TRACKING PEOPLE: CONTROVERSIES AND CHALLENGES

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THE TEAM

- Network coordinators
  - Anthea Hucklesby - Criminology
  - Kevin Macnish - Philosophy

- Partners
  - Ray Holt - Design Engineering
  - Justin Keen - Health Politics

STEERING GROUP

- Professor Mike Nellis

- John Potter

- Professor Tom Sorell

AIM

- To develop a network to critically explore the ethical, legal, social and technical issues arising from the current and future use of wearable tagging and tracking devices in spheres including criminal justice, terrorism, immigration, health and local authority care of children and young people.

OBJECTIVES

- review the current evidence and understandings of tracking devices in a variety of settings including criminal justice, mental health, primary care and local authority care of children and young people;

- explore the legal and ethical framework and dilemmas arising from the use of tracking devices;

- consider explanations for the growth in the use of tracking devices in a range of settings;

- explore the potential for, and challenges to, the use of tracking devices across different settings;

- examine issues of social inclusion and diversity relating to tracking technologies including race, gender and religion;

- consider the design and manufacture of tracking devices;

- explore the impact of private sector involvement in the use of tracking devices;

- scope out possible future uses of tracking devices;

- examine the use of research in evaluating the role of tracking devices and consider the benefits and limitations of such research;

- identify gaps in knowledge about the use of tracking devices; and

- develop a future agenda, in terms of scientific and social research, engineering, product design and policy and practice.

THE NETWORK

- International interdisciplinary multi-sector network
- Domains
  - Criminal justice
  - Immigration
  - Terrorism
  - Mental health
  - Dementia
  - Young people in care
- Groups
  - Academics (cross-disciplinary)
  - Postgraduates and early career researchers
  - Policy makers
  - Practitioners from statutory, private and voluntary sectors
  - Engineers and product designers
- Target areas: Arts, social and medical sciences, engineering and product design

ACTIVITIES

- Website - http://trackingpeople.leeds.ac.uk/
- 4 Events
  - Seminar 2 - Ethics and Law – 6 Apr 2017

  - Seminar 3 - Technological Challenges – 15 Jun 2017

  - Conference - Looking to the Future – 9 Nov 2017
- Briefing papers
- Social media
- Conference papers
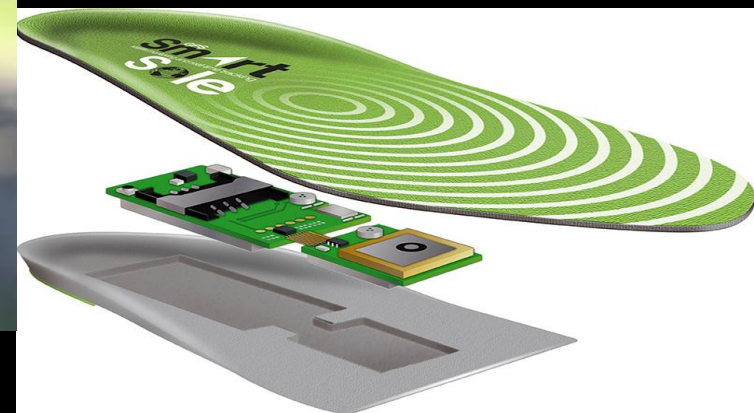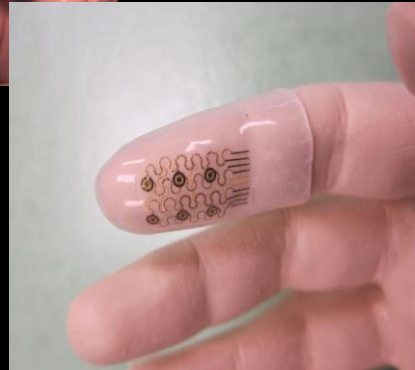- Articles in practitioner journals
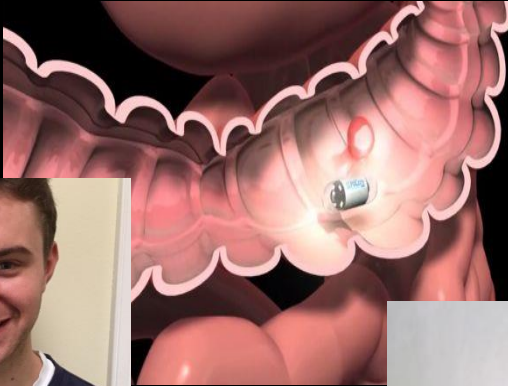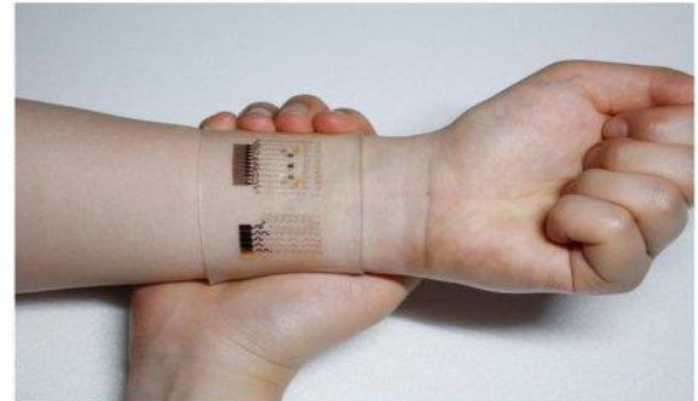- Edited collection

DEVICES

IN WHAT CIRCUMSTANCES DO DEVICES NEED TO BE NON-REMOVABLE?

MEDICAL DEVICES

Skin-based Diabetes Monitoring and Therapy

WIRELESS IMPLANTABLE MEDICAL DEVICES

Deep Brain Neurostimulators

Cochlear Implants

Cardiac Defibrillators/Pacemakers

Gastric Stimulators

Insulin Pumps

Foot Drop Implants

TECHNOLOGIES

- Location monitoring
    - Radio-frequency (RF) technologies
    - GPS technologies

- Behaviour monitoring
    - Alcohol monitoring

- Technologies are generally robust and easy to use

- RF is cheaper, more robust and reliable

FUNCTIONALITY/WEARABILITY

- Visibility
- Removability
- Real-time/retrospective monitoring
- Accuracy/range
- Battery life
- False alarms
- Communication
- Designed for whom?

CURRENT AND FUTURE USES

- Criminal Justice – suspects, defendants and offenders
- Domestic violence/stalking – suspects, defendants, offenders and victims
- Terrorism – suspects and offenders
- Immigration – new arrivals, those being processed and awaiting deportation
- Child and youth services – safeguarding, runaways
- Elderly – safeguarding
- Mental health patients – safeguarding, resettlement
- People with dementia – safeguarding

TYPOLOGY OF PURPOSE

- 3 primary purposes (Michael et al, 2006)
    - Control
    - Care
    - Convenience

PURPOSES

- Safeguarding
  - Wearers, identified individuals and the 'public'
- Locatability
  - Active
  - Passive
  - Only when required
- Confinement
- Exclusion zones

- Communication
- Cost saving
- Reducing use of detention
- Risk management
- Rehabilitation
- Resettlement
- Punishment
- Relieves burden of responsibility/care

DO WE NEED IT?

- No accurate information about the extent to which tagging/tracking devices are deployed.

- Criminal Justice (UK)
  - 85,000 prisoners
  - Reoffending rates up to 70%
  - Cost is between £20,665-£35,465 per adult place (MoJ, 2015)
  - 11,000 on EM at any one time (2015)

- Immigration (Silverman, 2016)
  - UK has the largest immigration detention estate
  - 2500-3000 detained at any one time
  - 32,400 individuals entered detention during 2015
  - Cost £91 per day

- Dementia (UK)
  - 850,000 people with dementia
  - West Mercia police (2015/16)
    - 103 missing persons calls related to dementia
    - All found but one deceased and 13 harmed.
    - Majority were found within 8 hours.
- Secure mental health services
  - 7719 in-patient beds (NHS England, 2015)
    - 795 high security
    - 3192 medium secure
    - 3732 low security
- Children and young people (DoE, 2013)
  - 100,000 go missing per year
  - Estimated 25% at risk of serious harm
  - Increased vulnerability to sexual exploitation

BENEFITS

- Increased security and safety for users/victims/public (?)
- Increased freedom, independence and autonomy
- Reassurance for users/carers/public/decision-makers
- Easier and quicker to find individuals
- Reduced use of detention/imprisonment
- Cost saving
- Supports compliance
- Habit breaking/routine making

PRACTICAL ISSUES

- Trackers/tags can be taken off
- Battery life/charging regime
- Drift etc.
- Source of anxiety of the wearers and significant others
- 24/7 support and back up
- Secure and stable accomodation

A PANACEA?

ETHICAL ISSUES

- Michael at al (2006)
  - Privacy
  - Accuracy
  - Property
- Responsibility
- Costs

LEGITIMACY

- Legal and regulatory framework
- Who decides?
- Motivation for its use
- Consent
- Better than the alternatives

POTENTIAL CONSEQUENCES

- Sanctions for non-use/misuse/non-compliance
- Banks of personal data
- Discriminatory use
- Stigmatisation
- Wearers as targets
- Who takes responsibility for action
- Reduced or no personal interaction
- Instrument of harassment, oppression and slavery

PRIVATE SECTOR INVOLVEMENT

- Continuum from providing equipment and storing the raw data to providing a full service.

- Full service includes monitoring centres and contact with individuals, families and statutory agencies.

- Complicates delivery models, data protection , responsibilities and so on.

- Intensifies and adds to ethical and legal issues

SECTOR INTEGRATION

- Growth of tagging and tracking applications is resulting in greater penetration of security companies into the fabric of society.

- The same companies are often providing equipment for control, convenience and care uses.

- Extension of the concept of the 'Commercial corrections complex' identified by Lilly and colleagues into new domains of care and convenience

- Creating powerful organisations who hold significant amounts of data on individuals, influence governments' decision-making and policies and decisions effecting individuals' liberty and well-being.

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