



“TOO MUCH TECHNOLOGY, NOT ENOUGH EMPATHY”

HOW THE UK'S PUSH TO DIGITALIZE SOCIAL SECURITY HARMS
HUMAN RIGHTS

AMNESTY
INTERNATIONAL



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Cover illustration: Illustration of a distressed figure emerging from a phone screen showing repeated "ERROR" messages, surrounded by glitchy forms, error screens, and government documents. Highlights how benefit claimants are trapped in broken, impersonal digital systems. © Titash Sen

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CONTENTS

1. EXECUTIVE SUMMARY	8
LEGAL FRAMEWORK	9
THE UK'S SOCIAL SECURITY SYSTEM	9
KEY FINDINGS	10
DIGITAL EXCLUSION	10
DATA AND SURVEILLANCE	10
AUTOMATION	11
ARTIFICIAL INTELLIGENCE AND THE UK'S DIGITAL WELFARE STATE	12
IMPACT OF ERRORS	12
TRANSPARENCY, REGULATION AND OVERSIGHT	12
CONCLUSION AND RECOMMENDATIONS	13
2. INTRODUCTION	14
2.1 THE UK'S PUSH FOR DIGITALIZATION	14
2.2 DIGITAL WELFARE STATES	16
3. METHODOLOGY	19
4. THE UK'S SOCIAL SECURITY SYSTEM	23
5. LEGAL FRAMEWORK	27
5.1 RIGHT TO SOCIAL SECURITY	27
5.2 RIGHT TO AN ADEQUATE STANDARD OF LIVING	27
5.3 RIGHT TO PRIVACY	28
5.4 DATA PROTECTION	28
5.5 RIGHT TO EQUALITY AND NON-DISCRIMINATION	29
6. DIGITAL EXCLUSION	30
6.1 BARRIERS TO DIGITAL INCLUSION	30
6.2 SOCIAL SECURITY CLAIMANTS' EXPERIENCES OF DIGITAL EXCLUSION	32
7. DATA AND SURVEILLANCE	36

7.1 “DATAFICATION”	36
7.2 DATA CONCERNS IN THE UK CONTEXT	37
7.3 MONITORING AND ONEROUS DATA COLLECTION	38
7.4 DATA ERRORS	39
8. AUTOMATION	43
8.1 WHAT IS AUTOMATION?	43
8.2 CONCERNS OVER THE DWP’S USE OF AUTOMATION	44
8.3 AUTOMATED ELIGIBILITY ASSESSMENT	44
8.4 AUTOMATED PAYMENTS CALCULATIONS	45
8.5 AUTOMATION NOT WORKING TO HELP SOCIAL SECURITY CLAIMANTS	47
9. ARTIFICIAL INTELLIGENCE AND THE UK’S DIGITAL WELFARE STATE	49
9.1 DEFINITIONS AND CRITICISM OF AI	49
9.2 ALGORITHMIC DECISION MAKING IN FRAUD DETECTION	50
9.3 GENERATIVE AI	54
10. IMPACT OF ERRORS	56
10.1 HUMAN IMPACT OF ERRORS	56
10.2 FINANCIAL IMPACT OF DIGITAL ERRORS	58
11. TRANSPARENCY, REGULATION AND ACCOUNTABILITY	60
11.1 OVERVIEW, OVERSIGHT AND TRANSPARENCY	60
11.2 REGULATION AND ACCOUNTABILITY	62
12. CONCLUSION	64
13. RECOMMENDATIONS	65
FOR THE UK GOVERNMENT	65
FOR GOVERNMENTS OF ALL COUNTRIES	66

GLOSSARY

WORD	DESCRIPTION
PROXY	In computer programming, a proxy is a feature that is correlated to something else. In algorithmic systems, a seemingly neutral feature (such as postal code) may be correlated with a protected characteristic (nationality or ethnicity).
EXPLAINABILITY	Explainability means designing an artificial intelligence (AI) system such that a human is able to understand and explain the way the model works (counter to the idea of a black-box system) and retain oversight over its functioning. Explainability is an emerging field and there are other similar approaches which aim to increase transparency into how an AI system is functioning, such as “interpretability”.
GENERATIVE AI	Generative AI is a blanket term used to describe a range of “deep learning” algorithmic models that are trained on vast amounts of data, and which then use this training data to generate new content, including audio, images, text and even computer code in response to user prompts. These systems do not simply regurgitate their training data. Generative AI can inexpensively and quickly produce content that appears indistinguishable from content produced by a human being. Generative AI tools are also proving effective at summarizing and even analysing existing content. This both increases their usefulness as productivity tools, while also raising concerns about their potential surveillance capabilities (for example, their potential ability to analyse and summarize large amounts of CCTV footage).
PERSONAL INDEPENDENCE PAYMENT (PIP)	Personal Independence Payment is a conditional social security payment intended to support individuals in England, Wales and Northern Ireland over the age of 16 with the costs related to their disability or health condition. In Scotland individuals can be eligible to receive Adult Disability Payment (ADP) as Scotland transitions from PIP to ADP.
UNIVERSAL CREDIT (UC)	Universal Credit is a conditional social security payment for eligible individuals with low or no income in the UK.
ARTIFICIAL INTELLIGENCE (AI)	Broadly speaking, artificial intelligence is any technique or system that allows computers to mimic human reasoning.
MACHINE LEARNING	A subset of AI, machine learning is a technique to provide AI with the capacity to learn from data to perform a task (either specific or general) and, when deployed, ingest new data and change itself over time.
ALGORITHM	An algorithm is a list of mathematical rules which solve a problem. The rules must be in the right order – think of a recipe. Algorithms are the building blocks of AI and machine learning. They enable AI and machine learning technologies to train on data that already exists about a problem so that they can solve problems when working with new data.
ALGORITHMIC DECISION MAKING	Algorithmic decision-making refers to an algorithmic system that is used in (support of) various steps of decision-making processes.

WORD	DESCRIPTION
ALGORITHMIC DISCRIMINATION	Algorithmic discrimination occurs when algorithmic systems contribute to unjustified disparate treatment or impacts which are unfavourable to people based on their race, colour, ethnicity, sex (including pregnancy, childbirth and related medical conditions, gender identity, intersex status, and sexual orientation), religion, age, national origin, disability, genetic information, or any other classification protected by law.
AUTOMATED DECISION MAKING	An algorithmic decision-making system where no human is involved in the decision-making process. The decision is taken solely by the system.
SEMI-AUTOMATED DECISION MAKING	An algorithmic decision-making system where a human is involved in the decision-making process, or the algorithm is used to support the decision making. Often, these systems are used to select cases for human review or to assist in the decision-making process by providing information and/or suggested outcomes.
AUTOMATION BIAS	A phenomenon whereby people tend to trust the automated system to the extent that they ignore other sources of information, including their own judgement, which can lead to errors within the automated decision-making not being detected or challenged.
FRAUD-CONTROL MODELS OR ALGORITHMS	ML algorithms used to identify recipients and claimants of social security schemes who are at higher risk of committing fraud or an error in their application. The systems often use historical data on behaviours and characteristics that are considered to be commonly associated with fraud and error.
PREDICTIVE ALGORITHMS	The use of AI techniques to make future predictions about a person, event or any other outcome.
PROFILING	The UK General Data Protection Regulation (GDPR) defines profiling as “any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.”
RISK SCORING	The semi- or fully automated processing of data to assess or predict the risk that an outcome will occur, either at the individual or community level, or in a specific event or scenario.
RISK ASSESSMENT TOOLS	The semi- or fully automated processing of data for statistical assessment and/or predictive modelling to identify the risk that an outcome will occur, either at the individual or community level, or specific to an event or scenario.
SOCIAL SECURITY	Social security refers to a broad range of contributory programmes (those financed through contributions made by an individual or on their behalf) and non-contributory programmes (those funded through national tax systems). Social protection programmes can include (1) social insurance, such as pension insurance; (2) employment and labour programmes, including skills training, unemployment benefits and job search assistance; and (3) social assistance and cash payments for people living in poverty.

ABBREVIATIONS

AI	artificial intelligence
ATRS	Algorithmic Transparency Recording Standard
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CONVENTION 108+	Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
CPAG	Child Poverty Action Group
CRPD	Convention on the Rights of Persons with Disabilities
DWP	Department for Work and Pensions
ESC	European Social Charter
ECHR	European Convention on Human Rights
GDPR	General Data Protection Regulation
GDS	Government Digital Service
HMRC	His Majesty's Revenue and Customs
HRC	UN Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
NHS	National Health Service
NRPF	no recourse to public funds
OHCHR	Office of the UN High Commissioner for Human Rights
PIP	Personal Independence Payment
RTI	real-time information
SSP	Statutory Sick Pay
SSWP	Secretary of State for Work and Pensions
UC	Universal Credit
UDHR	Universal Declaration of Human Rights
UK	United Kingdom

1. EXECUTIVE SUMMARY

The Department for Work and Pensions (DWP) is at the forefront of the UK government's multi-departmental push for widespread adoption of digital technologies, including artificial intelligence (AI). The DWP is the department responsible for assessing claims and distributing social security in the UK. It uses digital technologies extensively in its assessment, processing and provision of social security, yet there is a worrying lack of transparency around exactly how the DWP is using technology across its services.

Civil society organizations, including Amnesty International, and individuals across the UK have pieced together the available information to address the lack of transparency. Based on this information, we have serious concerns that human rights violations are occurring because of this digitalization, which is being introduced in opaque and often discriminatory ways.

The UK is not alone in its desire to deploy AI and other digital technologies widely in the public sector, and the UK's deregulatory attempts can also be understood as part of a global trend. Amnesty International has observed dangerous and decidedly false narratives by states and corporations that paint human rights-based regulation of AI as a barrier to innovation, productivity gains, efficiency, digital sovereignty and supremacy, and finally economic competitiveness by states. This has played a huge part in driving deregulation trends.

Where regulations have been proposed, they often focus on fostering innovation or increasing competitiveness of the markets, neglecting the essential aim of protecting and promoting human rights during the development and deployment of AI. Unchecked AI experimentation on social security systems worldwide seriously threatens human rights, turning measures that are meant to protect into even more punitive systems where pre-existing discrimination and flaws are exacerbated.

States deploy technologies in a range of ways to deliver social security. This includes 'digital by default' application and claim management processes, whereby an individual must apply online for social security or upload documentation through an online portal. Automated tools are often used to collate information or support human decision making. Research by Amnesty International in the UK and in other countries, including Serbia, has shown how these automated systems often entrench inequality, can be riddled with errors, and can create serious hardship for some of the most marginalized individuals in society.

States are also introducing more complex AI-based systems to create risk profiles on social security claimants to detect fraud. Research and litigation by Amnesty International and its partners have shown that many of these AI systems can have serious consequences for human rights as the criteria used to create profiles or flag individuals for fraud are often discriminatory. Even the use of simpler systems such as digital

application processes or basic automated tools for data verification can have a significant and disproportionate impact on individuals, especially those from marginalized groups.

This report forms part of Amnesty International's broader research on the uses of automated or algorithmic technologies in the public sector and their implications for human rights. It also contributes to the organization's in-depth research into the UK's social security system. It focuses on the various ways that digital technologies have affected people's right to social security. This research is based on 216 interviews with recipients of social security in the UK, 566 questionnaires completed by social security advisors and claimants, and comprehensive desk research conducted between October 2024 and March 2025. This research specifically focuses on Universal Credit (UC) and Personal Independence Payments (PIP) as they are two of the largest social security schemes and are both highly digitalized. This report can be read in parallel with the Amnesty International report *Social Insecurity: The Devastating Human Rights Impact of Social Security System Failures in the UK*, which examines in detail the UK's social security system.

LEGAL FRAMEWORK

Amnesty International's research has found that the introduction of digital technologies into the UK's flawed and inadequate social security system has, in many cases, led to further hardship for social security claimants. This has negatively affected realization of claimants' human rights including their rights to social security and an adequate standard of living, both of which are enshrined in treaties that the UK has ratified, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of Persons with Disabilities (CRPD).

The significant amount and various categories of data, including personal data that is being processed by digital technologies in use by the DWP bring considerable risks to the right to privacy and data protection principles. Internationally, the right to privacy is enshrined in treaties including the International Covenant on Civil and Political Rights (ICCPR), to which the UK is a party. In UK domestic law, this right is enshrined in the Human Rights Act 1998. Data protection is provided domestically by legislation including the UK General Data Protection Regulation (GDPR).

Finally, given the disproportionate impact that digitalization and the introduction of automation and algorithmic decision making have on certain individuals and communities, the right to equality and non-discrimination has also been violated. The right to equality and non-discrimination is enshrined in treaties including the ICESCR, the ICCPR, the Convention on the Elimination of All Forms of Discrimination Against Women, and the CRPD.

Under international human rights law, states including the UK have an obligation to respect, protect and fulfil the right to social security and to ensure that all individuals have equal access to this right. This requires states to remove barriers that impede individual access to social security and create policies and measures that facilitate equal access to rights.

In advance of the publication of this report, Amnesty International wrote to the DWP to provide it with an opportunity to respond to the findings contained in this report. The DWP declined to comment on the findings of the report.

THE UK'S SOCIAL SECURITY SYSTEM

The UK's social security system is a vast and complex range of schemes that combine contributory and non-contributory social security schemes, means-tested and income-related schemes, and non-income-related or categorical schemes for certain categories of claimants. The Secretary of State for Work and Pensions is the government minister primarily responsible for the social security system, including the DWP. As noted earlier, given the wide range of social security schemes in the UK, this research specifically focuses on UC and PIP as they are two of the largest social security schemes and are both highly digitalized. Navigating the range of social security schemes can be challenging for some claimants. One claimant who participated in this research told Amnesty International: "The whole experience of the benefits systems is absolutely a level of stress I never, ever have to deal with before."

UC was introduced in 2012 to replace a range of social security schemes including Housing Benefit and Income Support. UC is a conditional benefit, meaning that receipt of payment is contingent on a claimant fulfilling certain criteria. From its inception, UC was 'digital by design', meaning that the vast majority of claimants are required to interact with the DWP using an online account which includes a breakdown of a

claimant's monthly payments and a 'to-do' list of actions that a claimant must undertake in order to continue to receive their payments. To set up an online account for UC, an individual must not only have access to the internet and an internet-enabled device such as a laptop or smartphone but must also have an email address and a mobile phone number to receive verification codes. The online forms that a claimant must complete are available only in English and Welsh. If an individual is unable to make a claim online then they can make a telephone claim instead, but the DWP has been instructed by UK government policy to adopt a 'digital first model'.

PIP is a social security payment for people in England, Wales and Northern Ireland who have both a long-term physical or mental health condition or disability and difficulty doing certain everyday tasks or getting around because of their condition. It replaced Disability Living Allowance in 2013 for people aged over 16; children under 16 can still claim Disability Living Allowance. In Scotland, PIP is being replaced by the Adult Disability Payment. Currently a claimant can either apply over the phone or via post. In some areas, the DWP has begun trialling an online application process.

KEY FINDINGS

DIGITAL EXCLUSION

While there is no universal definition of digital exclusion, it can be understood as referring to the ways in which people are excluded from participating in society due to lack of access to digital technologies including the internet or devices connected to the internet. There are complex reasons why someone may be digitally excluded. These can be connected to their age, gender, geographic location, educational attainment, disability, health condition(s) or socio-economic status. People can experience varying levels of digital exclusion, and it can fluctuate for reasons including a person's living conditions, health status or income level.

For a social security system to comply with international human rights frameworks, it must be accessible. However, Amnesty International spoke to individuals who are digitally excluded and for whom accessing UC has been a challenge as it is a 'digital by default' service. Many claimants expressed challenges in logging into their online account. In many cases this was due to access barriers that created difficulties for certain individuals with a disability or a health condition. Others faced challenges in being able to afford the data and devices required to manage a claim online. One claimant in England explained how her age, literacy level, gender, and socio-economic status all represented barriers to her being able to access online services: "You know, have some form of sort of compassion, you know, make the forms and things easier. I mean, I'm quite illiterate. I mean, a lot of women are, are men of my age, can't use them... So they're stuffed. They send me letters on my phone. I can't open them. So, I ring up. I can't open it. I haven't got an iPad. I can't afford an iPad".

Given the disproportionate negative effect that 'digital by default' services can have on already marginalized groups, it is clear that there is a discriminatory impact on some people. This impact has not been sufficiently mitigated or prevented despite the DWP proposing alternatives, such as for UC claims to be made by phone. One claimant told Amnesty International that, for them, the online service was a "form of discrimination". 'Digital by default' services without adequate alternatives violate the right to equality and non-discrimination, the right to social security and, in some cases, the right to an adequate standard of living. Given the specific issues that some people with disabilities or health conditions have identified in their access to digital services, and the lack of adequate provision of non-digital services or accessible digital services, the UK government is contravening its obligations under the CRPD. Age can also be a factor in digital exclusion, with older persons disproportionately more likely to struggle to access online services.

DATA AND SURVEILLANCE

The 'datafication' of peoples' lives, whereby vast amounts of personal data are collected and processed, is a common feature of many digital welfare states. Using extensive amounts of individuals' data to determine eligibility for state support is not new, as these digital tools have their analogue predecessors. However, the scale and the breadth of the data used, and the speed with which it can now be processed digitally, is new and can bring with it new unintended consequences and human rights risks that exacerbate preexisting concerns and can function as systems of mass surveillance.

Within automated and data-intensive systems, individuals who are applying for or receiving social security are not recognized in all their complexity but rather they are judged and processed on their ability (or inability) to provide the required documentation and proof, within a required timeframe, and in the required format(s). Any person who cannot fulfil these criteria will not fit within the system's model and can therefore face significant barriers in accessing the services to which they are legally entitled. This can impede their ability to access human rights, including the right to adequate housing and food.

The DWP collects and processes data in multiple ways. Some data is provided by claimants to support their application; this data may then be processed through an automated system whereby information is verified in another database. For example, data pertaining to income may be verified with His Majesty's Revenue and Customs (HMRC), while information on immigration status may be verified with the Home Office, the department responsible for immigration control. The amount of data processed for a claim depends on an individual's circumstances and the particular social security schemes that they are applying for and receiving. Many individuals who spoke with Amnesty International described the extensive and onerous burden of data required in order to process their claim.

The significant amounts of data collected and the complexity of the information required means that the potential for errors to be introduced is a constant risk. This is further complicated by the automated data verification process which often involves very little, if any, human oversight, and which creates a system whereby small errors can have significant impacts. The automated verification of data creates a web of information and connections between a claim and various other UK government departments including the Home Office, the National Health Service (NHS) and HMRC, which raises concerns around the right to privacy and compliance with data protection principles.

AUTOMATION

Automation refers to a set of predefined instructions or tasks performed by a machine or technology. This could be machine learning or other rules-based forms of automation. Automation is often used to streamline processes and tasks to support a human decision maker and can include retrieving data from other databases or performing calculations.

There were concerns from social security advisors that digital technology “lacks the subtlety to give a fair assessment – health conditions and situations don't often fit neatly in the box on the forms and I fear technology would make that worse.” Another common theme raised by social security advisors was the DWP's over-reliance on digital technology and its belief that this same technology is ‘infallible’, despite there being ample evidence of it going wrong.

The DWP uses automated eligibility assessments to process claims. Making faster decisions so that claimants may receive their social security payments more quickly can be seen as a positive development. Nevertheless, it brings significant risks. A social security advisor told Amnesty International: “For benefits which are provided automatically and can be reasonably worked out with minimal human interaction, I have no problem. If this were to be used for assessment-based benefits such as LCWRA [Limited Capability for Work-Related Activity], PIP and ESA [Employment and Support Allowance], this is likely to cause issues”. These assessments are more complex and require a more nuanced judgement, making them more prone to errors if performed using automation.

UC uses an automated payment system, a key feature of which is the monthly assessment period when the applicant's income, as reported to HMRC, is analysed to calculate the social security payment for the following month. The date chosen for the monthly assessment is the date that an individual first applied for UC. While, for many claimants, a monthly assessment period can reduce the risk of under- or over-payments when compared to the previous annual assessment period, for the approximately 25% of claimants who receive their wages on a weekly, bi-weekly or four-weekly basis, rather than monthly, it can cause significant issues. The monthly assessment period may not accurately capture the number of hours a claimant worked that month. In addition, some assessment periods could include more than one payday, potentially leading to a reassessment which would result in a lower social security payment the next month or no payment at all. Even for those who are paid monthly but who have irregular hours, the constant complex adjustments to payments can cause stress and concern as individuals are not always certain of the amount of social security they will receive from one month to the next.

Despite all of these examples of how the DWP is using automation, it is missing key opportunities to introduce automated processes that would better support claimants. Some forms of technology could be introduced following human rights principles and with the participation of affected communities and their advocates, to potentially facilitate robust access to services and social security payments.

ARTIFICIAL INTELLIGENCE AND THE UK'S DIGITAL WELFARE STATE

Concerns have been raised over the use of AI, machine learning tools and algorithmic decision making by a number of UK parliamentary committees, civil society organizations and UN Special Rapporteurs such as the UN Special Rapporteur on Extreme Poverty and Human Rights, as well as by several individuals who were interviewed by Amnesty International as part of this research.

The DWP has committed millions of pounds for projects that use AI, including for advanced analytics in fraud and error detection and generative AI tools. The operations of these systems are almost entirely hidden from public scrutiny. The very limited information available is often obtained through Freedom of Information requests. This allows for minimal oversight and analysis of the potentially discriminatory or otherwise human rights-harming impacts of these systems as well as of the types of data that underpin these systems to establish whether they comply with data protection and human rights standards. Amnesty International's research in the UK and other countries has found that the use of AI in social security systems can pose grave risks to human rights including the rights to equality, privacy and social security.

Of particular concern is the DWP's use of AI in detecting fraud, errors and overpayments. Risk profiling or risk scoring is used by relevant authorities to identify individuals to be subject to further investigation for potential social security fraud or other such matters. A key characteristic of risk profiling is that individuals are flagged for investigation based on some aspect of their profile being considered suspicious, not on any concrete evidence that they have indeed committed fraud. Oftentimes, these characteristics or traits are tied directly or by proxy to an individual's immigration status, race, disability or gender, making certain individuals and communities more likely to be targeted than others. These systems rely on statistical probabilities and opaque algorithms that may further rely on spurious associations rather than actual evidence based on an individual's actual actions or behaviours, and they are prone to introducing bias and discrimination into decision making.

IMPACT OF ERRORS

People with more complicated life circumstances are more likely to face issues when encountering digital systems such as those used by the DWP. For example, in some cases an individual will be required to upload documentation from several years ago to prove their circumstances. This requirement may disproportionately and negatively affect people who have experienced homelessness or domestic violence, and who may not have been able to keep their paperwork during disruptive periods of their lives.

A sanction or an unexpected adjustment to a claimant's social security payments may have severe effects on their health and financial well-being if they do not have the financial resilience to withstand economic shocks. One claimant who responded to Amnesty International's survey explained the harm that errors in decision making caused for them: "The 'systems' are humiliating, confusing, never a consistent person to contact. Their mistakes are blamed on you. UC screwed up on my rent for 2 months causing severe anxiety (thankfully housing association were helpful). Then they applied TP [Transitional Payment] and back paid me which then caused my council tax reduction to be scrapped (because they see this as income)".

The serious toll of digital errors is not only felt by individual claimants and their families. Errors also incur a serious financial loss when a costly digital system has to be withdrawn because it is found to be faulty or discriminatory. Despite the digitalization of social security under UC being presented as a cost-saving measure, it has yet to have this effect. The UK's National Audit Office has expressed doubt that any of the professed cost savings of digitalizing the system will actually materialize. Amnesty International's research has also uncovered a number of other digital systems that were introduced and then withdrawn at taxpayers' expense.

TRANSPARENCY, REGULATION AND OVERSIGHT

Transparency is a key principle of governance and should be at the core of creating and implementing public sector policies. Without transparency over the use of technology, there can be no meaningful evaluation of whether these systems are operating efficiently or lawfully, and whether discrimination is occurring. The DWP's main argument to justify opacity around its use of digital technologies is that it does not disclose information, as this could enable individuals to exploit the system. However, this fundamentally misunderstands how these systems are frequently discriminatory and demonstrates the adoption of a

punitive approach. These systems often rely on identity characteristics to establish profiles or risk scores, which for ‘race’ or ‘disability’ are fixed and therefore cannot be changed by an individual to cheat the system. This results in a system that is optimized for fraud detection, rather than being optimized to serve the majority of applications which are legitimate while still being able to detect outlying cases of fraud.

Individuals whose rights are negatively affected by automated or algorithmic decision making have the right to receive information about how these technologies are being used, especially – as Amnesty International has demonstrated in this report and elsewhere – when the consequences of errors can push individuals into destitution and crisis. Furthermore, access to information is a core element of the right to redress or remedy for harm and allows affected individuals to seek compensation or other forms of accountability.

Certain systems pose such a grave risk to human rights that they must not be used by states at all. These include, for example, risk-profiling systems that would constitute forms of social scoring or other risk assessment and profiling tools that create systems of mass surveillance or are otherwise discriminatory. Clear red lines must be drawn to ensure that systems which are not compatible with the human rights frameworks to which the UK government is a signatory are not allowed to be tested or deployed in the real world. Those that are deployed but are fundamentally incompatible with human rights standards should immediately be withdrawn.

CONCLUSION AND RECOMMENDATIONS

Amnesty International’s research has found that the combined introduction of digital technologies with further cuts to the UK’s social security system, after years of austerity, is creating a perfect storm where pre-existing flaws in the welfare state are being exacerbated, and new issues and concerns linked to these new technologies are being created. Amnesty International calls on the UK government to:

- Conduct a comprehensive, independent and impartial review of the use of digital technologies deployed by the DWP, and terminate the use of any rights-violating digital systems;
- Develop binding and enforceable rights-respecting AI regulation that addresses intersectional risks posed by AI technologies, through a clear, easy to access, transparent and accountable policymaking process which enables meaningful and equal participation of affected communities and civil society organizations;
- Ensure that digital technologies are used in line with human rights law and standards, including the rights to privacy, equality and non-discrimination, as well as data protection standards, and that they are never used in ways that could lead to people being discriminated against or otherwise unlawfully harmed;
- Ensure that ‘digital by default’ systems are accessible, including by taking measures in line with Article 9 of the Convention on the Rights of Persons with Disabilities, and that they are not exclusionary in practice by having equal application and claim management options for those who are unable or unwilling to apply online.

2. INTRODUCTION

“AI is the way... to transform our public services”

Keir Starmer, Prime Minister of the UK

“The whole experience of the benefits systems is absolutely a level of stress I never, ever have to deal with before.”

Claimant interviewed for Amnesty International

2.1 THE UK'S PUSH FOR DIGITALIZATION

In January 2025 the Prime Minister of the United Kingdom (UK), Sir Keir Starmer, announced that “AI is the way... to transform our public services”.¹ One of the public services at the forefront of the UK's public sector digital transformation is the social security system. The Department for Work and Pensions (DWP), the UK government department responsible for assessing claims and distributing social security in the UK, extensively uses digital technologies in the eligibility assessment, processing and provision of social security and is currently looking for new ways to use technology. While there is a lack of transparency around exactly how the DWP is using technology, information already documented by civil society organizations and individuals across the UK highlights serious challenges and concerns regarding human rights violations linked to this digital transformation, which is being deployed in opaque and often discriminatory ways.

The push for widespread public sector deployment of technology is coming from many branches of the UK government. In 2024 the UK hosted the Global Summit on AI Safety, gathering world leaders, tech companies and researchers to discuss measures to “evaluate and monitor the most significant risks from AI”.² Amnesty International joined more than 100 civil society organizations to urge the UK government to keep the communities and workers most affected at the forefront of AI decision making.³ However, this call went unheeded. While the 2024 summit focused on the existential risks of AI, the current focus of the government seems instead to be the promotion of AI as a solution. The AI Opportunities Action Plan, published by the government in January 2025, calls for the need to, “[p]ush hard on cross-economy AI adoption” and states that the “public sector should rapidly pilot and scale AI products and services and encourage the private sector to do the same”.⁴ The accompanying press release spoke of the government's plans to “turbocharge AI” and described how the plan “mainlines AI into the veins of this enterprising

¹ Keir Starmer, “PM speech on AI Opportunities Action Plan: 13 January 2025”, 13 January 2025, <https://www.gov.uk/government/speeches/pm-speech-on-ai-opportunities-action-plan-13-january-2025>

² Prime Minister's Office, “UK to host first global summit on Artificial Intelligence”, 7 June 2023, <https://www.gov.uk/government/news/uk-to-host-first-global-summit-on-artificial-intelligence>

³ AI Safety Summit, “Open Letter to the UK Prime Minister”, 30 October 2023, <https://ai-summit-open-letter.info/>

⁴ Matt Clifford & Department for Science, Technology and Innovation, *AI Opportunities Action Plan*, CP 1241, January 2025, https://assets.publishing.service.gov.uk/media/67851771f0528401055d2329/ai_opportunities_action_plan.pdf p. 5

nation”, claiming that, through AI, the government is “revolutionising our public services”.⁵ In March 2025, Prime Minister Starmer announced plans “to send teams into every government department with a clear mission from me to make the state more innovative and efficient”⁶ and reinforced the UK government’s view that “AI is a golden opportunity”.⁷

The UK is not alone in its push to introduce AI and other digital technologies into the public sector. The UK’s regulatory attempts can be understood as part of a global push to both rapidly introduce as well as deregulate AI. Amnesty International has observed narratives by states and corporations that falsely paint human rights-based regulation of AI, including human rights safeguards, as blocking innovation, productivity gains, efficiency, digital sovereignty and supremacy, and economic competitiveness.⁸ This has led to a trend of either deregulation⁹ or, when regulation is proposed, it is motivated by aims such as fostering innovation or increasing competitiveness of the markets, at the expense of human rights.¹⁰ The introduction of AI and other technologies into social security systems is often accompanied by crushing austerity-related budget cuts to essential services such as housing, education and healthcare.¹¹ This unchecked AI experimentation on social security systems worldwide seriously threatens human rights, turning systems that are meant to protect into even more punitive systems where pre-existing discrimination and access barriers are exacerbated by technology.¹²

NEW TECHNOLOGIES IN SOCIAL SECURITY

There is a range of ways in which states can deploy technologies in the delivery of social security. This includes ‘digital by default’ application and claim management processes, whereby an individual is expected to create an online account and use this to apply for social security, upload documentation and communicate with social workers. Automated tools are often used to collate information or support human decision making. Some automated systems will rely on fully automated decision making, whereby no human is involved in the decision-making process, and a decision is made solely by the system. Other systems use semi-automated decision making, where a human is involved in the decision-making process in some capacity, often to review cases selected by the system. Research by Amnesty International has shown how these automated systems often entrench inequality, can be riddled with errors, and can create serious hardship for some of the most marginalized individuals in society.¹³ Some states are also introducing more complex systems that use AI to create risk profiles on claimants or to attempt to detect fraud. Amnesty International’s research and litigation has shown that many of these AI systems can have serious consequences for human rights realization, as the criteria used to create profiles or flag individuals for fraud are often discriminatory.¹⁴

This report focuses on some of the many types of technology used by the DWP. This ranges from complex systems that involve algorithmic decision making, especially the types used to detect fraud, error and overpayment of social security benefits, as well as the use of generative AI to develop new tools to process

⁵ Department for Science, Innovation and Technology, “Prime Minister sets out blueprint to turbocharge AI”, 13 January 2025, <https://www.gov.uk/government/news/prime-minister-sets-out-blueprint-to-turbocharge-ai>

⁶ Keir Starmer, “PM remarks on the fundamental reform of the British state”, 13 March 2025, <https://www.gov.uk/government/speeches/pm-remarks-on-the-fundamental-reform-of-the-british-state-13-march-2025>

⁷ DWP, “Biggest shake up to welfare system in a generation to get Britain working”, 18 March 2025, <https://www.gov.uk/government/news/biggest-shake-up-to-welfare-system-in-a-generation-to-get-britain-working>

⁸ Amnesty International, “EU: France, Germany and Italy risk unravelling landmark AI Act negotiations”, 27 November 2023, <https://www.amnesty.org/en/latest/news/2023/11/eu-france-germany-and-italy-risk-unravelling-landmark-ai-act-negotiations/>

⁹ Corporate Europe Observatory, “Deregulation Watch exposing new developments in the deregulation agenda”, 30 April 2025, <https://www.corporateeurope.org/en/2025/04/deregulation-watch>

¹⁰ See for example Amnesty International, “Pakistan: Amnesty International recommendations for rights-respecting Artificial Intelligence and Digital Nation Acts”, 7 February 2025, <https://www.amnesty.org/en/documents/asa33/9244/2025/en/>

¹¹ UN Special Rapporteur on extreme poverty and human rights, *Report: Digital technology, social protection and human rights*, 1 October 2019, UN Doc. A/74/493, p. 2.

¹² Amnesty International, *Briefing: Social Protection in the Digital Age*, (Index: POL 40/7771/2024), 6 March 2024, <https://www.amnesty.org/en/documents/pol40/7771/2024/en/>

¹³ See for example Amnesty International, *Trapped by Automation: Poverty and Discrimination in Serbia’s Welfare State* (Index: EUR 70/7443/2023), 4 December 2023, <https://www.amnesty.org/en/latest/research/2023/12/trapped-by-automation-poverty-and-discrimination-in-serbias-welfare-state/>; Amnesty International, “Use of Entity Resolution in India: Shining a light on how new forms of automation can deny people access to welfare”, 29 April 2024, <https://www.amnesty.org/en/latest/research/2024/04/entity-resolution-in-indias-welfare-digitalization/>

¹⁴ See for example Amnesty International, *Xenophobic Machines: Discrimination Through Unregulated Use of Algorithms in the Dutch Childcare Benefits Scandal* (Index: EUR 35/4686/2021), 25 October 2021, <https://www.amnesty.org/en/documents/eur35/4686/2021/en/>; Amnesty International, *Coded Injustice: Surveillance and Discrimination in Denmark’s Automated Welfare State* (Index: EUR 18/8709/2024), 12 November 2024, <https://www.amnesty.org/en/documents/eur18/8709/2024/en/>; Amnesty International, *France: CNAF State Council Complaint* (Index: EUR 21/8795/2024), 27 November 2024, <https://www.amnesty.org/en/documents/eur21/8795/2024/en/>

social security claims. Some of these systems, especially when they could be understood as social scoring, for example, are strictly prohibited given the grave and serious risk that they pose to the human rights of claimants. Other technologies considered in this report include less complex systems such as ‘digital by default’ interfaces for applications and claim management, or simple automated data verification tools or automated payment calculation. While these systems can be used in a rights-compliant way, their use can have a disproportionate impact on certain communities which could constitute discrimination. Therefore, they should only be used with adequate human rights safeguards in place. As this report demonstrates, these risks have not been adequately mitigated or prevented, meaning that these forms of digitalization have presented a barrier to access for many individuals, especially for those who were already experiencing marginalization.

As shown in this report, the combination of the introduction of digital technologies with further cuts to the UK’s social security system after years of austerity has created a perfect storm where pre-existing flaws in the welfare state are being exacerbated, and new issues and concerns linked to these new technologies are being created. The UK government should prioritize ensuring the adequacy of social security and broader interconnected economic, social and cultural rights through the implementation of a more efficient, progressive and socially just fiscal policy instead of pushing for the costly introduction of digital technologies in ways that are seriously detrimental to the rights of individuals across the UK.

This research can be read in parallel with Amnesty International’s 2025 report, *Social Insecurity: The Devastating Human Rights Impact of Social Security System Failures in the UK*, which examines the UK’s social security system in detail.¹⁵ The UK is a signatory to numerous international and regional frameworks that guarantee the rights which are being put at risk by digital technologies. These include the rights to social security, privacy and equality. This report shows that not enough attention has been paid by the UK government or the DWP to the UK’s human rights obligations and that this has had dire consequences for the human rights of individuals across the country.

2.2 DIGITAL WELFARE STATES

“The digital welfare state is either already a reality or emerging in many countries across the globe. In these states, systems of social protection and assistance are increasingly driven by digital data and technologies that are used to automate, predict, identify, surveil, detect, target and punish.”

Phillip Alston, Former UN Special Rapporteur on extreme poverty and human rights¹⁶

States that are choosing to introduce digital technologies into their social security systems often do so under the guise of improving efficiency or increasing people’s access to state services, while simultaneously cutting social security budgets and introducing austerity measures.¹⁷ While digital technologies are often presented by states as a neutral or technocratic solution to achieve greater coverage, improve administrative systems, detect fraud and enhance security, there is significant research to show that digitalization of social security without human rights safeguards poses many risks to human rights and can exacerbate inequality. In a 2019 report, the UN Special Rapporteur on extreme poverty and human rights found that the “digitization of welfare systems” can lead to “a narrowing of the beneficiary pool” as well as “the introduction of demanding

¹⁵ Amnesty International, *Social Insecurity: The devastating human rights impact of social security system failures in the UK* (Index Number: EUR 45/9283/2025) April 2025, <https://www.amnesty.org.uk/resources/social-insecurity-report>

¹⁶ UN Special Rapporteur on extreme poverty and human rights, *Report: Digital technology, social protection and human rights* (previously cited), p. 2.

¹⁷ DWP Digital, “Intelligent Automation Garage: using automation for good”, <https://careers.dwp.gov.uk/using-automation-for-good/> (accessed on 10 June 2025).

and intrusive forms of conditionality”.¹⁸ In certain cases the digitalization of social security systems can also pave the way for data sharing between social security agencies and the police where the latter could be given access to social security databases. This can present further risks to human rights, including the right to privacy, and can make some individuals reluctant to access social security schemes for which they are eligible because of concerns over privacy.¹⁹

Digital technologies introduced into the public sector are very often developed to address the priorities of states, rather than the needs of individuals who are trying to access services. As a result, they are not always suited to specific groups’ needs and realities and can themselves become barriers to people accessing their rights. To mitigate the potential human rights harms of technology and in order to develop technology that works within existing complex social realities, states must incorporate diverse and representative perspectives and expertise in all stages of the planning, development and deployment of these systems as well as robust human rights safeguards. If a system is deployed, there should also be periodic evaluation with affected individuals and communities to understand the real-world implications of deployment.

Research by Amnesty International on digitalized social security schemes²⁰ in countries including the Netherlands,²¹ Serbia,²² India,²³ Sweden²⁴ and Denmark²⁵ has shown that the introduction of digital technologies can have dire consequences on human rights and that tech-enabled inequality caused by the introduction of digital technologies that entrench existing patterns of discrimination is a growing and critical threat to human rights.²⁶

In the Netherlands, research by Amnesty International into fraud detection in childcare-related social security payments found that many families who were erroneously flagged as having committed fraud were wrongfully forced to pay back what were perceived as excessive or erroneous childcare payments.²⁷ This pushed many families into serious financial difficulties, including debt and bankruptcies. Many people were evicted from their homes when they could no longer afford their rent. Some people also reported suffering serious stress, which affected their mental health. The system was found by Amnesty International to have been discriminatory due to the use of nationality as a risk factor for committing fraud. The algorithmic system behind the discriminatory fraud detection was later removed by the Dutch government, and a scheme was put in place to compensate people with a fixed amount regardless of their individual assessments. The serious harms caused by the system will likely have long-lasting effects on people’s lives.

In Serbia, research by Amnesty International found that the introduction of the World Bank funded Social Card registry, a digital database of social security applicants and recipients that uses semi-automated decision making to flag beneficiaries for a review by a social worker, led to individuals being removed from social security support due to erroneous or inaccurate information being held in the database that was then used as the basis for human decision making.²⁸ This had a disproportionate impact on Roma people, women, and people with disabilities, who make up the majority of social security recipients in Serbia. Amnesty International’s research also found that the introduction of the Social Card registry did not take into account the specific needs of different individuals and communities, and that individuals and communities were not adequately consulted prior to the system’s deployment.

In Denmark, research by Amnesty International demonstrated how social security recipients are subjected to mass surveillance through the use of traditional and digital surveillance mechanisms. The research highlighted the discriminatory effects that resulted from the Danish state’s use of algorithmic systems for fraud detection purposes. Amnesty International found how these discriminatory effects are occurring in the context of discriminatory or unequal structures present in Danish societal institutions – in hostile Danish laws, rules, norms, patterns of attitudes and behaviour that create and promote “othering” or the differentiation of groups. These are practices that not only encourage discrimination against marginalized groups, but that also allow for mass surveillance of populations in general.

¹⁸ UN Special Rapporteur on extreme poverty and human rights, *Report: Digital technology, social protection and human rights* (previously cited), para. 5

¹⁹ See for example Politiken, “Masseovervågning i ny PET-lov giver ikke mere sikkerhed”, 26 April 2025, https://politiken.dk/debat/kroniken/art10382716/Masseoverv%C3%A5gning-i-ny-PET-lov-giver-ikke-mere-sikkerhed?trk=public_post_comment-text

²⁰ Amnesty International, *Briefing: Social Protection in the Digital Age* (previously cited).

²¹ Amnesty International, *Xenophobic Machines* (previously cited).

²² Amnesty International, *Trapped by Automation* (previously cited).

²³ Amnesty International, “Use of Entity Resolution in India” (previously cited).

²⁴ Amnesty International, “Sweden: Authorities must discontinue discriminatory AI systems used by welfare agency”, 27 November 2024, <https://www.amnesty.org/en/latest/news/2024/11/sweden-authorities-must-discontinue-discriminatory-ai-systems-used-by-welfare-agency/>

²⁵ Amnesty International, *Coded Injustice* (previously cited).

²⁶ Amnesty International, *Digitally Divided: Technology, Inequality and Human Rights* (Index: POL 40/7108/2023), 2 October 2023, <https://www.amnesty.org/en/documents/pol40/7108/2023/en/>

²⁷ Amnesty International, *Xenophobic Machines* (previously cited).

²⁸ Amnesty International, *Trapped by Automation* (previously cited).

INTERSECTIONALITY

Intersectionality is a framework for examining how different forms of discrimination can overlap and interact to create a unique and compounding experience of oppression. It goes beyond just understanding how different forms of discrimination and oppression exist, to considering how, in combination, these forms of discrimination can create a pattern that affects an individual's life.

An intersectional approach to human rights helps to break down barriers between different categories of oppression or marginalization, and to show how different categories of identity (including gender, sexual orientation, race, class, caste, disability, immigration status, religion, ethnicity, Indigenous identity, and more) are inherently interconnected. This then allows for an understanding of how to more effectively and holistically address the harms a person or community experiences as a result of their unique context.²⁹

Many of the changes to the UK's social security system, undertaken by successive UK governments, have been regressive and had a negative impact on human rights. This includes changes introduced through the Welfare Reform and Work Act 2016, which created limits to the number of children in a household who qualify for social security payments.³⁰ Many of these changes have disproportionately affected those who are already facing inequalities and/or are from marginalized communities and, in turn, these inequalities are exacerbated by social security changes, which affect the adequacy of social security payments.³¹

When it comes to examining digital technologies, it is important that decision makers take an intersectional approach to policy making because of the significant effect that these technologies can have on the rights of individuals, in particular those with protected characteristics or those who are the most marginalized. Although technology is often presented as objective and unbiased, it is virtually impossible to create a value-neutral technology, as technologies are introduced into societies and contexts that contain social, political and structural discrimination.³² Technologies, therefore, inevitably reflect the underlying biases and worldviews of the people who built, deployed and funded them.³³ Introducing technology into new areas of life can have unpredictable and unintended consequences, and these effects can vary widely depending on whether a person or community is already subject to systemic and intersectional forms of marginalization.

A NOTE ON LANGUAGE

We are aware that the UK public (particularly young people) and the UK government do not systematically use the framing of social assistance and income protection as 'social security' and are more likely to use language associated with 'benefits' and 'welfare'.³⁴ There is an increasing shift towards negative framing of welfare benefits and of claimants as a burden on society, resulting in stigma perpetuated by successive governments and the media.

Instead, Amnesty International supports the international human rights framework principle that social security is a protective measure and a fundamental human right. It is part of a social contract that ensures people have access to financial and other support during times of need. It should not be perceived as charity, as is often implied by the term 'benefits'.

To underline this and encourage those citing these works to do the same, throughout this report we refer to 'social security schemes' (when referring to the plethora of 'benefits' set out in law), 'social security payments' (when referring to the cash transfers made to claimants) and 'social security protections' (when referring to the general principles of income protections).

²⁹ Amnesty International, *Briefing: Gender and Human Rights in the Digital Age* (Index: POL 40/8170/2024), 10 July 2024, <https://www.amnesty.org/en/documents/pol40/8170/2024/en/>

³⁰ Welfare Reform and Work Act 2016, <https://www.legislation.gov.uk/ukpga/2016/7/contents>

³¹ See UN Special Rapporteur on extreme poverty and human rights, *Report of the Special Rapporteur on extreme poverty and human rights on his visit to the United Kingdom of Great Britain and Northern Ireland*, 23 April 2019, UN Doc. A/HRC/41/39/Add.1.

³² Amnesty International, *Briefing: Social Protection in the Digital Age* (previously cited).

³³ Amnesty International, *Digitally Divided* (previously cited).

³⁴ Heard, Children's Society and University of Warwick, *How do Young People Think About Social Security?*, 2022, <https://www.childrenssociety.org.uk/sites/default/files/2023-12/How%20do%20Young%20People%20Think%20About%20Social%20Security.pdf> p. 4.

3. METHODOLOGY

This report investigates the use of AI and other digital technologies by the DWP in relation to social security applications and claim management, with a focus on those related to Universal Credit (UC) and Personal Independence Payments (PIP). We focus on UC because it was designed from the outset as a ‘digital by default’ system, and on PIP because it is currently facing significant reform, including the introduction of digital application processes.

Between 2023 and 2024, Amnesty International gathered community perspectives on how marginalized groups experience access to their human rights. The 2024 Amnesty International report *Broken Britain: Voices from the Frontline of the Fight for Everyday Rights* spells out the struggles faced by individuals, families and communities and their view that these cannot be treated as isolated problems with discrete solutions.³⁵ These struggles included lack of access to an adequate standard of living including access to food, housing and health. The issues affecting their rights are multi-layered, interconnected and complex. The report also showed how a single social or economic rights violation can trigger a domino effect, undermining the entire social support infrastructure required for an adequate standard of living. Communities emphasized to Amnesty International that the right to social security plays a fundamental role in ensuring a decent standard of living. Based on the experiences shared in previous research, Amnesty International decided to undertake further research into the experiences of claiming social security in the UK to identify where system failures compound the lack of realization of human rights.

This research also contributes to Amnesty International’s long-standing body of research on economic, social and cultural rights and the importance of adequate social protection measures to shield people from unexpected economic shocks.³⁶ As this research is focused on the use of AI and other digital technologies, it also builds on Amnesty International’s ongoing research, advocacy and litigation on the growing use of technology in the public sector, particularly in the sphere of social protection and the effect that this is having on people’s rights.³⁷

The research draws on a series of in-depth focus groups with individuals, and responses to two questionnaires carried out on behalf of Amnesty International UK by a social enterprise – Society Matters CIC. One questionnaire was sent to social security recipients and the other to social security advisors. These questionnaires and focus groups collected views and experiences of people who had accessed the social security system within the previous 12 months and people who advise others on their claims, such as people working for Citizens Advice Bureaus. The focus groups were often conducted with Amnesty International observers present. In total, the views of 782 people were captured through this process between October 2024 and January 2025.

³⁵ Amnesty International UK, *Broken Britain: Voices from the Frontline of the Fight for Everyday Rights*, August 2024, https://www.amnesty.org.uk/files/2024-08/ESCR_BriefingV17%20%281%29.pdf?VersionId=JnTAQrdV9A8Ijy2fk4COWVif010KD7Zm

³⁶ See for example Amnesty International, *Rising Prices, Growing Protests: The Case for Universal Social Protection* (Index: POL 40/6589/2023), 10 May 2023, <https://www.amnesty.org/en/documents/pol40/6589/2023/en/>; Amnesty International, “*The Country is Dissolving and No One Cares*”: *Surging Need and Crashing Support for Social Security During Lebanon’s Economic Crisis* (Index: MDE 18/8685/2024), 2 December 2024, <https://www.amnesty.org/en/documents/pol40/6589/2023/en/>

³⁷ See for example Amnesty International, *Briefing: Social Protection in the Digital Age* (previously cited); Amnesty International, *Xenophobic Machines* (previously cited); Amnesty International, *Trapped by Automation* (previously cited); Amnesty International, *Coded Injustice* (previously cited).

	<i>England</i>	<i>Northern Ireland</i>	<i>Scotland</i>	<i>Wales</i>	<i>Total</i>
<i>Claimant interviews</i>	162	7	13	34	216
<i>Claimant online questionnaire</i>	322	9	61	27	419
<i>Advisor online questionnaire</i>	115	9	12	11	147

Of the 216 claimant interviewees, 128 participants identified as white, 34 participants identified as Black, 40 identified as Asian, two identified as mixed, and 10 participants identified as 'other', and two declined to answer. Of the same cohort, 59 participants identified as male, 156 identified as female, and one person identified as non-binary. No one identified as trans male or trans female or as 'other'. There were 31 claimant interviewees in the 18-35 age range, 157 in the 36-64 age range, and 28 in the 65+ age range. Of all 216 people interviewed, 111 identified as having a disability. While the samples for England, Scotland, Wales and Northern Ireland, across the plethora of social security schemes, are limited and should not be considered as representative samples, they indicate trends established in the lived realities that people shared, and they provided Amnesty International with insight into broader system issues. These trends and insights should prompt more in-depth investigation by the UK government.³⁸

To conduct this research, Amnesty International also relied on public information including responses to Freedom of Information requests filed by civil society organizations and journalists to the DWP, official published documentation including annual reports, impact assessments and strategy documents from the DWP, and inquiries and reviews from the National Audit Office. The research also relies on documents that outline the UK Government's strategies on AI and the social security system, including official statements, evidence given to parliamentary inquiries, and other such public documentation. This work builds on the considerable work undertaken by civil society organizations, academics and journalists who are tracking and monitoring the use of digital technologies by the DWP, as well as undertaking strategic litigation to challenge rights-harming systems. This work has been referenced when used and Amnesty International is grateful for the time given by these organizations in responding to research queries.

Amnesty International contacted the DWP prior to the publication of the report with a summary of the research findings and to provide them an opportunity to respond. The DWP responded saying that it is "not DWP's general practice to comment on external reports before they are published." and that therefore "The Department's wont therefore be responding at this time but it will of course read the full report with interest once its published".³⁹

Given the limited nature of the information provided by the DWP on how it is using technology, there are limits to what can be examined. Furthermore, many social security claimants and social security advisors were not aware or were not informed of how digital technologies were being used in the assessment or delivery of claims. They were aware of some aspects of the system, and were able to share their concerns; for example, regarding the online application and claim management processes, people shared their experience of being digitally excluded. For other uses of technology, however, such as in the case of algorithmic risk profiling or data errors, there is more opacity on how this is being used, meaning that claimants are less able to share their experiences. Despite this, many shared their more general concerns about these systems with Amnesty International.

Overall, social security is a UK-wide matter. However, there are some differences between England, Wales, Northern Ireland and Scotland. In instances where the legislation may be different (such as equalities legislation in Northern Ireland) or where there are some devolved powers given to a devolved parliament (such as disability-related social security payments in Scotland) these have been highlighted. Where relevant, the specific government responsible for decision making has been identified. Where there exist legislative or policy differences between the four regions, these have been identified where possible.

This research would not have been possible without the help of several groups and individuals across the UK who supported the gathering of evidence and provided expertise on the research design and recommendations. Amnesty International extends its thanks to its core partners for this research:

³⁸ Breakdown of personal characteristics not available for the online claimant questionnaire.

³⁹ Correspondence from the Department of Work and Pensions, 30 June 2025, on file with Amnesty International.

- Society Matters CiC, which produced qualitative research by conducting online questionnaires and interviews, and facilitating focus groups with social security claimants and advisors.
- Dr Koldo Casla and Lyle Barker of the University of Essex, authors of the literature review and desk research underpinning the Amnesty International UK report on which this report draws.⁴⁰

And others who have supported the research including:

- Citizens Advice
- Individual members of the Citizens Advice network
- The North East Citizens Advice Research Cluster Group
- Citizens Advice Scotland
- Advice NI
- Citizens Advice Gateshead
- Gateshead Foodbank
- The Teams Life Centre
- The Poverty Alliance
- The Thera Trust
- Advice NI
- East Belfast Independent Advice Centre
- The Venture Centre, Notting Hill
- Citizens Advice Westminster
- Citizens Advice Kensington and Chelsea
- Ian Rees, Consultant Social Worker – Neath Port Talbot Social Services
- Cilffriw Primary School
- Awel Y Mor School
- Blaengwrach Stay and Play
- Citizens Advice Hull and East Riding
- West Hull Community Hub
- Lonsdale Community Centre
- Citizens Advice Birmingham
- The Dolphin Women's Centre
- The Swan Medical Practice
- Waverley Education Foundation
- CASBA
- The Nishkam Civic Association
- Disability Benefits Coalition
- Child Poverty Coalition
- Expert Link
- Stuart Wallace (Academic)

⁴⁰ Koldo Casla and Lyle Barker, *Essential to All Other Human Rights: Human Rights Analysis of the UK's Social Safety Net – A report for Amnesty International UK*, 2025, https://www.amnesty.org.uk/files/2025-04/Essential%20to%20All%20Other%20Human%20Rights-%20Human%20Rights%20Analysis%20of%20the%20UK's%20Social%20Safety%20Net.pdf?VersionId=TkTvRE_1R6kB90ekCS5CYVbIKtmhhPaR

- Thrive Teeside
- Poverty 2 Solutions

Amnesty International would also like to extend gratitude to those who have lived experience of the UK's social security system and who shared their experiences and reflections with us.

Please note that all conversions into US dollars (US\$) in this report are rounded-up estimates, based on the exchange rate in June 2025.

4. THE UK'S SOCIAL SECURITY SYSTEM

“There are so many flaws in the system that I think overall that it just doesn’t work. I think it criminalizes you – it just makes you feel... it belittles you sometimes.”

Claimant interviewed for Amnesty International

The UK’s social security system is a vast and complex range of schemes that combine contributory or non-contributory social security schemes, means-tested or income-related schemes, and non-income-related or category-based schemes for certain categories of claimants. The social security system is primarily the responsibility of the Secretary of State for Work and Pensions who has responsibility for the DWP. In addition to this, His Majesty’s Revenue and Customs (HMRC) administers tax-related social security schemes, such as Child and Working Tax Credits, Child Benefits, Guardian’s Allowance, National Insurance contributions, and the administration of employer-provided, statutory payments such as Statutory Sick Pay (SSP). Given the wide range of social security schemes in the UK, this research specifically focuses on UC and PIP as they are two of the largest social security schemes and are both highly digitalized.

Despite some differences, social security is largely a reserved matter. This means that the UK government retains overall decision-making powers for social security policy, budgets and implementation. Therefore, the fundamental characteristics of social security are similar across the devolved regions of the UK. In practice, the relative powers through devolution can lead to specific or incremental adjustments or new social security schemes within a broad framework that remains reserved policy. In Scotland, the Social Security (Scotland) Act 2018 devolved powers to create new social security schemes, including the Best Start Grant and Adult Disability Payment.⁴¹ In Wales, while social security is reserved, the Welsh government runs its own grants, including universal free school meals and the basic income pilot.⁴² In Northern Ireland, social security is largely devolved, but it maintains parity with Great Britain’s system, with specific mitigation measures in place for welfare reforms.⁴³

UC was introduced in 2012 to replace a range of different social security schemes including Housing Benefit and Income Support. UC is a conditional social security scheme, meaning that receipt of payment is contingent on a claimant fulfilling certain criteria. For example, this can include spending a certain amount of time looking for work or being in work. Accessing UC is also conditional on residency, citizenship and/or an individual’s immigration status⁴⁴ with some people completely excluded from support due to them having

⁴¹ Social Security (Scotland) Act 2018, Section 1, <https://www.legislation.gov.uk/asp/2018/9/section/1>

⁴² Ymchwil y Senedd Senedd Research, The Welsh Benefits System – what is it, and what are the latest developments?, 24 January 2025, <https://research.senedd.wales/research-articles/the-welsh-benefits-system-what-is-it-and-what-are-the-latest-developments/>

⁴³ Northern Ireland Act 1998, Section 87, <https://www.legislation.gov.uk/ukpga/1998/47/contents>

⁴⁴ Shelter, “Universal Credit: Immigration and residence conditions”, https://england.shelter.org.uk/housing_advice/benefits/universal_credit_immigration_and_residence_conditions (accessed on 10 June 2025).

the immigration condition “no recourse to public funds” (NRPF).⁴⁵ From its inception, UC was ‘digital by design’, meaning that the vast majority of claimants interact with Job Centre staff using an online account which includes a ‘journal’, a breakdown of the claimant’s monthly payment and a ‘to-do’ list of actions that a claimant needs to undertake in order to continue to receive the payment. In order to set up an online account an individual must not only have access to the internet and an internet-enabled device, but also have an email address and a mobile phone number to receive verification codes. The online forms that a claimant has to complete are only available in English and Welsh. If an individual is unable to claim online then they can make a telephone claim instead; however, the DWP has been instructed by UK government policy to adopt a ‘digital first model’.⁴⁶

Ever since its introduction, the digital aspects of UC have faced significant challenges and criticisms.⁴⁷ The target completion date for full deployment of the system was continuously pushed back. For example, in 2018 the DWP laid out plans for a full transition of all individuals still on legacy social security schemes onto UC by 2022; however, in August 2024 there were still some 860,000 households receiving legacy payments.⁴⁸ While the system was supposed to introduce cost-saving measures to reduce administrative costs, in particular by introducing automated processing, the UK’s National Audit Office has expressed doubts that these savings will ever materialize.⁴⁹ As of 2024, the DWP estimates that, since 2010, it has cost £2.9 billion to implement UC.⁵⁰ These growing costs and continually delayed completion dates bring into question whether it is even possible for the digitalization process to introduce the efficiency and cost savings which were used to justify its introduction.

There are scant details on what consultations were undertaken in order to analyse whether people want more digital services. Individuals interviewed for this report, including social security advisors and claimants, have highlighted the significant issues many people face in accessing digital services.

In January 2025 there were 7.5 million people in receipt of UC in England, Scotland and Wales. According to the same data set, women constituted 58% of people on UC and over half of the total households contained children.⁵¹ Some 3.1 million UC recipients did not have conditions based on searching for work applied to their eligibility due, for example, to health conditions or caring responsibilities.⁵² As of December 2024, 37% of people who received UC were in work.⁵³ The way data is collected in Northern Ireland makes it difficult for it to be easily combined with the rest of the UK data. Often, the release of UC data for Northern Ireland is delayed, resulting in gaps in the overall statistics. The release of the Northern Irish UC Statistical Publications for November 2024 and February 2025, which were due on 26 February 2025 and 28 May 2025, have been cancelled. The latest figures to 31 August 2024 show that 169,150 households in Northern Ireland were registered to receive UC as well as 197,780 individual claimants.⁵⁴

PIP is a social security payment for people in England, Wales and Northern Ireland who have a long-term physical or mental health condition or disability that causes difficulty doing certain everyday tasks and/or getting around.⁵⁵ It replaced Disability Living Allowance in 2013 for people aged over 16; children under 16

⁴⁵ NRPF is an immigration condition imposed on certain types of migrants in the UK that severely impacts their ability access public services including health care and social welfare. People with NRPF status are more likely to live in poverty than the overall population. See for example House of Commons Library, *No Recourse to Public Funds*, CBP-9790, 7 October 2024, <https://researchbriefings.files.parliament.uk/documents/CBP-9790/CBP-9790.pdf>

In its 2024 Concluding Observations on the UK, the Committee on the Elimination of All Forms of Racial Discrimination (CERD), urged a re-evaluation of the NRPF policy to ensure it does not put migrant households at an increased risk of poverty. See CERD, Concluding Observations: UK, 24 September 2024, UN Doc. CERD/C/GBR/CO/24-26, para. 48.

⁴⁶ DWP, *Universal Credit: Welfare that Works*, CM 7957, November 2010, <https://assets.publishing.service.gov.uk/media/5a79581640f0b63d72fc4fd9/universal-credit-full-document.pdf> p. 38.

⁴⁷ Rita Griffiths, “Universal Credit and automated decision making: a case of the digital tail wagging the policy dog?”, 2 December 2021, *Social Policy and Society*, Volume 23, Issue 1, <https://www.cambridge.org/core/journals/social-policy-and-society/article/abs/universal-credit-and-automated-decision-making-a-case-of-the-digital-tail-wagging-the-policy-dog/B09DB169975EFBD630E0159C7EDB2A3E>

⁴⁸ National Audit Office, *Progress in Implementing Universal Credit*, 27 February 2024, <https://www.nao.org.uk/wp-content/uploads/2024/02/progress-in-implementing-universal-credit-report.pdf>; House of Commons Library, *Managed Migration: Completing Universal Credit Rollout*, 2024, <https://researchbriefings.files.parliament.uk/documents/CBP-9984/CBP-9984.pdf>

⁴⁹ National Audit Office, *Rolling Out Universal Credit: Report by the Comptroller and Auditor General*, 2019, <https://www.nao.org.uk/wp-content/uploads/2019/03/Investigation-into-verify.pdf>

⁵⁰ National Audit Office, *Progress in Implementing Universal Credit* (previously cited).

⁵¹ DWP, “Universal Credit statistics, 29 April 2013 to 9 January 2025”, 18 February 2025, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-9-january-2025/universal-credit-statistics-29-april-2013-to-9-january-2025#people-on-universal-credit>

⁵² Individuals who receive UC have to agree to a personalized Claimant Commitment which lays out the conditions for them to continue receiving UC including the work-search related conditions. The work-search related conditions will vary depending on a number of factors that include an individual’s age, whether they have a disability or whether they have caring responsibilities.

⁵³ DWP, “Universal Credit statistics, 29 April 2013 to 9 January 2025” (previously cited).

⁵⁴ Northern Ireland Statistics and Research Agency, *Universal Credit Publication Data to 31 August 2024*, 27 November 2024, [Universal Credit Publication](https://www.nisra.gov.uk/universal-credit-publication)

⁵⁵ Disability Rights UK, *A Guide to Claiming PIP for People with a Long-Term Disability or Health Condition*, April 2024, <https://www.disabilityrightsuk.org/resources/personal-independence-payment-pip>

can still claim Disability Living Allowance. Eligibility for PIP is conditional on residency, citizenship and/or an individual's immigration status,⁵⁶ with some people excluded from PIP for having the immigration condition NRPF.⁵⁷ In Scotland, PIP is being replaced by the Adult Disability Payment. To apply for PIP, a claimant can either apply over the phone or via post. In some areas the DWP has begun testing an online application process.

There were 3.2 million PIP claimants in England and Wales as of January 2025.⁵⁸ In Scotland there were 35,000 individuals still in receipt of PIP⁵⁹ and 433,050 people in receipt of the Adult Disability Payment.⁶⁰ Accessing PIP can be a significant challenge for some people. One claimant in Scotland explained how being able to access the devolved Scottish Adult Disability Payment was an improvement for them when compared to the previous system: "It wasn't until I tried again with the new Scottish Social Security one that I managed to, like, claw my way through like, and that was with the health Social Security Scotland because they know how to tick the boxes and they want people to get those benefits because they know the DWP system is an awful system, but they've not got any other system to work by so they're having to like, I think, work loops round it."⁶¹

"It's the most complicated system in the world, doing it. They don't make it simple for anybody."

Claimant interviewed for Amnesty International

"I don't think it's realistic for people to survive, and they are just about surviving, not living."

Claimant interviewed for Amnesty International

Not only is the social security system complex in the UK, often difficult to access and increasingly digitalized, but it is also inadequate and is failing to protect the rights of the very people who are eligible and in need of support.⁶² Interviews with social security recipients and advisors have demonstrated the difficulties that many individuals face in affording to meet their everyday needs on the amount of social security that they receive.

One claimant told Amnesty International: "You show me how you can make ends meet with what they give you. You've got your bills, your food and all your outgoings. After you have been paid, I'm lucky if I've got £5 [US\$6.80] to last me for two weeks. How do you live on that?"⁶³

Another said: "We're scrimping and scraping and we're living like tramps and it's depressing and it's ruining my life. And then it could potentially ruin the kids' life. I'm getting nowhere. I can't do nothing".⁶⁴

The struggle to afford bills and food was highlighted by one parent with two children who told Amnesty International: "I've got to pay my bills. I've got to pay for my gas and electricity which is sky high, and I've got to pay my rent and then, before you know what, I've got nothing left. So, I'm scrimping and scraping with my benefit to buy food, and I still come to a foodbank because you've got nothing, and this has got to last a month, and I've got two freaking kids."⁶⁵

This difficulty was felt particularly strongly by individuals who were more marginalized and therefore at higher risk of poverty. This included people with disabilities who, even if they receive both UC and PIP, still face significant financial shortfalls that prevent them from attaining their right to an adequate standard of living.

⁵⁶ Citizens Advice, "Check if you're eligible for PIP", 4 March 2022, <https://www.citizensadvice.org.uk/benefits/sick-or-disabled-people-and-carers/pip/before-claiming/check-you-are-eligible/>

⁵⁷ 'No recourse to public funds' (NRPF) is an immigration condition imposed on certain types of migrants in the UK that severely affects their ability access public services including health care and social welfare. People with NRPF status are more likely to live in poverty than the overall population. See for example House of Commons Library, *No Recourse to Public Funds*, CBP-9790, 7 October 2024, <https://researchbriefings.files.parliament.uk/documents/CBP-9790/CBP-9790.pdf>

⁵⁸ DWP, "Personal Independence Payment statistics to January 2025", 18 March 2025, <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-january-2025/personal-independence-payment-official-statistics-to-january-2025>

⁵⁹ DWP, "Personal Independence Payment statistics to January 2025" (previously cited).

⁶⁰ Social Security Scotland, "Adult Disability Payment: high level statistics to 31 January 2025", <https://www.socialsecurity.gov.scot/asset-storage/production/downloads/Adult-Disability-Payment-to-31-January-2025-Publication.pdf> (accessed on 11 June 2025).

⁶¹ Interview conducted with a claimant for Amnesty International.

⁶² Amnesty International, *Social Insecurity The devastating human rights impact of social security system failures in the UK*, EUR 45/9283/2025 12 May 2025.

⁶³ Interview conducted with a claimant for Amnesty International.

⁶⁴ Interview conducted with a claimant for Amnesty International.

⁶⁵ Interview conducted with a claimant for Amnesty International.

Research by disability rights charity Scope found that, on average, “disabled households”⁶⁶ needed an additional £1,010 a month (US\$1,372) to have the same standard of living as a non-disabled household. This figure takes into account the households receiving a disability-related social security payment such as PIP.⁶⁷ The All-Party Parliamentary Group on Poverty found that current social security levels do not meet the minimum income standards and are therefore pushing people with disabilities into poverty.⁶⁸ Despite this, at the time of writing in 2025, the UK government was proposing measures not only to freeze disability-related social security schemes but also to cut and regress eligibility.⁶⁹

Successive UK governments have chosen to introduce a series of regressive social security measures that have further affected people’s ability to afford a basic standard of living. These have included the “benefits cap”, which limits the amount of support a household can receive regardless of the size of the household, and the “two-child limit” which restricts child-related social payments to two children per household except in specific circumstances, having a devastating and discriminatory impact on household finances.⁷⁰ These austerity-justified measures have been denounced by international human rights bodies and UN Special Rapporteurs as contrary to the full realization of human rights.⁷¹

Sanctions are also routinely applied to claimants and seriously reduce their ability to meet their living costs. Social security advisors and recipients who completed the questionnaires distributed by Amnesty International often expressed concerns over the effect of sanctions on people’s health, ability to afford food or housing, and overall financial stability. One claimant felt: “The benefits office doesn’t care about any social condition. They do not care about any social condition at all. They’re oblivious to it. It’s not their concern.”⁷²

It is vital that the UK government sets rates for social security payments so that they are in line with the UK’s human rights obligations on the right to social security and comply with the principle of adequacy and International Labour Organisation’s social protection floors.⁷³ It is in this already devastating context of inadequacy of social security and complex entitlement policies that the digitalization of the UK’s social security system is taking place.

⁶⁶ A disabled household, as defined by the charity Scope, is a household that has one or more adults or children with a disability.

⁶⁷ Scope, *Disability Price Tag 2024: Living with the Extra Cost of Disability*, 2024, <https://www.scope.org.uk/campaigns/disability-price-tag>

⁶⁸ Work and Pensions Committee, “Benefit levels in the UK”, 21 March 2024, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworkpen/142/report.html> p. 20-21.

⁶⁹ See UK Government, *Spring Statement 2025*, 26 March 2025, <https://www.gov.uk/government/topical-events/spring-statement-2025>

See also DWP, “Biggest shake up to welfare system in a generation to get Britain working”, 18 March 2025, <https://www.gov.uk/government/news/biggest-shake-up-to-welfare-system-in-a-generation-to-get-britain-working>

⁷⁰ Lalitha Try, “Catastrophic caps: An analysis of the impact of the two-child limit and the benefit cap”, 2024, <https://www.resolutionfoundation.org/publications/catastrophic-caps/> p. 1.

⁷¹ CESCR, Concluding Observations: UK, 14 July 2016, UN Doc. E/C.12/GBR/CO/6, paras 18, 19, 40, 41 and 42; OHCHR, *Report on Austerity Measures and Economic and Social Rights*, 21 August 2013, UN Doc E/2013/82; Thorbjørn Jagland, *Ready for Future Challenges – Reinforcing the Council of Europe*, April 2019, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168093af03> p. 19. UN Special Rapporteur on extreme poverty and human rights, *Report: Digital technology, social protection and human rights*, 1 October 2019, UN Doc. A/74/493

⁷² Interview conducted with a claimant for Amnesty International.

⁷³ Amnesty International UK, *Technical Note to Guarantee our Essentials – Social Security as a Human Right*, 27 February 2024, <https://www.amnesty.org.uk/essentials-guarantee-campaign-technical-note>

5. LEGAL FRAMEWORK

5.1 RIGHT TO SOCIAL SECURITY

The right to social security is protected by provisions contained within several international human rights frameworks to which the UK is a signatory. These include Article 9 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 22 of the Universal Declaration of Human Rights (UDHR) and Article 11(1)(e) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The UN Committee on Economic, Social and Cultural Rights (CESCR), a body of experts mandated to provide an authoritative interpretation of human rights in the ICESCR and monitor states' compliance with the Covenant, has recognized the right to social security as being "of central importance in guaranteeing human dignity".⁷⁴ Article 2 of the ICESCR requires states to take effective measures that make use of the maximum available resources to progressively advance towards the full realization of the right to social security.

Article 28(2)(e) of the Convention on the Rights of Persons with Disabilities (CRPD) mandates states to take appropriate steps to safeguard and promote the realization of this right, including measures to "ensure equal access by persons with disabilities to retirement benefits and programmes". Article 28(2)(b) meanwhile provides that states must ensure access by persons with disabilities, in particular women, girls and older persons with disabilities, to social protection programmes and poverty reduction programmes.

The 1961 European Social Charter (ESC), also signed and ratified by the UK, contains the right to social security (Article 12), alongside the right to social and medical assistance (Article 13) and the right to benefit from social welfare services (Article 14).

With regards to social security, the UK has not yet accepted paragraphs two, three and four of Article 12 of the ESC, which respectively refer to International Labour Organisation standards, recognize the principle of progressive realization, and call for bilateral and multilateral agreements for non-national workers. Under Article 12(1) of the ESC, the European Committee of Social Rights focuses on healthcare, family and income replacement social security schemes, in particular in cases of unemployment, old age and sickness.

As highlighted by the CESCR, states must pay special attention to groups who traditionally face difficulties in exercising the right to social security, including because of their gender, race or other characteristics, in all stages of the design and implementation of social security programmes.⁷⁵

5.2 RIGHT TO AN ADEQUATE STANDARD OF LIVING

The right to an adequate standard of living is articulated in several human rights standards, including Article 25 of the UDHR, Article 28 of the CRPD and Article 11 of the ICESCR.

Article 11 of ICESCR states that: "The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right".

⁷⁴ CESCR, General Comment 19: The Right to Social Security, 8 February 2008, UN Doc. E/C.12/GC/19, para. 1.

⁷⁵ CESCR, General Comment 19 (previously cited), para. 31.

Article 28(1) of the CRPD imposes a duty on states to “recognise the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and [to] take appropriate steps to safeguard and promote the realisation of this right without discrimination on the basis of disability.”

5.3 RIGHT TO PRIVACY

The right to privacy is guaranteed under the International Covenant on Civil and Political Rights (ICCPR), the CRPD and the European Convention on Human Rights (ECHR). Any restriction on the right to privacy under international human rights law must meet the principle of legality, serve a legitimate aim, and be necessary and proportionate in order to achieve that aim.⁷⁶

In the UK, Article 8 of the Human Rights Act 1998 protects the right to privacy and family life, the home, and private correspondence. It furthermore states that: “There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary”. This right has been broadly interpreted by the UK’s domestic courts.⁷⁷

The UN High Commissioner for Human Rights (OHCHR) found that “the right to privacy plays a pivotal role in the balance of power between the State and the individual and is a foundational right for a democratic society. Its importance for the enjoyment and exercise of other human rights online and offline in an increasingly data centric world is growing”.⁷⁸ OHCHR has reiterated that any interference with the right to privacy by the state must be legal, necessary and proportionate.⁷⁹ Both the ICCPR and the CRPD recognize data protection as a core component of the right to privacy.⁸⁰

5.4 DATA PROTECTION

Data protection principles stem from international human rights standards regarding privacy; information and public participation; due process; and the right to remedy.⁸¹ Data protection can be understood as a series of safeguards that are designed to protect personal information that “is collected, processed and stored by ‘automated’ means or intended to be part of a filing system”.⁸²

The right to data protection is guaranteed by numerous international and regional treaties and regulations, including the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108+).⁸³

Protection of personal data is not a stand-alone right under the ECHR; however, the European Court of Human Rights has recognized the right to protection of personal data in relation to the right to privacy, as guaranteed under Article 8.⁸⁴

In the UK, the General Data Protection Regulation (GDPR), modelled on the EU’s GDPR, and the Data Protection Act 2018 are the core pieces of legislation that govern data protection. These acts govern how businesses and public authorities can collect and process data on individuals. Unless exempt, data use must adhere to a number of measures including proportionality, accuracy and transparency. There are stronger measures to protect data that is deemed to be more sensitive, including data relating to race, political opinions and health.⁸⁵

⁷⁶ UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, *Report*, 17 April 2013, UN Doc. A/HRC/23/40, para. 29.

⁷⁷ Privacy International, “The UK Human Rights Act and the right to privacy”, 31 March 2021 <https://privacyinternational.org/long-read/4475/uk-human-rights-act-and-right-privacy>

⁷⁸ OHCHR, *Report: The Right to Privacy in a Digital Age*, 13 September 2021, UN Doc. A/HRC/ 48/31, para. 6.

⁷⁹ OHCHR, *Report: The Right to Privacy in a Digital Age* (previously cited).

⁸⁰ HRC, General Comment 16: Article 17 (Right to Privacy), The Right to Respect of Privacy, Family, Home and Correspondence, and Protection of Honour and Reputation, 8 April 1988, <https://www.refworld.org/legal/general/hrc/1988/en/27539> para. 10; Article 22 of the CRPD.

⁸¹ ESCR-Net, *Legal Opinion on International and Comparative Human Rights Law Concerning the Matter of the Social Card Law Pending before the Constitutional Court of Serbia*, 29 November 2022, <https://www.escri-net.org/resources/legal-opinion-on-social-card-law-before-serbian-constitutional-court/>

⁸² Privacy International, “101: Data Protection”, 12 October 2017, <https://privacyinternational.org/explainer/41/101-data-protection>

⁸³ Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, <https://rm.coe.int/1680078b37>

⁸⁴ European Court of Human Rights, *S. and Marper v. the United Kingdom*, Nos. 30562/04 and 30566/04 (2008).

⁸⁵ UK Government, “Data Protection”, <https://www.gov.uk/data-protection> (accessed on 11 June 2025).

5.5 RIGHT TO EQUALITY AND NON-DISCRIMINATION

The right to equality and non-discrimination is a cornerstone of international human rights frameworks and is protected by domestic, regional and international frameworks.

The CESCR finds that “[d]iscrimination undermines the fulfilment of economic, social, and cultural rights for a significant proportion of the world’s population” and has established how the principle of non-discrimination extends to core rights in the ICESCR including the right to social security and the rights of individuals and groups such as people with disabilities.⁸⁶

States have the obligation to eliminate all forms of discrimination, including formal or substantive discrimination, as well as direct and indirect discrimination.⁸⁷ In contrast with formal discrimination, which refers to discrimination enshrined in laws and policies, substantive discrimination refers to the results and outcomes of laws that are not discriminatory per se but may maintain and even exacerbate existing inequalities and disadvantages of particular groups. Similarly, indirect discrimination refers to a situation when a practice, rule, policy or requirement is outwardly neutral but has an adverse impact on a particular group. According to the CESCR, indirect discrimination happens when states fail to “remove promptly obstacles which the State party is under a duty to remove in order to permit the immediate fulfilment of a right guaranteed by the Covenant.”⁸⁸ Under international human rights law, states must not only eliminate direct and indirect discrimination in law and practice, but also take special measures to protect the most marginalized groups.⁸⁹

The CRPD Preamble states that “discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person”. The Preamble recognizes “that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”. Finally, Article 9(1) of the CRPD urges states parties to ensure that people with disabilities have full access on an equal basis to services such as “information and communications, including information and communications technologies and systems”.

Article 2 of CEDAW affirms that: “States Parties condemn discrimination against women in all its forms, [and] agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women”.

In England, Scotland and Wales, the Equality Act 2010 consolidated a range of domestic equality legislation into one act to protect people from discrimination based on a series of protected characteristics both in the workplace and in broader society. In Northern Ireland, the equality and anti-discrimination legislation is not currently unified into one act, but there are calls to create a single equality act.⁹⁰

⁸⁶ CESCR, General Comment 20: Non-Discrimination in Economic, Social and Cultural Rights (Article 2, para. 2), 2 July 2009, UN Doc. E/C.12/GC/20, para. 1.

⁸⁷ CESCR, General Comment 20 (previously cited).

⁸⁸ CESCR, General Comment 19 (previously cited), para. 65.

⁸⁹ CESCR, General Comment 19 (previously cited), paras 29-30.

⁹⁰ See for example Northern Ireland Assembly, *Comparative Study of Equality Legislation in the United Kingdom and Ireland*, NIAR 125-2024, August 2024, https://www.niassembly.gov.uk/globalassets/documents/raise/publications/2022-2027/2024/executive_office/2924.pdf and Equality Commission for Northern Ireland, *The need for a NI Single Equality Act Policy Position Paper*, October 2022, <https://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/SingleEqualityAct-ECNI-PolicyPosition-2022.pdf>

6. DIGITAL EXCLUSION

“So how can they? Do online journal and all that. It’s really unfair. Like, you should be able to see face to face and then get your point across, if you can’t read or you can’t write, you’re dyslexic, you can’t spell, how can you use a phone and all that? I know they say there’s spell check and all that, like. But it’s different strokes for different folks, isn’t it?”

Claimant interviewed for Amnesty International

6.1 BARRIERS TO DIGITAL INCLUSION

While there is no universal definition of digital exclusion, it can be understood as referring to the ways in which people are excluded from participating in society due to lack of access to digital technologies including the internet or devices connected to the internet. There are complex reasons why someone may be digitally excluded. These can be connected to their age, gender, geographic location, educational attainment, disability, health conditions or socio-economic status. People can experience varying levels of digital exclusion, and it can fluctuate for reasons including a person’s living conditions, health status or income level.

In the UK, the number of internet non-users has been declining.⁹¹ Nevertheless, in 2018 the Office for National Statistics estimated that 10% of the adult population was an internet non-user.⁹² There is a regional disparity with London having the lowest rate of internet non-users at 7% and Northern Ireland having the highest rate at 14.2%.⁹³ Wales had the highest proportion of those with no basic digital skills at 19%, and the southeast of England had the lowest rate at 5%.⁹⁴ Women made up 58% of internet non-users and 61% of those with no digital skills.⁹⁵

Affordability is a crucial factor in digital exclusion, as those with digital skills need devices such as computers or smartphones as well as internet connectivity through broadband or phone data. The UK’s official communications regulatory body, Ofcom, estimated in October 2021 that approximately 2 million UK

⁹¹ “Internet non-user” refers to an individual who has not used the internet in the last three months. Internet access refers to the ability to access the internet through any means including a smartphone or computer. Digital skills refers to the skills that are needed in order to safely and competently use the internet.

⁹² Office for National Statistics, *Exploring the UK’s Digital Divide*, 2019,

<https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/articles/exploringtheuksdigitaldivide/2019-03-04>

⁹³ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

⁹⁴ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

⁹⁵ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

households faced challenges affording fixed broadband and/or a smartphone.⁹⁶ Based on data from 2021, cited by Ofcom, 14% of people in the lowest socio-economic group had no internet access at home, compared to 2% in the highest socio-economic group.

While there are alternative ways to access the internet, such as through public libraries, these are not accessible to all. Access may be particularly difficult for people with a disability, people who live in rural areas, for whom the cost of travelling to a library may be prohibitive, and people whose local public library has closed.⁹⁷

The DWP provides a telephone service for UC applications. However, the waiting times can be considerable, and an individual's ability to use this service relies on them being able to afford both a phone and credit to make calls. One advisor said, "it feels like alternatives to digital applications [like managing UC claims by phone] are simply an afterthought".⁹⁸

Another explained: "The phone lines for PIP, ESA [Employment Support Allowance] and CA [Carers Allowance] are notorious for having lengthy waiting times to be answered and this is particularly bad when you consider that the people accessing these services often have health issues or are looking after people with health issues which mean they cannot sit and wait that long on the phone. It also makes it very difficult for benefit advisors to support people when you are trying to make contact and resolve an issue within the confines of a 30- or 60-minute appointment."⁹⁹

For a social security system to comply with international human rights frameworks, it must be accessible.¹⁰⁰ However, as a 'digital by default' service, accessing and continuing to receive UC has been a challenge for some individuals who are digitally excluded. Those who are digitally excluded are more likely to experience marginalization due to protected characteristics or poverty. Reporting on their visit to the UK in 2019, the UN Special Rapporteur on extreme poverty and human rights found that: "UC has built a digital barrier that obstructs access to benefits, and particularly disadvantages women, older people, people who do not speak English and persons with disabilities".¹⁰¹

Furthermore, the UK House of Lords Economic Affairs Committee found that: "For some claimants, this [digital] approach is a significant barrier to claiming and managing Universal Credit" and that "those most affected include people with disabilities, mental or physical health problems, learning difficulties, poor literacy skills or who do not have English as a first language."¹⁰²

Romany Gypsies, Irish Travellers, Scottish Travellers and Roma people experience disproportionately high levels of economic exclusion¹⁰³ as well as barriers to accessing essential services including education and healthcare.¹⁰⁴ A 2024 Scottish government report found that "Gypsy/Traveller" claimants faced derogatory attitudes from DWP staff, making the claims process stressful and inaccessible.¹⁰⁵ Additional barriers include low literacy, digital exclusion and complex social security application processes, all contributing to intergenerational poverty.¹⁰⁶

For one social security advisor who responded to Amnesty International's questionnaire, the "use of technology makes the process more inaccessible for claimants who already struggle with the existing barriers. Many people are put off as soon as they encounter technology in the process as they lack confidence/have not adjusted to using technology in daily life and still find it hard not being able to do everything in person."¹⁰⁷

⁹⁶ See Ofcom, *Digital Exclusion Review*, 2022, https://www.ofcom.org.uk/_data/assets/pdf_file/0022/234364/digital-exclusion-review-2022.pdf

⁹⁷ See UN Special Rapporteur on extreme poverty and human rights, *Report: Visit to the United Kingdom of Great Britain and Northern Ireland* (23 April 2019), UN Doc. A/HRC/41/39/Add.1; House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform*, 2020, <https://publications.parliament.uk/pa/ld5801/ldselect/ldeconaf/105/105.pdf> para. 280.

⁹⁸ Response to a questionnaire distributed to advisors by Amnesty International.

⁹⁹ Response to a questionnaire distributed to advisors by Amnesty International.

¹⁰⁰ CESCR, General Comment 19 (previously cited).

¹⁰¹ UN Special Rapporteur on extreme poverty and human rights, *Report: Visit to the United Kingdom of Great Britain and Northern Ireland* (previously cited).

¹⁰² House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform* (previously cited), para. 276.

¹⁰³ Office for National Statistics, *Census 2021: Economic Inactivity in Gypsy and Irish Traveller Populations*, 2023, <https://www.ons.gov.uk> (accessed 5 March 2025).

¹⁰⁴ University of Salford, *Hate: "As Regular as Rain": A Pilot Research Project into the Psychological Effects of Hate Crime on Gypsy, Traveller and Roma Communities*, 2020, <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

¹⁰⁵ Scottish Government, *Best Start, Bright Futures, Tackling Child Poverty Progress Report 2023-2024*, June 2024, <https://www.gov.scot/publications/best-start-bright-futures-tackling-child-poverty-progress-report-2023-24/>

¹⁰⁶ Amnesty International, *Social Insecurity The devastating human rights impact of social security system failures in the UK*, EUR 45/9283/2025 12 May 2025

¹⁰⁷ Response to a questionnaire distributed to advisors by Amnesty International.

In 2018 the UK government published research showing the scale of the issues individuals were facing with the digital application process. This research established that the majority of UC claims were submitted online. More than half (54%) of all claimants were able to register their claim online unassisted, with a further 21% needing help to complete the online application. However, 25% were not able to submit their claim online at all and this was predominantly due to difficulties with using or accessing computers or the internet.¹⁰⁸

Of those registering a claim online, 30% found it to be difficult, and the process of verifying their identity online was seen as particularly difficult. Overall, 43% of claimants said they needed more support registering their claim for UC, and 31% said they need more ongoing support with using their UC online account.¹⁰⁹ DWP research published in 2024 found that 16% of claimants were offline and that these were more likely to be people on long-term sick leave or retired, and around 32% of claimants reported that they were reducing their expenditure on internet and mobile data usage so that they could continue to afford other bills.¹¹⁰

The UK government has recognized the need for digital inclusion measures. The Digital Inclusion Action Plan, published in February 2025, states that digital exclusion is a significant challenge in the UK today and proposes a series of focus areas for various UK government departments to work on, including data and device poverty and skill levels.¹¹¹ Furthermore, the action plan recognizes that “there are people who will continue to struggle to, or choose not to, be online. We must ensure that there is always a route for people to seek support using digital services and interact with government through alternative pathways where needed.”¹¹²

6.2 SOCIAL SECURITY CLAIMANTS’ EXPERIENCES OF DIGITAL EXCLUSION

Many of the social security claimants who contributed to this research said that they lacked the necessary support for navigating digital platforms to access their payments. One claimant said: “If you’re not computer savvy, you can’t go into the Job Centre and ask them to help because they’ve got a computer, and they sit at their computer and there’s no one to help you.”¹¹³

Another claimant told Amnesty International about the additional work they had had to undertake to manage their partner’s online account as he was unable to do it himself: “Yeah, they’re telling him to do this online, do that online, and he don’t know how to do it online. You know what I mean? So, I’m having to do that for him. I’m having to run two Universal Credit accounts just because they can’t, basically, and it’s [the] same for everybody who’s caring for somebody who’s unable to do stuff.”¹¹⁴

One claimant who responded to Amnesty International’s questionnaire said that “most things are online now but a lot of us have no training to fill in the forms”. Another identified that their top priority for the DWP would be to “enable those without IT skills or means to access advice”. Another went further still, saying that they think that the DWP should: “Scrap the online! Has to be face to face or it’s disempowering and impossible if you are neurodiverse – I [have dyscalculia]”.¹¹⁵

The frustration with the online application process felt by some participants was summed up by a claimant who stated: “I need to tell them over the internet... all my expenses and all my income for the previous month. It can be frustrating. I’m not saying they try to make it difficult for you, but you go on the internet, and you type in everything and then for whatever reason, they say, ‘Oh, we’re going to send you a 6-digit code to continue with this’, and send it to your phone. I’m on the computer now anyway. What’s the point of sending me this thing? And this is a true thing that happened last week. My phone was broken. So, what do you do from there? Because of that... I cannot fill this in. If I don’t fill it in, I’m not going to be paid.”¹¹⁶

¹⁰⁸ DWP, *Universal Credit: Full Service Survey*, June 2018, <https://assets.publishing.service.gov.uk/media/5b1a4f9eed915d2cc380163f/universal-credit-full-service-claimant-survey.pdf> p13.

¹⁰⁹ DWP, *Universal Credit: Full Service Survey* (previously cited).

¹¹⁰ DWP, *Digital Skills, Channel Preferences and Access Needs: DWP Customers*, March 2024, <https://assets.publishing.service.gov.uk/media/65eee72a3649a23451ed6335/digital-skills-dwp-customers-10-benefits.pdf> p. 4.

¹¹¹ UK Government, *Digital Inclusion Action Plan: First Steps*, 26 February 2025, <https://www.gov.uk/government/publications/digital-inclusion-action-plan-first-steps/digital-inclusion-action-plan-first-steps#chapter-five>

¹¹² UK Government, *Digital Inclusion Action Plan: First Steps* (previously cited).

¹¹³ Interview conducted with a claimant for Amnesty International.

¹¹⁴ Interview conducted with a claimant for Amnesty International.

¹¹⁵ Responses to a questionnaire distributed to claimants by Amnesty International.

¹¹⁶ Interview conducted with a claimant for Amnesty International.

Another participant summed up their difficulties with the online application and claim management process by saying simply, “I cannot work technology and stuff like that.”¹¹⁷

The communication via the UC online platform was a barrier to some individuals. One claimant told Amnesty International: “You’ve got to log into your journal and I think that’s hard for people as well. To log into your journal and that because people forget, like people like myself, I’m not a good reader. [My] son’s not a good reader. [My] partner, he reads everything for us. Because he’s my carer. But in my eyes, what if people don’t have, like, facilities to get on the computer?”¹¹⁸

Another participant also spoke of their struggles with the UC online journal: “No, I don’t know how to do my online journal... because I well, I just tell them I wouldn’t know where to start it. I’ve got, like, a Nokia phone”.¹¹⁹

One claimant explained that they felt the “[u]se of the online journal feels threatening and the emphasis on online and IT excludes many.”¹²⁰ Another claimant said that, when they were sanctioned,¹²¹ they were: “So ill I couldn’t even get into my devices to communicate my situation with anybody. Total mess”.¹²²

One claimant with autism described not able to submit required evidence digitally in order to continue to receive payments for her housing, and said she was unable to get a support worker appointment within the prescribed deadline. She was already in arrears after suffering a bereavement and, after being unable to upload documentation digitally, her claim was closed, meaning that she had to reapply. In the meantime, her debt increased, and she was unable to afford vet bills for her pet or Christmas presents for her child. She described having to choose between food, heating or paying her rent.¹²³

Among people of working age, those who were economically inactive were more likely to be internet non-users, and this rate was higher for those with a disability and/or on long-term sick leave.¹²⁴ One claimant expressed concern that, if people who were used to doing administrative tasks at work were struggling, it would be even harder for those without the required technical skills: “So if the working class are having difficulties who are used to doing paperwork and technical things, what are the non-working, who are struggling with other things, what are they feeling? If these people feel like that.”¹²⁵

One claimant exemplified how their status as an internet non-user was exacerbated by a disability or health condition as well as the lack of support from the Job Centre.¹²⁶ They told Amnesty International: “I’ve got to do it all online, like fill application forms, and I don’t know how to get online. I don’t know how to fill out application forms, and they’ll tell you once and expect you to just memorize it, but I’ve got memory loss... and I can’t memorize all the things that they say... I don’t think they’re very supportive at the jobcentre.”¹²⁷

This was not an isolated case where a person’s lack of digital skills was exacerbated by a disability or health condition. Another claimant told Amnesty International: “I found it hard actually, because of the whole computer stuff. I’m dyslexic, I don’t know the ins and outs of the computer. Even though I’ve had a chap teaching me”.¹²⁸

Another claimant also experienced difficulties with the UC online portal due to their dyslexia, saying, “my situation is a bit difficult because I have to wait [for] a family member or someone to help me with things, even on [the] Internet, ‘cause I suffer with [dyslexia] and that’s a difficult part for me.”¹²⁹

People with disabilities represent 57% of adult internet non-users.¹³⁰ This is much higher than the proportion of people with disabilities which, in 2024, was estimated to be 24% of the UK adult population.¹³¹ This

¹¹⁷ Interview conducted with a claimant for Amnesty International.

¹¹⁸ Interview conducted with a claimant for Amnesty International.

¹¹⁹ Interview conducted with a claimant for Amnesty International.

¹²⁰ Response to a questionnaire distributed to claimants by Amnesty International.

¹²¹ For more information on the use of sanctions by the DWP see Amnesty International, *Social Insecurity The devastating human rights impact of social security system failures in the UK*, EUR 45/9283/2025 12 May 2025

¹²² Response to a questionnaire distributed to claimants by Amnesty International.

¹²³ Interview conducted with a claimant for Amnesty International.

¹²⁴ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

¹²⁵ Interview conducted with a claimant for Amnesty International.

¹²⁶ After applying for UC online or over the phone, individuals are invited to book an appointment with a Job Centre work coach for an interview, either in person or over the phone, to access their claim and to go through the claimant commitment. Once a claim is approved, individuals will attend the Job Centre periodically to meet with the work coach who will assess whether an individual is respecting the criteria outlined in their claimant commitment and to provide additional guidance for a claimant to access employment opportunities, training, apprenticeships and/or education.

¹²⁷ Interview conducted with a claimant for Amnesty International.

¹²⁸ Interview conducted with a claimant for Amnesty International.

¹²⁹ Interview conducted with a claimant for Amnesty International.

¹³⁰ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

¹³¹ UK House of Commons Library, “UK disability statistics: Prevalence and life experiences”, 2 October 2024, <https://commonslibrary.parliament.uk/research-briefings/cbp-9602/>

means that people with disabilities are disproportionately more likely to be internet non-users than other members of the population. The DWP conducted research into the digital skills of PIP claimants and found that 16% of the claimants were fully offline, and 40% were not confident in their ability to use the internet. People who had no formal qualifications, were over 55 years old, were on long-term sick leave and/or disabled, or who had particular disabilities such as sensory impairments were more likely to not be confident in using the internet compared to other groups.¹³² Of the three-quarters of people surveyed by the DWP who felt they may be able to apply or manage their PIP claim online, only a third felt that they would be able to do so unaided, suggesting that, even for those who are online, there is still a need for significant human caseworker support.¹³³ A minority of respondents said that they would prefer to interact with the DWP digitally in relation to certain issues, for example updating personal details (49%) or submitting supporting evidence for their claim (44%), and PIP claimants were even less likely to want to engage digitally for more complex matters such as those relating to payments.¹³⁴ The CRPD requires that states should also take appropriate measures to “promote access for persons with disabilities to new information and communications technologies and systems, including the Internet.”¹³⁵ However, thus far the UK government has yet to fully comply with this requirement.

Social security advisors also were concerned about the effect of digitalization on people with disabilities. One told Amnesty International, “there are also accessibility concerns around ability to use computers or phones – particularly those with speech impediments who already struggle with voice recognition... Also for those who need a carer or adviser to speak for them technologies to confirm identity via voice will be a barrier.”¹³⁶

For one claimant, their age, literacy level, gender and socio-economic status all represented barriers to her being able to access online services: “You know, have some form of sort of compassion, you know, make the forms and things easier. I mean, I’m quite illiterate. I mean, a lot of women are, are men of my age, can’t use them... So they’re stuffed. They send me letters on my phone. I can’t open them. So, I ring up. I can’t open it. I haven’t got an iPad. I can’t afford an iPad, you know.”¹³⁷

For another claimant, not speaking English as a first language made interacting with UC online harder, “especially under the new Universal Credit thing, you have to apply through online and it’s difficult. It’s very difficult for someone that doesn’t know how to use technology, don’t understand what they’re reading, if they’re from another country, and don’t speak their first language isn’t English, it’s very difficult.”¹³⁸ This testimonial shows how a person’s language status, and relatedly their immigration status, could exacerbate digital exclusion in some instances.

Age can also be a factor in digital exclusion. The charity Age UK found that 46% of people over 65 years of age were unable to use the internet safely and successfully or were not online at all.¹³⁹ Health problems that may come with age can be another factor leading to digital exclusion for individuals who may have previously had some level of digital skills.¹⁴⁰ A claimant in her 80s told Amnesty International that she was unable to use IT and has had to rely on her grandchildren to come to her home after work to help her interact with the social security system.

Another participant described their struggles with the online application process: “Yeah, it was when I was made unemployed, I went to Job Centre [and] said right, I’m unemployed. Alright, piece of paper go and log on and sign on online. I said what? And he said, yeah, it’s all done online now. So, I went away. It took me ages doing it, sent it off. And then he said he gonna wait a month or something before. And that was it... so it was a bit of a bind. Because I’m, I’m one of the older ones... Yeah, because not all of us are keyboard savvy, right? You know. So, it did take a while for me to do it. I’ve learned since that you can just phone up and they do it over the phone.”¹⁴¹

A claimant told Amnesty International that “the digital barriers are worse for our age group. Although we’ve had a little bit of training, you forget, don’t you? You forget your passwords and things like that. And also, I wanna speak to a human being, not a machine, you know, because you can’t explain. We like to explain

¹³² DWP, *Digital Skills, Channel Preference, and Access Needs: Personal Independence Payment Customers*, March 2024, <https://assets.publishing.service.gov.uk/media/65eeee555b6524420bf21aa5/digital-skills-pip-customers.pdf> pp. 3-4.

¹³³ DWP, *Digital Skills, Channel Preference, and Access Needs: Personal Independence Payment Customers* (previously cited), p. 4.

¹³⁴ DWP, *Digital Skills, Channel Preference, and Access Needs: Personal Independence Payment Customers* (previously cited), pp. 4-5.

¹³⁵ Articles 9(2)(g) and (h) of the CRPD.

¹³⁶ Response to a questionnaire distributed to advisors by Amnesty International.

¹³⁷ Interview conducted with a claimant for Amnesty International.

¹³⁸ Interview conducted with a claimant for Amnesty International.

¹³⁹ Age UK, “Age UK analysis reveals that almost 6 million people (5,800,000) aged 65+ are either unable to use the internet safely and successfully or aren’t online at all”, 2023, <https://www.ageuk.org.uk/latest-press/articles/2023/age-uk-analysis-reveals-that-almost-6-million-people-5800000-aged-65-are-either-unable-to-use-the-internet-safely-and-successfully-or-arent-online-at-all/>

¹⁴⁰ Office for National Statistics, *Exploring the UK’s Digital Divide* (previously cited).

¹⁴¹ Interview conducted with a claimant for Amnesty International.

what our problems are. Is it this answer? Yes or no? I wanna answer something different and that's the barrier as well... when you can't get through to a human being. And that's when you give up on the phone and try another day".¹⁴²

One claimant told Amnesty International: "I've never actually been to a job centre in my life, so I've not got any direct experience, but when we did do the claim online, me and my husband, I found it really hard and then like the constant questions and then the sending text saying you have to log into your account. So, I feel that, for older people, like I'm in my 40s, but I'm not that sort of tech savvy, sort of. I need help with that. And then you get stressed before you've even done anything. So, I don't like that side of it. But then I think, like, there's older people. So, if they were claiming, say, pension credit or something, how would they access this all online? As well, because it's become, like, there's no more letters or phone calls, it's all become online applications. Yeah. So, I think that's become more hard, but I feel like they've done it deliberately harder. Yeah. So, then people get put off. They're not going to claim."¹⁴³

Another common concern related to the cost of being online. One focus group participant raised the financial implications of having to be online for social security claimants: "Who pays for this online? Do they pay for it? They expect you to get a smartphone and everything."¹⁴⁴

Another claimant spoke of her concerns over internet affordability: "I think that they need to stop... Making us all go online. We can't afford Wi-Fi".¹⁴⁵ Another claimant asked Amnesty International, "how are we supposed to pay [for] internet... and they don't pay us enough to pay for it? And internet prices are through the roof. You can't have pay-as-you-go? Because, hold on, you're... not given an extra £20 a month to use your phone."¹⁴⁶

The serious mental health implications of not being able to access digital services were shared by a claimant who stated: "All this automated service they would make you more anxious, more depressed because you couldn't actually speak to a human being".¹⁴⁷ Another said that a "mate nearly took her own life because she doesn't know how to use the internet".¹⁴⁸ A claimant who responded to Amnesty International's questionnaire wrote that: "The online system is a nightmare. I was hauled up for fraud once and multiple phone calls all a waste of my time and very stressful like online communication".¹⁴⁹

Given the disproportionate negative effect that 'digital by default' services can have on already marginalized groups, it is clear that there is a discriminatory impact and the system is therefore discriminatory in effect. This impact has not been sufficiently mitigated or prevented despite the DWP proposing alternatives whereby, for example, UC claims could be made by phone. One claimant told Amnesty International that, for them, the online service was a "form of discrimination".¹⁵⁰ Specifically, 'digital by default' social security systems are having a disproportionate negative effect on individuals due to their disability, age, gender or other protected characteristics, as well as socio-economic status, without adequate alternatives, thus violating the right to equality and non-discrimination, as well as some people's right to social security. In some cases, the right to an adequate standard of living is also violated if people are unable to access the social security support that they require. Given the specific issues that some people with disabilities or health conditions have identified in their access to digital services, and the lack of adequate provision of non-digital alternatives or accessible digital services, the UK government is contravening its obligations under Article 9(1) of the CRPD, especially with regard to equal access to services.

¹⁴² Interview conducted with a claimant for Amnesty International.

¹⁴³ Interview conducted with a claimant for Amnesty International.

¹⁴⁴ Interview conducted with a claimant for Amnesty International.

¹⁴⁵ Interview conducted with a claimant for Amnesty International.

¹⁴⁶ Interview conducted with a claimant for Amnesty International.

¹⁴⁷ Interview conducted with a claimant for Amnesty International.

¹⁴⁸ Interview conducted with a claimant for Amnesty International.

¹⁴⁹ Response to a questionnaire distributed to claimants by Amnesty International.

¹⁵⁰ Interview conducted with a claimant for Amnesty International.

7. DATA AND SURVEILLANCE

“I’m not a percentage on a piece of paper”

Claimant interviewed for Amnesty International

7.1 “DATAFICATION”

The ‘datafication’ of peoples’ lives, whereby vast amounts of personal data are collected and processed, is a common feature of many digital welfare states. Using extensive amounts of data to determine eligibility for state support is not new, as the tools used by current digital welfare states have their analogue predecessors. However, the scale and the breadth of the data used, and the speed with which it is processed digitally, is new and can bring with it new unintended consequences and human rights risks that exacerbate pre-existing concerns and can function as systems of mass surveillance. As the UN Special Rapporteur on extreme poverty and human rights has noted, this process of datafication creates serious risks because it effectively forces people to give up their right to privacy and data protection in order to seek other human rights.¹⁵¹ The UN Special Rapporteur on contemporary forms of racism, moreover, found that “classification technologies that differentiate, rank, and categorize” are, at their core, “systems of discrimination”.¹⁵²

Marginalized people often face higher levels of data collection and analysis from the state and, furthermore, “their data acts to reinforce their marginality when it is used to target them for suspicion and extra scrutiny”.¹⁵³ Digital welfare surveillance, meaning welfare surveillance that is supported by technology,¹⁵⁴ can often exacerbate discrimination against individuals and communities who were already subjected to intense scrutiny before these systems were introduced.¹⁵⁵ It can also lead to some individuals avoiding accessing services because of concerns about their data being used against them, or concerns over the length of application processes.¹⁵⁶ One social security advisor who spoke to Amnesty International felt that there was “far too much judgement” of claimants in digital systems.¹⁵⁷

Within automated and data-intensive systems, individuals are not recognized in all their complexity but rather they are judged and processed on their ability (or not) to provide the required documentation and proof, within a required timeframe, and in the required format(s). Any person who cannot fulfil these criteria will not fit within the system’s model and can therefore face significant barriers in accessing the services to which they are legally entitled. Rigid models that require extensive data on claimants, but do not allow a

¹⁵¹ UN Special Rapporteur on extreme poverty and human rights, Report: Digital welfare states and human rights, 11 October 2019, UN Doc. A/74/493, para. 64.

¹⁵² UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance, *Report: Racial Discrimination and Emerging Digital Technologies: A Human Rights Analysis*, 18 June 2020, UN Doc. A/HRC/44/57, para. 28.

¹⁵³ Virginia Eubanks, *Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor*, p. 7.

¹⁵⁴ Welfare surveillance can be understood as using data to monitor and track applicants and recipients of social protection.

¹⁵⁵ Amnesty International, *Trapped by Automation* (previously cited).

¹⁵⁶ See Sarah Brayne, “Surveillance and system avoidance: criminal justice contact and institutional attachment”, 4 April 2014, *American Sociological Review*, Volume 79, Issue 3, <https://doi.org/10.1177/0003122414530398>

¹⁵⁷ Response to a questionnaire distributed to advisors by Amnesty International.

claimant to meaningfully interact with a human case-worker to explain their situation and be given opportunities to provide evidence in different formats, will lead to people being excluded from the system. Research by Amnesty International has shown that those who are more marginalized are more likely to face barriers obtaining documentation or keeping official databases up to date.¹⁵⁸ This may be due to a number of factors, including living in informal settlements, working in precarious or informal employment, having literacy or digital literacy difficulties, or experiencing structural discrimination which may make interactions with authorities difficult.¹⁵⁹ The UK's Department of Science, Technology and Innovation has admitted that "too often government data is of poor quality".¹⁶⁰

7.2 DATA CONCERNS IN THE UK CONTEXT

Civil society, including Amnesty International, and UK parliamentary committees have previously raised human rights and data protection concerns related to how data has been used and shared by UK government departments and other public bodies. One example involves a controversial data-sharing agreement between the National Health Service (NHS) and the Home Office, the department responsible for, among other things, immigration control. The data-sharing agreement in question has since ended due to privacy concerns and its negative effect on the right to health.¹⁶¹

In another case, the Metropolitan Police – London's police force – created the Metropolitan Police Service Gangs Violence Matrix. This database of suspected gang members in London, which went into operation at the beginning of 2012, was a risk assessment tool that gathered data on suspected gang members in order to assess and rank them according to their "propensity for violence".¹⁶² A demographic breakdown of individuals included in the database showed that 87% were either Black, Asian, or minority ethnic, 99% were male, and 80% were 12 to 24 years old. The data used to create risk profiles on individuals was found by Amnesty International to be based on flawed metrics with very little oversight and poor data governance.

The campaigning organization Big Brother Watch conducted extensive research on the use of data analytics, algorithms and automation in social security provision among local authorities in the UK.¹⁶³ One of the core findings was the extent to which local authorities were using digital technologies. For example, they estimated that a third of local authorities used opaque risk-scoring algorithms developed by private companies in relation to housing benefit and council tax claims. This has led to hundreds of thousands of people having their data processed by predictive tools without their consent. As Big Brother Watch found, "to be poor and rely on the welfare state in Britain today is too often to have your life scrutinised and monitored by a range of automated systems and your characteristics boiled down to mathematical values so you can be profiled and your behaviour predicted."¹⁶⁴ This means that people applying for social security is treated with suspicion and increasingly intrusive welfare surveillance.

One of the ways that the DWP collects and processes data is 'automated data processing', whereby information provided by claimants is then verified in another database. For example, data pertaining to income would be verified with HMRC, or immigration status verified with the Home Office. The amount of data processed in relation to a claim is dependent on an individual's circumstances and the types of social security payments that they are applying for and receiving. Regardless of this, many individuals who spoke with Amnesty International described the extensive and onerous burden of data required in order to process a claim.

¹⁵⁸ See for example Amnesty International, *Trapped by Automation* (previously cited).

¹⁵⁹ Amnesty International, *Trapped by Automation* (previously cited).

¹⁶⁰ Committee of Public Accounts, *Use of AI in Government, Eighteenth Report of Session 2024–25, HC 356*, 26 March 2025, <https://committees.parliament.uk/publications/47199/documents/244683/default/> p. 4.

¹⁶¹ For more information see for example, BMJ, *Briefing: Handing NHS data to the Home Office*, 22 February 2017, <https://doi.org/10.1136/bmj.j911>

¹⁶² Amnesty International UK, *Trapped in the Matrix: Secrecy, Stigma and Bias in the Met's Gangs Database*, May 2018, <https://www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf>

¹⁶³ Big Brother Watch, *Poverty Panopticon: The Hidden Algorithms Shaping Britain's Welfare State*, 20 July 2021, <https://bigbrotherwatch.org.uk/wp-content/uploads/2021/07/P>

¹⁶⁴ Big Brother Watch, *Poverty Panopticon* (previously cited), p. 114.

7.3 MONITORING AND ONEROUS DATA COLLECTION

Some people told Amnesty International that the application process affected their mental health and expressed concerns over the amount of data being collected and how the, often invasive, questioning affected their right to be treated with dignity and their right to privacy.

One claimant stated: “When I was filling in forms and when I’m filling in forms for people, I always encourage them to do something nice for themselves afterwards. Just go and do something you enjoy for you because it’s so harrowing. It’s so bad for your mental health... having to tell people the worst things about yourself that you’re trying to hide from yourself.”¹⁶⁵ Another claimant stated: “Then you go to the offices having to take time off work, etc. And got to the point where you thought, they want to know what colour underwear you’re wearing. You know, because it was so complicated.”¹⁶⁶ One claimant responded via questionnaire that: “The whole process filling in multiple pages of questions, how you are treated is demeaning. There is no dignity and respect offered.”

The change from the previous system whereby requested information had to be shown in person at the Job Centre to the requirement that it be uploaded to the online UC portal affected those who were not digitally literate. One claimant told Amnesty International that, “because I noted a change in circumstances, they wanted me to send proof. But the problem is many years ago, if you needed to take proof, you’d go to the Job Centre... So that’s my piece of paper. That’s my proof. Now you have to try and they tell you to log on to this account and look at what you’re entitled to and then send them a copy of it through the online emails and stuff. I can’t do that. I don’t physically know how to do it”.¹⁶⁷ Another claimant was asked to submit evidence to support their claim by a Job Centre case worker. They said, “I’ve got 100 pages here. Electronically, I do not know how to do this... I’m just not knowledgeable doing that”.¹⁶⁸

The testimony above shows how the constant requirement to provide and update information as part of the state’s extensive data collection is having an adverse effect on individuals. It is not always made clear to claimants why certain types of data are being collected. For example, in a claimant’s UC account, they are able to inform the DWP of a change of circumstances based on a list of more than 50 different types of changes.¹⁶⁹ However, it is not explained to claimants whether and how this change of circumstance will affect their claim. Moreover, the data collected on individuals in order to process a UC claim includes a significant amount of personal information relating to, among other things, health or disability, housing status, marital status, and financial records including bank statements. This raises questions over the proportionality of the data collected, and whether its collection and processing is lawful, fair and transparent. The extensive amounts of data, including personal data, collected and used by the DWP in the assessment of claims or applications, combined with the way that this data is processed across multiple government agencies (see section 7.2), raises grave concerns over the creation of an extensive surveillance system monitoring social security applicants which can affect their rights to privacy, data protection and human dignity.¹⁷⁰

Although the DWP is able to automatically retrieve certain data on applicants and claimants, there is still a significant onus placed on applicants to provide documentation. One claimant interviewed by Amnesty International said: “I basically have been doing their jobs for them, running around, getting medical information from my mom, which they should have that anyway. And then when you do send them the information, they want more, this has not satisfied them.”¹⁷¹

Another claimant said that they felt “degraded because if I have to beg people [for evidence], I have to tell everyone I’m on UC before I can get it, yes? You have to go around to everyone... I’ve been independent all my life, and now you’re making me go around and tell everybody that I’m claiming. Yeah, even if I work as well.”¹⁷²

People claiming disability-related social security payments often face specific challenges and are required to provide more data, including extensive amounts of personal medical data, in order for their application to be processed. A claimant stated: “It was hard in the beginning because you have to prove your disabilities, and

¹⁶⁵ Interview conducted with a claimant for Amnesty International.

¹⁶⁶ Interview conducted with a claimant for Amnesty International.

¹⁶⁷ Interview conducted with a claimant for Amnesty International.

¹⁶⁸ Interview conducted with a claimant for Amnesty International.

¹⁶⁹ MedConfidential, *Decoding the Algorithm and Data Choices in the DWP’s Monster Factory*, 2020 <https://medconfidential.org/2020/Universal-Credit>

¹⁷⁰ See for example Big Brother Watch, *Poverty Panopticon* (previously cited).

¹⁷¹ Interview conducted with a claimant for Amnesty International.

¹⁷² Interview conducted with a claimant for Amnesty International.

you have to go to medicals and have them scrutinize you and get all the documentation. It's like 'how do you live with this?' It's like you're lying. You don't want to be that sick – they don't believe you anyway.”¹⁷³

One claimant expressed concerns to Amnesty International over how the data was used and whether it was secure: “So, yeah, again, I mean, the whole system, the whole application process, even the monitoring. They ask people... you need to send us this to your journal. You're sending a lot of personal information as well on through a computer system. Now, if you're an elderly person and all you're hearing about is fraud in this and fraud in that, and you're asking them to upload documents. You're sending them to somewhere that they don't believe in? Yeah. To ask them to send personal documents again, it's wrong.”¹⁷⁴

In a DWP survey of PIP claimants' digital skills, 48% said that the risk of fraud and privacy-related issues was their main barrier to using the internet and therefore engaging with the DWP digitally. This was the highest barrier, above lack of digital skills (39%) and a person's disability or health condition.¹⁷⁵

7.4 DATA ERRORS

Given the significant amounts of data collected and the complexity of the information required, the potential for errors to be introduced is a constant issue. This is further complicated by the automated data verification process which often involves very little, if any, human oversight. This creates a system whereby small errors can result in significant problems. The automated verification of the data provided creates a web of information and connections between a claim and various other UK government departments and services, including the Home Office, the NHS and HMRC.¹⁷⁶

One flaw identified with UC is the connection between UC payment calculations and HMRC PAYE data.¹⁷⁷ In 2020, research by the NGO Human Rights Watch found that a flawed model used to analyse a claimant's earnings led to errors that inaccurately reduced households' social security payments and pushed people into debt and financial hardship.¹⁷⁸

In responding to a House of Lords Economic Affairs Committee inquiry, the Low Incomes Tax Reform Group stated that “the key to streamlining UC claims was to build the system around HMRC's PAYE [real-time information] data. This idea broadly makes sense and has the potential to alleviate burdens from claimants by capitalising on opportunities created by the digital age. However, mismatches in the definition of earned income for UC and the data supplied by HMRC via [real time information] create problems.”¹⁷⁹

Neil Couling, the DWP's Change Director General and Senior Responsible Owner for UC, told the inquiry that, of the 23 million UC calculations up to January 2020, there were 20,000 disputes which, he claimed, would represent a 0.09% inaccuracy rate.¹⁸⁰ However, this figure does not represent all the inaccurate data matches, given that it is not possible to ascertain whether every person who did have a data mismatch was able to dispute it. The inaccuracy rates could thus potentially be even higher. The DWP annual accounts for 2023-2024 show that there were 371,000 disputes raised in relation to so-called real-time information (RTI).¹⁸¹ Claimants who do raise a dispute over a data mismatch in their claim face a wait of days or weeks while the DWP and HMRC resolve the dispute. In the meantime, the claimant is left without the social security payment to which they may be fully entitled, because of an error that is completely outside of their control, in violation of their human rights, in particular their right to social security.

If the DWP does find in the claimant's favour, they will be paid the arrears. However, the delay in receiving income can create financial difficulties for individuals and households. One individual who spoke to Amnesty International explained how they were sanctioned due to a miscalculation error on the part of the DWP: “UC

¹⁷³ Interview conducted with a claimant for Amnesty International.

¹⁷⁴ Interview conducted with a claimant for Amnesty International.

¹⁷⁵ DWP, *Digital Skills, Channel Preference, and Access Needs: Personal Independence Payment Customers* (previously cited), p. 4.

¹⁷⁶ See for example DWP, “Personal Information Charter”, <https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter#how-dwp-shares-information-about-you> (accessed on 11 June 2025).

¹⁷⁷ PAYE is the HMRC system to collect Income Tax and National Insurance from employment.

¹⁷⁸ Human Rights Watch, *Automated Hardship: How the Tech-Driven Overhaul of the UK's Social Security System Worsens Poverty*, 2020, <https://www.hrw.org/report/2020/09/29/automated-hardship/how-tech-driven-overhaul-uks-social-security-system-worsens>

¹⁷⁹ House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform* (previously cited), para. 57.

¹⁸⁰ House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform* (previously cited), para. 59.

¹⁸¹ DWP, *DWP Annual Report and Accounts 2023 to 2024*, HC 62, 22 July 2024, <https://www.gov.uk/government/publications/dwp-annual-report-and-accounts-2023-to-2024>

Real-time information is a system managed by HMRC whereby information about tax and other deductions under the PAYE system is transmitted to HMRC by the employer every time an employee is paid. Since 2014, employers are required to report in real time.

overpaid me on my first ever claim, despite having all my earnings from HMRC. They then deducted the full overpayment from another month without warning, leaving me short of cash that month.”¹⁸²

For UC, despite the onerous level of questioning experienced by claimants in the online application process, the NGO Child Poverty Action Group (CPAG) found that the DWP failed to ask all relevant questions that would allow claimants to receive their full legal entitlement.¹⁸³ Given the complexity of the rules that govern UC, it is the DWP’s responsibility to ensure that it collects and processes the amount of data required to ensure that individuals have full access to their right to social security. For CPAG, the fact that the DWP does not ask all necessary questions means that the resulting decision can be wrong and this can be understood as a “breach of the rule of law principles of procedural fairness and arguably a failure of the duty to make reasonable enquiries.”¹⁸⁴ This could lead to people not accessing social security schemes to which they are entitled. The collection of data also needs to be carried out in a manner that ensures the principles of data minimization and in consideration of the burden that data requirements place on claimants.

FUTURE RISKS – THE PUBLIC AUTHORITIES (FRAUD, ERROR AND RECOVERY BILL)

The DWP, despite already collecting expansive amounts of data on individuals, is currently attempting to collect more under the pretence of identifying and combating fraud. The proposed Public Authorities (Fraud, Error and Recovery) Bill 2025 creates a power called the Eligibility Verification Measure, which will require banks and other financial institutions “to examine their own datasets”, for example bank accounts, “to help identify where incorrect benefit payments may be being paid”.¹⁸⁵

This Bill at the time of writing had passed through the UK House of Commons unamended and was before the House of Lords. It is not yet clear how it will be operationalized if enacted into law. However, the DWP said in January 2025 that it would “initially” seek details from banks about accounts that belong to social security claimants that showed sustained activity abroad, or accounts holding more than £16,000, the usual savings limit for being able to claim UC.¹⁸⁶ This has been outlined as an initial use of powers, after which the DWP has also said that it wants to use these powers to “identify potential incorrect payments due to failure to meet a broad range of benefit eligibility criteria”.¹⁸⁷

A pilot of bank account surveillance was conducted between July and September 2022 which involved scanning a total of 713,000 customers’ accounts held at two high-street banks. Announcing the results of the pilot, the DWP said that approximately 60,000 of the scanned accounts were in risk of breaching the capital rule (8%) and 3,000 accounts were in risk of breaching the abroad rule (less than 1%). For accounts at risk of breaching the capital rule, the average monthly balance was £50,000 and about 50% of those accounts were joint accounts.¹⁸⁸

The DWP has outlined five areas of fraud and error in the social security system, the first two of which were the subject of the 2022 bank account monitoring pilot:¹⁸⁹

- Abroad: Claimants remaining abroad longer than is allowed.
- Capital: Under-declaration of financial assets.
- Earnings/employment: Under-declaration of income from work.
- Household composition: Inaccurate reporting of household members.
- Housing costs: Inaccurate reporting of housing costs.

The UK government has announced that it would like banks to work with the DWP in order to establish a “fully automated” system but, at the time of writing, no information had been released explaining what

¹⁸² Response to a questionnaire distributed to claimants by Amnesty International.

¹⁸³ CPAG, *You Reap What You Code: Universal Credit, Digitisation and the Rule of Law*, June 2023, <https://cpag.org.uk/sites/default/files/2023-08/You%20reap%20what%20you%20code.pdf> p. 36.

¹⁸⁴ CPAG, *You Reap What You Code* (previously cited), p. 36.

¹⁸⁵ DWP and the Cabinet Office, *Public Authorities (Fraud, Error and Recovery Bill): European Convention on Human Rights Memorandum*, <https://publications.parliament.uk/pa/bills/cbill/59-01/0167/ECHR/Memo.pdf> (accessed on 11 June 2025), p. 3.

¹⁸⁶ BBC News, “Banks raise concerns over benefit debt recovery powers”, 23 January 2025 <https://www.bbc.co.uk/news/articles/cj02918ggdvo>

¹⁸⁷ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts*, 21 January 2025, <https://publications.parliament.uk/pa/bills/cbill/59-01/0167/ImpactAssessment.pdf> p. 43.

¹⁸⁸ Leeds Live, “DWP starts bank checks in pilot plan and finds 63,000 breaking rules”, 18 May 2024, <https://www.leeds-live.co.uk/news/cost-of-living/dwp-starts-bank-checks-pilot-29197806>

¹⁸⁹ House of Commons Library, *Public Authorities (Fraud, Error and Recovery) Bill 2024-25*, 30 January 2025 <https://researchbriefings.files.parliament.uk/documents/CBP-10183/CBP-10183.pdf>

that digital system would look like.¹⁹⁰ Applying the existing approach of the DWP to alleged ‘Abroad’ and ‘Capital’ fraud to the other areas of investigation:

- Earnings/employment: banks could be asked to provide data on accounts where incoming payments in successive months totalled above a certain amount.
- Household composition: unclear how banks might provide data on this.
- Household costs: banks could be asked to provide data on accounts where outgoing payments in successive months totalled above a certain amount.

The UK government has stated that “no automatic decisions will be based on this data alone, further checks will be needed using the data as a prompt for this, and a final decision will always involve a human agent”.¹⁹¹ It is unclear how this human decision-maker will interact with the “fully automated” system, whether there is sufficient staffing to verify the additional checks required and whether this would reach the threshold of meaningful human review, and also whether the staff will receive training on automation bias.¹⁹² The DWP is predicting that the increase in the volume of requests may cause issues to their operations, stating that the “DWP may have to slow the volume of data requests to manage potential volumes. [There is the] potential for operational challenges for the Department if the data flow is not well managed”.¹⁹³ This negates the claim that these systems are introduced to improve efficiency, as the Bill will likely create additional burdens that may also be financially very costly.

The DWP currently estimates that its costs relating to this measure will be “around £420 [million] from [the financial year] 24/25 to [the financial year] 33/34” and that from “2031/32 costs are estimated to reach a steady state of around £30 [million] per year”.¹⁹⁴ By the UK government’s own admission, these new intrusive powers would only allow the DWP to prevent an estimated 3% of the total amount that is lost to fraud and errors.¹⁹⁵

Furthermore, the Information Gathering Powers Measure contained within the Bill will allow the DWP to “compel information from all information holders (subject to exemptions), when undertaking a criminal investigation in relation to any DWP payment” and states that, “[t]here will be provisions to support DWP in digitalising the use of these powers, by enabling the department to compel a digital response.”¹⁹⁶ Enabling information requests to be made digitally will require the DWP to invest in yet another digital platform. While the DWP does not envisage the need for any more staffing resources for this new process, the set-up costs for this new digital portal will largely come from the cost of establishing the digital service and integrating it into pre-existing systems. This is projected to cost between £2 million and £9 million (US\$2.7 million to US\$12.2 million), with a further £300,000 (US\$405,720) spread across the 2026-2027 and 2027-2028 financial years for the training of accredited officers.¹⁹⁷ Ongoing costs for the digital platform have been modelled at £530,000 (US\$716,770) per year from 2027-2028 onwards.¹⁹⁸ The DWP envisages that the “powers may result in a small number of additional information requests being made to help prove or disprove suspected fraud” and that there will likely be an “increase in the volume of investigations cases”.¹⁹⁹

The DWP justifies these new measures by saying that, as “social security delivery becomes even more digitalised, DWP must update its information powers to stay relevant.”²⁰⁰ This statement ignores the fact that the DWP is the driver of the digitalization of social security delivery.

Further costs to increasing digital infrastructure will be brought about by other measures contained within the Bill. This includes £27 million (US\$36.5 million) from 2027-2028 to 2036-2037 on “expanding the department’s digital storage capabilities, training to enable search and seizure capability, equipment costs, governance, and delivery costs” relating to new proposed search and

¹⁹⁰ BBC News, “Banks raise concerns over benefit debt recovery powers” (previously cited).

¹⁹¹ The Guardian, “Monitoring UK bank accounts for benefits fraud would be ‘huge blow to privacy’”, 1 October 2024, <https://www.theguardian.com/world/2024/oct/01/monitoring-uk-bank-accounts-for-benefits-would-be-huge-blow-to-privacy>

¹⁹² DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited).

¹⁹³ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 37.

¹⁹⁴ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 37.

¹⁹⁵ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited).

¹⁹⁶ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 18.

¹⁹⁷ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 37.

¹⁹⁸ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 17.

¹⁹⁹ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 18.

²⁰⁰ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 88.

seizure powers for the investigation of what the DWP views as “the most serious cases of fraud against the welfare system”.²⁰¹

One claimant said they wanted the DWP to “stop [its] invasion of people’s privacy, like bank accounts” and to “treat people as human beings”.²⁰² Another claimant said that they were “extremely worried about this Government’s ambition to spy on bank transactions and claimants’ bank accounts.”²⁰³

These new systems aimed at detecting fraud, errors and overpayments are likely to be costly and ineffective. Even if these systems were able to identify fraud or would present a cost saving, this would not justify increasing surveillance powers to an extent that would be non-compliant with the right to equality and non-discrimination or the right to privacy.

²⁰¹ DWP, *Public Authorities (Fraud, Error and Recovery) Bill Impact Assessment: Summary of Impacts* (previously cited), p. 19.

²⁰² Response to a questionnaire distributed to claimants by Amnesty International.

²⁰³ Response to a questionnaire distributed to claimants by Amnesty International.

8. AUTOMATION

“Too much technology, not enough empathy.”

Social security advisor interviewed for Amnesty International

8.1 WHAT IS AUTOMATION?

Automation refers to a set of pre-defined instructions or tasks performed by a machine or other technology. This could be machine learning or other rules-based forms of automation. Automation is often used to streamline processes and tasks to support a human decision maker and can include retrieving data from other databases or performing basic calculations, for example. In the context of social protection, some systems rely on fully automated decision making, for example to calculate the amount of social security a person will receive, and in this instance a decision is taken solely by the system.²⁰⁴ Other systems use semi-automated decision-making, where a human is involved in the decision-making process in some capacity, often to review cases selected by the system. The aim of semi-automated decision-making systems is often to assist human decision-making processes by providing information drawn from other databases and/or suggesting outcomes.²⁰⁵

Although they can be presented as an effort to improve governance and increase access to social security schemes, the introduction of automation in social security systems has often been accompanied by reduced budgets and the elimination of some services, leading to a reduction in the number of recipients, with women, racialized communities and people with disabilities often being disproportionately affected.²⁰⁶ Even in systems where a human has a prominent role and can verify the output of automated or semi-automated decision making, there are risks of serious flaws in the decision-making process. Automation bias is a significant concern for the independence of human decision making in any process using automation. Automation bias is phenomenon whereby people tend to trust the automated system so much that they ignore other sources of information, including their own judgement, which can lead to errors within the automated decision making not being detected or challenged.²⁰⁷ Even relatively simple automated systems such as those used for data verification or collating data on an individual have the potential to introduce risks which, if not adequately mitigated and prevented, can cause human rights harms. As discussed in the previous section, data is more likely to be inaccurate for marginalized people, leading to errors, and data-intensive systems can present a risk to the right to privacy if they process extensive and intrusive amounts of data.

²⁰⁴ See for example Algorithm Watch, *Automating Society Report 2020*, October 2020, <https://automatingsociety.algorithmwatch.org>

²⁰⁵ Amnesty International, *Xenophobic Machines* (previously cited); Amnesty International, *Trapped by Automation* (previously cited).

²⁰⁶ Human Rights Watch, “How the EU’s flawed artificial intelligence regulation endangers the social safety net: questions and answers,” 10 November 2021, <https://www.hrw.org/news/2021/11/10/how-eus-flawed-artificial-intelligence-regulation-endangers-social-safety-net>

²⁰⁷ Saar Alon-Barkat and Madalina Busuioc, “Human–AI Interactions in Public Sector Decision Making: ‘Automation Bias’ and ‘Selective Adherence’ to Algorithmic Advice”, January 2023, *Journal of Public Administration Research and Theory*, Volume 33, Issue 1, <https://doi.org/10.1093/jopart/muac007>

See also Algorithm Watch, “Poland: Government to scrap controversial unemployment scoring system”, 16 April 2019, <https://algorithmwatch.org/en/poland-government-to-scrap-controversial-unemploymentscoring-system/>

8.2 CONCERNS OVER THE DWP'S USE OF AUTOMATION

The DWP uses automation in numerous ways, including automated data processing, eligibility assessment and payment calculations. Furthermore, the DWP annual accounts for 2023-2024 state that it has “continued to identify opportunities to use automation to solve problems across the Department (such as correspondence management), automating administrative tasks”.²⁰⁸ In their study of UC, the academics Fran Bennett and Jane Millar found that, “the automated nature of the system increases resistance to change” meaning it is harder to introduce changes that would benefit social security recipients.²⁰⁹ This is because any amendments to the core design features of UC would be costly and potentially require a lot of adjustment, and providing alternative manual interventions is more staff intensive and thus more costly.

The rigidity of automated systems was also raised as a concern by social security advisors who spoke to Amnesty International. One described how, “sometimes we come across clients who don't fit into a set category, and need a person to make a decision on their benefit claim”.²¹⁰ Another emphasized their concern about “clients not being treated as individuals”.²¹¹ There were concerns from social security advisors that digital technology “lacks the subtlety to give a fair assessment – health conditions and situations don't often fit neatly in the box on the forms and I fear technology would make that worse”.²¹² A social security advisor told Amnesty International that they felt that digital technologies in social security “can lead to errors and could be subject to abuse” and that “[a]utomated systems do not allow for human behaviour and therefore it should not be a one-size-fits-all approach”.²¹³

Another common theme arising from discussion with social security advisors was the DWP's over-reliance on digital technology and its belief that this same technology was ‘fail safe’, despite ample evidence of it going wrong. One advisor told Amnesty International that they “believe that some level of automation is not a bad thing; however, with any automation, the human element would still need to be present for when the automation goes wrong”.²¹⁴ Another advisor said that they “can't think of any positives of increased automation”.²¹⁵

An advisor raised concerns about how flawed decision making in UC or PIP so-called “mandatory reconsiderations”²¹⁶ could affect data sets used to train the software that could then be used to develop automated decision-making systems. They told Amnesty International that they felt “[t]here is also a danger with using technology that poor practice in the past 11 years will be embedded in decision-making software, as will bias and discrimination”.²¹⁷

8.3 AUTOMATED ELIGIBILITY ASSESSMENT

The DWP uses automated eligibility assessments in order to process claims. The DWP has stated that “automation meant that a decision on eligibility was made almost instantly, so payments reached claimants and customers significantly quicker”.²¹⁸ The House of Lords Economic Affairs Committee found that, during the COVID-19 pandemic, “the DWP was able to process the large number of applications using automation, a rapid reorganization of resources and by changing policies and processes”.²¹⁹

While automation is cited by the DWP as a key factor in speeding up applications, “DWP officials have repeatedly cited the automated nature of the assessment process as a key reason why they cannot reduce or eliminate the five-week wait” which UC claimants face before receiving their payments.²²⁰

²⁰⁸ DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited).

²⁰⁹ Fran Bennett and Jane Millar, “Inflexibility in an integrated system? Policy challenges posed by the design of Universal Credit”, January 2022, *Barnett Papers in Social Research*, https://www.spi.ox.ac.uk/sites/default/files/spi/documents/media/inflexibility_in_an_integrated_system_policy_challenges_posed_by_the_design_of_universal_credit.pdf p. 10.

²¹⁰ Response to a questionnaire distributed to advisors by Amnesty International.

²¹¹ Response to a questionnaire distributed to advisors by Amnesty International.

²¹² Response to a questionnaire distributed to advisors by Amnesty International.

²¹³ Response to a questionnaire distributed to advisors by Amnesty International.

²¹⁴ Response to a questionnaire distributed to advisors by Amnesty International.

²¹⁵ Response to a questionnaire distributed to advisors by Amnesty International.

²¹⁶ A mandatory reconsideration is when an individual believes that there has been an error in decision making in relation to their claim for a number of benefits or tax credits, including UC and PIP, and therefore asks the DWP to examine the claim again. This is normally the first step a claimant would undertake to challenge what they believe to be an erroneous decision made on their case.

²¹⁷ Response to a questionnaire distributed to advisors by Amnesty International.

²¹⁸ DWP Digital, *Intelligent Automation Garage: Using Automation for Good*, <https://careers.dwp.gov.uk/using-automation-for-good/> (accessed on 11 June 2015).

²¹⁹ House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform* (previously cited), para. 15.

²²⁰ Human Rights Watch, *Automated Hardship* (previously cited).

Making faster decisions so that claimants may receive their social security payments more quickly can be seen as a positive. Nevertheless, it brings significant risks. One advisor felt that digital technologies “could help by streamlining and speeding up processes” and “could remove some of the variability of decision making,” but noted concerns that, if “badly implemented, it could reduce the amount of human overview of decisions”.²²¹

Raising particular concerns over the use of automated eligibility assessments for those with disabilities, one advisor said: “Some level of automation would speed up the process for the claimants however those would be hardly infallible and trained staff should check the process for errors. On disability benefits for instance, the primary legislation is way too nuanced, and there is a vast body of case law with decisions that need to be really given thorough thought in terms of their relevance in a particular way. Where an algorithm would scan a medical record to try and match a claimant with relevant tests, it could get that wrong as in passing comments from doctors could be given the wrong weight.”²²²

Another advisor said: “My clients are all suffering from mental illness. I do not feel that their particular difficulties with accessing benefit offices and the fluctuation in their abilities lends itself well to an automated system.”²²³

Reflecting on the differing complexity of different types of benefits claims dealt with by the automated system, another advisor said: “For benefits which are provided automatically and can be reasonably worked out with minimal human interaction, I have no problem. If this were to be used for assessment-based benefits such as LCWRA [Limited Capability for Work-Related Activity], PIP and ESA [Employment and Support Allowance], this is likely to cause issues.”²²⁴

For another advisor it “[d]epends on the accuracy rate. Again, in my experience some of the decisions made by DWP caseworkers are very questionable. Health benefits: PIP, AA [Attendance Allowance], UC, [L]imited Capability for Work-Related Activity, ESA [Employment Support Allowance], are very nuanced and require a detailed description to show how the claimant meets the criteria. Based on what is known of AI technology – using this technology may make things worse if used for some of these benefits.”²²⁵ This reflects the fact that, the more complexity there is in an individual’s case, the less likely it is that automation will be able to process the claim fairly and correctly.

One person who responded to the questionnaire for claimants said that they “had to apply for UC when it was just starting. There were so many bugs in the system that my claim kept being wrongly closed. It was exhausting [and] brought me close to suicide. I had to get help from an advocate. Since then my claim has been erroneously closed a couple of times [and] I’ve had to use social media to get attention of senior DWP people to get it restored. It’s a constant worry.”²²⁶

As established, introducing automation into social security systems raises concerns over people’s access to their right to social security, and it also introduces the risk of errors in decision making that have yet to be adequately mitigated by the UK government. These errors can result in people having their social security payments withdrawn or reduced through no fault of their own. The CESCR states that any “withdrawal, reduction or suspension of benefits should be limited and based on the grounds that are reasonable, subject to due process, and provided for in the national law”.²²⁷ The introduction of automation also raises concerns over the right to due process when there is a lack of transparency over the types of technologies being used, leading to claimants facing difficulties in challenging errors in their claim.

8.4 AUTOMATED PAYMENTS CALCULATIONS

UC uses an automated payment system, a key feature of which is the monthly assessment period where all income reported to HMRC – the UK tax office – by employers or self-employed people is used to calculate payments. The date chosen for the monthly assessment is the date that an individual first applied for UC. While for many claimants a monthly assessment period can reduce the risk of under- or over-payment when compared to the previous annual assessment period, for around 25% of claimants who receive their wages not on a monthly basis but rather on a weekly, bi-weekly or a four-weekly basis it can cause significant

²²¹ Response to a questionnaire distributed to advisors by Amnesty International.

²²² Response to a questionnaire distributed to advisors by Amnesty International.

²²³ Response to a questionnaire distributed to advisors by Amnesty International.

²²⁴ Response to a questionnaire distributed to advisors by Amnesty International.

²²⁵ Response to a questionnaire distributed to advisors by Amnesty International.

²²⁶ Response to a questionnaire distributed to claimants by Amnesty International.

²²⁷ CESCR, General Comment 19 (previously cited), para. 24.

issues.²²⁸ This might mean that the monthly assessment period will not accurately capture the amount of hours a claimant worked, while some assessment periods could include more than one payday, potentially leading to a reassessment which would result in lower or no social security payment the next month. Even for those who are paid monthly but who have irregular hours, the constant complex adjustments to payments can cause stress and concern as individuals are not always certain of the amount of social security they will receive from one month to the next.²²⁹ One individual who spoke to Amnesty International experienced not receiving social security payments due to their husband having a payment cycle that did not correspond to the monthly assessment period: “My husband was paid 4 weekly and some months as it looked like two payments on the assessment period we were awarded nothing but it wasn’t two pays”.²³⁰

It is not only individuals who receive salaries in non-monthly increments who are negatively affected by the rigid monthly assessment period. In 2021 the High Court of England and Wales made a ruling on a case brought by CPAG regarding monthly assessment periods.²³¹ This case pertained to four single mothers whose monthly pay dates from their employment fell close to the date of the assessment period, meaning they would sometimes have two paydays in one assessment period. This led to reductions in the amount of UC they received the following month and significant financial hardship due to the income fluctuation. By not providing a workaround for individuals in this circumstance, the High Court found unanimously that, in this instance, the Secretary of State for Work and Pensions (SSWP) acted in a way that was irrational.²³² The court found that, while the threshold for irrationality is very high, that this “one of the rare instances where the SSWP’s refusal to put in place a solution to this very specific problem is so irrational that I have concluded that the threshold is met because no reasonable SSWP would have struck the balance in that way.”²³³ In response to this ruling, amending regulations came into force that give power to the SSWP to treat one of the two earnings received in an assessment period as earnings that relate to a different assessment period.²³⁴ While this ruling is applicable UK-wide, it does not apply to individuals who receive their income on a basis that is not monthly, meaning that many people still face challenges due to the fixed monthly assessment period.

The monthly assessment period is an example of automation causing issues that are not due to an error or an issue with the data, but rather the system working exactly as intended but in a way that does not correspond to the reality of many beneficiaries. The imposition of a monthly assessment period is a policy choice that ignores the reality of many people who receive wages on other timescales and therefore represents a “one-dimensional vision of the world of work”.²³⁵ For academics Lena Podoletz and Morgan Currie, “UC’s temporal norms are mandatory: if a person is not able to conform with its timeframe, a *de facto* punishment in the form of lost entitlements will follow”.²³⁶

In addition to people facing deductions and other difficulties due to the RTI provided by HMRC on incomes, as outlined above, unspecified issues with social security calculations have also led to deductions due to alleged overpayments.²³⁷ One individual spoke of having deductions made for alleged “overpayments” that they insisted the DWP had made – despite having received correct information from the claimant to make their calculations.²³⁸ Some people found the automatic payments calculations confusing, making it harder for them to spot errors or monitor DWP decision making.

One person told Amnesty International that they would like the DWP to “[m]ake the calculations easier to understand” and that “[w]hen overpayments occur due to UC errors, consider this when payments are reduced and consider reducing the debt accordingly.” This individual described how, “in our case, without any change in circumstances, and less than a day apart we received one letter claiming we owed £1,800,

²²⁸ One Parent Families Scotland, *Design Problems of Universal Credit & Working Single Mothers*, February 2025, [Design-Problems-of-Universal-Credit-Working-Single-Mothers-1-1.pdf](#)

²²⁹ Lena Podoletz and Morgan Currie, “Automating universal credit: A case of temporal governance”, 5 February 2024, *First Monday*, Volume 29, Issue2, <https://doi.org/10.5210/fm.v29i2.13580>

²³⁰ Response to a questionnaire distributed to claimants by Amnesty International.

²³¹ CPAG, “Universal credit, earned income and monthly pay”, <https://cpag.org.uk/welfare-rights/test-cases/test-case-updates/universal-credit-earned-income-and-monthly-pay> (accessed 11 June 2025).

²³² England and Wales High Court (Administrative Court) Decisions, *Johnson & Ors, R (On the Application Of) v Secretary of State for Work And Pensions*, 2019, EWHC 23 (Admin), <http://www.bailii.org/ew/cases/EWHC/Admin/2019/23.html>

²³³ England and Wales High Court (Administrative Court) Decisions, *Johnson & Ors, R (On the Application Of) v Secretary of State for Work And Pensions* (previously cited), para. 108.

²³⁴ UK Government, The Universal Credit (Earned Income) Amendment Regulations 2020, 16 November 2020, <https://www.legislation.gov.uk/ukst/2020/1138/contents/made>

²³⁵ House of Lords Economic Affairs Committee, *Universal Credit Isn’t Working: Proposals for Reform* (previously cited), para. 6.

²³⁶ Lena Podoletz and Morgan Currie, “Automating universal credit: A case of temporal governance” (previously cited), p. 9.

²³⁷ Public Law Project, “Letter to The Rt Hon Liz Kendall Secretary of State for Work and Pensions, Subject: Opportunity for Government to ‘right’ DWP wrongs of official error Universal Credit overpayments”, 24 February 2025, https://plp150-my.sharepoint.com/personal/e_yuill_publiclawproject_org_uk/Documents/PUBLIC-PLP-Letter-to-Secretary-of-State-Work-and-Pensions

²³⁸ Response to a questionnaire distributed to claimants by Amnesty International.

and another saying we had been underpaid by £2,000, as my daughter's disability payments were increased to the highest rate".²³⁹

The confusion over payments awards was complicated even further for those facing deductions or sanctions. One claimant told Amnesty International: "It's so confusing. Yeah, there's deductions for, like, everything. And then there's so many pence of the pound that they take off because you're working... How anyone understands it is beyond me."²⁴⁰

The opacity and confusion around how decisions are reached on an individual's claim raises concerns over how automation can present a barrier to accountability as well as a challenge for individuals to seek redress in the case of errors or other issues in decision making. This is not an isolated issue: Amnesty International's research on Serbia's social security system found that the use of automation introduced the risk of individuals having social security payments erroneously withdrawn despite being eligible for them and also presented a significant barrier for affected people and legal professionals to challenge this erroneous decision making.²⁴¹

8.5 AUTOMATION NOT WORKING TO HELP SOCIAL SECURITY CLAIMANTS

Despite these examples of how the DWP is using automation, the Department is missing key opportunities to introduce automated processes that would better support claimants. If automation was introduced in a manner that embeds human rights safeguards and with the participation of affected groups and their advocates, it could potentially facilitate people's access to services and social security schemes to which they are entitled. However, Amnesty International's research shows that this is not the focus of DWP's automation design. For example, the DWP does not automatically include an additional payment for the carer element in their calculation of UC payments for UC claimants who began receiving Carer's Allowance after they started receiving UC.²⁴² This is in spite of the DWP automatically taking Carer's Allowance into account when they calculate an individual's benefits payment. This example shows how the DWP is not using the data that it holds on individuals to increase the amount of financial support they receive so that individuals can access their full entitlement. Automation in this case is not being used to identify individuals who may be eligible for more support.

This is not an isolated example. For example, the DWP also holds data on whether an individual is exempt due to their disability from the shared accommodation rule.²⁴³ However, automation is not used to automatically exempt individuals from this rule, and instead the DWP relies on individuals to self-declare in order to receive the full financial support to which they are legally entitled.²⁴⁴ CPAG identified numerous instances where individuals who were in receipt of PIP were denied their full allowance and even faced 'gatekeeping' from DWP staff when the claimants alerted them to the error in their entitlement receipt and tried to access the mandatory reconsideration mechanism.²⁴⁵ The current operation of the social security system is reliant on an individual self-declaring all of these criteria, rather than simply asking whether claimants require an additional bedroom and whether they fit the criteria for exemption. This requires an individual to have knowledge of whether they fit the criteria for exemption without having been asked.

Automation can also enable economic abuse. Currently, UC is automatically paid as a single household payment. This means that, in cases where there are two adults in the household, it is either paid into a joint account or into one adult's bank account. This has raised serious concerns over the risks of economic abuse and coercion in some households. Moreover, despite it being a purported gender-agnostic policy, it can reproduce pre-existing gendered biases within society. While split payments can be arranged if a claimant discloses abuse either through the UC online account or over the phone, these split payments can only be set up manually and not automatically.²⁴⁶ One barrier that has been presented by the DWP as a reason for

²³⁹ Response to a questionnaire distributed to claimants by Amnesty International.

²⁴⁰ Response to a questionnaire distributed to claimants by Amnesty International.

²⁴¹ Amnesty International, *Trapped by Automation* (previously cited).

²⁴² The Carer's Allowance is a payment given to eligible individuals who provide care for at least 35 hours a week. The carer element of UC is an additional payment for eligible people who are receiving UC and who provide at least 35 hours of care a week.

²⁴³ If a person receiving UC is under 35 and does not have a partner or children, in most circumstances, they will only be eligible for financial support to cover a room in shared accommodation. There are certain exemptions including being a care leaver under 25 and/or being in receipt of the daily living component of PIP.

²⁴⁴ CPAG, *You Reap What You Code* (previously cited).

²⁴⁵ CPAG, *You Reap What You Code* (previously cited), p. 38.

²⁴⁶ House of Lords Economic Affairs Committee, *Universal Credit Isn't Working: Proposals for Reform* (previously cited), para. 83.

not automatically splitting UC payments accordingly to each member of the household is that this would “negate all the automation put into the payment system”.²⁴⁷

²⁴⁷ Fran Bennett and Jane Millar, “Inflexibility in an integrated system? Policy challenges posed by the design of Universal Credit” (previously cited), p. 20.

9. ARTIFICIAL INTELLIGENCE AND THE UK'S DIGITAL WELFARE STATE

“Human conditions and experiences cannot always be fully explored by algorithms or other technologies.”

Social security advisor in response to Amnesty International questionnaire

9.1 DEFINITIONS AND CRITICISM OF AI

An algorithmic system uses a set of mathematical instructions or rules to calculate the answer to a problem or question. There is no widely accepted definition of the term ‘artificial intelligence (AI)’. However, one definition is that AI is a system designed to carry out a specific task or process through ‘learning by doing’ – whether through supervised learning (a system that is rewarded and corrected by a developer until it learns patterns over time) or newer methods of deep learning (systems programmed to learn in a more sophisticated way, modelled on processes in the human brain).²⁴⁸

The UN Special Rapporteur on contemporary forms of racism has reported that a major challenge presented by algorithms is how they “reproduce bias embedded in large-scale data sets capable of mimicking and reproducing implicit biases of humans”.²⁴⁹

Concerns over the use of AI, machine learning tools and algorithmic decision making in the UK have been raised by a number of UK parliamentary committees, civil society organizations and other bodies. The House of Lords Communications and Digital Affairs Committee found that the “[g]overnment must review the increasing use of predictive machine-learning tools in public services” since “[d]igitally excluded groups are likely to be poorly represented in some datasets that inform algorithmic decision-making” and “face a

²⁴⁸ Amnesty International, *Briefing: Social Protection in the Digital Age* (previously cited).

²⁴⁹ UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance, *Report: Racial Discrimination and Emerging Digital Technologies: A Human Rights Analysis* (previously cited), para. 28.

growing risk of marginalization as a result.”²⁵⁰ The House of Commons Committee of Public Accounts found that “there is so far little evidence of successful adoption at scale”.²⁵¹

One advisor told Amnesty International: “The Universal Credit Technology System is deeply flawed and has been from its beginning. With various DWP leaders and ministers owning up to the fact the system is rubbish. We know this, it makes mistakes all the time. The staff are not trained properly enough as it is, further reliance on a racist AI programme puts more risk of the staff not noticing the mistakes and the onus of checking the claim is right being forced onto vulnerable or non-English speaking claimants! Every claim must be assessed individually, the individual’s circumstance is unique and must be assessed as such. Our health and social care system is in ruins but everyone knows it would cause harm if we automated health and social care. You cannot do this with benefits. There needs to be people on the phones and in person for claimants, not everyone has internet or devices or the knowhow to be digital.”²⁵²

Another advisor told Amnesty International: “I can see the merits of use of automation/AI etc in terms of speeding up decision-making for example, however, I have no confidence that the algorithm will be impartial. The DWP has a track record of using AI that doesn’t take into account, for example, racial bias – I have no reason to believe this would be any different.”²⁵³

9.2 ALGORITHMIC DECISION MAKING IN FRAUD DETECTION

“The systems do have biases in; the issue is whether they are biases that are not allowed in the law, because you have to bias to catch fraudsters”

Neil Couling, DWP’s Change and Resilience Director General²⁵⁴

One key tool that is often used by states in the detection of fraud, errors or overpayments is algorithmic risk profiling and risk scoring. Risk profiling or risk scoring is used by authorities to help them identify individuals whom they believe should be subject to further investigation for potential fraud or other such matters. This process can involve either human selection decisions or a more structured risk assessment which may be supported by algorithms. A key characteristic of risk profiling is that individuals are flagged for investigation based on some aspect of their profile being considered suspicious, not on any evidence that they have indeed committed fraud. These systems use statistical probabilities and opaque algorithms that may rely on unrelated data rather than actual evidence from an individual’s actions or behaviours, and they are prone to introducing bias and discrimination into decision making.

Amnesty International’s research in the Netherlands,²⁵⁵ Denmark,²⁵⁶ Sweden²⁵⁷ and France²⁵⁸ has raised concerns over the use of algorithmic risk scoring and the potential discrimination that these systems introduce. In the Netherlands, Amnesty International investigated two uses of discriminatory fraud detection. The first was previously detailed in this briefing (see section 2.2) and relates to discriminatory risk profiling in the calculation of childcare benefits in the Netherlands. The second piece of research published by Amnesty International in 2024 showed how the Netherlands’ Education Executive Agency (Dienst Uitvoering Onderwijs), under the responsibility of the Ministry of Education, Culture and Science, used a discriminatory risk-profiling algorithm. This system selected students for an investigation in order to check for possible

²⁵⁰ House of Lords Communications and Digital Affairs Committee, *Digital Exclusion*, 29 June 2023, <https://committees.parliament.uk/publications/40662/documents/198365/default/>

²⁵¹ Committee of Public Accounts, *Use of AI in Government, Eighteenth Report of Session 2024–25* (previously cited), p. 6.

²⁵² Response to a questionnaire distributed to advisors by Amnesty International.

²⁵³ Response to a questionnaire distributed to advisors by Amnesty International.

²⁵⁴ Neil Couling, “Work and Pensions Committee Oral evidence: DWP’s Annual Report and Accounts 2022–23, HC 417”, 10 January 2024, p. 11, response to question 27.

²⁵⁵ Amnesty International, *Xenophobic Machines* (previously cited); Amnesty International, *Netherlands: Profiled Without Protection: Students in the Netherlands Hit by Discriminatory Fraud Detection System* (Index: EUR 35/8794/2024), 20 November 2024, <https://www.amnesty.org/en/documents/eur35/8794/2024/en/>

²⁵⁶ Amnesty International, *Coded Injustice* (previously cited).

²⁵⁷ Amnesty International, “Sweden: Authorities must discontinue discriminatory AI systems used by welfare agency” (previously cited).

²⁵⁸ Amnesty International, *France: CNAF State Council Complaint* (previously cited).

abuse of the out-of-home grant.²⁵⁹ Some of the criteria for selection were on the grounds of race and socio-economic status, leading to discriminatory outcomes.

In France, Amnesty International joined a coalition of French NGOs led by La Quadrature du Net to challenge a discriminatory risk-scoring algorithm used by the French Social Security Agency's National Family Allowance Fund (CNAF), which is being used to detect overpayments and errors regarding benefit payments.²⁶⁰ The algorithm assigns a risk score between zero and one to all recipients of family and housing benefits. The closer the score is to one, the higher the probability of being flagged for investigation. The criteria that increase one's risk score include parameters which discriminate against vulnerable households, including being on a low income, being unemployed, living in a disadvantaged neighbourhood, spending a significant portion of income on rent, and working while having a disability. The details of those who are flagged due to having a high risk score are compiled into a list for further investigation by a fraud investigator.²⁶¹

FRAUD, ERRORS AND OVERPAYMENTS

Fraud, errors and overpayments are often conflated in government rhetoric. They are, however, distinct issues.

Fraud relates to a criminal matter whereby there was intent on behalf of the individual to receive entitlements to which they know they are not eligible. An error could be on the part of the government body assessing the claim or on the part of an individual who has made an inadvertent mistake such as not updating the DWP on time of a change of circumstances or ticking the wrong box on an online form. An overpayment can result from an error on the part of the government body or from the claimant that has led an individual or a household to receive more funds than they were entitled to.

By conflating these three issues under the umbrella of fraud, states are attempting to widen the suspicion of criminality onto those who commit innocent errors in order to justify ever more punitive and invasive checks into claimants' eligibility for services. Combining algorithmic fraud, error and overpayment detection in a situation where there are inadequate safeguards and protections as well as punitive enforcement policies introduces serious human rights risks. Amnesty International's research has shown that individuals who are marginalized are often more likely to be flagged for investigation due to the use of discriminatory characteristics. As error and fraud are attached to notions of criminality, individuals who are already marginalized who are then flagged are at risk of further criminalization and stigmatization while belonging to groups who may already be experiencing these harms alongside historical forms of discrimination. When this profiling takes place on a vast scale, as enabled by algorithmic profiling, this can have widespread and long-lasting human rights impacts.

Furthermore, the level of resource that is put into detecting fraud and errors outweighs that put into identifying opportunities for claimants to receive additional support to which they are entitled. This reflects the priorities of governments that choose to (a) digitalize their social security systems with a focus on cuts to services, and (b) surveil social security claimants, rather than creating a just, human rights-respecting social security system. In the UK in 2023-2024, claimants missed out on more than £4 billion (US\$5.4 billion) to which they were entitled, with the underpayment rates being highest for disability-related social security payments such as PIP.²⁶²

In 2018 the UK's National Audit Office reported: "The [DWP] intends to develop a fully automated risk analysis and intelligence system on fraud and error. But it has not developed this sufficiently to understand and assess fraud and error or to provide staff with effective reporting to enable them to identify potential fraud."²⁶³ The DWP has also admitted to using "cutting-edge artificial intelligence to crack down on organized criminal gangs committing large-scale benefit fraud" without providing more details on how these systems operate.²⁶⁴ The DWP's Personal Information Charter states that it uses profiling in a range of ways

²⁵⁹ All students in tertiary education in the Netherlands are entitled to a student grant provided by the government. Students living away from their parents or carers are entitled to a higher level of financial support known as the "out-of-home grant".

²⁶⁰ La Quadrature du Net, « L'algorithme de notation de la CNAF attaqué devant le Conseil d'État par 15 organisations », 16 October 2024, <https://www.laquadrature.net/2024/10/16/lalgorithme-de-notation-de-la-cnaf-attaque-devant-le-conseil-detat-par-15-organisations/>

²⁶¹ Amnesty International, *France: CNAF State Council Complaint* (previously cited).

²⁶² Committee of Public Accounts, *DWP Customer Service and Accounts 2023-24*, 31 January 2025, <https://publications.parliament.uk/pa/cm5901/cmselect/cmpubacc/354/report.html>

²⁶³ National Audit Office, *Rolling Out Universal Credit* (previously cited), para. 3.29.

²⁶⁴ DWP, *DWP Annual Report and Accounts 2017 to 2018*, 28 June 2018, <https://www.gov.uk/government/publications/dwp-annual-report-and-accounts-2017-to-2018> p. 63.

including “to detect and prevent fraud and error”.²⁶⁵ Furthermore, the DWP describes profiling as involving “the use of personal data to evaluate certain personal aspects such as a natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.”²⁶⁶ The DWP does not justify why it needs to gather information on personal preferences, interests, “reliability” or other metrics to meet its obligations to social security claimants.

The operations of these systems are almost entirely hidden from public scrutiny, with only very limited information made available through Freedom of Information requests and public statements. This allows very little oversight and analysis of the potentially discriminatory effects and other human rights harms inherent in these systems, nor does it allow for detailed analysis of the types of data that underpin these systems to establish whether they comply with data protection standards or human rights. Numerous risks arise from using machine learning or algorithmic risk assessments. One such risk arises from the fact that these systems are often trained on historical data; therefore, any biases in historical data will be replicated and potentially amplified in the digital system. Furthermore, algorithmic risk scoring is contingent on the creation of criteria on which a person will be scored. In some instances, risk scoring has been found by Amnesty International to constitute social scoring, violating the EU’s AI Act.²⁶⁷ As has been shown by Amnesty International’s research on risk scoring in the Netherlands, France, Denmark and Sweden, these criteria very often map onto protected characteristics and can lead to discriminatory outcomes. Risk-profiling systems also raise concerns over mass surveillance. In Denmark, Amnesty International found that the collation and aggregation of sensitive data on every aspect of individuals’ lives for the purposes of fraud detection represented a system of mass surveillance which is privacy-violating by design.²⁶⁸

What is apparent, even if there is no transparency on how these systems operate, is the real-world impacts of their use. In 2021, the legal firm Foxglove working with Greater Manchester Coalition of Disabled People challenged the DWP over their use of an opaque algorithm that had flagged disabled people for fraud investigation. Disabled people have described their anxieties around being investigated as the “fear of the brown envelope”, as letters from the DWP arrive in a brown manilla envelope.²⁶⁹ Once flagged for investigation, an individual faces months or years of intrusive questioning as well as being removed from social security support. As the DWP will not make transparent the criteria used in their fraud detection systems, it is not possible to verify whether people with disabilities were disproportionately targeted. However both the Greater Manchester Coalition of Disabled People and Foxglove believe that disabled people were targeted in a discriminatory way.

Between 2022-2023 and 2024-2025, the DWP committed an estimated £70 million for projects using advanced analytics in fraud and error detection. One way that machine learning is being used in analytics is to identify patterns in claims that could point to errors and/or overpayment. The DWP admits to having one machine-learning model in operation to detect fraud in new UC advance payments. This model has been in place since 2021-2022 and is used to prioritize the review of potentially fraudulent UC advance payment claims. The model was built using historical data, which is used to make predictions about who is most likely to commit fraud, using a scoring system. The criteria for scoring have not yet been made public. Claims that score above a certain threshold are transferred to a human caseworker for review. The DWP claims that the model is designed to assess the fraud risk of the request, and not to profile the risk of individual claimants. The data provided by claimants through the separate equality survey included in the claim process is not used in the model.²⁷⁰ In order to mitigate potential automation bias, a portion of the cases flagged for review are selected at random. Once a case is referred to a human caseworker, the social security payment is paused until the caseworker has acknowledged and responded to the referral. This means that a claimant stops receiving their payments in the interim. The human case worker then performs their manual review of the claim to assess whether there was fraud or error. Once a decision is reached, the personal data and review outcomes are fed back into the algorithm. This is purportedly to help improve the effectiveness of the algorithm; however, this process raises significant risks of there being a negative and biased data feedback loop where the biases of the machine-learning model are reinforced and entrenched.

²⁶⁵ DWP, “Personal Information Charter” (previously cited).

²⁶⁶ DWP, Personal Information Charter (previously cited).

²⁶⁷ Amnesty International, “Human rights and justice must be at the heart of the upcoming Commission guidelines on the AI Act implementation”, 16 January 2025, <https://www.amnesty.eu/news/human-rights-and-justice-must-be-at-the-heart-of-the-upcoming-commission-guidelines-on-the-ai-act-implementation/>

²⁶⁸ Amnesty International, *Coded Injustice* (previously cited).

²⁶⁹ Foxglove, “No government algorithm should decide who eats and who goes hungry – we step up challenge to the DWP’s secret benefit probes algorithm”, 14 February 2022, <https://www.foxglove.org.uk/2022/02/14/algorithm-dwp-challenge/>

²⁷⁰ DWP, *Advances Model Fairness Analysis Summary Report*, 30 April 2024

https://www.whatdotheyknow.com/request/ai_strategy_information/response/2748592/attach/6/Advances%20Fairness%20Analysis%20February%2024%20redacted%201.pdf?cookie_passthrough=1 p. 5.

The 2024 *Advances Model Fairness Analysis* report – a report conducted by the DWP that analyses the use of machine learning in new UC advance payments – was made public in a redacted format after a Freedom of Information request. It found that there was “statistically significant referral disparity and outcome disparity for the protected characteristics analysed”²⁷¹ when analysing referrals made by the system for further investigation for fraud.²⁷² It goes on to say that a “series of robust safeguards in place minimises the risk of unfair treatment or detrimental impact on all legitimate customers”.²⁷³ However, minimizing a risk does not mean it is eliminated entirely, and the report does not make clear what is the maximum amount of risk that the DWP is willing to allow in its use of machine learning. The DWP also acknowledges the risk that there is “undetected or underreported referral or outcome disparity, due to the caveats or limitations of the data” but maintains that, despite all these risks, it views it as “an effective fraud prevention control”.²⁷⁴ The DWP recognizes that “machine learning models designed to assess fraud will inherently have a degree of disparity”.²⁷⁵

In the case of the UC advance payment fraud detection system, the 2024 Fairness Analysis conducted by the DWP found a statistically significant referral disparity and outcome disparity for all of the protected characteristics analysed. In particular age, disability and marriage/civil partnership showed higher disparity rates. There was also a statistically significant referral disparity for nationality.²⁷⁶ The DWP also recognizes the risk of under-reported referral or outcome disparity where proxy data has been used²⁷⁷ as well as the risk of undetected referral or outcome disparities in instances where there was not sufficient data to complete the analysis for a protected characteristic.²⁷⁸ The Fairness Analysis does not take an intersectional approach to data analysis and the DWP recognizes that “it is feasible therefore that disparities measured for one characteristic may be a result of intersectionality with another”. It is also possible that disparities experienced by individuals with one protected characteristic may be compounded if they have other protected characteristics. Despite all of these identified disparities and risks, the system remains in use and in 2022-2023 the DWP piloted four further models developed using a similar format to investigate fraud and errors in UC in relation to cohabitation, self-employment, capital and housing.²⁷⁹

The UK House of Commons Committee of Public Accounts, in its annual review of the DWP, stated that the Committee “remain[s] concerned about the potential negative impact on protected groups and vulnerable customers of DWP’s use of machine learning to identify potential fraud” and that this is something the Committee has raised consistently in recent years.²⁸⁰ The National Audit Office recommended that the DWP regularly publishes information on assessment of bias in machine-learning models and the potential effect of machine learning on customer service.²⁸¹

When speaking about UC, one advisor spoke of their client’s experience of being investigated by the DWP: “I have had clients pulled out for review and have to provide a lot of evidence to support their claim. Such as taking a photo of them [with] their front door and street sign to show they are in the UK. They think once the review is over then UC will leave them alone, but they have been pulled out again a month later and have to provide ALL of the evidence again. DWP says its random. When in a previous role for DWP HB [Housing Benefit] reviews, if a client was selected and they had been reviewed in the last 6 months it was dropped and another replacement case found. UC are not doing this.”²⁸²

Separate to UC and PIP claims, it was revealed by Big Brother Watch that two-thirds of individuals flagged as potentially high risk by an automated system that was detecting fraud in Housing Benefit claims were in fact legitimate claims. This meant that more than 200,000 households faced investigation for Housing Benefit fraud and error based entirely on a faulty algorithmic system. While the investigation was taking place, each affected household faced a suspension of their Housing Benefit payment. The system was also revealed to cost an estimated £4.4 million (US\$6 million) and did not save the DWP any money.²⁸³

²⁷¹ Referral disparity means a difference in the rates that a group or individual will be referred – in this instance for investigation. Outcome disparity refers to a difference in outcomes for certain groups after said referral.

²⁷² DWP, *Advances Model Fairness Analysis Summary Report* (previously cited), p. 1.

²⁷³ DWP, *Advances Model Fairness Analysis Summary Report* (previously cited), p. 1.

²⁷⁴ DWP, *Advances Model Fairness Analysis Summary Report* (previously cited), p. 1.

²⁷⁵ DWP, *Advances Model Fairness Analysis Summary Report* (previously cited), p. 2.

²⁷⁶ Nationality is referenced in the Equality Act 2010’s definition of race.

²⁷⁷ This was especially identified as a risk for age, disability, nationality, marriage and civil partnership.

²⁷⁸ This was especially identified as a risk for race, sex, sexual orientation, religion or belief, pregnancy or maternity, or gender reassignment.

²⁷⁹ National Audit Office, *Report on Accounts: Department for Work & Pensions*, July 2023, <https://www.nao.org.uk/wp-content/uploads/2023/07/dwp-report-on-accounts-2022-23.pdf> p. 46.

²⁸⁰ House of Commons Committee of Public Accounts, *DWP Customer Service and Accounts 2023-24 Sixth Report of Session 2024-25 HC 354*, 31 January 2025, p. 6.

²⁸¹ National Audit Office, *Report on Accounts: Department for Work & Pensions*, July 2023 (previously cited), pp. 1-2.

²⁸² Response to a questionnaire distributed to advisors by Amnesty International.

²⁸³ The Guardian, “DWP algorithm wrongly flags 200,000 people for possible fraud and error”, 23 June 2024, <https://www.theguardian.com/society/article/2024/jun/23/dwp-algorithm-wrongly-flags-200000-people-possible-fraud-error>

Although detecting fraud, errors and overpayments is a legitimate aim for public authorities, this cannot be done at the expense of human rights. As evidenced above, algorithmic systems designed to detect fraud, errors and overpayments bring with them significant human rights risks including risks to the rights to social security, equality and non-discrimination, and privacy. The extensive amounts of data used in algorithmic systems to detect error, fraud and overpayments, as well as the types of data used, which can include sensitive data, also bring risks of violating data protection standards, especially without adequate safeguards and protections. As there is often a great deal of opacity surrounding the use and function of these systems, it is often extremely difficult to independently verify how these systems operate. Certain systems should never be deployed given the significant risk they pose to human rights. These include systems that constitute social scoring or use discriminatory criteria.

9.3 GENERATIVE AI

Generative AI is a blanket term used to describe a range of “deep learning” algorithmic models that are trained on vast amounts of data, and which then use this training data to generate new content, including audio, images, text and even computer code in response to user prompts. It is important to note that these systems do not simply regurgitate their training data. Numerous studies have shown that generative AI tools sometimes “hallucinate” – that is, they generate an inaccurate response to a specific query. Based on the training data, the generative AI tool should be able to muster an accurate response, but it often does not.²⁸⁴ For example, a lawyer in the USA recently tried to use the generative AI programme ChatGPT to write a legal brief. In doing so, it cited as precedent a number of supposed legal cases that did not, in fact, exist.²⁸⁵

In the context of social protection, potential for inaccuracy can pose significant risks to human rights. Generative AI amplifies existing inaccuracies, bias and inequities based on opaque data sets. Generative AI models are trained on vast amounts of training data, and this data reflects the biases of our broader culture and society.²⁸⁶ This is called algorithmic bias, or algorithmic discrimination. Added to this is the risk of automation bias, whereby a human caseworker might trust the generative AI system to the extent that they ignore other sources of information, including their own judgement, which can lead to errors.

The DWP had announced limited information on the ways that it is deploying, or attempting to deploy, generative AI in the sphere of social security. One such tool, called A-cubed, was developed under the previous UK government to “trawl thousands of pieces of guidance to instantly arm a work coach with information on the best support to help their claimant into work quicker, a task that otherwise can take hours.”²⁸⁷ In a LinkedIn post by a DWP employee describing a demonstration of A-cubed, they said the tool would “revolutionise the way work coaches operate”, including by enabling “them to swiftly construct a comprehensive understanding of customers by summarising historical notes and journal messages, while also identifying genuine vulnerabilities” and would “empower Work Coaches to access targeted answers from lengthy guidance and policy documents in real-time, streamlining the advice process”.²⁸⁸ A-cubed was dropped by the incoming Labour government in 2024 or early 2025.²⁸⁹ If deployed, it would have introduced a significant risk of errors in the guidance being provided to work coaches and serious ramifications for claimants. Staff would have been trained to use, but not necessarily to challenge, the system. This posed a high risk of creating automation bias, whereby staff would follow the guidance provided by the system, even if it was false.²⁹⁰ Another generative AI tool tested, and later dropped, by the DWP was Aigent. Aigent was designed to use AI to assist staff working on PIP claims in several ways, including “summarising evidence

²⁸⁴ See for example, BBC, *Man files complaint after ChatGPT said he killed his children*, 20 March 2025, <https://www.bbc.co.uk/news/articles/c0kgydkr516o>

²⁸⁵ Forbes, “Lawyer used ChatGPT in court – and cited fake cases: a judge is considering sanctions”, 8 June 2023, <https://www.forbes.com/sites/mollybohannon/2023/06/08/lawyer-used-chatgpt-in-court-and-cited-fake-cases-a-judge-is-considering-sanctions/>

²⁸⁶ See for example Geoffrey Currie, George John and Johnathan Hewis, “Gender and ethnicity bias in generative artificial intelligence text-to-image depiction of pharmacists”, December 2024, *International Journal of Pharmacy Practice*, Volume 32, Issue 6, <https://doi.org/10.1093/ijpp/riae049>; Ananya, “AI image generators often give racist and sexist results: can they be fixed?”, 19 March 2024, *Nature*, Volume 627, 8005, <https://doi.org/10.1038/d41586-024-00674-9>

²⁸⁷ DWP, “Nationwide campaign to build the British workforce of the future”, 21 May 2024, <https://www.gov.uk/government/news/nationwide-campaign-to-build-the-british-workforce-of-the-future>

²⁸⁸ Christopher Lyness (Service Modernisation Programme Communications Lead at DWP), LinkedIn post: “Wow! 🤖 Just had my mind blown by the incredible innovation happening within Department for Work and Pensions (DWP) ☀️ The DWP Innovation Lab gave an eye-opening demo today to OPRA colleagues about a-cubed.” https://www.linkedin.com/posts/chrislyness_dwpinnovation-gamechanger-futureofwork-activity-7173376398672252929-g6mv (accessed on 11 June 2025).

²⁸⁹ The Guardian, “AI prototypes for UK welfare system dropped as officials lament ‘false starts’”, 27 January 2025, <https://www.theguardian.com/technology/2025/jan/27/ai-prototypes-uk-welfare-system-dropped>

²⁹⁰ DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited), p. 91.

inclusion in decision letters”.²⁹¹ Both A-cubed and Aigent were scrapped despite being presented in the 2023-2024 DWP annual report as two examples of how the DWP had “rapidly and successfully tested multiple generative AI proofs of concept”.²⁹²

A third generative AI system that has been announced publicly is ‘Whitemail’ or ‘White Mail’. The Whitemail system “[s]cans documents and quickly identifies vulnerable customers, allowing DWP to fast track and intervene.”²⁹³ The DWP states that, at the time that its 2023-2024 annual accounts were published, it had “processed 2.2 million documents using generative Artificial Intelligence (AI) to read, understand and summarise correspondence. The full information is then shared with colleagues for decision making. It also uses capability to flag potentially vulnerable citizens and expedite their correspondence to the relevant colleague who can help them”.²⁹⁴

The DWP claims that Whitemail processes letters in a day rather than weeks, compared to when the same task was carried out by a human case worker.²⁹⁵ The system uses natural language processing and large language models to identify potentially vulnerable claimants. Individuals are not notified that their letter has been processed using a generative AI tool. The criteria that is used to prioritize – and therefore conversely to deprioritize – claimants has not been released.

²⁹¹ DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited), p. 91.

²⁹² DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited), p. 91.

²⁹³ DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited), p. 91.

²⁹⁴ DWP, *DWP Annual Report and Accounts 2023 to 2024* (previously cited), p. 91.

²⁹⁵ Rt Hon Mel Stride MP Secretary of State for Work and Pensions, “DWP use of artificial intelligence (AI)”, 4 December 2023, <https://committees.parliament.uk/publications/42458/documents/211057/default/>

10. IMPACT OF ERRORS

10.1 HUMAN IMPACT OF ERRORS

All of the systems that have been discussed have error rates. People who are more likely to have complicated life circumstances are more likely to face issues when encountering digital systems such as those used by the DWP. For example, if an individual needs to upload documentation from several years ago in order to prove their circumstances, this will disproportionately negatively affect people who have experienced homelessness or domestic violence, and who may not have been able to keep paperwork during disruptive periods of their lives.

We do not know the exact reasons why the individuals whose testimonials are cited below were denied support or forced to go through the appeals process, and whether this was due to the introduction of digital technologies. However, we do know that any digital technology has error rates, as established above and also in previous research reports, which can lead to people being denied access to support to which they are eligible and being subject to stressful and invasive investigations. We have also established that data can be subject to errors, even when it comes from official databases, and that automated and semi-automated data and algorithmic processing are being used to process this data and reach erroneous or discriminatory decisions. While states may need to introduce systems to identify fraud, errors and overpayments or to collate data, this cannot be at the expense of the human rights of people who rely on the social security system.

As has also been outlined in this report and by other organizations, the amount of money that people receive through UC and PIP payments is too low. When there is an unexpected adjustment to the social security payments a person receives, either due to an error and/or a sanction, this can severely affect their health and financial well-being because of their lack of financial resilience to withstand economic shocks.

One individual interviewed for Amnesty International was accused of having £4,000 (US\$5,400) of undisclosed funds in her bank account, which affected her social security claim. It took four months for the issue to be resolved, during which time she was forced to use food banks and street kitchens, as well as accruing substantial arrears with her bills and rent. She was also forced to spend her time in libraries to keep warm. The mistake was found to be on the part of the DWP; however, she received no apology.²⁹⁶

Another claimant who responded to Amnesty International's questionnaire explained the harms that errors in decision making had caused for them: "The 'systems' are humiliating, confusing, never a consistent person to contact. Their mistakes are blamed on you. UC screwed up on my rent for 2 months causing severe anxiety (thankfully housing association were helpful). Then they applied TP [Transitional Protection] and backpaid me which then caused my council tax reduction to be scrapped (because they see this as income)".²⁹⁷

An advisor described the effect that sanctions can have on an individual's housing situation and how this can, in turn, affect their ongoing eligibility for support: "If someone is in a situation where their rent is not being paid due to a sanction or a miscalculation this causes a lot more stress as the person's home is at risk."

²⁹⁶ Interview conducted with a claimant for Amnesty International.

²⁹⁷ Response to a questionnaire distributed to claimants by Amnesty International.

They may also be classed as being intentionally homeless,²⁹⁸ which can result in them not being eligible for support, although this should not happen if it is not their fault, this does happen from time to time.”²⁹⁹

Some claimants described the mental health effects, including suicidal ideation, of being denied social security and the uncertainty of the social security process. One said: “I’ll be honest, the last time I got knocked back, I was very, very, very close to ending my life. That’s how bad it was at that point”.³⁰⁰ Another claimant said: “I’m not used to feeling powerless... I’ve had so many people that have helped with various different things that have been completely powerless at the end of the rope essentially, and I’m trained and I’ve had to talk people down from going and committing suicide because all of this is just, it’s too much, it’s too heavy. Not knowing what’s happening around the corner, not knowing what’s going to happen or the worst happening, and then, you know, trying to work out a way out of it and how they’re going to survive. It’s horrible.”³⁰¹

Of the 84 people who told Amnesty International that they had had to appeal a decision made by the DWP, 62 said that they had worsening mental health as a result, 43 described having to reduce the amount of food they bought, 18 said that they could not pay their rent, and six were made homeless.³⁰² Reflecting broader trends in claimants’ responses to Amnesty International’s questionnaire, the following quotes come from claimants describing the appeals process. They explained how it made them feel “sad, cheated, unimportant, being judged” or that they were “a liar [and] a scrounger”. One person felt “terrified and judged”; another felt “anxious, worthless, depressed”; yet another was “distressed and offput”. Alongside describing their experience of feeling “stressed and scared” by the process, one claimant also felt “angry that a lifetime condition which I was born with and [which] will never get better could be challenged like this”.³⁰³

Simple errors in online journals or difficulties uploading documents are leading to individuals being sanctioned.³⁰⁴ An individual interviewed for Amnesty International described how an error in their online UC journal led them to being sanctioned. “I think it was something in my journal, something that could easily be fixed, like, I didn’t need to have been sanctioned for it. So, something that could easily be fixed and it’s kind of a kick in the throat cause it’s like again, I’m doing everything you want me to do and I’ve maybe made a mistake or something’s gone wrong and you’ve decided well, no, I’m going to take that away from you now.”³⁰⁵

One claimant faced issues uploading documentation on time due to a disability and was sanctioned. “I had a claim review and even though they said everything was fine and there was no change they are paying me £30 less per month than they were originally going forward with no explanation. It also took ages to finalise the review and get approval as I have a lot of documentation to provide so I went a month and a half without payment. As I have ADHD it takes longer for me to upload things which was an extra barrier to getting my payment quickly.”³⁰⁶

Another person described being sanctioned due to “[a]dditional information not being received within [the Job Centre’s] timescale, even though this had been handed in in person instead of uploaded on [the] journal.”³⁰⁷ Another individual said that the “Job Centre claimed it had asked for some info from me. I did not receive the request. When this was understood, the information was provided and accepted as ok, yet then I was put on a new claim so lost almost two months of benefit.”³⁰⁸ Their appeal is still ongoing. This was not an isolated incident; an advisor told Amnesty International that they had “a client who was on Universal Credit and they closed his account/claim for the supposed reason that he did not accept a claimant

²⁹⁸ “Intentionally homeless” refers to an individual who intentionally did something or failed to do something which led to them being made homeless. More information on the UK definition of this term can be found here: Ministry of Housing, Communities and Local Government, “Homelessness code of guidance for local authorities”, 13 February 2025, <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-9-intentional-homelessness>

²⁹⁹ Response to a questionnaire distributed to advisors by Amnesty International.

³⁰⁰ Interview conducted with a claimant for Amnesty International.

³⁰¹ Interview conducted with a claimant for Amnesty International.

³⁰² Responses to a questionnaire distributed to claimants by Amnesty International.

³⁰³ Responses to a questionnaire distributed to claimants by Amnesty International.

³⁰⁴ For more information on sanctions in the UK’s social security system, see Amnesty International UK, *Social Insecurity: The Devastating Human Rights Impact of Social Security Systems Failures in the UK* (Index: EUR 45/9283/2025), April 2025, <https://www.amnesty.org.uk/files/2025-04/Social%20Insecurity%20Amnesty%20UK%20report%20NEW.pdf>

³⁰⁵ Interview conducted with a claimant for Amnesty International.

³⁰⁶ Response to a questionnaire distributed to claimants by Amnesty International.

³⁰⁷ Response to a questionnaire distributed to claimants by Amnesty International.

³⁰⁸ Response to a questionnaire distributed to claimants by Amnesty International.

commitment.³⁰⁹ However, the client was given no advanced warning he needed to log into his account and accept a commitment”.³¹⁰

To comply with international human rights law and standards, prior to any system being introduced the authorities must conduct a full human rights and equalities impact assessment, with a particular focus on the effect on marginalized groups, including those with protected characteristics, in order to understand the potential harms. If a system is found to have a discriminatory impact or effect, or is found to violate human rights in other ways, then it must not be introduced and other methods must be found by the UK government to reach their aims. There are currently holes in the legal protections in the UK which mean that legislative impact assessments conducted under section 19 of the Human Rights Act 1998 are only ordinarily conducted in relation to rights in the European Convention on Human Rights, not economic, social and cultural rights. This means that, currently in the UK, the introduction of a legal basis for the use of AI will not be examined to understand the potential impact on economic, social and cultural rights including the right to social security, the right to housing or the right to food, among others.

10.2 FINANCIAL IMPACT OF DIGITAL ERRORS

The serious toll of digital errors is not only felt by individual claimants and their families. Errors also incur a serious financial loss when a costly digital system has to be scrapped because it is found to be faulty or discriminatory. Despite the digitalization of social protection under UC being presented as a cost-saving measure, it has yet to have this effect. The UK's National Audit Office has expressed doubt that any of the professed cost savings of digitalizing the system will ever materialize.³¹¹ By 2018, UC had cost four times more than was initially expected.³¹²

Amnesty International does not have access to the full costings of all the DWP digital systems including the costings of all the systems that have subsequently been dropped. Nevertheless, the available information points to a series of costly failures or projects that have gone over budget, while often failing to comply with human rights standards. An early version of UC called the “live system” had to be completely written off, costing an estimated £40 million (US\$54 million).³¹³ In 2024, the House of Commons Committee of Public Accounts found that the DWP's projected net return from its service modernization programme fell by almost £150 million (US\$202 million) in one year, from £680 million to £531 million net return. Moreover, by March 2024, just two years into the 11-year service modernization programme, the DWP had already spent two-thirds of the programme's total estimated costs of £312.1 million (US\$421 million).³¹⁴

From 2016 until 2023, UC applicants were asked to use the GOV.UK Verify service in order to verify their identity and proceed with a claim. This required claimants to register with the service and upload documentation. In 2016 the Government Digital Service (GDS) projected that the Verify programme would cost £212 million (US\$286 million) and save an estimated £873 million (US\$1.18 billion) over four years from 2016-17 to 2019-20.³¹⁵ In 2019, this cost saving was reportedly reduced by 75% to £217 million (US\$293 million), although the National Audit Office was not able to independently verify these claims.³¹⁶ Many UK government departments, including the DWP, that were using Verify experienced significant problems using the service, meaning they were forced to allocate more resources to manually checking identities. In 2019, overall, the GDS reported a 48% successful verification rate, meaning that the majority of the identity checks were not successful, despite the GDS having projected a 90% success rate in 2015 prior to deployment.³¹⁷ The 48% figure does not include those who dropped out of the service for any reason before submitting an application.

Specifically for UC, only 38% of claimants were able to successfully verify their identity online, out of the 70% of claimants that attempted to use Verify. The initial DWP target for Verify was that 90% of claimants

³⁰⁹ For more information on claimant commitments, see DWP, “Universal Credit and your claimant commitment”, 12 February 2025, <https://www.gov.uk/government/publications/universal-credit-and-your-claimant-commitment-quick-guide/universal-credit-and-your-claimant-commitment>

³¹⁰ Response to a questionnaire distributed to advisors by Amnesty International.

³¹¹ National Audit Office, *The Cabinet Office: Implementing the Government ICT Strategy: Six-Month Review of Progress*, HC 1594, Session 2010–2012, 21 December 2011, <https://www.nao.org.uk/wp-content/uploads/2011/12/10121594.pdf>

³¹² National Audit Office, *Report by the Comptroller and Auditor General Department for Work & Pensions Rolling out Universal Credit*, HC 1123 Session 2017–2019, 15 June 2018, <https://www.nao.org.uk/wp-content/uploads/2018/06/Rolling-out-Universal-Credit.pdf>

³¹³ UK House of Lords, Universal Credit Volume 750: debated on Tuesday 10 December 2013, <https://hansard.parliament.uk/Lords/2013-12-10/debates/13121057000487/UniversalCredit>

³¹⁴ Committee of Public Accounts, *DWP Customer Service and Accounts 2023–24* (previously cited).

³¹⁵ National Audit Office, *Investigation into Verify: Report by the Comptroller and Auditor General*, 2019 <https://www.nao.org.uk/wp-content/uploads/2019/03/Investigation-into-verify.pdf>

³¹⁶ National Audit Office, *Investigation into Verify*, (previously cited).

³¹⁷ National Audit Office, *Investigation into Verify*, (previously cited).

would be able to verify their identity using this service. The DWP has spent millions of pounds to use Verify and to make it compatible with its internal systems. Nevertheless, the DWP projects that it will spend an estimated £40 million (US\$54 million) undertaking manual verification from 2019-2029.³¹⁸ The National Audit Office concluded that, “Verify is also an example of many of the failings in major programmes that we often see, including optimism bias and failure to set clear objectives. Even in the context of GDS’s redefined objectives for the programme, it is difficult to conclude that successive decisions to continue with Verify have been sufficiently justified.”³¹⁹

One of the justifications used by the UK government to introduce digital technologies is efficiency, especially cost efficiency. However, as shown, significant amounts of public funds have been spent with little to no return. Given the concerns over the adequacy of the payments received by social security recipients, this significant allocation of funds to flawed digital systems that can present a barrier to people accessing their right to social security could be understood as a misallocation of funds, instead of increasing social security payments or improving services in ways that correspond to the needs of millions of affected people. This push for supposed cost efficiency, which is central to the UK’s digitalization push despite this process being an extremely costly endeavour, relies on the same faulty logic that is focusing digitalization efforts on cutting support to beneficiaries rather than creating a well-functioning, fair and rights-respecting social security system.

³¹⁸ National Audit Office, *Investigation into Verify*, (previously cited), para. 3.21.

³¹⁹ National Audit Office, *Investigation into Verify*, (previously cited), para. 15.

11. TRANSPARENCY, REGULATION AND ACCOUNTABILITY

11.1 OVERVIEW, OVERSIGHT AND TRANSPARENCY

“A major issue with the development of new technologies by the UK government is a lack of transparency”

UN Special Rapporteur on extreme poverty and human rights³²⁰

The House of Commons Committee of Public Accounts found that the “DWP has not yet done enough to understand the impact of machine learning on customers and provide them with confidence that it will not result in unfair treatment”.³²¹ Furthermore, the Committee states that it sees “legitimate concerns about the level of transparency around DWP’s use of these tools and the potential impact on claimants who are vulnerable or from protected groups. DWP has not made it clear to the public how many of the millions of Universal Credit advances claims have been subject to review by an algorithm. Nor has it yet made any assessment of the impact of data analytics on protected groups and vulnerable claimants”.³²² In another inquiry on the use of AI in government, the Committee found: “Public trust is being jeopardised by slow progress on embedding transparency and establishing robust standards for AI adoption in the public sector”.³²³

Transparency is a key principle of governance and should be at the core of creating and implementing public sector policies.³²⁴ One method of ensuring transparency is by releasing information requested by the public under the UK’s Freedom of Information Act. According to data published in April 2025, the DWP received 797 Freedom of Information requests between 1 October 2024 and 31 January 2025. Of these, 579 were deemed to be resolvable by the department. Only 265 requests were granted in full, 34 requests were partially withheld, and 275 were fully withheld.³²⁵

To comply with transparency principles, states have an obligation to ensure the general right of access to information held by public bodies and to create mechanisms to enable individuals to request and access

³²⁰ UN Special Rapporteur on extreme poverty and human rights, *Statement on Visit to the United Kingdom*, by Professor Philip Alston, *United Nations Special Rapporteur on extreme poverty and human rights*, 16 November 2018, [EOM_GB_16Nov2018.pdf](https://www.un.org/ruelaw/what-is-the-rule-of-law) p. 10.

³²¹ Committee of Public Accounts, *The Department for Work & Pensions Annual Report and Accounts 2022-23*, 6 December 2023, p. 6.

³²² Committee of Public Accounts, *The Department for Work & Pensions Annual Report and Accounts 2022-23*, 6 December 2023, p. 6.

³²³ Committee of Public Accounts, *Use of AI in Government, Eighteenth Report of Session 2024–25* (previously cited), p. 4.

³²⁴ UN, “What is the rule of law”, <https://www.un.org/ruelaw/what-is-the-rule-of-law> (accessed on 11 June 2025).

³²⁵ Cabinet Office, “Accredited official statistics Freedom of Information statistics: October to December 2024 bulletin”, 30 April 2025, <https://www.gov.uk/government/statistics/freedom-of-information-statistics-october-to-december-2024/freedom-of-information-statistics-october-to-december-2024-bulletin>

information.³²⁶ Article 8 of the Council of Europe Convention 108+ sets out provisions for transparency that include information on how the data controller should inform data subjects of, for example, the legal basis and purpose of their data being processed, as well as the categories of personal data being processed. The Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law contains legally binding provisions on transparency and accountability under Articles 8 and 9 respectively. Article 8 of the treaty imposes a duty on signatory states including the UK to: “adopt or maintain measures to ensure that adequate transparency and oversight requirements tailored to the specific contexts and risks are in place in respect of activities within the lifecycle of artificial intelligence systems, including with regard to the identification of content generated by artificial intelligence systems.”³²⁷

The UN Human Rights Committee (HRC) has stated that Article 19 of the ICCPR allows for the right to access information held by public bodies.³²⁸ The UN Special Rapporteur on freedom of opinion and expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on freedom of the media, and the Organization of American States (OAS) Special Rapporteur on freedom of expression found that “[t]he right to access information held by public authorities is a fundamental human right which should be given effect at the national level through comprehensive legislation” and that, furthermore, governments should proactively make public “a range of information of public interest”.³²⁹

Without transparency over the use of technology, there can be no meaningful evaluation of whether these systems are operating efficiently or lawfully, and whether or not discrimination is occurring. The DWP’s main argument to justify its opacity over its use of digital technologies is that the Department does not want to publish information that would assist individuals in cheating the system. However, for certain criteria, there is no risk that an individual could cheat the system by providing different information to receive more social security payments. These criteria include race and disability – criteria which are fixed. Since individuals “have no direct control over those attributes” there is “no mechanism for gaming [cheating]”.³³⁰

Individuals whose rights are affected by automated or algorithmic decision making have the right to receive information about how these technologies are affecting their lives. This is particularly important since, as demonstrated in this report, the consequences of errors in decision making can push individuals into destitution and crisis. OHCHR concludes that “individuals whose personal data are being processed should be informed about the data processing, its circumstances, character and scope, including through transparent data privacy policies. In order to prevent the arbitrary use of personal information, the processing of personal data should be based on the free, specific, informed and unambiguous consent of the individuals concerned, or another legitimate basis laid down in law.”³³¹

Out of the 117 respondents to the questionnaire sent to advisors, only 39 said that they felt they had some awareness that the DWP was using digital technologies in the social security sphere.³³² For some of the advisors and claimants who spoke to Amnesty International, there was a clear need for more information and transparency over the systems used. One advisor told Amnesty International: “I don’t know enough to make a comment if AI is used to make decision”. They stated that, if AI is being used, then “the forms need to be redesigned so the client gives the best answers they can, knowing what the criteria is”.³³³

For another advisor: “The use of technology is neither here nor there – it is the data the algorithms are programmed with which is the problem – for example take Warm Home Discounts for example – the government would not publish what the algorithm is to look for – you enter in the answers to the questions and it tells you what the outcome is – so there is no way to check for mistakes or glitches in the algorithm or way to appeal. It becomes catch 22.”³³⁴

One claimant said they would like to see “the process [made] more transparent to the claimant”, for the DWP to “[e]xplain why certain questions were being asked” and, crucially, for the system to “[t]reat the claimant as a human being and not a scrounger.”³³⁵

³²⁶ HRC, General Comment 34, Article 19: Freedoms of opinion and expression, 12 September 2011, UN Doc. CCPR/C/GC/34.

³²⁷ CoE, Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, <https://rm.coe.int/1680afae3c>

³²⁸ HRC, General Comment 34 (previously cited).

³²⁹ The UN Special Rapporteur on freedom of opinion and expression, the OSCE Representative on freedom of the media and the OAS Special Rapporteur on freedom of expression, *International Mechanisms for Promoting Freedom of Expression, Joint Declaration*, 6 December 2004, p. 2.

³³⁰ Nicholas Diakopoulos, “Accountability in algorithmic decision making”, 25 January 2016, *Communications of The ACM*, Volume 59, Issue 2.

³³¹ OHCHR, *Report: The Right to Privacy in a Digital Age* (previously cited).

³³² Responses to a questionnaire distributed to advisors by Amnesty International.

³³³ Response to a questionnaire distributed to advisors by Amnesty International.

³³⁴ Response to a questionnaire distributed to advisors by Amnesty International.

³³⁵ Responses to a questionnaire distributed to claimants by Amnesty International.

Of course, transparency alone is not sufficient to ensure that the DWP's use of digital technologies is compliant with the UK's human rights commitments. No amount of transparency will justify deploying a rights-harming system.

11.2 REGULATION AND ACCOUNTABILITY

To identify and mitigate any potential bias, discrimination, or other human rights harm, governments and policymakers should fully understand both the context in which these systems are deployed and the existing power imbalances and inequalities that may be exacerbated by such systems.³³⁶ As the former UN Special Rapporteur on contemporary forms of racism notes, “[states] must address not only explicit racism and intolerance in the use and design of emerging digital technologies” but also, “just as seriously, indirect and structural forms of racial discrimination that result from the design and use of such technologies”.³³⁷

Certain systems pose such a serious risk to human rights that they must not be used by states given their incompatibility with human rights obligations. These include, for example, risk-profiling systems that would constitute forms of social scoring³³⁸ or other forms of risk assessment and profiling tools that create systems of mass surveillance or are otherwise discriminatory.³³⁹ Clear limits must be drawn to ensure that systems that are not compatible with the human rights frameworks to which the UK government is a signatory cannot be tested nor deployed.³⁴⁰ Those that are deployed, but are found to be fundamentally incompatible with human rights standards – for example those that are discriminatory, those which fuel mass surveillance, or risk-profiling systems that could constitute social scoring – should be immediately removed from use. Understanding how DWP policies are discriminatory is challenged by the systemic issues in the data gathered by the DWP on claimants. For example, as data on UC claimants is self-reported on a voluntary basis, it is not robust enough to identify a potential disproportionate effect on certain groups.

Currently the UK has some safeguards against algorithmic harm, including data protection legislation and legislation prohibiting discrimination and discriminatory treatment. However, there is not yet an adequate legal framework for regulating and governing the use of AI technologies in social protection, in particular in relation to transparency and accountability over the use of these systems.

The UK government created the Algorithmic Transparency Standard Hub as part of its commitments under its National Data Strategy. The Algorithmic Transparency Recording Standard (ATRS) Mandatory Scope and Exemptions Policy states that: “Transparency around how the public sector is using algorithmic tools is useful and appropriate in most circumstances and should be our default position”.³⁴¹ The mandatory requirement to complete ATRS records applies to central government, including Ministerial departments such as the DWP. The mandatory requirement to publish a record applies to “algorithmic tools that either:

1. have a significant influence³⁴² on a decision-making process with public effect,³⁴³ or
2. directly interact with the general public.”³⁴⁴

An example given by ATRS of the type of system that would be required to have an ATRS record is “a machine learning algorithm providing members of the public with a score to help a government department

³³⁶ Amnesty International, *Digitally Divided* (previously cited).

³³⁷ UN Special Rapporteur on extreme poverty and human rights, *Report: Digital Technology, Social Protection and Human Rights*, 1 October 2019, UN Doc. A/74/493, para. 5.

³³⁸ A social scoring algorithm can be understood as a system that assigns an explicit set of metrics which constitute “social scores”, as they are related to the trustworthiness of an affected person; that is, their likelihood of committing fraud. The system continues to evaluate and classify people based on data relating to their social behaviour or personal characteristics, which is unrelated to the original purpose for which the data was collected, and which leads to their unfavourable treatment, through being flagged up for fraud investigations.

³³⁹ Amnesty International, “EU: AI Act must ban dangerous, AI-powered technologies in historic law”, 28 September 2023, <https://www.amnesty.eu/news/eu-ai-act-must-ban-dangerous-ai-powered-technologies-in-historic-law/>

³⁴⁰ Amnesty International, *Recommendations to the Parliamentary Assembly and Committee Of Ministers of the Council of Europe on the Draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law* (Index: TIGO IOR 10/2024.5404), 11 April 2024, www.amnesty.eu/wp-content/uploads/2024/04/Amnesty-International-Recs-draft-CoECAI-11042024.pdf

³⁴¹ Department for Science, Innovation and Technology, *Algorithmic Transparency Recording Standard (ATRS) Mandatory Scope and Exemptions Policy*, 17 December 2024, <https://www.gov.uk/government/publications/algorithmic-transparency-recording-standard-mandatory-scope-and-exemptions-policy/algorithmic-transparency-recording-standard-atrs-mandatory-scope-and-exemptions-policy>

³⁴² Significant influence is defined as including “where an algorithmic tool meaningfully assists, supplements, or fully automates a decision-making process. This could be a tool that plays a triaging or scoring function within a wider process”.

³⁴³ Public effect is defined as “a decision-making process having an impact on members of the public, where the latter are understood as any individuals or groups of individuals, irrespective of their nationality or geographical location. Impact on members of the public also includes algorithmic tools directly processing data or information people have submitted as part of a wider process, e.g. an application, complaint or consultation submission”.

³⁴⁴ Department for Science, Innovation and Technology, *Algorithmic Transparency Recording Standard (ATRS) Mandatory Scope and Exemptions Policy* (previously cited).

determine their eligibility for benefits (impact on decision-making with public effect)". These are the types of systems that Amnesty International has found to be in use by the DWP in this report. However, as of March 2025, there were only four systems logged by the DWP on the Algorithmic Transparency Standard Hub. Three of these are online tools designed to help individuals calculate their pension, their redundancy pay or plan their budget. The fourth is a tool which allows staff working on Employment and Support Allowance (ESA) claims to match medical conditions for ESA applications.³⁴⁵

Civil society organizations have stepped in to fill the gap left by the DWP's lack of information provision. The Public Law Project, for example, has built the Tracking Automated Government register to monitor and log instances of algorithms being used in the public sector, including by the DWP.³⁴⁶ These considerable efforts nevertheless do not remove the DWP's legal commitments to transparency and information-sharing.

³⁴⁵ UK Government, "Find out how algorithmic tools are used in public organisations", <https://www.gov.uk/algorithmic-transparency-records> (accessed on 11 June 2025).

³⁴⁶ Public Law Project, "The Tracking Automated Government register", 9 February 2023, <https://publiclawproject.org.uk/resources/the-tracking-automated-government-register/>

12. CONCLUSION

Recent years have seen a push for innovation and radical change in the UK's social security system through the introduction of AI and other digital technologies, without fixing the underlying fundamental and serious flaws in the system. Moreover, this trend has caused serious human rights harms to individuals across the UK and risks causing further such harms. The ideological push towards digitalization and the introduction of AI systems must not come at the expense of some of the most marginalized communities in the UK who are being used as test subjects for new and experimental forms of technology.

Austerity measures and the push for digitalization have proved to be a disastrous combination for social protection and human rights in the UK. This report provides a snapshot of some of the issues experienced by individuals across the UK. However, given the lack of transparency from the DWP on how it is using technology, it is difficult to provide a comprehensive overview of how technologies are being used in ways that undermine the rights to social security, privacy, and equality and non-discrimination.

The human rights consequences of digitalizing social protection are not an inevitable outcome of the use of technology, but rather the consequences of using the wrong types of technologies without safeguards and in ways that surveil, criminalize and investigate individuals rather than supporting people to access the full level of social security payments to which they are fully entitled. The use of digital technology by the DWP in the UK's social security system and the way that, for some individuals, it has limited their ability to access schemes to which they are entitled can be understood as a barrier to compliance with the right to social security as enshrined in the ICESCR.³⁴⁷

This report has identified myriad ways in which technology has harmed the rights of social security claimants. It has also identified ways in which automation using robust safeguards and public participation could potentially better support individuals. Developing and deploying technology with the meaningful involvement of claimants and their advocates could lead to the development of systems that are actually more effective and better respond to the needs of individuals and communities across the UK. Equally, deployment of technologies that are fundamentally incompatible with human rights should be halted, and the UK authorities should ensure accountability and redress for harms wrought by such technologies.

³⁴⁷ CESCR, General Comment 19 (previously cited).

13. RECOMMENDATIONS

FOR THE UK GOVERNMENT

- Conduct a comprehensive, independent and impartial review of the use of digital technologies deployed by the DWP, and terminate the use of any rights-violating digital systems.
- Ensure public accountability and transparency measures when developing and deploying AI technologies. This includes introducing a statutory requirement for submission of applicable algorithmic systems to the Algorithmic Transparency Recording Standard (ATRS) Hub.
- Withdraw the Public Services, Fraud, Error and Recovery Bill 2025 since it operates as a means through which to further infringe on the privacy of claimants and create a disproportionate and stigmatizing effect.
- Establish a Social Security Commission with statutory powers, taking inspiration from the Beveridge Report and past Royal Commissions. The Commission should conduct an independent inquiry into the UK social security system and drive wholesale reform to ensure it is recalibrated to meet people's needs for an adequate standard of living and be sustainable, based on the key principles of dignity and human rights.
- Implement the UN CESCR recommendation to adopt a more efficient, progressive and socially just fiscal policy, including by reviewing state revenue and borrowing to assess options to broaden the tax base and fiscal space for realizing economic, social and cultural rights. This is to ensure there is sufficient fiscal space to deliver an adequate level of social security and wider economic, social and cultural rights. This review should recommend measures that can mitigate inadequacy of social security (such as broadening the tax base through corporation or capital gains tax, address rising costs of goods and services, and closing tax gaps).
- Take action to prevent failures in social security policy from undermining other human rights, in keeping with the CESCR's 2025 recommendation 41(a). The UK government must commission an independent review of the legal and policy framework for economic, social and cultural rights in the UK with the following aims:
 - To set out an action plan and timescale for the incorporation of ICESCR rights to prevent regressive policy exacerbating human rights violations;
 - To recommend action to ensure justiciability and redress domestically and through the integration of economic, social and cultural rights into the judicial system, in line with Article 31(3)(c) of the Vienna Convention, to facilitate an integrated approach to human rights law and ratifying the ICESCR optional protocol;
 - To recommend a methodology through which the UK government can develop and apply human rights indicators and standards for the fulfilment of ICESCR rights;
 - Commit to a time-bound programme of work to support devolved authorities to progress the legislative incorporation of ICESCR rights in Wales, Scotland (through the Scottish Human Rights Bill) and Northern Ireland (through the Bill of Rights for Northern Ireland).

- Integrate economic, social and cultural rights into the judicial system, in line with Article 31(3)(c) of the Vienna Convention, to facilitate an integrated approach to human rights law.
- Guided by the CESCR's General Comment No. 19 (2007) on the right to social security and its statement on social protection floors as an essential element of the right, the UK must reform all relevant legislation and the process through which social security rates are set, reviewed and updated. The UK must ensure this process is independent and indexed to the cost of living through an independent, transparent mechanism that is accountable to parliament. This defined social protection floor should include disability-related costs (to comply with recommendations of the UN Committee on the Rights of Persons with Disabilities).
- Ensure that 'digital by default' systems are accessible according to Article 9 of CRPD, and not exclusionary in practice, by having equal application and claim management options for those who do not wish, or are not able, to apply online.
- Develop binding and enforceable rights-respecting AI regulation that addresses intersectional risks posed by AI technologies, through a clear, easy to access, transparent, and accountable policymaking process which enables meaningful and equal participation of affected communities and civil society organizations.
- Ensure that the DWP ends the practice of mass extraction, processing and exploitation of people's data for fraud control or other purposes.
- Ensure that the DWP stops using algorithms that evaluate or classify people based on data on their social behaviour or sensitive personal characteristics or proxies thereof which lead to social scoring and the violation of their human rights.
- Ensure human rights due diligence throughout the AI lifecycle, including a human rights impact assessment by the DWP and other public authorities deploying AI systems.
- Empower people and communities affected by AI through the right to information and meaningful explanation of AI-supported decisions, and through effective redress and remedy measures.

FOR GOVERNMENTS OF ALL COUNTRIES

- Ensure that digital technologies are used in line with human rights law and standards, including on the rights to privacy, equality and non-discrimination, as well as data protection standards, and that they are never used in ways that could lead to people being discriminated against or otherwise harmed. States must prohibit the development, production, sale, export, import and use of digital technologies that are incompatible with human rights.
- When digital applications or claim management procedures are introduced, they should ensure the right to accessibility under the CRPD, and there must be an equal non-digital alternative for those who cannot or do not want to apply online.
- Ensure transparency and explainability for all systems that are introduced. While transparency requirements will differ according to the context and use of the system, they should be implemented with a view to allowing affected people, as well as researchers, to understand the decisions made in the system and how to challenge incorrect decisions.
- Ensure that, when a new system is introduced, information about how it functions, the criteria it considers and any appeals mechanisms in place to challenge decision making are widely disseminated in accessible formats and languages.
- Implement a mandatory and binding human rights impact assessment of any public sector use of automated and algorithmic decision-making systems. This impact assessment must be carried out during the system design, development, use and evaluation, and – where relevant – retirement phases of automated or algorithmic decision-making systems. The effect on all human rights, including social and economic rights, must be assessed and properly addressed in the human rights impact assessment. The process should involve relevant stakeholders including independent human rights experts, individuals from potentially affected, marginalized and/or disadvantaged communities, oversight bodies and technical experts.

- Establish comprehensive and independent public oversight mechanisms over the use of automated or semi-automated decision-making systems, to strengthen accountability mechanisms and increase human rights protection.
- Factor in and address the multiple and intersectional forms of discrimination faced by many groups including (but not limited to) women, people with disabilities, older people, people living in poverty, people working in the informal sector, children, and people belonging to racialized and otherwise minoritized communities when trying to claim their human rights, and the specific barriers they may face when interacting with digital technologies, including access barriers and appeals mechanisms.
- Develop and enact binding and enforceable human rights-based AI regulation, by accounting for the intersectional harms of technologies.

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“TOO MUCH TECHNOLOGY, NOT ENOUGH EMPATHY”

HOW THE UK’S PUSH TO DIGITALIZE SOCIAL SECURITY HARMS HUMAN RIGHTS

The UK’s Department for Work and Pensions (DWP) is at the forefront of the UK government’s multi-departmental push for widespread adoption of digital technologies, including artificial intelligence (AI). This report shows how this push is having dire consequences on the human rights of individuals applying for or who are in receipt of social security, and is also having a disproportionate impact on marginalized communities, including people with disabilities and older people.

This report examines some of the many ways in which the DWP has introduced digital technologies, including artificial intelligence systems, in the assessment and delivery of social security in the UK and how many of these systems have harmed the human rights of social security claimants. The report exposes how individuals are facing digital exclusion due to ‘digital by default’ application management processes or are subject to erroneous automated and semi-automated decision making. The report examines the human and financial cost of this shift and over-reliance on digital technologies in the sphere of social security, and how the lack of adequate safeguards is leaving people with little recourse to remedy.