relation to polygraph outcomes. Most stated the polygraph examination did not change their levels of honesty or openness with practitioners and that their compliance with other licence conditions stayed the same, which contrasts with the perceptions of polygraph examination stakeholders.
- **Risk management:** Stakeholders felt the polygraph examination was a useful tool within the wider risk management package such as probation supervision meetings, or other licence conditions. Polygraph examination was said to be useful in identifying previously unknown areas of risk or concern via disclosures made by the person on probation during the polygraph process. Significant responses could also provide focus to investigations. Polygraph examinations also helped identify areas of additional support that the person on probation might need to be able to comply with their licence conditions. Polygraph examination was viewed by stakeholders to potentially reduce the need for recall, through early identification and management of issues.
- **Compliance with other licence conditions:** It was stated that the polygraph examination was useful in encouraging disclosures, gleaning new information and for providing evidence for compliance with other licence conditions. Most stakeholders stated that polygraph examinations were useful to inform compliance as part of the wider risk management package or to highlight potential false compliance (where the person appears to comply, but this may not be the case).

- **Use of polygraph examination outcomes:** A variety of investigations and enforcement actions arose following polygraph examinations. Prevalent areas of further investigation were internet or device usage and developing relationships. Actions arising from polygraph examination outcomes varied from informal discussions to the addition of new or amended licence conditions. In some cases, further investigations revealed licence condition breaches, in which case recall was pursued. Stakeholders felt there was a great deal of emphasis placed on the outcome of each examination, and disclosures made during the process, due to the nature of risk within this cohort.
- **Remaining barriers to delivery:** Most considered the polygraph examination process to be working as intended and delivering the desired outcomes. A few PPs and examiners mentioned that booking rooms for the polygraph examination and finding suitable rooms could be improved.
- **Potential improvements:** A few stakeholders mentioned there was still scope for some stakeholders to improve their understanding of polygraph examination, especially for those with less frequent involvement such as CT police, or for those that had not accessed the training available. Coordinated central communications such as conferences, briefings, and guidance were mentioned as key for any future changes to policy, and to improve stakeholder understanding.

## 1.4 Conclusions

Overall, polygraph examination stakeholders felt it had embedded well into everyday practice, despite low case numbers within the cohort. Multi-agency case management and the presence of examiners within teams were seen as key in this process. Stakeholder confidence, understanding and support for polygraph examination had increased over time. If any future policy changes were to take place, coordinated central communications would be key to aid operational delivery. Overall, stakeholders considered polygraph examination to give insight into new risk related information, to contribute to an overall understanding of compliance and to spur further compliance related investigations. To this end, polygraph examination was therefore considered an effective risk management tool.

## 2. Process evaluation aims and context

### 2.1 Policy Background

The Counter-Terrorism and Sentencing Act 2021 introduced mandatory polygraph examination licence conditions for eligible people on probation following conviction for a relevant terrorist offence.<sup>3</sup> The Bill received Royal Assent in April 2021, becoming operational on 29th June 2021. From this time the policy has been rolled out nationally in the five National Security Division (NSD) areas: North, South Central and East, London, Wales and Southwest, and the Midlands. The aims of the polygraph licence condition are to assist probation practitioners (PPs) in monitoring compliance with other licence conditions. It also aims to enhance how people on probation are managed by encouraging disclosures which can enhance their risk assessment, management, or supervision. See Appendix A.1 to A.3 for further policy detail.

During a polygraph examination, individuals are asked a small number of pre-selected questions about compliance with their current licence conditions. Physiology such as heart rate, blood pressure, respiratory rate, are measured. Changes in these measures when answering a specific question, relative to the individual's normal rates, can indicate they are attempting to be deceptive. Examinations are carried out by experienced qualified Probation Officers who have been trained as accredited examiners to the standards set by the American Polygraph Association (APA).<sup>4</sup>

### 2.2 Process evaluation aims

In passing the Counter-Terrorism and Sentencing Act 2021, the Government committed to undertake an internal review of the use and operation of the polygraph licence condition on those convicted of a relevant terrorist offence and report on findings after two years. This independent review was conducted as a process evaluation. This report presents the

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<sup>3</sup> A 'relevant terrorist offence' refers to a terrorist offence that is specified in Part 1 or 2 of or a non-terrorist offence that the judge, at the point of sentencing, determined to have a terrorist connection. More information on the eligibility criteria can be found in Appendix A.3.

<sup>4</sup> The APA is an international polygraph organization, representing more than 2,800 experienced polygraph examiners in private business, law enforcement and government (<https://www.polygraph.org>).

findings of the process evaluation and concludes the review. The review was carried out by researchers in the Ministry of Justice (MOJ) Data & Analysis (D&A) Directorate. Government Social Research (GSR) is conducted according to Cabinet Office professional guidance such as the Magenta Book.<sup>5</sup>

The process evaluation aimed to address the following research questions:

1. Is the policy operating as intended?
2. What are the views and experiences of stakeholders?
3. How is information from polygraph examinations being used?
4. What are the outcomes of polygraph examinations?

The first two research questions are addressed throughout Section 6 ‘Qualitative findings’. Questions three and four are mainly answered within sections 4 ‘Monitoring information’; 5 ‘Polygraph examination report content analysis’, and 6.7 on ‘Usefulness as a risk management tool’. The efficacy of the polygraph licence condition is primarily understood via the views, opinions, and actions of polygraph examination stakeholders, considered alongside management information (MI) data. A quantitative impact evaluation was not feasible due to the low volume of eligible cases within the two-year timeframe, meaning statistically significant findings were unlikely.

## **2.3 Existing use of polygraph examinations in probation**

Mandatory polygraph examinations were piloted in the management of eligible people convicted of sexual offences (PCoSOs) released on licence between 2009–2012. In 2010 the MoJ commissioned the University of Kent to evaluate this pilot (Gannon, Wood, Pina, Vasquez and Frazer, 2012).<sup>6</sup> Researchers measured the number of clinically significant disclosures (CSDs); defined as ‘new information disclosed by a person on probation, which leads to a change in how they are managed, supervised, or risk assessed, or to a change in the treatment intervention they receive’. There was a statistically significant increase in disclosures in the polygraph examination group compared to those who did not receive the examination. This led to an increase in the preventative actions taken following

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<sup>5</sup> The Magenta Book provides guidance on Government evaluation. The Magenta Book – GOV.UK ([www.gov.uk](http://www.gov.uk))

<sup>6</sup> Evaluation of the mandatory polygraph pilot report, see ‘References’

a disclosure, such as changing levels of risk of serious harm to the public, or recall (Gannon et al., 2012, Wood, Alleyne, Ciardha and Gannon, 2020). This policy was subsequently rolled out to PCoSOs nationally in 2014. The Domestic Abuse Act 2021 introduced provisions for a three-year pilot of a mandatory polygraph licence condition for eligible people convicted of a domestic abuse offence. Impact, economic, and process evaluations are being undertaken, with the impact evaluation operating as a randomised controlled trial. More information is in Appendix A.4.

## 2.4 Previous research

This section summarises the appended limited international literature review (appendix A.5) of the growing published research on the use and application of polygraph examinations. The review is not systematic or exhaustive, therefore, caution should be applied in interpretation. Polygraph examinations have a contentious history within and outside of the criminal justice field, with debate on its reliability, efficacy, and validity (National Research Council, 2003; Grubin and Madsen, 2007). Polygraph examinations can be used as a diagnostic tool to detect deception, for example detecting truthfulness where there is a known allegation and used as a basis for further action. Alternatively, it can be used as a screening tool to add incremental validity to risk management decisions, and not used on its own as a basis for further action (Nelson, 2015). The latter is how the polygraph examination is employed in a post-conviction context in HMPPS.

There are polarised accounts of the use of polygraph examination in the supervision and ongoing risk management of PCoSOs post-conviction. Some research has evidenced that when polygraph examinations are used in this way, it can prompt higher levels of disclosures (Gannon et al. 2012, Spruin, Wood, Gannon and Taylor, 2018, Elliot and Vollm, 2016, Wood et al. 2020), reduce high risk behaviours (Grubin et al., 2004), and reduce reoffending (McGrath, Cumming, Hoke and Bonn-Miller. 2007, Cook, Barkley and Anderson, 2014). Other research, however, has found limited or no impacts on recidivism (Ben-Shakhar and Furedy, 1990, Elvin, Little, Wood, Gannon, Alleyne and Ciardha, 2021). There is little empirical research on polygraph examinations being used post-conviction for people convicted of a relevant terrorist offence. Findings of this process evaluation will add to the evidence base and inform operational policy and practice within this field.

## 3. Methods and approach

### 3.1 Methods

A mixed methods approach was used (see Appendix B for further detail). Unpublished management information (MI) data summarises the number of individuals subject to polygraph examinations, as well as related outcomes, disclosures, and polygraph related recalls. Qualitative research was undertaken in two phases. Phase one obtained views on early implementation from probation practitioners (PPs,  $n=12$ ) and examiners ( $n=6$ ). Phase two explored how the polygraph provision had embedded, and its use in risk management. PPs ( $n=10$ ), examiners ( $n=5$ ) and wider stakeholders including HMPPS psychologists advising on polygraph examination cases ( $n=5$ ), Counter-terrorism police ( $n=5$ ), Heads of National Security Units (HONSUs) ( $n=4$ ), HMPPS policy leads ( $n=3$ ), and HMPPS portfolio leads ( $n=3$ ) took part via interviews and focus groups. Interviews and focus groups were conducted using Microsoft Teams. A paper survey collected the views of people on probation subject to polygraph ( $n=8$ , 21% response rate). Content analysis of a sample of polygraph examination reports identified key themes recorded by examiners ( $n=55$ ).

### 3.2 Analysis and interpreting the findings

Interview and focus group transcripts, survey responses, and polygraph reports were analysed thematically, and quality assured, using coding frames created in Microsoft Excel. Analysis of MI and survey data is descriptive; the small cohort size means it was not appropriate to conduct statistical significance to assess whether findings were due to chance. The survey findings are not considered fully representative due to the low response rate. In turn, some findings may be specific to those convicted of a relevant terrorist related and not generalisable to other cohorts subject to polygraph examination. The views and opinions of respondents are subjective and may be subject to response bias. Confidentiality and anonymity in the research serve to reduce but not fully eliminate this bias. Terminology such as 'some' or 'few' have been used to show how widely opinions were shared regarding common themes, as providing figures or percentages on any given theme would not be meaningful due to the small number of respondents.

## 4. Monitoring information

The information reported below summarises cumulative data between 29 June 2021 and 30 June 2023 (correct as of 15 August 2023).

It is mandatory to request the polygraph licence condition for all eligible people on probation convicted of relevant terrorist offences (see Appendix A). A description of the polygraph examination process and possible appointment and examination outcomes can be found in Appendix C.

### 4.1 Number of individuals subject to polygraph examinations

A total of 46 individuals within the community were subject to the polygraph licence condition during the two-year review period. This includes:

- Twelve individuals who were already in the community when the policy started and had the condition added to their licence retrospectively.
- Thirty-four individuals who were released from custody onto licence; one who was recalled and later re-released with the licence condition added for a second time.

A breakdown of the geographical spread of cases and the cumulative number of cases across the process evaluation period can be found in Appendix D.1.

### 4.2 Examination Appointments

Of the 46 people on probation with the licence condition, 39 attended and complied with at least one examination during the evaluation period. Of the remaining seven:

- One individual failed to attend their appointment on two occasions, contributing to their recall to custody.
- Three individuals were not instructed to attend a polygraph examination because they were recalled to custody prior to their first appointment being scheduled.
- Three individuals were awaiting their first appointment to be scheduled or attended when the process evaluation period ended.



A total of 100 polygraph appointments were scheduled, of these:

- Eighty-eight appointments were attended and complied with by the person on probation, meaning the examination process was completed.
- Two appointments were attended, but the individual did not comply with the process, meaning the examination process was not completed.
- The remaining 10 appointments were not attended; eight were rescheduled and two were recorded as an unacceptable absence.

### 4.3 Examination outcomes

Out of the 88 appointments which were attended and complied with:

- The examination result was classified as “significant response” in 31 instances (35%). This means the examination result is interpreted as ‘deceptive’.
- Disclosures by the person subjected to the polygraph examination were recorded in 63 instances (72%), with the majority ( $n=42$ , 67% of disclosures) relating to “risky behaviour”.
  - In the majority of instances, no formal action (such as a warning letter or recall action) was recorded after a disclosure (41 of 63 disclosures, 65%). However, all new information from polygraph examination appointments is subject to review and included in future risk assessments by probation practitioners.
  - All disclosures are considered alongside other risk relevant information. In three cases this has led to individuals being recalled.

A full breakdown of appointment and examination outcomes, as well disclosures and resulting enforcement actions can be found in Appendix C.

## 5. Polygraph examination report content analysis

### 5.1 General discussions

Polygraph examination reports cover the pre and post examination discussions and examination outcomes. Each report details information on the person on probation's current personal and social circumstances. Of the 47 polygraph reports reviewed, popular topics in pre-examination interviews were accommodation ( $n=36$ , 77%), relationships ( $n=29$ , 62%), and leisure activities ( $n=18$ , 38%). More information can be found in Appendix E. Existing licence conditions are also discussed in the pre-examination interview, helping the examiner to judge how well the conditions are understood. The reviewed reports showed individuals were subject to various combinations of between 1–19 licence conditions ( $m=9.6$ ).

### 5.2 Risk related information and compliance

The examiner also highlights risk related information believed to be previously undisclosed. Risk related information was shared in almost all examinations ( $n=37$ , 79%). Most risk related information was generally shared pre-examination, although it also occurred post-examination. Most information related to unauthorised internet use ( $n=32$ , 86% of reports) or contact with prohibited people ( $n=16$ , 43%). The reports also contain examiner comments on how cooperative the person on probation is with the examination. Nearly all were reported to cooperate, even if they expressed frustrations with having to be examined. In a small number of cases where the individual had more than one examination, there were repeated non-compliant attitudes, or suspected countermeasures.<sup>7</sup> This aligns with stakeholder views that a minority of individuals remain hostile and have non-compliant attitudes. More information can be found in Appendix E.

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<sup>7</sup> Countermeasures are anything that a person on probation does in a deliberate effort to defeat or distort a polygraph examination, for example breath holding or taking medications.

## 6. Qualitative findings

The results presented in this section are grouped by theme. Each theme represents feedback from interviews and focus groups with polygraph examination stakeholders. Stakeholders included HMPPS portfolio leads who operationalised the polygraph examination provision and HMPPS policy leads who had policy related oversight of the implementation. Other key stakeholders involved in the polygraph examination provision day-to-day delivery were, probation practitioners who supervised the person on probation in the community and examiners who undertook the polygraph examinations. Wider stakeholders included Heads of National Security Units (HONSUs) who chaired MAPPA meetings and provided strategic risk guidance, HMPPS psychologists who contributed behavioural and cognitive advice related to the person on probation, and CT police who are involved in polygraph examination cases in the community (see Appendix B for more information on the stakeholder groups).

Any key differences between the views of stakeholder groups are drawn out where appropriate. When 'stakeholders' are referred to, unless differentiations are made between groups, this refers to the consensus view of all participating groups. Key differences between the first and second phase of the fieldwork are also highlighted, the findings however are broadly similar. Findings from each stakeholder group may not be reflected in each thematic section due to the nature of the group's involvement in polygraph examination delivery. People on probation also took part via a survey, this participant group is referred to separately from all other stakeholders throughout the report.

### 6.1 Policy implementation and early operational delivery

#### **Views on strategic level implementation**

Strategic level findings on policy implementation are from the perspective of HMPPS policy and portfolio leads. HMPPS policy leads had oversight of the development of the policy and implementation plans. They ensured standardised approaches in implementing the policy framework across the different polygraph examination cohorts. Portfolio leads had

oversight of implementation and operational delivery of the Counter-Terrorism polygraph<sup>8</sup> licence condition.

Overall HMPPS portfolio leads stated that implementation milestones against the delivery timeline were achieved at each stage. Both stakeholder groups stated this was facilitated by learnings on policy development and operational delivery with other cohorts and the combined policy framework. Portfolio leads stated the small numbers of staff involved in managing this cohort facilitated collaboration and shared understanding, allowing frequent meetings at early implementation to ensure understanding of requirements.

“The policy framework sets out our mandatory requirements (for polygraph examination delivery) and we have to adhere to those” (HMPPS policy leads)

Portfolio leads stated that extensive education for polygraph examination stakeholders, delivered by National Security Division (NSD), on the purpose, limits and aims of polygraph examination assisted in developing a critical yet positive culture. This culture allowed stakeholders to effectively engage with polygraph examination in their respective work areas. Communications about polygraph examination by NSD, such as conferences, and briefings, improved understanding of polygraph examinations and educated stakeholders. This was felt to help allay some initial perceived hesitancy towards polygraph examination amongst some NSD stakeholders.

“I think that close working (amongst stakeholders) has really, really helped in implementation and the current smooth running of the polygraph licence condition” (HMPPS portfolio leads)

Portfolio leads reflected that in hindsight, a one-page briefing sheet of aims and actions might have been useful to share with stakeholders at early implementation. Head of National Security Units (HONSUs) did mention that a more coordinated approach to communications would have been welcomed at policy launch.

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<sup>8</sup> Operational implementation included ensuring data was collected and shared appropriately, developing systems and processes for recording, examiner training, communications, raising the profile of polygraph examination amongst stakeholders, health and safety plans, and input into the overall policy framework that governs all polygraph examination cohorts.

### **Stakeholder perspectives on early implementation**

Probation practitioners (PPs) and examiners included in this study reported mixed views about the information they had received at implementation of the polygraph licence condition. Some felt that there could have been improvements in communications from the central policy team. At early implementation, a few PPs said they had not seen the policy framework or were not sure where to find information and, a few said they would have welcomed faster response to queries on the policy. Examiners felt information on the eligibility criteria and what was covered by the legislation could be improved. PPs and examiners also had mixed views on the training provision at implementation. Most PPs and examiners noted that attending development days, briefings and induction sessions had been useful. HONSUs mentioned that the retrospective addition of the polygraph licence condition to cases already in the community had been challenging, because it was an additional licence condition they did not have at the point of release. They also cited challenges in navigating the eligibility criteria during early implementation whilst still familiarising themselves with the details (information on eligibility criteria at Appendix A.2).

### **Stakeholder confidence and understanding of polygraph examination**

Most PPs and all examiners interviewed had prior experience of polygraph examination with the PCoSO cohort. At the implementation stage most PPs stated they understood the aims of the policy, their roles, and the polygraph examination process. A few PPs were unsure about these aspects, but this improved after early implementation. Amongst examiners, all stated their confidence in delivering polygraph examinations and ability to identify concerns and risks had improved since implementation. This was stated to be due to becoming more familiar with the cohort convicted of relevant terrorist offences. Due to the small number of cases, a few examiners mentioned this was still a 'learning curve'.

CT police and psychologists, who have less day-to-day involvement in polygraph examinations, had more varied levels of understanding. Some in these groups were uncertain of the polygraph examination eligibility criteria, appropriate responses to examination outcomes, or its purpose within risk management. All stakeholders perceived CT police understanding on what enforcement actions could be taken after an examination in relation to significant responses or disclosures had improved. A small number of psychologists mentioned they thought that not all stakeholders at MAPPA or Core groups

understood their role in the polygraph process. Psychologists stated the value of their role was highly respected by examiners.

## 6.2 Practicalities of polygraph examination delivery

### Views on Polygraph examination in everyday practice

Over time PPs, examiners and HONSUs who took part in the study reported that the practical processes of the polygraph licence condition were very well integrated into everyday practice. A few stakeholders from all participant groups said there were variations in the operational delivery of polygraph examination. This was because of varied levels of case exposure in different locations due to the small cohort size.

“It’s taken a bit of time to get refined, shall we say, and embedded into things. But I think overall it’s positive and it’s working” (Examiner)

Throughout the research, polygraph examination stakeholders stated there was suitable time, resources and support available within NSD, and that NSD colleagues had good awareness of polygraph examinations. Polygraph examination is discussed at Core Group<sup>9</sup> and Multi-Agency Public Protection Arrangement (MAPPA)<sup>10</sup> meetings. Most stakeholders viewed examiner presence at these meetings, and well-established processes to arrange the meetings, as key to polygraph examination becoming routine.

### Practical aspects of polygraph examination delivery

PPs and examiners are present on the day of the examination and are involved in room bookings and examination delivery. At early implementation, two examiners were routinely present at each examination due to initial perceived health and safety concerns. Since implementation in 2014, the HMPPS operational delivery model for polygraph examinations, is that one examiner undertakes an examination. The paired approach was only applied at policy implementation to assess health and safety risks to the examiners. After a general risk assessment this cohort was brought in line with other cohorts.

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<sup>9</sup> The Core Groups predominantly comprise CT police, examiners, PPs and senior probation officers, and psychologists who are closely involved in the polygraph process.

<sup>10</sup> MAPPAs may have wider stakeholders present such as social services, approved premises staff or other relevant bodies. MAPPAs are chaired by the Heads of National Security Units (HONSUs).

Generally, throughout the research, few barriers to the delivery of the examination were reported. Difficulties booking rooms or finding adequate rooms were mentioned. A few examiners and PPs highlighted that at times, rooms were being used for storage, or were not in sufficiently quiet places away from the bustle of other activities.

“The biggest challenge is actually trying to find suitable locations and sort of negotiate time and facilities and whatever else” (Probation Practitioner)

A few examiners mentioned health and safety as an ongoing area of improvement. They said they were supported by CT police who arranged safety measures when required. However, if rooms were in a quiet location in remote parts of the building, this sometimes impacted their perceived safety.

## **6.3 Stakeholder views on relationships and co-working**

### **Stakeholder views on relationships**

A high level of respect and support was reported between stakeholder groups who participated in this study. The Core Groups and MAPPAs were viewed as central to creating positive relationships and fostering co-working. A small number of HONSUs and examiners mentioned challenges in relationships when the outcome of the examination was contrary to PPs’ beliefs and opinions about the person on probation, although this view was also less prevalent over time. HONSUs stated any stakeholder disagreements on the nature of risk or concerns were managed in the same way as for any other licence conditions. Most examiners stated that stakeholder relationships improved with increased understanding of the polygraph process. Examiners were also positive about the close involvement of PPs with CT cases.

“We've got a good working relationship with NSD and it's quite an open debate and conversation when it comes to the polygraph condition” (CT Police)

### **Views on the examiner’s role in the polygraph examination process**

When stakeholder groups discussed their relationship with examiners, there was unanimous opinion that these relationships worked well. Examiners were held in high esteem, for being knowledgeable, approachable, supportive, and flexible. PPs and psychologists said they felt supported by examiners, who they perceived as helpful and

good at providing information and guidance. Examiner presence within the team and their attendance at Core Group and MAPPA meetings was viewed as positive and contributing to the successful delivery of the polygraph licence condition. Most stakeholders across all groups were confident that examiners could identify appropriate concerns, risks, and that they had a shared understanding of the case. No areas of improvement were identified by stakeholders in relation to working with examiners.

## **6.4 Multi-agency case management and information sharing**

### **Multi-agency case management of the polygraph examination provision**

Stakeholders had a perception that collaboration and in-depth case management was more involved within this cohort compared with other cohorts. However, almost all stakeholder's felt relationships were strengthened due to an increase in information sharing and discussions regarding information gathered in polygraph examinations. Stakeholders did not identify any further improvement which could be made in relation to multi-agency input into polygraph examination case management. All stakeholders spoke highly of Core Group and MAPPA meetings. They were identified as being useful in risk management and as valuable in creating 'open dialogue'. The meetings were said to be useful for sharing information on the person on probation's context, history, risk management and examination outcomes.

Core Group meetings are held at regular intervals where a range of topics are discussed, including polygraph examinations. Stakeholders such as HMPPS psychologists, PPs, examiners and CT police, attend. The focus is on polygraph examination aspects such as question development and neurodiversity characteristics that may need to be accounted for in examination delivery. At MAPPA meetings, the focus is on general factors rather than the specifics of polygraph examinations. Most psychologists stated key aspects of their role in the polygraph examination process were their contributions to question phrasing, informing reasonable adjustments, and supporting the examiner in how to approach question phrasing. Some psychologists mentioned regional variation in how involved they were in polygraph examination discussions.

"I think within our region that (collaboration in core groups) works really well, because everyone kind of has a voice within that Core Group" (Psychologist)



In Core Groups and MAPPA meetings, examiners provide specialist input and familiarise themselves with the case before conducting the first examination. During early implementation, examiners stated that polygraph examination discussions at Core Groups could be improved by being more structured. Discussions became more structured over time, allowing polygraph examination to be delivered and used more effectively. Decisions on enforcement actions and investigations are made collaboratively at these meetings, although probation, as the lead agency, has final decisions on actions. Almost all stakeholders felt valued in their specific expertise. The input of CT police was valued by other polygraph stakeholders who stated that CT police may be privy to different information that might guide risk discussions.

### **Stakeholder views on the capturing and use of polygraph examination information**

PPs are not present in the room during the examinations. The examiners share outcome information immediately in the post-examination interview, where the PP, examiner and person on probation are always present. In this interview, the examination is discussed, along with disclosures and outcomes such as significant response (SR) or no SR (NSR). If risk related information arises that needs to be urgently discussed, an emergency Core Group can be called later that same day. Support or interventions for the person on probation may also be urgently put in place when a risk of harm to themselves or others is identified, with details about concerns shared with relevant organisations immediately. Most polygraph stakeholders commended how well this process worked. A small number of CT police and a few HMPPS psychologists mentioned how, at times, they were not involved in the emergency Core Group. They thought their involvement would be useful so that they were privy to information or could share their views and expertise.

A few PPs mentioned that the polygraph examination report which examiners provided was comprehensive, concise and had clear recommendations for action. PPs have responsibility to share polygraph examination information with other agencies. PPs were confident in what information was appropriate to share, and knowledgeable about the sensitivities of sharing information relating to this cohort. Only CT police, via the PPs, access the full polygraph examination report. A few PPs mentioned navigating who had clearances or authority could at times be a barrier to sharing information efficiently,

however this is not unique to polygraph examination. A few PPs highlighted that over time, agencies had gained a better understanding of what information could be shared.

## 6.5 Managing the person on probation

### **Perceived attitudes of people on probation to polygraph examination**

There were mixed views on the observed attitudes of people on probation towards polygraph examinations during early implementation. Over time most felt that people on probation were generally accepting and cooperative. Some were still disruptive, evasive, attempted countermeasures or had general non-compliant attitudes. A few stakeholders mentioned heightened suspicion and mistrust within this cohort towards institutions and professionals. Most stakeholders however, mentioned that they felt engagement and disclosure levels were in fact similar to the PCoSO cohort, despite some initial expectations at early implementation that disclosures may be lower in this cohort.

A few PPs and HONSUs remarked where people had been in the community for some time and the licence condition was added retrospectively, this was likely to cause more issues regarding acceptance of the licence condition and their attitudes towards polygraph examination. Given that this was a one-off exercise to retrospectively add the licence condition, further issues are not expected to arise.

Most PPs and examiners who took part in this study considered the polygraph examination to be useful in creating more openness when discussing behaviours, because they felt the person on probation would be concerned that dishonesty may affect the polygraph examination outcome. A few stakeholders viewed it as a unique opportunity for compliance and licence conditions to be focussed on in depth, to ensure comprehension and expectations. Discussions in the pre- and post-examination interview were said to inform how best to manage and support the person on probation and how to reduce risk.

“I understand some of my licence conditions better and realised how easy they are to overlook” (Person on probation)

Most PPs reported no change to their relationship, or in the attitudes of people on probation towards the polygraph licence condition after an examination, irrespective of the outcome or any disclosures. PPs attributed the limited impact on relationships to how

outcomes or enforcement actions were managed in the post-examination interview, in ways that did not discourage future engagement. Some however appeared guarded, hostile, and angry in the case of a SR. The broad view was that it was not the examination outcome that affected the PPs relationship with the person on probation. Rather, differences in reactions were attributed to differences in individuals' characters that would occur irrespective of polygraph examination.

### **Views on preparation for the polygraph examination**

There was a consensus amongst interviewed PPs and examiners that the first examination was the most difficult for the person on probation. It was perceived this improved over time as familiarity with the polygraph examination process increased and their anxieties reduced, although some remained anxious or hostile. Stakeholders discussed how most examinations required reasonable adjustments. For example, adjustments were made for low comprehension, religious requirements or heightened sensory needs. Stakeholders generally perceived there to be a high prevalence of neurodiversity, namely autism spectrum disorder (ASD), among those subject to polygraph examination. Many PPs and examiners stated pre-examination meetings had been arranged between the person on probation and examiners to see the equipment, ask questions, and meet the examiner. PPs and examiners stated these meetings supported the successful delivery of the examination in cases of ASD or high anxiety.

“I think one of the things that actually my team had been really good at doing is working with the polygraph examiner thinking about the diversity of individuals and how best to do polygraph examinations in that context” (HONSU)

PPs and examiners stated they were confident in supporting the individual needs of the person on probation, an improvement since the first phase of the research. Most polygraph examination stakeholders said they felt individual needs had been well catered for, facilitating successful examination delivery. In relation to any people on probation that were Muslim, PPs and examiners stated Ramadan was a difficult period to conduct examinations. Examinations were held at certain times in the day and breaks provided, but it was felt it would be helpful to reflect further on how to cater for needs during this time. PPs, examiners and psychologists' collaborative approach to adjustments were felt to be very positive and helpful for people on probation and in relation to examination delivery.

## 6.6 Survey of people on probation subject to polygraph examination

There were eight respondents, of these four people had attended one examination at the time of their response, the other four had attended between two and six examinations. Almost all respondents found out about their polygraph examination at least one month before release from prison.

Almost all agreed they were happy with the way their probation practitioner explained why they had to do a polygraph examination, the explanation of the polygraph licence condition and how much information they were given before the examination. Half of the respondents agreed the leaflet and statement of understanding were useful to help understand the polygraph licence condition. Before their first polygraph examination almost all felt 'a little' or 'very', anxious, or worried but still felt "confident".

The survey asked about their experience in their last polygraph examination. Most were happy with the room used and the date of the examination. Regarding meeting language, disability, or religious needs, most felt their needs were met, or did not feel they had specific requirements. After the polygraph examination, almost all respondents were confident that they understood what happened with the information, what could happen if they didn't agree to attend an examination, and all were confident they understood what could happen if there was a SR.

Most respondents who completed the survey, stated the polygraph licence condition had not changed their relationship with their PP, or it had improved. One, however, said it made the relationship worse as it 'resulted in suspicion'. Almost all said that their levels of honesty with their PP stayed the same. People on probation reported that it made no difference as to how they follow their other licence conditions, whereas the perception amongst stakeholders was that this was impacted positively and increased openness. One said they were more open and two said they tried to behave better. No one stated that their behaviour or following of other licence conditions worsened due to the polygraph examination process.

## 6.7 Usefulness as a risk management tool

### **The polygraph licence condition as a tool in risk management**

The polygraph licence condition was perceived by almost all stakeholders who took part in this study to have a positive impact on risk management as part of the wider package of existing risk management tools. Throughout the research stakeholders qualified their positive comments on the polygraph licence condition, by stressing that it should not be too heavily relied upon and that it was just one of many tools. Polygraph examination outcomes, including the pre and post examination discussions, were regarded by most stakeholders as useful in giving credibility to proposed changes to risk management plans or licence conditions. The views on risk management were overall very positive, although a few participants mentioned barriers to the use of polygraph examination in risk management, such as when a significant response (SR) arose in the examination but the person on probation was not forthcoming with information about why this might have occurred. When investigations were pursued, and no information was found to corroborate the SR, sometimes this made the relationship with the person on probation difficult and impacted risk management.

### **The role of polygraph examinations in compliance with licence conditions**

Most PPs interviewed, regarded polygraph examination positively as it provided frequent check-ins on licence condition compliance. Most stakeholders viewed it to be a good guide as to how well the person was complying with their licence conditions. Most stated it was useful in risk management by either validating perceived compliance or highlighting potential false compliance.<sup>11</sup> Stakeholders also said it encouraged PPs to maintain a high level of scrutiny in cases who they may ordinarily have felt were compliant with their conditions, and where reduction of risk levels might otherwise have been considered.

“I definitely think it (the polygraph examination process) can say a lot about where someone’s at, their compliance, how seriously they take it, and if they are trying to reform and work hard and engage with the process and understand it, or if they’re biding their time until it ends” (CT police)

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<sup>11</sup> False compliance is where a person on probation may state, and otherwise appear to be complying with their licence conditions but this is not the case.

Most PPs thought the polygraph licence condition increased the 'internal controls' of the person on probation, their compliance, and openness. PPs discussed how they thought it encouraged people on probation to comply with other licence conditions because they knew they would be questioned on them during polygraph examinations. This acts as a deterrent to breaching other licence conditions. A few said that individual differences impacted the extent to which it assisted in their self-management.

If areas of concern were identified via disclosures, those involved in supervising the person on probation said they used this to understand how better to support and manage that person. Most polygraph examination stakeholders mentioned how disclosures and significant responses (SRs) could be useful in focusing attention on areas that might be of concern, for investigation or warrant monitoring. A few stakeholders mentioned how disclosures were more useful in understanding compliance than SRs, this is because SRs cannot lead to enforceable action without further evidence.

Most polygraph examination stakeholders suggested that the examination gleaned new information on behaviours and compliance that was not available through other risk management tools or probation supervision. It was viewed by most stakeholders as a useful tool in intelligence and information gathering, prompting further investigations and enforcement actions. A few examiners mentioned how even without disclosures being made in the examination, it could still indicate their compliance with other licence conditions through monitoring their behaviour during the examination. For example, via countermeasures or behaviours during the examination.

### **Perceptions on the use of the polygraph examination outcomes**

Stakeholders discussed the most prevalent areas of investigation arising from polygraph examination as being internet or device usage and developing relationships, as both may have a bearing on extremism. Other areas that had been explored were geographic locations that the person on probation was visiting, and financial investigations. This mirrored findings from the polygraph examination report content analysis on areas of disclosures of risk related information discussed in Appendix D.

Enforcement actions arising were varied. If disclosures in an examination were regarded as minor, then the PP might have a conversation as an informal action or CT Police said

they may do a 'home visit' with the PP. Another informal action arising was to give greater clarity about licence conditions to the person on probation. In more moderate cases, compliance improvement notices were issued, both verbally and in written form.

In situations where an individual disclosed behaviour that impacted the risk level the case poses, enforcement action was considered. In some cases, new licence conditions were added, for example where polygraph examination highlighted emerging areas of concern or risk that were not already covered in their existing licence conditions. For existing licence conditions, some were updated, given new concerns about risk. For example, an individual's curfews could be extended. Recall action was initiated where disclosed information indicated the individual could no longer be safely managed in the community.

"We added a licence condition around disclosing personal developing relationships because we felt like it was an area that we didn't have, I guess, coverage of, and that was sort of highlighted in the polygraph examination" (Probation Practitioner)

A few PPs described instances where an examination highlighted risk concerns that triggered investigations, that then revealed licence condition breaches. PPs stated how enforcement was discussed collaboratively, but led by HMPPS, at Core Group and MAPPA meetings to ensure appropriate actions. Stakeholders felt there was appropriate emphasis placed on the outcome of each examination. The responsiveness of probation and CT police was perceived to be high in relation to this cohort, due to the nature of risk.

## 6.8 Monitoring and Quality Assurance

HMPPS policy and portfolio leads interviewed, set out the key processes for polygraph examination monitoring and quality assurance. Mandatory requirements for delivery timescales are set out in the policy framework. The first polygraph examination must be attended and complied with within 16 weeks of release, followed by subsequent examinations within 3 or 6 months, depending on the previous examination outcome. The polygraph examination policy framework sets a standardised approach to examination across cohorts.

Ongoing monitoring of polygraph examinations is currently capturing high level outcomes such as delivery to time, and other processes such as actions taken by the PP. Monitoring

of these is done via the CT quality development tool (QDT) which covers all CT cases and includes one aspect related to polygraph examination. The CT QDT was developed alongside the Joint Extremism Unit (JEXU).<sup>12</sup> To date no significant issues have been raised in relation to these outcomes. Polygraph examination will be continuously monitored via the CT QDT. Qualitative and in-depth monitoring and assurances are also planned after the initial two-year review period covered by this process evaluation. These in-depth explorations will be based on any evidence arising from this evaluation or any future barriers that impact the operation, outcomes, or delivery of polygraph licence condition.

Polygraph examiners have been trained and accredited examiners to the standards set by the APA. Regular reviews, professional development, cohort specific training and refresher training opportunities ensure consistencies in delivery across CT examiners, as far as possible. All polygraph examination outcomes and polygraph reports are quality assured by Behavioural Measures UK, an external provider of polygraph services to MoJ.

## 6.9 Enablers and barriers

### Perceived enablers

The most common enablers stated to assist the implementation and ongoing delivery of polygraph licence condition to achieve its main objectives were:

- **Resources and caseloads:** In NSD there are additional time and resources committed to the polygraph provision. This and lower caseloads compared with other parts of The Probation Service were thought to enable a more in-depth approach to case management. Stakeholders said this fostered a positive culture and context for collaboration, and for successful polygraph examination delivery.
- **Understanding of polygraph examination amongst stakeholders:** Shared understanding of polygraph examination, its limitations, purpose, and processes were viewed as central to its delivery and support. Stakeholder education resulted in outcomes being taken seriously, and investigations and actions being handled effectively and efficiently.

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<sup>12</sup> The Joint Extremism Unit (JEXU) is the strategic centre for all counter terrorism delivery in HM Prison and Probation Service (HMPPS).



- **Collaborative multi-agency working:** Multi-agency working on question development, risk, and offender management at Core Group and MAPPA meetings were discussed as creating shared understanding and collaboration. All stakeholders commented on how this supported meeting the aims of improving compliance, managing risk and supervision of the person on probation.
- **Examiners embedded in team and present at Core Group and MAPPA:** All stakeholders thought the examiner being present and involved in the team was important. This was reported to help increase confidence and understanding of the polygraph process, risk management and other aspects.
- **Previous experience with PCoSO cohort:** In the first phase of research PPs drew on their previous experiences of polygraph examinations to help them manage their CT cases.

### Perceived barriers

Few barriers were consistently reported amongst those who participated in the evaluation. Specific barriers in both phases of research were:

- **Changes to examiner co-working:** Some examiners wanted pairing up allowed on a discretionary basis. In their view, due to small case numbers it allowed them to share learning and reflections and gain greater first-hand cohort experience.<sup>13</sup>
- **Room booking and suitability:** After implementation, a few examiners and PPs continued to mention issues with rooms being unavailable, inadequate, or difficult to book for examinations. On the other hand, rooms that were too remote were viewed by a few examiners as negatively impacting their feelings of safety.
- **Potential for increased understanding of polygraph examination:** Despite improvements as the policy embedded, a few stakeholders across different participant groups mentioned there was still room for understanding to increase amongst agencies and geographies with less polygraph examination exposure.
- **Challenges associated with adding the licence condition retrospectively:** People on probation were noted to display more negative attitudes to polygraph when the condition was added retrospectively. This made it more difficult for staff

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<sup>13</sup> Examiners are able to access recordings of polygraph examinations for continuing professional development purposes.

to manage them and affected their acceptance of the condition. However, this only occurred at early implementation and is not a current barrier to delivery.

At early implementation, PPs and examiners most frequently mentioned the small number of examinations conducted as a barrier. This was said to be impacting confidence and perceived proficiency in delivering the examinations. The other main concern highlighted was a perceived lack of understanding by others of the capabilities of polygraph examination, its limitations and purpose, and belief in its accuracy. This lack of understanding was for example proposed to reduce emphasis on the examination outcomes or importance of disclosures, limiting its potential as a risk management tool. These aspects were reported to have largely improved after early implementation, where increased knowledge of polygraph examinations assisted in the stakeholders being able to critically apply and deliver the policy.

## 6.10 Changes suggested by stakeholders

Broadly all polygraph examination stakeholders that participated in the research were positive about how the examination process was working with few suggested process improvements identified. A few mentioned:

- **Room suitability and availability:** Clearing rooms of additional furniture and ensuring locations were quiet and private but not too remote. Designating a suitable interview suite or room per region was discussed, however polygraph examination stakeholders recognised the resource implications of this and that it was unlikely to be feasible.
- **Expand cohort of eligible people on probation:** A few PPs and HONSUs felt medium risk people on probation convicted of a relevant terrorist offence would benefit from polygraph examination. Some HONSUs mentioned that it would be useful to extend polygraph examination to high-risk cases that do not fall under current legislation.
- **Increased communication and briefings for CT police:** A few CT police participants wanted more communication, briefings, or information on polygraph examination, especially around the process and qualifying criteria.
- **Improved communication at initial implementation:** In both phases a few stakeholders mentioned either a more coordinated national communication

campaign, more briefings and conferences, development days and quick guides as ways to improve communication on the polygraph examination. If the policy is extended or changed it was suggested that coordinated communication from the outset would be beneficial.

- **Communications on the role of HMPPS psychologists:** The role and value of psychologists in the polygraph examination process could be relayed to stakeholders via briefings, guidance, or other forms of communication (value of their role is discussed at 6.4.1).
- **Consistent post-examination involvement of CT police and HMPPS psychologists:** Increased communication would be beneficial between PPs and CT police/psychologists in the case of urgent post examination discussions that occur before the next scheduled Core Group. Or, alternatively, for the Core Group meeting to be scheduled for the day after the examination so that all parties can input into risk and management decisions.

## 6.11 Changes implemented

Emergent findings from phase one of the evaluation were provided to policy and operational colleagues in HMPPS. As a result, several changes were made to the implementation of polygraph examinations. To improve examination health and safety protocols, further General Risk Assessment work has been completed in consultation with examiners and HMPPS colleagues. This has been adopted across the polygraph examiner role, not just specific to this cohort. Also, to improve agencies' understanding of polygraph examination processes and outcomes, significant communication, and educational work with HMPPS polygraph examination stakeholders has been undertaken by NSD to identify and explain the capabilities and limitations of examinations.

## 7. Conclusion

Overall, all stakeholder respondent groups perceived that polygraph examination was operating as intended and working well within this cohort. Amongst most stakeholders, there was increased understanding about the polygraph examination process, purpose and limitations as polygraph examination embedded. This contributed to policy operationalisation. Barriers identified at early implementation, such as varied levels of understanding, support and engagement amongst stakeholders were reported to be largely overcome once the examination process was embedded. Some stakeholders suggested that increased communications on the polygraph examination processes and uses could aid stakeholders that have less frequent case exposure.

Stakeholders widely considered polygraph examination to have met its aims of assisting PPs with monitoring licence condition compliance, encouraging disclosures, and enhancing risk management. Most stakeholders perceived that risk was better managed, as a result of new information arising that would otherwise not be known (MI data showed disclosures were recorded in 72% of examinations completed). This provided insight into compliance with other licence conditions and highlighted new areas of concern. Polygraph examination outcomes had for example, been used to review risk management plans, add, or amend licence conditions, or acted as the catalyst for further investigations.

The model of having highly trained examiners embedded in the team and present at Core Groups and MAPPA meetings, along with a more in-depth collaborative case management approach are aspects unique to the polygraph examination cohort. These contextual aspects were thought to facilitate effective implementation in this cohort. The culture of multi-agency collaboration and co-working was also perceived as an aspect which most stakeholders felt worked well, facilitating successful implementation. Although specific impacts cannot be quantified, MI data shows that most appointments were attended, complied with, and produced information which can be utilised by PPs in risk management. These findings, along with stakeholder experience, add to the scarce UK and international evidence base regarding the successful use of polygraph examination with CT offenders.

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## Appendix A

### Polygraph examination background and context

#### A.1 Polygraph examination policy background

Those with the licence condition are required to take a polygraph examination within 16 weeks post release from custody and at least every six months thereafter, until the offence(s) in scope have expired, their level of risk of serious harm reduced, or the individual is recalled to custody. If the person on probation does not comply with being examined, or the outcome indicates a significant response, the individual will be required to take examinations more frequently.

Polygraph examinations work by measuring the physiological changes in the body when the individual being examined is asked certain questions. The polygraph instrument measures change in heart rate, blood pressure, respiratory rate and sweat. Any changes from the individual's normal rates can indicate the subject is attempting to be deceptive. They are used to monitor compliance with licence conditions. The information obtained during examinations is used by those managing people on probation to refine and improve risk management plans.

Examinations are carried out by experienced qualified Probation Practitioners who have been trained as accredited examiners to the standards set by the American Polygraph Association.

A person on probation cannot be recalled or subject to enforcement action solely on an examination which indicates a significant response. However, they can be subject to enforcement actions if further investigations provide evidence, or they disclose themselves, that they have breached other licence conditions or that their risk has escalated to a level whereby they can no longer be safely managed in the community. They can also be subject to enforcement action, including recall, if they do not attend or comply with the polygraph examination, as this is a breach of their licence condition.



## A.2 Eligibility criteria

For an individual to be eligible for the licence condition, they must meet all the following criteria:

- Sentenced to a term of 12 months custody or more for a relevant terrorist offence
- Aged 18 years and over
- Assessed as very high or high risk of serious harm using nationally accredited risk assessment tools

## A.3 Adding the polygraph licence condition

All eligible current cases are identified by the probation practitioner and referred for the polygraph licence condition.

All eligible retrospective cases were identified through review of relevant terrorist offences from available data held within HM Prison and Probation (HMPPS) National Security Division (NSD) and the Joint Extremism Unit (JEXU).

The criteria and process for adding the licence condition to retrospective cases depended on the sentence of the person on probation but was mostly via the Public Protection Casework Section (PPCS) for Parole Board releases. Firstly, the person on probation had to have an eligible conviction and sentence. They were then assessed by senior probation practitioners and Heads of National Security Units (HONSUs) to confirm if the polygraph licence condition was 'necessary and proportionate'.

## A.4 Existing use of polygraph examinations

The Domestic Abuse Act 2021 introduced provisions for a three-year pilot of a mandatory polygraph licence condition for eligible people convicted of a relevant domestic abuse offence. The domestic abuse pilot aims to assess whether polygraph examination is a beneficial tool for the management of eligible people on probation within this cohort. HM Prison and Probation Service (HMPPS) commissioned a pilot evaluation, comprising three parts: impact, economic, and process evaluations. The impact evaluation is being operationalised as a randomised controlled pilot (RCT) with two groups. Those allocated to the intervention group are subject to the polygraph licence condition, whereas the control

group does not have the licence condition added and forms a 'business as usual' group for comparison. Outcomes such as the number of clinically significant disclosures and recall rates for each group will be compared to assess impact and value for money.

## A.5 Previous research

This section provides a limited review of the growing published international literatures on the use and application of polygraph examination, particularly in a post-conviction context. The review is not systematic, nor exhaustive, meaning findings should be interpreted with caution. First, it is key to highlight that polygraph examination has a contentious history within and outside use in the criminal justice field, with often polarised views on its reliability, efficacy, and validity (National Research Council, 2003, Grubin and Madsen, 2007). Academic authors have highlighted the subjectivities of polygraph examination, and how its outcomes can be influenced by environmental, physical, or contextual factors (Ben-Shakhar and Furedy, 2012, Elvin 2021).

Polygraph examinations can be used as a diagnostic tool to detect deception. For example, where there the polygraph examination is used to detect deception in relation to a known allegation and the outcome of the examination used as a basis for further action. Alternatively, it can be used as a screening tool to add incremental validity to risk management decisions, where it is not used on its own as a basis for further action (Nelson, 2015). Diagnostic use would be where the outcome is conclusionary and acted upon, often known as a Concealed Information Test (CIT) (Honts, Thurber and Handler, 2021). Rather, 'screening' or 'maintenance' polygraph examinations, often delivered via the Comparison Question Test (CQT) method may be used in the management or treatment of convicted offenders (*ibid*), as used by HMPPS. More detail on the different polygraph approaches can be found in (Synott, Dietzel and Ioannou, 2015, Nelson, 2015). Such maintenance or screening examinations are argued by some to contribute to risk management and comprehension of an individual's risk level via the examination result, and the capability of the examination process to develop information (Grubin and Madsen, 2007, Nelson, 2015). Polygraph screening programs can also have the objective of increased deterrence of problems (American Polygraph Association, 2009). More information on the scientific basis for polygraph examinations its limitations can be found in (National Research Council, 2003, Nelson, 2014, 2015).

Research on the use of polygraph examination in post-conviction offender management, in particular the use of the CQT method with PCoSCs, provides polarised accounts regarding efficacy. Higher levels of disclosures and reduced high risk behaviours amongst PCoSOs have been reported in academic research (Grubin, Madsen, Parsons, Sosnowski and Warberg, 2004). Other academics reported that offenders who participated in maintenance polygraph examinations reoffended less than those who did not undergo polygraph examination (McGrath et al., 2007, Cook et al 2014). Other research found examinations have prompted an increase in offence-related disclosures (Elliot & Vollm, 2016). A variety of benefits to mandatory polygraph examination were reported in other academic research, including supporting offender supervision, motivating honesty, encouraging compliance and encouraging disclosures (Spruin et al., 2018). Positive findings were also echoed in a recent evaluation of the use of polygraph examination by police to manage PCoSOs. This research found that “voluntary and mandatory polygraph testing increases the likelihood that individuals reveal risk relevant information” (Wood et al., 2019).

Widespread critiques are still prevalent, however, on the use and application of polygraph examination as well as other aspects of examinations such as contextual and cultural factors that might shape outcomes. Recent research found limited or no impacts on recidivism in sexual offending behaviours (Elvin et al., 2021). Others argue that poor decision making could result in too much reliance placed on the test, without the accuracy of the examination being known, which could in turn lead to higher levels of offending (Ben-Shakhar and Furedy, 1990). Despite the limited nature of this review, it reveals polarisation in the academic and scientific literatures.

There is relatively little research on the post-conviction use of polygraph examination for people convicted of a relevant terrorist offence. There are theorisations in the international literature that countermeasures might be more prevalent in this cohort (National Research Council, 2003). Polygraph examination was found to be widely used in the US as an investigative tool to help determine guilt or innocence. It has not, however, been used in this way in the UK (Gannon et al., 2012). Rather, as described previously, it is used in the ongoing supervision and risk management of this cohort. Within contemporary literature, there is still critique of using polygraph examination in the ongoing risk management of offenders. For example, academics have theorised that polygraph examination could

change the nature of the supervision relationship to monitoring compliance rather than monitoring offender intentions (Kotsoglou and Oswald, 2020). However, even in the case of this example it is worth noting that polygraph examination is one tool amongst many, in a varied and extensive risk management approach within HMPPS, as evidenced in the licence conditions policy framework (HMPPS and MOJ, 2022)

In the UK there has been no previous polygraph examinations undertaken with the CT cohort, and therefore no research outputs based on empirical findings. Findings of this process evaluation will add to the evidence base and inform operational policy and practice within this field. This research does not contribute to debates around the accuracy of polygraph examinations, or the polygraph examination efficacy more generally, rather the specific experience of implementing and operationalising polygraph examination with this cohort and findings on how it has shaped risk and offender management.

## Appendix B

### Methods

#### B.1 Research Methodology

A mixed methods approach was used, comprising several research elements:

1. **Unpublished monitoring information (MI) data** – Analysts in the MOJ Data & Analysis Directorate produced a quarterly unpublished MI data dashboard examination from 29/06/2021 until 30/06/2023. This provided a quarterly and cumulative summary, of the number of people on probation with the licence condition, polygraph examination appointments scheduled, attended, and complied with, as well as the number of significant disclosures and recalls related to polygraph outcomes. Most data is taken from National Delius (nDelius). Recalls data is taken from the Public Protection Unit Database (PPUD), an accredited Casework Management System for the management of Offenders and related Probation, Parole and Mental Health processes.
2. **Polygraph examination report content analysis** – Polygraph examination reports from 21 people on probation who had taken their first examination by August 2022 were analysed. This was the total number of first examinations which had been completed until that point in time. A random sample of ten cases were then taken in June 2023, where the person on probation had over more than one examination, totalling 34 examinations. Eight of the cases analysed in phase two were included in the first phase of the research. The sampling of cases that had experienced multiple examinations was to identify any similarities and differences regarding disclosures, outcomes, and compliance over the case journey. Information from each report was recorded in a coding frame in excel, to reveal the frequencies and types of information occurring.
3. **Semi-structured interviews with Probation Practitioners (PPs) and examiners** – In phase one of the research, interviews were conducted on early themes in implementation during May and June 2022. In phase 1 all examiners ( $n=6$ ) and

most PPs managing people on probation subject to the polygraph licence condition ( $n=12$ ) took part. Phase two ran between November 2022 and January 2023. All examiners ( $n=5$ ) and the majority of PPs who managed people on probation with the licence condition ( $n=10$ ) participated in interviews. This phase explored how well the policy had embedded, its use and operation as well as perceived impacts on risk. The interviews and focus groups were analysed using a coding frame in excel. Thematic deductive categories based on the research questions were initially developed then these were split into inductive sub-categories that arose from the research. The coding frame, and analysis were then quality assured by a second researcher with any suggested amends made to the analysis.

**Small focus groups and interviews with CT police, Heads of National Security Units (HONSUs), HMPPS Psychologists, policy and portfolio leads** – These were undertaken between February to June 2023. They comprised representatives involved in policy implementation, managing, or influencing polygraph examination cases.

Counter-Terrorism Police representatives were included ( $n=5$ ) who had experience in managing polygraph examination cases in the community. Representatives from 4 of the 43 geographic police forces contributed, covering 4 of the 5 NSD regions. CT police are involved in MAPPA and Core Groups, and they lead on the investigations arising from the polygraph outcomes. The recruitment of CT police was impacted by the relatively small number of polygraph cases, but large number of geographic policing regions which meant that very few CT police had experience of polygraph examination cases. Most CT police involved in the research had been involved in one case. A small group/triple interview and double interview were undertaken.

All psychologists from each of the five National Security Division (NSD) regions provided their views ( $n=5$ ). Psychologists are involved in MAPPA and Core Groups that discuss polygraph examinations to influence discussions on risk and offender management. They also work with the examiner to understand individual needs or characteristics that might affect the polygraph outcomes or examination delivery and advise how to manage these. Psychologists are not part of the polygraph examination process with other cohorts, only

within NSD. A small focus group with four participants took place, and a one-to-one interview.

HONSUs ( $n=3$ ) from three of the five regions were spoken to in a double interview and one-to-one interview. One HONSU also had a role as HMPPS portfolio lead and was interviewed separately as part of the HQ interviews. HONSUs chair MAPPA meetings and have a strategic role in engaging stakeholders, facilitate collaborative case management, and risk management discussions and oversee recall decisions.

HMPPS portfolio team ( $n=3$ ) who were central in implementation, operational delivery and monitoring of the polygraph examination were interviewed. There was a double interview with the HQ staff involved in implementation and operationalisation of the polygraph examinations as well as a one-to-one interview with the Performance and Quality manager who has oversight of the monitoring and assuring of the polygraph provision.

HMPPS policy leads ( $n=3$ ) had oversight of the development of the policy and plans for implementation. They ensured standardised approaches towards implementing the current policy framework across the different polygraph examination cohorts. A small focus group was undertaken with these stakeholders to gather their views.

Survey of people on probation; a paper survey, in either a standard or easy read format (suited to those with comprehension difficulties) was given to all individuals who were, or had previously been, subject to polygraph licence condition as of 30 March 2023. This was to gather their related views and opinions. The survey was distributed via PPs and CT police officers. PPs and CT police were asked to offer a stamped addressed envelope with the paper survey to allow respondents to return the survey directly to MoJ Data and Analysis to preserve confidentiality. The surveys did not collect any demographic details to ensure data remained anonymous. This approach was taken to encourage people on probation to provide honest feedback without fear of repercussions. Eight responses were returned. Responses were collated into an excel sheet, with response frequencies analysed and free text responses analysed thematically.

## **B.2 Research quality and assurances**

The thematic coding of interviews and focus groups was both inductive and deductive. First, broad deductive codes were set out in line with the research questions. Then inductive sub-codes were generated from the transcripts. A portion of the coded data was reviewed by a second analyst with any suggested amends made to the coding frame or categorisations and discussed to reach agreement. This delivered a rigorous approach to the coding and assisted in ensuring replicability of the research findings.

The survey was quality assured via a second researcher qualifying the descriptive general findings.

Potential bias is acknowledged, for example rooted in social, institutional, cultural, contextual, or other factors that may influence responses. For example, staff may feel compelled to offer public support towards the processes and policies of their employer out of loyalty, regardless of their own personal opinions, and people on probation may not wish to provide any negative feedback for fear of repercussions on how they are supervised within the community. Anonymity and confidentiality in the research were always assured to reduce such bias and encourage open responses. Care was also taken to ensure that different respondent types, or grades of staff, were not mixed within focus groups. Any potential bias may not be fully allayed by such an approach.

For the content analysis of the polygraph examination reports, thematic categories arising via the content of the report were established deductively. In both research phases a portion of the coding and the sub-themes, were checked by second researcher to ensure replication of the findings and research rigour.

MI data has been checked by several analysts and contrasted against any other records held in other databases allowing potential anomalies to be resolved before publishing the quantitative data.

## **B.3 Research principles and ethics**

For the interviews, focus groups and survey, participation in the research was voluntary and informed consent was gained prior to data collection. The information sheets and



privacy notices were circulated before the interviews and focus groups. These were also attached to the surveys. The information sheets and privacy notices included the purpose of the evaluation and how respondents' data would be used.

A survey information sheet was available to read, and if needed, explained by the probation practitioner. This allowed the person on probation to ask any questions and ensured understanding on these points. An easy read version of the survey and information sheet was created for those who required it, for example, where English was spoken as an additional language or, for those with lower levels of reading comprehension.

Privacy notices were sent to polygraph examination stakeholders beforehand and read to respondents before each interview commenced. Respondents were able to withdraw consent at any time prior to analysis and were assured of their confidentiality.

MOJ research is not subject to National Research Committee (NRC) approvals due to the MOJ having rigorous internal analytical quality assurance processes, which were applied to this research. Information about this evaluation was shared with the NRC for information.

Prior to commencing the research, the MOJ Ethics Advisory Group (EAG) was contacted for advice on the methodology. Subsequently, an ethics checklist was produced and reviewed by the EAG as part of the evaluation planning. Feedback was given on the ethics checklist and necessary amends or suggestions taken into account.

A full Data Protection Impact Assessment (DPIA) was completed and approved prior to collecting, accessing, or processing any data. This is a risk management process that helps ensure compliance with the Data Protection Act (DPA) 2018, UK General Data Protection Regulation (GDPR), other privacy and relevant legislation, and central government information handling standards. The DPIA was reviewed and updated twice during the two-year review period.

An evaluation steering group was also set up comprising senior policy, portfolio and operational HMPPS staff working in CT, senior analysts, and colleagues from the Joint Extremism Unit (JEXU), The multi-agency unit, Joint Counter Terrorism Prison and

Probation Hub (JCTPPH), and the MoJ Counter Terrorism Assessment and Rehabilitation Centre (CT-ARC). The group was convened at key points throughout the research to ensure the evaluation was delivered in line with the criteria set out in the Counter-Terrorism and Sentencing Act 2021 and Government Social Research (GSR) standards. The group provided feedback on the evaluation design and materials as well as any considerations which needed to be made regarding the needs of respondents, particularly around the vulnerabilities of those subject to polygraph examination.

## Appendix C

### Polygraph examinations

#### C.1 The structure of a polygraph examination

##### **Pre-examination phase**

The examiner assesses whether the person on probation is fit to undertake the examination by exploring their current physical and mental health to identify any possible issues. Discussion of health-related topics explores any impacts on the individual's day-to-day life enabling examiners to assess the individual's suitability for the examination. The pre-examination interview includes discussions between the examiner and person on probation about the person on probation's, history and background, their dynamic risk factors, and a review of compliance with their licence conditions. The person on probation also has an opportunity to disclose information at this stage, which might affect the questions asked in the data collection phase of the examination.

##### **Discussion of licence conditions**

Licence conditions are discussed in detail, and the examiner makes a judgement as to whether the person on probation has a clear understanding of them. Depending on the individual and their specific licence conditions, all, or a number of conditions are discussed, and further information is provided in the reports about those conditions. Sometimes, if the individual has issues retaining attention and focus (such as a diagnosis of ADHD), rather than go through each condition in turn, examiners may group the conditions together and discuss the "themes". For example, internet use, including deleting internet history. This discussion is an opportunity for those on probation to talk about how they are generally getting on with each condition, as well as to determine whether they may disclose information which would constitute a breach of one or more conditions.

##### **Data collection phase**

This stage of the examination is when physiological data is collected.

### **Post-examination phase**

This is when responses from the data collection phase are discussed. The individual may make disclosures during this phase which explain their examination results.

Once the examination is completed, examiners will determine a provisional outcome for the examination, which will then be sent to Behavioural Measures UK<sup>14</sup> in a redacted form to be quality assured. Once the outcome of the examination has been verified, examiners must then send a completed polygraph report to the PP with their conclusions and details of any disclosures made within five working days of the examination. Examiners must also upload all reports onto nDelius, The Probation Service case management system.

## **C.2 Potential examination outcomes**

The outcome of a polygraph examination can be one of the following:

**Significant response (SR)** – an examination result is interpreted as ‘deceptive’. There is a significant response recorded relating to the questions asked about the individuals licence conditions or dynamic risk issue questions.

**No significant response (NSR)** – an examination result is interpreted as ‘truthful’. There is no significant response to the licence or dynamic risk questions. It means the response recorded is not deemed to be significant enough to be of concern in relation to the questions.

**Inconclusive** – the data collected cannot be clearly and confidently interpreted. This can happen for a variety of reasons, including physical or mental health issues, as well as environmental conditions on the day of the examination.

**No opinion** – the data collected cannot be relied upon. There are many causes for this, for example someone purposely attempting to disrupt the physiological responses to try to influence the outcome.

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<sup>14</sup> For further information on the role of Behavioural Measures UK, their website can be accessed at: <https://www.bmeasures.co.uk/>

## Appendix D

### Management information data

Appendix D provides additional information and further breakdowns of the MI data reported in Section 3 of this report. The information reported below includes data covering 29 June 2021 to 30 June 2023 (correct as of 15 August 2023).

#### D.1 Individuals subject to polygraph examination

Table D1 shows the geographic spread of all cases subject to the polygraph licence condition. Forty-one per cent of cases are managed by NSD North, with the remaining cases distributed quite evenly amongst the remaining four NSD regions.

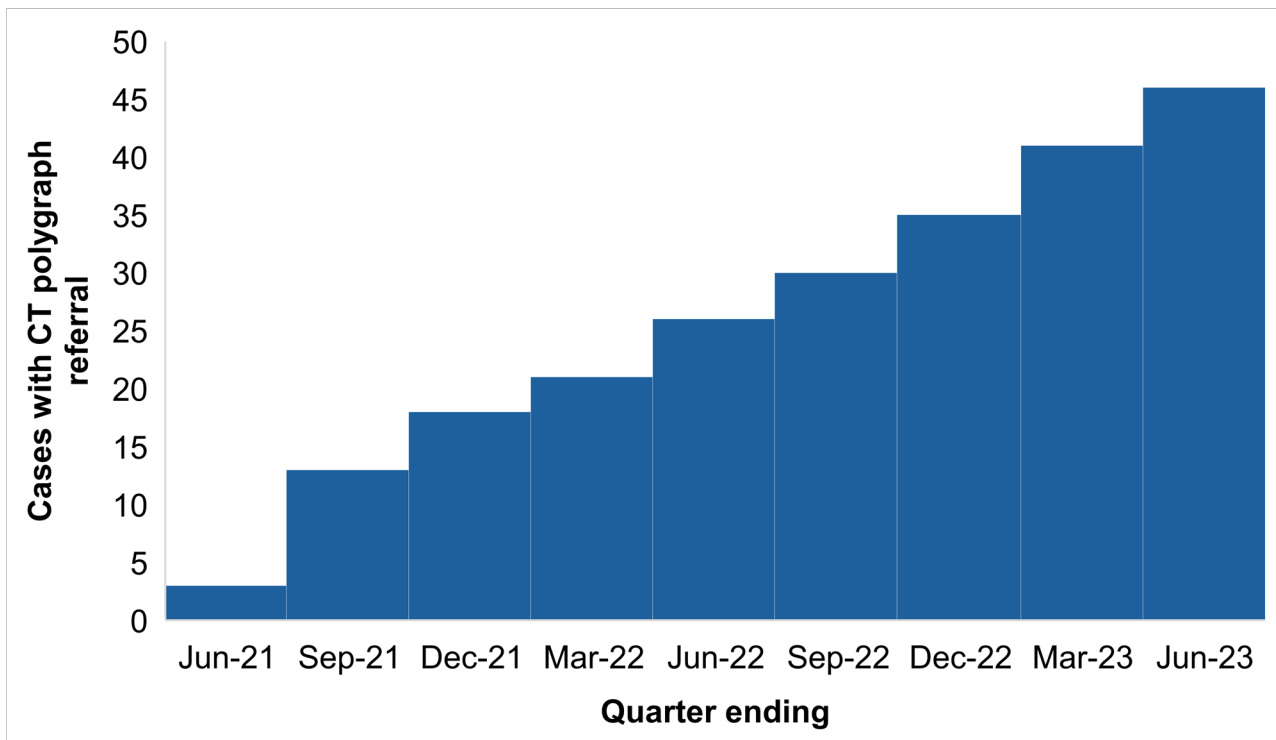
**Table D1: Geographic spread of cases subject to polygraph licence condition**

Region	Cases
NSD London and Kent, Surrey and Sussex	7
NSD Midlands	8
NSD North	19
NSD South Central and East	6
NSD Wales and Southwest	6
<b>TOTAL</b>	<b>46</b>

**Note:** A further three cases had received a referral for polygraph but not yet been released from custody during the review period.

Figure D1 shows the cumulative number of cases subject to the polygraph licence condition across the two-year review period. Between three and ten referrals were made for the Polygraph Licence Condition each quarter. The quarter ending September 2021 saw a particularly high number of referrals, as most eligible cases already being supervised within the community had the licence condition added retrospectively over this period.

**Figure D1: Cumulative number of cases with polygraph licence condition referral**



## D.2 Timing and number of polygraph examination appointments

Polygraph examination policy states individuals should receive an examination within 16 weeks of release from custody. Of the 34 individuals released from custody with the licence condition, 30 received their first polygraph examination within 8–16 weeks of release. One individual was recalled within 16 weeks of release, before receiving their first polygraph examination and three individuals were still within the 16-week window and were awaiting their first examination appointment. No individuals fell outside of the 16-week window.

Overall, each individual was instructed to attend polygraph examination appointments between one and nine times.

## D.3 Examination outcomes

Table D2 shows that out of 88 polygraph examination appointments which were attended and complied with by individuals with the licence condition, a significant response was recorded on 31 occasions. This means the examiner judged that the individual was likely

answering questions in a deceptive manner. In the majority of these cases where an SR was recorded, a disclosure was also made ( $n=27$ , 87%). Disclosures can be made by the person on probation to the examiner at several points during the examination appointment; before, during, or after the examination itself.

**Table D2: Total number of disclosures across all examinations, split by examination outcome**

Examination outcome	Total number of examinations	Number of examinations with disclosure
Significant response	31	27
No significant response	38	26
Inconclusive	7	3
No opinion	12	7
<b>TOTAL</b>	<b>88</b>	<b>63</b>

No significant response was recorded on 38 of the 88 examinations; meaning that the examiner judged that the individual was likely not answering questions in a deceptive manner. Across these examinations, disclosures were made by individuals in 26 (68%) cases.

Of the remaining 19 examinations judged as inconclusive ( $n=7$ ) or recorded as 'no opinion' ( $n=12$ ) there were also 10 instances of disclosures ( $n=3$  and  $n=7$ , respectively).

### **Comparison of 'first polygraph examination' appointments to subsequent examinations**

Table D3 shows the number of scheduled examinations, and the outcome of the appointments (whether they were attended and complied with; attended but not complied with, or whether the appointment did not go ahead for various reasons). For those appointments which were attended and complied with (examinations were completed), it also shows a breakdown of examination outcomes, and the number of disclosures elicited during examinations. The table is split into instances where an individual had been instructed for the first time to attend a polygraph examination ('first examination appointments') compared with any subsequent appointments which they were instructed to attend ('subsequent examination appointments'). On a small number of occasions, the examination was not completed at the first appointment scheduled (if the individual failed

to comply or failed to attend the appointment); these individuals may therefore have completed their first examination on the second appointment.

**Table D3: Outcomes of polygraph examination appointments and examinations, broken down by first and subsequent examinations**

**First examination appointments**

Examination outcome	Total number of examinations	Number of examinations with disclosure
<b>Total attended – complied with</b>	<b>38</b>	<b>30</b>
Significant response (SR)	12	12
No significant response (NSR)	19	14
Inconclusive	3	2
No opinion	4	2
Attended – failed to comply	1	0
Unacceptable absence	1	0
Rescheduled	0	0
<b>TOTAL appointments</b>	<b>40</b>	<b>30</b>

**Subsequent examination appointments**

Examination outcome	Total number of examinations	Number of examinations with disclosure
<b>Total attended – complied with</b>	<b>50</b>	<b>33</b>
Significant response (SR)	19	15
No significant response (NSR)	19	12
Inconclusive	4	1
No opinion	8	5
Attended – failed to comply	1	0
Unacceptable absence	1	0
Rescheduled	8	0
<b>TOTAL appointments</b>	<b>60</b>	<b>33</b>

- A significant response was recorded for 12 of the 38 (32%) examinations completed at ‘first examinations appointments’ (appointments attended and complied with), with all of these appointments including a disclosure.



- A significant response was recorded for 19 of 50 (38%) of examinations completed at subsequent examinations appointments, with the majority of these (16, 80%) of these appointments also including a disclosure.
- A slightly lower proportion of subsequent examinations attended (19 of 50, 38%) had an outcome of no significant response, compared to first examinations (19 of 38, 50%), with the number of disclosures in this group following a similar pattern.

Due to the small number of first, and subsequent examinations, caution should be taken when interpreting any differences, as differences may not be statistically significant, and the pattern may not hold over time.

Table D4 shows that across first and subsequent examination appointments, most disclosures related to risky behaviour ( $n=42$ , 67%), with thoughts, feeling and attitudes being the next most common category ( $n=12$ , 19%). The distribution of disclosure type was similar for first, and subsequent examinations.

**Table D4: Disclosure categories recorded, split by first and subsequent polygraph examination appointments**

Disclosure category	First appointment	Subsequent appointments	All appointments
Risky behaviour	23	19	42
Thoughts, feelings, attitudes	4	8	12
Changes to circumstance	2	3	5
Historical information	1	3	4
<b>TOTAL</b>	<b>30</b>	<b>33</b>	<b>63</b>

Table D5 shows that the enforcement action most frequently recorded across all examinations following a disclosure is 'no further action', meaning no formal action was taken. However, all new information from polygraph appointments is reviewed and included in future risk assessments. The second most frequent outcome was when a licence compliance letter being sent. The distribution of enforcement actions following a disclosure was similar for first and subsequent examinations.

**Table D5: Enforcement actions recorded following disclosures made in first and subsequent polygraph examinations**

<b>Polygraph Disclosure Enforcement</b>	<b>First appointment</b>	<b>Subsequent appointments</b>	<b>All appointments</b>
No further action	20	21	41
Licence compliance letter sent	6	4	10
First Warning letter sent	0	1	1
Other enforcement letter sent	3	3	6
Breach/ recall initiated	1	2	3
Refer to offender manager	0	1	1
<b>TOTAL</b>	<b>29</b>	<b>33*</b>	<b>62*</b>

\* One disclosure led to multiple enforcement actions which are not included in this table due to limitations with the reporting database

## Appendix E

### Polygraph examination report data

#### E.1 Overview of examination report data

Polygraph examination reports of the first examination undertaken by 19 individuals were analysed during early implementation. Polygraph examination reports of a random sample of ten cases subject to more than one examination were analysed in June 2023, including reports of all their polygraph examinations completed up until point of analysis.

Table E1 shows the total number of examinations analysed. It also reveals the frequency of risk related information shared, which was in most examinations. Most information was shared in the pre-examination interview, although information was still shared often in the post-examination interview. The incidence of risk related information being shared can be seen to reduce slightly in the case of individuals attending multiple examinations.

**Table E1: Total number of polygraph examinations, frequency, and timings of sharing risk related information**

	<b>Total no. examinations</b>	<b>Risk information shared</b>	<b>No. of examinations where risk information was shared pre-examination</b>	<b>No. of examinations where risk information was shared post-examination</b>
One examination attended	13	11	11	6
Multiple examinations attended	34	26	18	10
<b>TOTAL</b>	<b>47</b>	<b>37</b>	<b>29</b>	<b>16</b>

Table E2 shows the types of risk related information shared in the pre- or post-examination discussions. The types remained broadly similar in repeated examinations. Internet use, contact with prohibited people, and developing relationships were the prevalent types of information shared.

**Table E2: Types of risk related information shared in polygraph examinations (categorised by the research team)**

<b>Information type</b>	<b>One examination attended</b>	<b>Multiple examinations attended</b>	<b>All examinations</b>
Internet enabled device	6	26	32
Contact with prohibited people	6	10	16
Developing relationships	3	11	14
Mobile phone access	1	2	3
Access to prohibited areas	1	2	3
Alcohol/Substance use	2	1	3
Deleting information	1	2	3
Employment	0	1	1
Access to prohibited events	1	3	4
Passport access	1	0	1
Prohibited discussions	0	4	4
Vehicle access	1	0	1
Financial	0	4	4
Prohibited materials	0	6	6
Emotions/Feelings	0	8	8
Beliefs	0	4	4
<b>TOTAL</b>	<b>23</b>	<b>84</b>	<b>107</b>

## **E.2 Examiners perceptions of compliance**

Table E3 shows examiners' perceived levels of compliance at attended examinations, non-compliance mostly related to suspected countermeasures. The increased perceived levels of non-compliance were higher when multiple exams were attended. This echoed the qualitative research findings which revealed those that were non-compliant remained so over multiple exams.

**Table E3: Compliant attitudes in polygraph examinations in each research phase (recorded by examiners)**

<b>Compliant attitudes in attended examinations</b>	<b>One examination attended</b>	<b>Multiple examinations attended</b>	<b>All examinations</b>
Yes	11	24	35
No (or unclear)	2	10	12
<b>TOTAL</b>	<b>13</b>	<b>34</b>	<b>47</b>

Table E4 shows all people on probation appeared to have compliant attitudes in the first examination. Levels of perceived compliance or suspected countermeasures then varied across repeated examinations. However, it was the case that most individuals subject to multiple examinations were compliant or non-compliant throughout their polygraph examinations.

**Table E4: Compliant attitudes in the case of multiple polygraph examinations (recorded by examiners)**

<b>Compliant attitudes in attended examinations</b>	<b>Examination one</b>	<b>Examination two</b>	<b>Examination three</b>	<b>Examination four</b>	<b>Examination five</b>
Yes	10	7	3	1	3
No (or unclear)	0	3	3	3	1
<b>TOTAL</b>	<b>10</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>4</b>

### E.3 Common pre-examination discussion themes and examination outcomes

Table E5 reveals the common themes arising in pre-examination discussions. These broadly remained the same after one or multiple examinations.

**Table E5: Common topic areas arising in polygraph pre-examination discussions (categorised by the research team)**

Topic areas	One examination attended	Multiple examinations attended	All examinations
Accommodation	12	24	36
Employment	10	19	29
Professional support	6	5	11
Leisure activities	5	13	18
Future plans	1	1	2
Life admin	1	2	3
Studies	0	3	3
Health – Physical	9	7	16
Health – Alcohol/Substance use	6	9	15
Health – Mental health needs	4	8	12
Relationships – Family	8	16	24
Relationships – Friends	6	10	16
Relationships – Intimate	3	0	3
<b>TOTAL</b>	<b>71</b>	<b>117</b>	<b>188</b>

Table E6 shows the outcomes recorded by type for each research phase. Outcomes remain broadly proportionate across the two phases with around half of the examinations resulting in no significant response, around a third resulting in a significant response, and the rest split between inconclusive and no opinion outcomes.

**Table E6: Outcomes of polygraph examination by type (recorded by examiners)**

<b>Outcome of examination</b>	<b>One examination attended</b>	<b>Multiple examinations attended</b>	<b>All examinations</b>
No significant response	6	17	23
Significant response	4	12	16
Inconclusive	1	2	3
No opinion	2	3	5
<b>TOTAL</b>	<b>13</b>	<b>34</b>	<b>47</b>

Table E7 shows the breakdown of outcomes across multiple examinations. Except in the case of a fourth examination, there is a general pattern for a higher number of examinations to result in 'no significant response' than a significant response. The number of cases are too low to draw firm conclusions regarding individual changes in outcomes over time.

**Table E7: Outcomes of polygraph examination by type over multiple examinations (recorded by examiners)**

<b>Outcome of examination</b>	<b>Examination one</b>	<b>Examination two</b>	<b>Examination three</b>	<b>Examination four</b>	<b>Examination five</b>
No significant response	5	5	4	1	2
Significant response	4	2	2	3	1
Inconclusive	1	1	0	0	0
No opinion	0	2	0	0	1
<b>TOTAL</b>	<b>10</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>4</b>