

The Regulation of Investigatory Powers act 2000 (RIPA)

The covert surveillance regulated by the RIPA act and covered by the Code of Practise is divided into two categories: **Intrusive Surveillance** and **Directed Surveillance**. Authorisation under the Act gives Lawful authority to carry out certain types of covert surveillance.

The Regulation of Investigatory Powers Act 2000 (RIPA) updates the law on the interception of communications to take account of technological change such as the growth of the internet. It also puts other intrusive investigative techniques on a statutory footing for the very first time, provides new powers to help combat the threat posed by rising criminal use of strong encryption, and ensures that there is independent judicial oversight of the powers in the Act.

The main purpose of the Act is to ensure that the relevant investigatory powers are used in accordance with human rights. These powers are:

- The interception of communications.
- The acquisition of communications data (e.g. billing data).
- Intrusive surveillance (on residential premises/in private vehicles).
- Covert surveillance in the course of specific duties.
- The use of covert human intelligence sources (agents, informants, under cover officers).
- Access to encrypted data.

For each of these powers, the Act will ensure that the law clearly covers.

- The purpose for which they may be used.
- Which authorities can use the powers?
- Who should authorities each use of the power?
- The use that can be made of the material gained.
- Independent judicial oversight.
- A means of redress for the individual.

Local authorities are authorised to conduct direct surveillance. An authorisation is necessary if the surveillance is:

- a) In the interests of national security.
- b) For the purpose of preventing or detecting crime or of preventing disorder.
- c) In the interests of the economic well being of the United Kingdom.
- d) In the interests of public safety.
- e) For the purpose of protecting public health.
- f) For the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department.
- g) For the purpose (not falling within paragraphs (a) to (f) which is specified by an order made by the Secretary of State.

Directed Surveillance

Directed surveillance is defined as covert surveillance that is undertaken in relation to a specific investigation or a specific operation which is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation) or operation. And otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this part to be sought for the carrying out of the surveillance.

Covert Surveillance

Surveillance is covert if, and only if, it is carried out in a manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place.

Under normal circumstances Town centre CCTV Systems and the Code of Practise are not covered by the RIPA Act. However, if operators are tasked to assist in a pre-planned operation then a 'directed Surveillance' authority will be required.

THE ACT

PART II

SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES

For the purpose of this section-

- a) A purpose is covert, in relation to the establishment or maintenance of a personal or other relationship, if and only if the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.
- b) A relationship is used covertly, and information obtained as mentioned in subsection (8) is disclosed covertly, if and only if it is used or, as the case may be, disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question.

Conduct to which Part II applies

Authorisation of surveillance and human intelligence sources.

Lawful surveillance etc.

Authorisation of directed surveillance.

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INTELLIGENCE REF NO	
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Hampshire Police
APPLICATION FOR DIRECTED SURVEILLANCE AUTHORITY
Part II Regulation of Investigatory Powers Act 2000

Applicant		Area/Division	
Station/Branch		Operation Name	
Operation Number		TSU Ref	

1. Authority required from (Tick appropriate box)

Inspector <input type="checkbox"/> (Urgent written only)	Superintendent Written <input type="checkbox"/>	Chief Officer or Designate <input type="checkbox"/> (Confidential material only)
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2. Detail why the action is necessary under one or more of the following grounds

- Preventing/detecting crime or preventing disorder
- In the interests of national security
- In the interests of public safety
- For the purpose of protecting public health
- Other (specify) S28(3)(g) RIPA

3. Brief description of investigation, activity to be undertaken and what information is expected to be obtained.

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4. Anticipated Start	Date:	Time:
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5. Particulars of surveillance subject(s) against whom this application is directed (or description)	
Name: Address: DOB: ID Code: NIB No	Name: Address: DOB: ID Code: NIB No
Force/NCIS Flagged/Folio No	Force/NCIS Flagged/Folio No
Name: Address: DOB: ID Code: NIB No	Name: Address: DOB: ID Code: NIB No
Force/NCIS Flagged/Folio No	Force/NCIS Flagged/Folio No

6. National Compromise Database Checked		Date:	By whom:
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7. Explain why the directed surveillance is proportionate to what it seeks to achieve, including the information sought and an assessment of the likelihood of acquiring confidential material.

8. Collateral intrusion: indicate any potential for collateral intrusion on persons other than those targeted; include a plan to minimise any collateral intrusion.

9. Details of why urgency provisions are required (for inspector's urgent written only)

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10. Applicant

Name:

Tel No:

Signature/Rank:

Date:

11. Coordinators Comments

Name (Print):

Tel No:

Signature/Rank:

Date:

12. Superintendent's comment and recommendations (only where chief officer authority is required.)

Name:

Tel No:

Signature/Rank:

Date:

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REGULATION OF INVESTIGATORY POWERS ACT 2000

PART II – CANCELLATION OF DIRECTED SURVEILLANCE

Public Authority (including full address)	
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Applicant		Unit/Branch/ Division	
Operation Name		Operation No Filing Ref	

Details of Cancellation

1. Explain the reason(s) for the cancellation of the authorisation:

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2. Explain the value of surveillance in the operation:

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3. Time and Date of when the authorising officer instructed the surveillance to cease.

Date:		Time:	
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4. Authorisation cancelled Date: Time:

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5. Authorising Officer's Recommendation.

I, (insert name), hereby authorise the cancellation of the directed surveillance operation as detailed above

Name: _____ **Grade:** _____

Signature: _____ **Date:** _____

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REGULATION OF INVESTIGATORY POWERS ACT 2000

PART II APPLICATION FOR RENEWAL OF DIRECTED SURVEILLANCE AUTHORITY (Please attach the original authorisation)

Public authority (including full address)			
Applicant		Unit/Branch/ Division	
Full Address			
Contact details			
Operation Name		Operation Number (Filing Ref)	
Renewal Number			

Details of Renewal:

1. Renewal numbers and dates of any previous renewals.	
Renewal Number	Date

2. Details the information as listed in the original authorisation as it applies at the time of the renewal.

3. Detail any significant changes to the information in the previous authorisation.

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4. Detail why it is necessary to continue with the authorisation.

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5. Indicate the content and value to the investigation of the product so far obtained by the surveillance.

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6. Give an estimate of the length of time the authorisation will continue to be necessary.

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7. Applicants Details.

Name(Print)		Tel No	
Grade/Rank		Date	
Signature			

8. Authorising Officer's Comments.

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9. Authorising Officer's Recommendations.

I (insert name) hereby authorise the renewal of the directed surveillance operation as detailed above.
The renewal of this authorisation will last for 3 months unless renewed in writing.

Name(Print):

Grade/Rank:

Signature:

Date:

Renewal From:

Time:

Date:

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Intelligence Ref No	
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Hampshire Police
AUTHORISATION FOR DIRECTED SURVEILLANCE
Part II Regulation of investigatory Powers Act 2000

Applicant		Area/Division	
Station/Branch		Operation Name	
Operation Number		TSU Reference	
New <input type="checkbox"/>	Renewal <input type="checkbox"/>	Renewal Number	

1. Authority Required From

Inspector <input type="checkbox"/> (Urgent Written Only)	Superintendent Written <input type="checkbox"/>	Confidential Material <input type="checkbox"/> Chief Officer or designate
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2. Authority

In order to ensure that the conduct complies with s28(4) of the Act this authorisation:

- (i) Specify the directed surveillance authorised
- (ii) Describe the circumstances in which the surveillance can be carried out
- (iii) Describe the investigation or operation for the purposes of which the surveillance is authorised

I have considered this application and I am satisfied that the surveillance proposed is proportionate to what is sought to be achieved. I hereby grant authorisation for:

Name		Rank	
Signature		Time/date	
Authorisation effective from (Time/date)		Effective to (Time/Date)	

* This must be either 72 hours in urgent/oral cases or 3 months in written cases. Other time periods cannot be substituted

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3. Urgent Cases
In Urgent cases detail why the authorising officer considers the case urgent and /or why the authorising officer was not available to give the authorisation.

4. Review			
Review Required? (Optional)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
To be conducted by (Name)		On (time/Date)	

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