

RIPA Part 2 Inspections **Common Criticisms by the Office of Surveillance Commissioners**

The Office of Surveillance Commissioners (OSC) has now started doing much more rigorous inspections. Some councils have been inspected twice in one year!

<http://www.surveillancecommissioners.gov.uk>

Ibrahim has read many OSC inspection reports. He has a very good understanding of the process they adopt and also the questions they ask. The following is a list of common criticisms made of councils by the OSC in their reports:

FORMS

- Use of out of date forms (Check Home Office site for latest forms)
- No Unique Reference Number (URN) on forms
- Not amending forms so that only those grounds are present which are available to the public authority e.g. councils – preventing, detecting crime or preventing disorder
- Pre completed forms
- Use of cut and paste in boxes/repetitive narrative

AUTHORISATION PROCESS

- Rubber stamping – no real thought given to authorisation
- Necessity, proportionality and collateral intrusion not fully understood/considered by investigators and authorisers
- Likelihood of obtaining Confidential Information not fully considered
- Confusion re: reviews and renewals
- Lack of understanding of when a person is a CHIS
- Confusion about interference with property powers under Police Act 1997 – councils can't do this
- More robust management and quality assurance procedures required

RECORD KEEPING

- Central records not compliant with Code of Practice
- Inadequate monitoring, recording and audit of surveillance equipment
- Inadequate handling and storage of surveillance product/evidence

POLICIES AND PROCEDURE DOCUMENTS

- No CCTV protocol/procedure - NB OSC May wish to visit your CCTV control room
- Inadequate/no RIPA policy
- Inadequate guidance document (or out of date)

TRAINING AND AWARENESS

- Lack of regular training/refresher training - NB OSC may ask to see recent training materials
- Inadequate training

EXTERNAL COURSES

If you would like more assistance please attend one of the training courses Ibrahim is speaking on soon:

1. RIPA: Accessing Communications Data - One Day Designated Person/ Investigator Workshop : Birmingham - 22nd May
2. RIPA: Accessing Communications Data - Two Day Home Office SPoC Accreditation Course : London - 6th & 7th June
3. RIPA: Email and Internet Monitoring Workshop
London - 31st May

See www.actnow.org.uk for full details

IN HOUSE TRAINING

Ibrahim delivers in-house training at your site on all aspects of surveillance law. In the last six months he has done in house training on RIPA for North East Lincolnshire District Council, Doncaster Council, Birmingham City Council, Harrogate Council, Blackburn Council, North West Leicestershire District Council, the Healthcare Commission and many more.

If you would like to discuss your in house training requirements, please contact Ibrahim Hasan:

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THE END