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Capita PLC
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By email only to: [REDACTED] and [REDACTED]

11 May 2023

Dear [REDACTED]
[REDACTED] and [REDACTED]

We are writing to raise concerns about Capita's role in the expansion of electronic monitoring in the UK's immigration system.

Capita's contract to provide electronic monitoring services (EMS) to the Ministry of Justice is used by the Home Office to monitor hundreds of people released from immigration detention, and more recently to pilot the monitoring of people who arrive via so-called irregular routes. People are tracked through the use of Global Positioning System (GPS) tags, which monitor their location at all times and in all places – **a practice that has proved dehumanising to those subject to it and that has serious human rights, data protection¹ and mental health implications**. The Home Office's GPS tagging scheme is subject to complaints to the Information Commissioner and Forensic Science Regulator,² and to a number of individual judicial review claims.³

Research⁴ has found that the use of GPS tagging causes a number of debilitating and harmful outcomes for the individual including, but not limited, to:

- Increased social isolation and stigma
- A detrimental impact upon people's mental health, sometimes leading to anxiety, depression and stress
- A disruptive and undermining impact upon interpersonal and familial relationships, such as the ability to care for children
- Causing physical pain or discomfort, with varying levels of severity

¹ Privacy International, 'Privacy International files complaints against GPS tagging of migrants in the UK' (17 August 2022), <https://privacyinternational.org/news-analysis/4941/privacy-international-files-complaints-against-gps-tagging-migrants-uk>.

² Ibid

³ Duncan Lewis, 'Duncan Lewis challenges the use of 24/7 GPS tracking by the Home Office' (26 October 2022), [https://www.duncanlewis.co.uk/immigration_news/Duncan_Lewis_challenges_the_use_of_247_GPS_tracking_by_the_Home_Office_\(26_October_2022\).html](https://www.duncanlewis.co.uk/immigration_news/Duncan_Lewis_challenges_the_use_of_247_GPS_tracking_by_the_Home_Office_(26_October_2022).html).

⁴ Bail for Immigration Detainees, Medical Justice and Public Law Project, 'Every Move You Make: The Human Cost of GPS Tagging in the Immigration System' (October 2022), <https://www.biduk.org/articles/research-reveals-inhumane-effects-of-gps-tagging-on-migrants>.

The same research has also found that the time taken to charge GPS tags is often long, restricting people to their charging point in their homes or forcing them to run to the nearest plug in public. GPS tagging is considered as an alternative to immigration detention – in reality, **it's an extension of detention outside the physical walls of a detention centre**, leading to an increase in the size of the state-controlled population.⁵

This contract does not appear compatible with Capita's commitments to anti-racism⁶, health and safety⁷ and responsible business for communities⁸, as stipulated in Capita's own Code of Conduct. Instead, **the electronic monitoring of migrants facilitates systemic and structural racism,⁹ (re)traumatisation and the tearing apart of communities.** The Home Office's own equality impact assessment in their "Compliant Environment" policy, considered by experts to be an extension of the Hostile Environment policy, admits that measures may "*disproportionately impact people of colour*".¹⁰

In 2020, Capita published a "Black Lives Matter" statement in which it claimed it does not "*tolerate racism, extremism or prejudice*".¹¹ But the GPS tagging of migrants, a part of the digital expansion of the Hostile Environment, a set of government policies explicitly designed to create hostility in the lives of people arriving in Britain, embodies precisely what Capita claims to not tolerate.

In the words of a client of Bail for Immigration Detainees, who came to the UK as a baby and is now wearing a tag fitted by Capita:

"I suffer from more scrutiny in public, the police stop me, people stare, they think I must have committed a grievous crime for me to put on GPS tag. Obviously, I'm a Black male with a monitor on my ankle, the stereotype is just flashing before everyone's eyes."

In addition, Capita's "Speak Up" guide states the company is "*committed to high standards of corporate behaviour towards [...] the communities in which [it] operate[s]*", and encourages "*any person*" to speak up against "*improper conduct or unethical behaviour or behaviours which are not in accordance with our Values*" and "*dangers to health and safety*".¹² As set out before, research conducted in collaboration with clinicians has found tagging has a detrimental

⁵ Carolina Sanchez Boe, 'Expanding Penal Landscapes into Immigrant Communities: Digital 'Alternatives' to Detention in the USA' (2022), <https://blogs.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2022/01/expanding-penal-0>.

⁶ Capita's Code of Conduct (December 2021, Version 2.0), https://www.capita.com/sites/g/files/nginej291/files/2021-12/Code-of-Conduct-Capita_0.pdf, p. 16.

⁷ Ibid, p. 17.

⁸ Ibid, p. 20.

⁹ Monish Bhatia, 'Racial surveillance and the mental health impacts of electronic monitoring on migrants', *Race & Class*, Volume 62, Issue 3 (January-March 2021), pp.18-36.

¹⁰ Home Office, 'Compliant environment: overarching equality impact assessment' (9 February 2023), <https://www.gov.uk/government/publications/compliant-environment-overarching-equality-impact-assessment/compliant-environment-overarching-equality-impact-assessment-accessible>.

¹¹ Capita, "Taking a Stand – Black Lives Matter" (3 July 2020), <https://www.capita.com/news/taking-stand>.

¹² Capita, "Speak Up Policy" (September 2021), <https://www.capita.com/sites/g/files/nginej291/files/2021-10/Speak-Up-Policy-Policy-Global.pdf>.

impact on mental health.¹³ EL, a person subject to GPS tagging, has said this about his experience:

*"sometimes I'm feeling suicidal... There is no time limit, time scale, how long it's going to be, my case keeps going for the last three years but I don't know what's going on."*¹⁴

Another person has described their experience as agony. LR stated:

*"It's a torture, it's a torture. I don't even know how to put it into words. After all the detention and all that they say that's not enough, you know you have to be on a monitor for life. What for?"*¹⁵

These testimonies are not anomalies, but represent the inhumane and unnecessary experience of being made to wear a GPS tag.

The GPS tagging of migrants is one of the harshest and most unjustifiable components of the Home Office's Hostile Environment policy. It is a stark and visible symbol which (as evidenced above) causes physical and mental damage to people. In February 2023, Capita responded to the concerns of Privacy International, Bail for immigration Detainees & Migrants Organise by stating that it delivers its services "with care and empathy" (see annexed response). We ask, given the existing research and the experiences of people we have outlined, how can GPS tagging of migrants ever be provided with care and empathy?

We expect Capita, as a leading provider of outsourcing and professional services company for the UK government, to take a principled stance against racialised surveillance, and for the dignity of all. You can be a leader in refusing to implement problematic government policies that dehumanise the most vulnerable in society. **We call on you to stop providing EMS services to the Home Office and to commit to reinforcing your human rights due diligence practices when bidding for government contracts.**

We look forward to your response.

Yours sincerely,

**Bail for Immigration Detainees
Migrants Organise
Privacy International**

¹³ Bail for Immigration Detainees, Medical Justice and Public Law Project, 'Every Move You Make: The Human Cost of GPS Tagging in the Immigration System' (October 2022), <https://www.biduk.org/articles/research-reveals-inhumane-effects-of-gps-tagging-on-migrants>.

¹⁴ Ibid, p. 29.

¹⁵ Ibid, p.30.