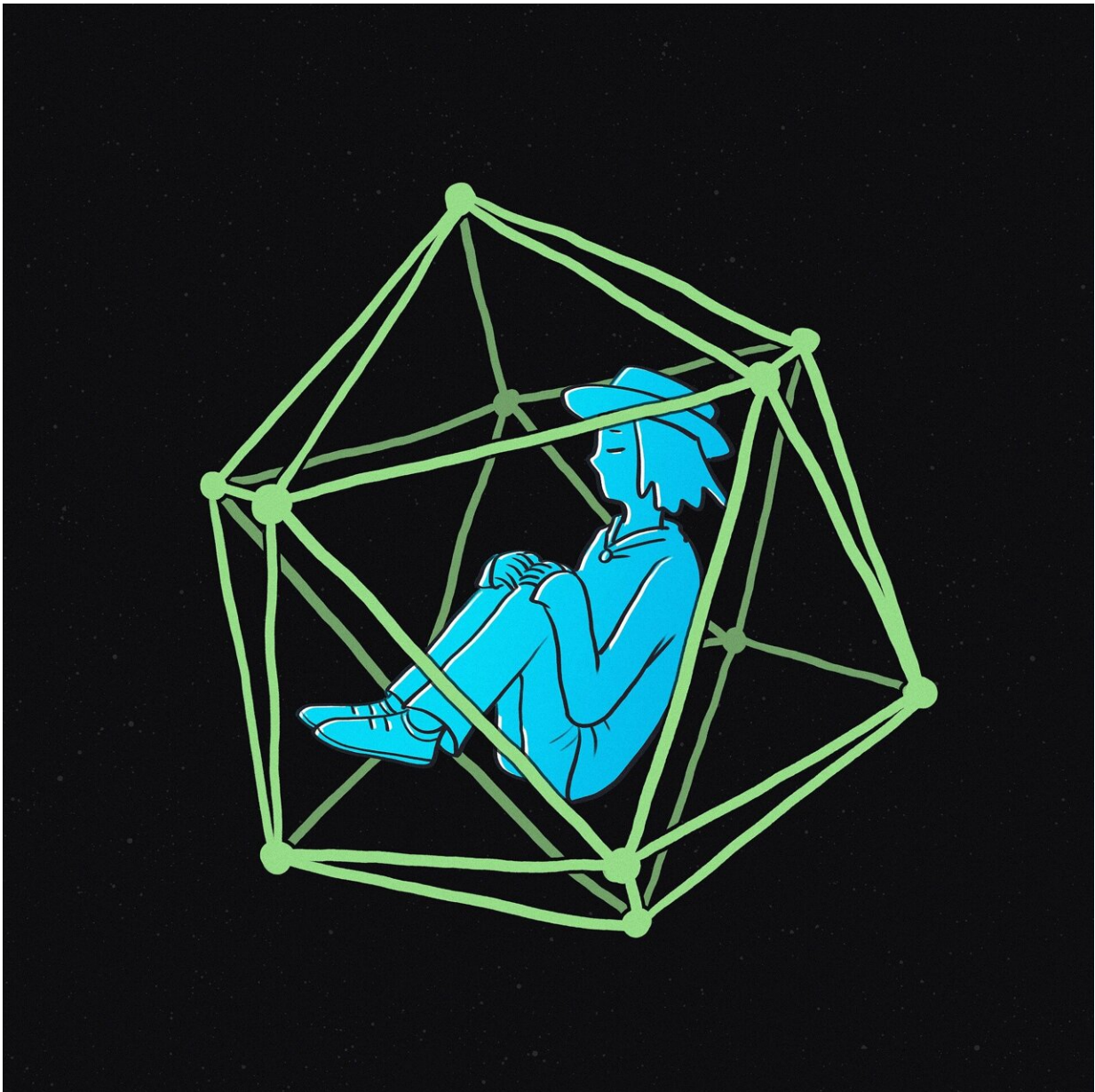


'Imprisonment is more than being behind bars,' argues researcher

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Being tightly monitored by an employer when working from home, house arrest or a restraining order: according to researcher Hadassa Noorda, these are all forms of imprisonment. "You can also be imprisoned without being behind bars."

A [prison sentence](#) is often seen as the most severe punishment, while Noorda says this is not always the case. She argues for a broader definition of imprisonment that looks primarily at the impact of a punishment. "Something like wearing an ankle bracelet would be much less drastic, because then you can still participate in society. But you can't draw that line so firmly."

Here, Noorda answers questions related to her latest research, published in the journal *Criminal Justice Ethics*.

In your opinion, what is imprisonment?

Liberty can be limited in different ways and to different degrees. I look at the impact of imprisonment: can someone still see their friends and family? Is there freedom of movement and can you still work, for example? Those freedoms can be affected both inside and outside of incarceration.

For example, a [restraining order](#) can mean that you can no longer see certain people, and taking away your drivers license can result in having to quit your job. Such forms of deprivation of liberty I see as imprisonment; the new term I have coined. Imprisonment takes place not only behind bars, but also on the streets and in the home.

Why is it important to stretch the definition of imprisonment?

Its important because then you're talking about a different conceptual and [legal framework](#). If you look at employee monitoring it is seen at most as an invasion of informational privacy, but if you see it as something that also has to do with depriving liberty it has different legal implications. I wrote about this with Jeevan Hariharan (Queen Mary University of London).

In what sense is employee monitoring a form of imprisonment?

Monitoring can restrict peoples' freedom. It can go quite far. For example, Teleperformance, one of the largest call center companies in the world, uses digital monitoring. Home workers are watched very closely.

There are webcams with [facial recognition](#), locations are monitored, activity on your keyboard is tracked, and you are not allowed to go to the bathroom in your own home without asking permission—and if you do, your manager is notified. These kinds of systems can be very restrictive. You can even compare it to a certain kind of imprisonment. If this kind of system goes too far, you can argue that someone is chained to their desk for a certain period of time.

Where do you think the concept of exprisonment should lead?

The concept of exprisonment has now been adopted in philosophical and legal literature, including in the fields of criminal law, labor law and

[human rights](#). It shows that imprisonment can take place outside of prison, but also that one can be imprisoned to a certain degree and that there is no categorical difference between imprisonment and other measures.

My first goal is to encourage thinking about imprisonment. We need to look closely at liberty deprivation that takes place on the streets and in the home, especially with the new technology. In the Netherlands, for example, especially since the pandemic, webcams are widely used to monitor home-based workers. The argument is: surely you have nothing to hide? But that doesn't hold water if you see it as a form of imprisonment in addition to a risk for the employees' control over information and data.

More information: Hadassa Noorda, Exprisonment: Deprivation of Liberty on the Street and at Home, *Criminal Justice Ethics* (2023). [DOI: 10.1080/0731129X.2023.2174722](#)

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