

**Exhibit 3 – BID FOI Request**



Immigration  
Enforcement

Immigration Enforcement Secretariat  
Sandford House  
41 Homer Road  
Solihull  
West Midlands  
B91 3QJ



[www.gov.uk/home-office](http://www.gov.uk/home-office)

Wednesday 4 May 2022

Dear 

**Re: Freedom of Information request – 68882**

Thank you for your email of the 14 March, in which you ask for information relating to Electronic Monitoring. Your request, which is set out fully at **Annex A(i)** and **A(ii)**, has been handled as a request for information under the Freedom of Information Act 2000 (FOIA).

I am able to disclose most of the information that you have requested, with the exception of the information requested at question four. The information we are able to release has been set out in **Annex B**.

Regarding question four - Under section 12(2) of the FOIA, the Home Office is not obliged to comply with an information request where to do so would exceed the appropriate limit. We estimate that the cost of identifying whether any information is held in relation to question 4 would exceed the appropriate limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. We are therefore unable to comply with this request.

The £600 limit is based on work being carried out at a rate of £25 per hour, which equates to 24 hours of work per request. This is because in order to respond to your request for information we would need to manually search records in order to answer this question. As there is no uniform location for this detail to be saved within our systems (it appears in a 'free text' box), the manual review would need to include all FNOs considered for bail from 31 August 2021. The cost of locating, retrieving and extracting information can be included in the costs for these purposes. In this case the time taken to identify whether information is held, would exceed this limit.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to [foirequests@homeoffice.gov.uk](mailto:foirequests@homeoffice.gov.uk), quoting reference **68882**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you

were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

A link to the Home Office Information Rights Privacy Notice can be found in the following link. This explains how we process your personal information:

<https://www.gov.uk/government/publications/information-rights-privacy-notice>

Yours sincerely,

**Immigration Enforcement Secretariat**

[ImmigrationEnforcementFOIPQ@HomeOffice.gov.uk](mailto:ImmigrationEnforcementFOIPQ@HomeOffice.gov.uk)

**From:** [REDACTED]  
**Sent:** 14 March 2022 18:28  
**To:** FOI Requests <FOIRequests@homeoffice.gov.uk>  
**Subject:** FOI request electronic monitoring immigration bail

Dear sir / madam,  
Please find attached a request for information under the Freedom of Information Act.  
Best wishes,

[REDACTED]

[REDACTED]

Please also refer to **Annex A(b)**

We are requesting information concerning the use of electronic monitoring as a condition of immigration bail since the 31 August 2021 (the date upon which mandatory electronic monitoring under Paragraph 2, Schedule 10 of the Immigration Act 2016 came into force):

1. How many people released from immigration detention have been made subject to an electronic monitoring condition since 31<sup>st</sup> August 2021?

**A. 1,649 as of the 20 March 2022**

2. How many people who were already at liberty in the community (as opposed to being detained) have been made subject to an electronic monitoring condition since 31<sup>st</sup> August 2021?

**A. 0 as of the 20 March 2022**

3. How many people are currently being monitored?

**A. 1,412 as on the 29 March 2022.**

4. Since 31<sup>st</sup> August 2021, how many people subject to deportation proceedings have been released from detention and have not been tagged because the Home Secretary considers that one of the exceptions applies? If possible, please provide a breakdown according to which exception applied.

**A. We are unable to answer this question and refer you to the section 12 exemption explanation within the body of this letter.**

5. Since 31<sup>st</sup> August 2021, how many people subject to an electronic monitoring condition have subsequently had the tag removed because:

- a. The secretary of state decided that one of the exceptions applies?

**A. 3 as of the 27 March 2022.**

- b. The individual was removed.

**A. 14 as of the 27 March 2022.**

- c. The individual was granted leave to remain.

**A. 18 individuals had deportation action against them ceased as of the 27 March 2022.**

6. Since 31<sup>st</sup> August 2021, how many people have been informed that they are in breach of their electronic monitoring conditions because they have allowed the battery to become depleted.

**A. 350 as of the 29 March 2022, although this data only starts from December 2021 as it was not previously available.**