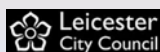
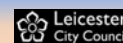


Regulation of Investigatory Powers Act 2000

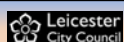
Audit Committee
September 2014



What is surveillance?



National Picture



Interception warrants – Your ISP can pass data to the Government and not be allowed to tell you.

Mass Surveillance – Possible if the UK Secretary of State deems it necessary. Recent Snowden/NSA revelations

ISPs - can be forced to install interception technology on their systems.

Encrypton keys – Government has the power to demand encryption keys.

RIPA



Potential to increase privacy as it spells out how everything must comply with the Human Rights Act



Article 8 – Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. 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 in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

RIPA



In practice, the increased number of situations in which interception is allowed can reduce privacy

Controversial - "A widespread extension of the powers of the state to snoop on its citizens ..."
Daily Telegraph, June 2002

Benefits example – Convicted Ian Huntley (Soham murders)

DRIPA – New emergency legislation extends powers of RIPA to outside UK

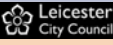
RIPA



Exists to ensure that surveillance activities are in line with the Human Rights Act and includes:

- Monitoring, observing or listening to persons, their movements, conversations, activities or communications
- Recording anything monitored, observed or listened to in the course of surveillance
- Surveillance by or with the assistance of a surveillance device

e.g. Bugging, hidden cameras, intercepting calls or emails



RIPA Oversight?





RIPA Oversight

Two national regulators who carry out inspection regimes and produce reports to parliament

OSC – Office of the Surveillance Commissioner (website: <https://osc.independent.gov.uk/>)

IOCCO – Interceptions of communications Commissioner's Office (Website: <http://www.iocco-uk.info>, Twitter @iocco_oversight)

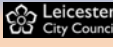





Big Brother Watch

The Grim RIPA

Cataloguing the ways in which local authorities have abused their covert surveillance powers

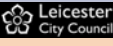


RIPA



Snoopers Charter?

- Dog fouling
- Monitoring employees
- Breaking smoking ban
- Cameras in recycling bins
- School admissions complaints




RIPA

After pressure from organisations such as Big Brother Watch...

Further Safeguards introduced, The “Double Lock”, for Local Authorities


Serious crimes only punishable by minimum 6 months in jail
+
Judicial authorisation by a Magistrate



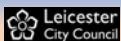
RIPA FORMS

Three key issues

- Necessity
- Proportionality
- Collateral Damage

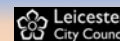


Leicester's Process for Directed Surveillance



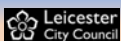
- Unique reference number generated on Intranet form
- Emails notice to IG Team
- Officer completes RIPA form
- Authorising Officer signs off, commenting on necessity and proportionality (Authorising Officers: Alison Greenhill, Jill Craig, Ann Branson, Kamal Adatia)
- Officer is permitted to represent Council in court
- Officer presents form to Judge
- Judge signs the RIPA form
- Forms held by central IG team
- RIPAs reviewed or closed after 3 months.
- Data is supplied by officers
- OSC inspects Council forms every 2-3 years

Leicester's Process for Comms Data



- Managed by NAFN on our behalf
- Unique reference number generated on Intranet form
- Emails notice to IG Team
- Officer completes NAFN online application
- NAFN Authorising Officer signs off, commenting on necessity and proportionality
- Officer is permitted to represent Council in court
- Officer presents form to Judge
- Judge signs the RIPA form
- Forms held by central IG team
- Data is supplied by NAFN
- RIPAs reviewed or closed after 3 months.
- IOCCO inspects NAFN every year

Monitoring



- IG Team monitor all request for review and closure
- IG Manager manages any inspection processes
- IG managers completes annual returns to OSC and IOCCO
- Code of Practice expects data to be presented to elected members: Leicester agreed to do this through the audit committee
- Previous inspections have all been very good, with 100% compliance

Contact Details



Information Governance

Lynn Wyeth, Information Governance Manager
Ground Floor, Bosworth House, 9-15 Princess Road West,
Leicester, LE1 6TH
Tel. 0116 4541300 Email: info.requests@leicester.gov.uk

Legal Services

Kamal Adatia, City Barrister & Head of Standards
16 New Walk, Leicester, LE1 6UB
Tel. 0116 4541401 Email: Kamal.Adatia@leicester.gov.uk