



OFFICE OF THE SURVEILLANCE COMMISSIONER – INSPECTION REPORTS 2010 & 2012: SUMMARY OF RECOMMENDATIONS AND DEFRA RESPONSE

2010 RECOMMENDATIONS	DEFRA RESPONSE	STATUS
<p>Where directed surveillance or use of Covert Human Intelligence Source (CHIS) is authorised, officers must ensure that paperwork is provided to the Enforcement Policy Unit [now Better Regulation Team] as quickly as possible to enable timely quality assurance and feedback.</p>	<p>A more specific procedure is now in place.</p>	<p>COMPLETED.</p>
<p>Members of Enforcement Policy Unit [Better Regulation Team] should be assisted by a member of the legal department of Defra to quality assure the next few authorisations.</p>	<p>A procedure, with flow chart has been put in place to meet this recommendation.</p>	<p>COMPLETED.</p>
<p>RIPA training should be repeated at regular intervals and should include all those within Defra who might be required to act as authorising officers, handlers or controllers.</p>	<p>RIPA training took place in January 2012.</p>	<p>PARTLY COMPLETED. Training for applicants and Authorising Officers took place in January 2012 but DIS does not have trained CHIS handlers and controllers in place.</p>
<p>Where a CHIS is authorised, associated records must be maintained.</p>		

2012 RECOMMENDATIONS	DEFRA RESPONSE	
<p>Defra's RIPA policy is further revised to clarify the definition of a CHIS, and to specify the period of validity of authorisations.</p>	<p>The policy guidance will be revised to take on board the suggested changes.</p>	<p>Defra's policy to be revised by April 2013.</p>
<p>The next few RIPA authorisations to be quality assured by a legal adviser on receipt of the completed authorisation.</p>	<p>The process will be revised to ensure that a quality check by a lawyer takes place when the completed authorisation is submitted to the Better Regulation Team for entry into the central record rather than before submission to an Authorising Officer. This will simplify the authorisation process.</p>	<p>New process to be revised and implemented by April 2013.</p>
<p>Training is provided for those in DIS who might be required to act as CHIS operatives and handlers, including record-keeping.</p>	<p>Training will be procured and delivered before the next OSC inspection.</p>	<p>Training to be completed by end of 2013.</p>
<p>Action is taken within Government at a high level to have the MIMO invested with RIPA powers as soon as possible.</p>	<p>Accepted in principle, subject to agreement with the Home Office.</p>	<p>Pending.</p>