Office of Surveillance Commissioners

ANNUAL REPORT

of the Chief Surveillance Commissioner

to the Prime Minister and

to Scottish Ministers

for 2012-2013

HC 577
SG/2013/98

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for **2012-2013**

Chief Surveillance Commissioner:
The Rt. Hon. Sir Christopher Rose

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pursuant to section 107(3)
of the Police Act 1997

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Contents

Page

Appendices

1. Introduction

1.1. This is my seventh report since taking up my appointment as the Chief Surveillance Commissioner in July 2006 and relates to the period 1st April 2012 to 31st March 2013.

1.2. My statutory responsibilities have not changed; they are to keep under review:

1.2.1. The performance of functions under Part III of the Police Act 1997 ('PA97');

1.2.2. Except in relation to the interception of communications and intelligence services, the exercise and performance of the powers and duties conferred or imposed by or under Parts II and III of the Regulation of Investigatory Powers Act 2000 ('RIPA'); and

1.2.3. The exercise and performance of the powers and duties conferred or imposed by or under the Regulation of Investigatory Powers (Scotland) Act 2000 ('RIP(S)A').

1.3. The powers and duties of the Surveillance Commissioners in scrutinising and deciding whether to approve authorisations under PA97 (property interference) and under RIPA and RIP(S)A (intrusive surveillance) have been explained in earlier reports and are publicly available on our website. For reasons explained later in this report, necessary legislation is not yet implemented to enable the Commissioners to give prior approval to some authorisations relating to a law enforcement Covert Human Intelligence Source (CHIS – commonly termed an undercover officer). My Inspectors continue to scrutinise the authorisation of any such undercover officer who has been authorised for an uninterrupted period exceeding 12 months.

1.4. There is a right to appeal against Commissioners' decisions to me. There have been no appeals lodged during this reporting period.

1.5. In performance of my duty under all three Acts to report annually, I continue to prepare a combined report.

1.6. For the record, I agreed to be the Investigatory Powers Commissioner for the Sovereign Base Areas, Cyprus. The Administration has introduced bespoke legislation. I report separately to the Administrator.

2. Overview of the year

2.1. The statistics relating to property interference, intrusive surveillance, directed surveillance and CHIS are set out in Section 4.

2.2. During the reporting period, several law enforcement agencies and many local authorities have adjusted their structures and procedures to make best use of resources in response to tighter fiscal controls. In a small number of cases, I have adjusted my inspection processes to better assess compliance, but in most, I have continued to inspect each collaborating entity separately. As collaborating public authorities now recognise, there is usually more than one way to achieve compliance.

2.3. Towards the end of the reporting period, the Home Office provided me with its proposed response to the recommendation made by Her Majesty's Chief Inspector of Constabulary in relation to undercover operations. For reasons I explain later in this report, at the time of writing, I have not been able to agree the proposed use of my Commissioners.

2.4. All public authorities have struggled with the use of the Internet for investigations, particularly social network sites. A particular difficulty is the desire of national bodies to apply a doctrinaire approach which invites error if facts specific to each case are ignored or poorly considered.

2.5. In November the enactment of the Protection of Freedoms Act made important amendment to RIPA. I make initial tentative observations in Section 5 but stress that these are preliminary; I will be in a better position to comment next year.

3. Particular matters relating to the OSC

Reporting to the Prime Minister and Scottish Ministers

3.1. During the reporting period I have not made a report to the Prime Minister or Scottish Ministers about matters relating to the performance of the powers conferred by the Acts.

OSC guidance

3.2. The capability of my office has been reduced to a point where regular and frequent publication of guidance is not possible. Whilst proffering guidance is not a core responsibility my inspectors convey the guidance of the Commissioners during inspection; but uneven delivery is unsatisfactory.

3.3. I understand the desire of the Home Office and ACPO in particular to provide guidance but care is necessary to avoid inaccurate dogma. Likewise I discourage inadequate guidance generated in haste. It is sometimes claimed that there is too much competing guidance; this is can be caused by the search for guidance preferable to osc guidance which may be regarded as inconvenient. Seven Commissioners who have held high judicial office providing a single interpretation of legislation almost unique. I am unlikely to be persuaded by guidance which is contrary to the opinions produced after careful consideration by my Commissioners. I am even less likely to be persuaded by guidance designed for the convenience of practitioners. Continuous assertion of a view by practitioners does not change the law.

Inspection programme

3.4. The public authorities which I currently inspect are at Appendix E. I continue to limit my inspections to those public authorities identified in the relevant Schedules to the Acts but, as I reported last year, the Schedules no longer adequately reflect reality. Many 'public' services are now conducted by quasi-public or even private entities most of whom do not fall under my remit. I try to avoid duplicating inspections for entities which contribute to joint working arrangements. However, where novel arrangements merge different but equally compliant structures and processes, it is not my role to decide which should be preferred.

Oversight of local authority authorisations granted by magistrates

3.5. It is too soon to form a view on the impact of those parts of the Protection of Freedoms Act 2012 which relate to the authorisation of covert activity by local authorities. I have not inspected enough local authorities since the Acts enactment to identify discernible change in the number of authorisations granted. I provide tentative observations later in the report but these should not be considered definitive.

3.6. It is not my function to assess the performance of a magistrate or any other judicial authority. If on inspection I find that a magistrate or other judicial authority is presented with an inadequate authorisation I will criticise the local authority, record whether it was approved, and state the total number of inadequacies in my future reports.

Commissioners' meetings

3.7. The Commissioners met on three occasions during the reporting period.

3.8. The Director General of the Serious and Organised Crime Agency kindly provided demonstrations and presentations on current capability and emerging technology.

Presentations and conferences

3.9. My Chief Inspector has confined himself to presentations to the College of Policing authorising officer courses. Last year I reported a reduction in the number of these courses and the apparent inability to meet demand. I am happy to correct this misperception; any reduction related to law enforcement focus on the Olympics.

3.10. In March 2013 I opened an ACPO Conference considering two areas: Automated Number Plate Recognition and investigations using Social Network Sites. One theme of my presentation was that guidance about the law emanating uniquely from the consideration of 10 judges should not sensibly be ignored.

Liaison

3.11. My Chief Inspector continues to be my main point of contact with external stakeholders. He continues to support the work of the ACPO RIPA Peer Review Group and is a member of the Home Office Law Enforcement Use of Social Networks Steering Group. He also supports the work of Her Majesty's Inspector of

Constabulary review of undercover operations. This is important work but I state, as I did last year, that my primary responsibility is to assess compliance and performance independently. If the output of these groups appears to me adversely to affect my ability to perform my statutory function I will say so.

3.12. Home Office requests to the OSC to respond to proposed important changes to legislation are often within an impossibly short timescale for a tiny but dispersed organisation such as the OSC. I try to avoid ill-considered responses.

Home Office support

3.13. The Home Secretary is required by the Police Act 1997 to provide me with the support necessary to fulfil my responsibilities. At the end of this reporting period there is no significant change to the situation I reported last year. Information technology and secure communications facilities remain inadequate and a security waiver has existed for seven years without resolution. My Secretariat is only able to provide rudimentary support and my Chief Inspector is deflected from his core business in order to resolve critical business issues.

Changes in personnel

3.14. His Honour Dr Colin Kolbert retired at the end of April 2013 from his role as an Assistant Surveillance Commissioner. He has given 12 years of outstanding service to the OSC and will be greatly missed. Lee Stephen and Judith Scrivener left during the year. I am very grateful for their contribution to the work of the OSC Secretariat.

3.15. His Honour David Hodson succeeds Dr Kolbert as an Assistant Surveillance Commissioner from 1st May 2013. Mark Ogunjumo came to head the Secretariat in December 2012.

Recognition

3.16. I wish to record, once again, my thanks to the Commissioners, Assistant Commissioners, Inspectors and all other members of the OSC for the indispensable support which they have given me in performing my statutory role. My thanks also go to Lyndon Hughes-Jennett and his team at the Protective Services Division, Northern Ireland and to Graeme Waugh and the staff of the Police Division of the Scottish Government for the important administrative support they provide to the Commissioners in Northern Ireland and Scotland respectively.

Expenditure

3.17. The budget for 2012-13 remained at £1.58 million, with actual expenditure, summarised at Appendix F, £87,000 under budget. I have been allocated £1.63 million for 2013-14 which will apparently take into account an agreed 1% salary increase for Civil Servants. I also acknowledge the Home Office agreement that oversight of undercover operations by the OSC may require additional funds but I am unable to identify resource requirements until the nature and extent of the oversight is identified.

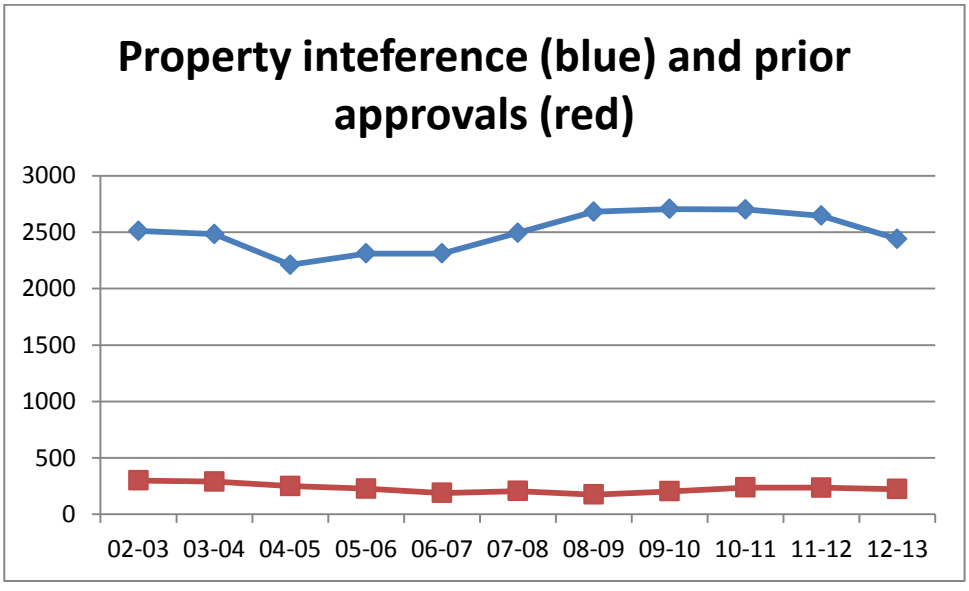
4. Statistics relating to the use of property interference and covert surveillance

General

4.1. Statistics for property interference and intrusive surveillance authorisations for the past year are set out in tables at Appendices A-D. The chart comparisons show the overall four-year trend for each type of activity as reported to me when I request statistics for this report. I provide my usual reminder that my statistics can only provide a general record; they should not be misconstrued. My role is not to promote more or less covert activity; it is simply to report the performance of those enabled to seek the protection of legislation. I have identified no systemic attempt to misuse legislation.

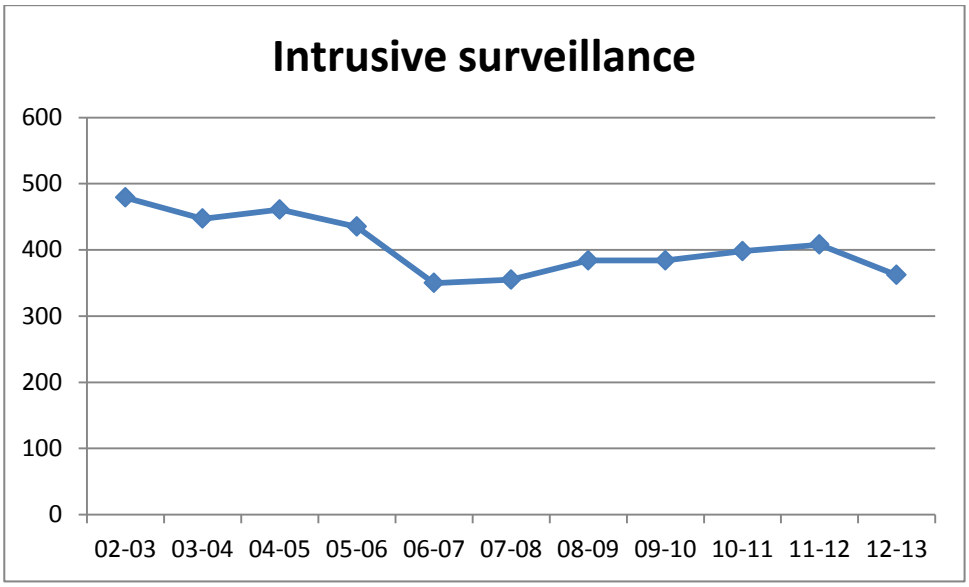
4.2. The following statistics are based on a 96.2 per cent response from law enforcement agencies and a 86.7 per cent response from other public authorities. Of those non-law enforcement agencies that responded, only 8.7 per cent granted the use of a CHIS (a slight increase on last year) and 48.3 per cent have not granted authorisations of any kind (an 18.3 per cent increase on the previous year). Because I do not inspect every authority each year, I have to rely on the returns provided by public authorities. I am sure that the overall trend indicated in each chart is valid but these statistics do not reveal any covert surveillance which public authorities have chosen not to authorise.

Property interference



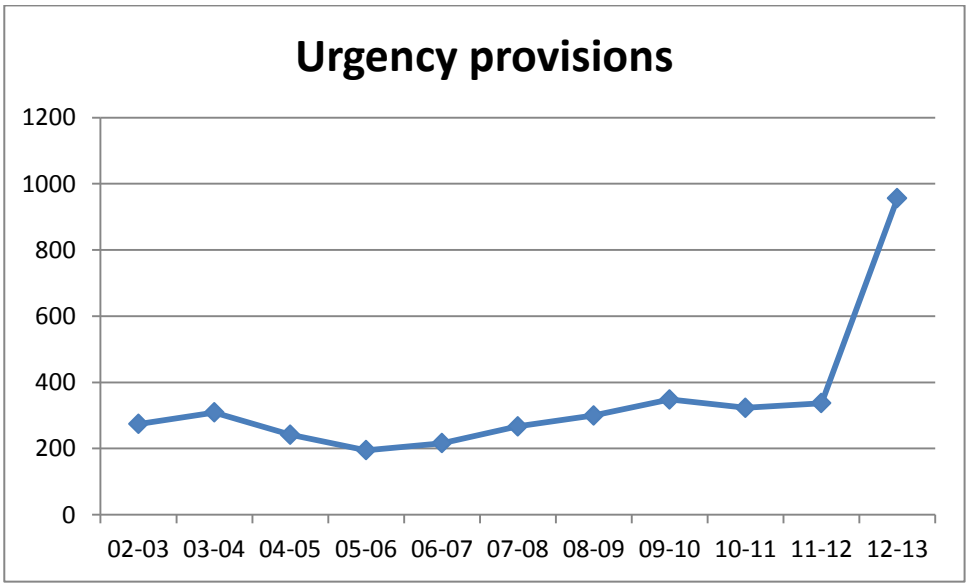
4.3. Excluding renewals, property interference authorisations were granted on 2,440 occasions; a decrease of 206 on last year. Three authorisations were quashed by Commissioners.

Intrusive surveillance



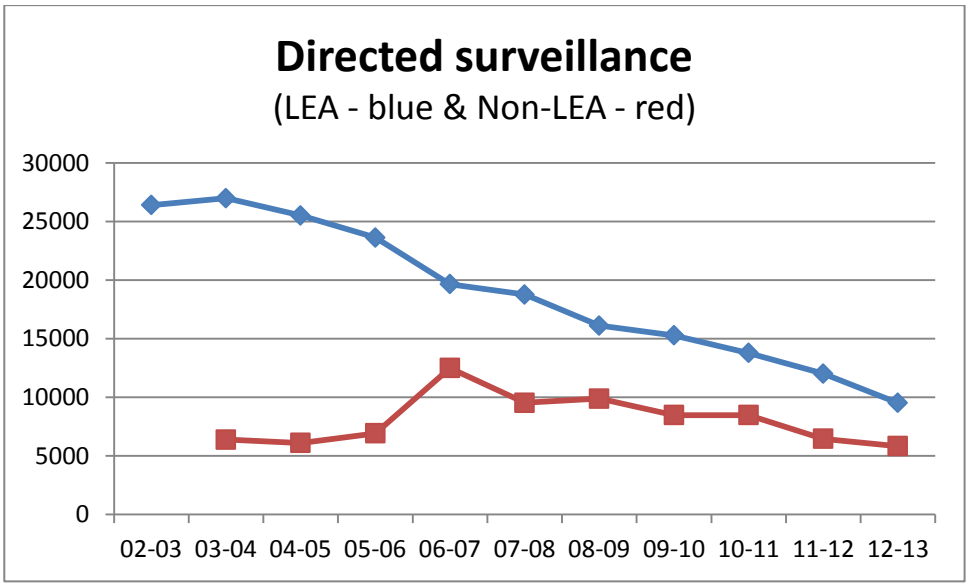
4.4. The number of intrusive authorisations decreased this year from 408 to 362. One authorisation was quashed by a Commissioner.

Urgency provisions



4.5. The urgency provisions allowed by legislation were reportedly used on 976 occasions. My inspectors have not reported misuse of legislation but this is a striking increase the reasons for which are not presently apparent. It is an area to which I will pay particular attention in the next reporting period.

Directed surveillance

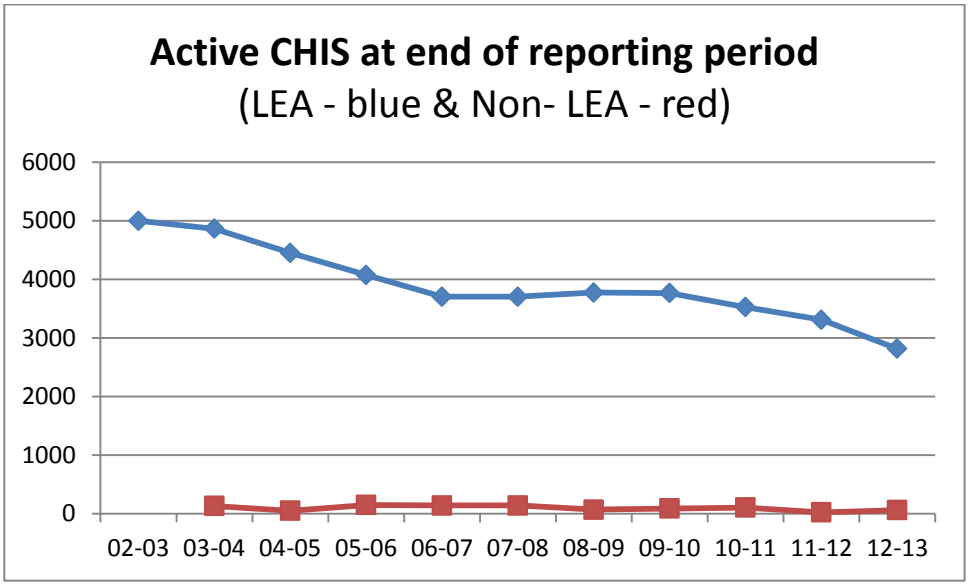


4.6. Law enforcement agencies authorised the use of directed surveillance on 9,515 occasions; 1,188 authorisations were extant at 31st March 2013. This is a reduction on the previous year when the comparable figures were 12,015 and 1,830.

4.7. The returns to me by non-law enforcement agencies show authorised directed surveillance on 5,827 occasions. This continues a downward trend. 3,902 of these were granted by the Department of Works and Pensions (595 extant at 31st March 2013) which authorises the use of directed surveillance conducted on its behalf by many local authorities which may account for the low statistics from other authorities. A total of 142 authorisations were presented to a magistrate for approval; only two were rejected.

4.8. I suspect that the downward trend in the number of law enforcement authorisations reflects better use of reviews to amend the tactics and techniques used. In the early years an over-cautious approach was taken and authorisations were cancelled and new ones granted whenever a new tactic or technique was needed. To avoid unnecessary bureaucracy, my Commissioners published guidance that judicious amendment of an existing authorisation is compliant with RIPA.

Covert Human Intelligence Sources



4.9. There were 4,333 CHIS recruited by law enforcement agencies during this reporting period2,328 authorised CHIS were cancelled in the same period (including some already authorised from the previous year); and 2,816 remained authorised at the end of this reporting period.

4.10. At the end of this reporting period 64 CHIS remained authorised by non-law enforcement agencies. The number of non-law enforcement agency authorities granting CHIS authorisations is 8.7 per cent and their use is short-term and for specific purposes as the law requires. I am satisfied that this small increase on the preceding year reflects improved awareness by non-law enforcement public authorities of their obligations to properly recognise and protect persons who meet the legal definition of a CHIS.

Section 49 – encryption

4.11. During the period to which this report relates, NTAC granted thirty-five approvals from thirty-five applications. Permission was not sought in five cases after NTAC approval. From the remainder, twenty-five had permission granted by a Circuit Judge. Twenty-six Notices have so far been served in the span of this report. Of these three were complied with and nineteen were not (this includes orders obtained in the last reporting year but not progressed at the time of the last report); the remainder are still being processed.

4.12. It was decided not to charge in seven of the cases where a Notice had been served and of those charged it was decided in two cases not to prosecute.

4.13. So far, in the period of this report, NTAC has been informed that there have been three convictions with other cases still in progress.

4.14. One conviction related to the charge of grooming, one to drug offences and one to a charge of kidnap. Other offences include: firearms, domestic extremism, possession of indecent images of children, kidnapping of children, insider dealing, fraud, evasion of excise duty, drug trafficking and drug possession with intent to supply.

4.15. These statistics are provided by NTAC which is able to be accurate regarding the number of approvals granted. Unless informed by the case team, the statistics cannot properly reflect the snapshot at the time of this report and cannot reflect on-going case progress.

4.16. However, it appears that there have been delays in serving some notices after approval has been granted and information regarding the progress of the cases, although requested, is not as prompt as it should be. Notices, once approved, should be served without delay and the information supplied to NTAC as soon as possible.

Irregularities

4.17. 99 irregularities (94 by law enforcement agencies and 5 by non-law enforcement agencies) were reported to me during the period covered by this report, compared with 81 during the period of last year's report and 129 during the period before that.

4.18. I have not identified any public authority which has failed to report a serious irregularity or which has repeatedly failed to identify errors. Some irregularities which have not previously been reported to me are identified during inspection.

4.19. Failure to obtain an authorisation for a PA97 or RIPA Part II activity is not unlawful and I have no power of sanction when error is identified or reported. I do not disclose details of irregularities in order to encourage reporting so that remedial action can be taken and verified and also to protect tactics and techniques. Common errors relate to: miscommunication or failure to communicate the details of an authorisation; failure to conduct thorough reviews, renewals or cancellations; ignorance on the part of officers; or poor administration or processes. There has been no evidence of bad faith in any reported error.

5. Key issues arising from my inspections

Police undercover operations

5.1. I reported last year that I had accepted the recommendation relating to me in a report by Her Majesty's Chief Inspector of Constabulary in relation to undercover operations. The Home Office deduced the need for improvements in relation to undercover officers deployed on matters wider than the activities which were the focus of the National Domestic Extremism Unit. This clearly involves a larger number of undercover officers than either Her Majesty's Chief Inspector of Constabulary or I had contemplated. Until details of the number of undercover officers who require improved oversight and the timing and nature of the oversight are defined, I am not able to identify the resources I need to provide effective oversight.

The effect of the Protection of Freedoms Act 2012 – tentative observations

5.2. RIPA defines the authorising officer as the person who makes the decision whether or not to grant covert surveillance. It is the authorising officer who must explain why he was satisfied with an application. However, the Protection of Freedoms Act 2012 does not require the authorising officer to present the reasons for his decision to a magistrate. We have already encountered occasions when a magistrate has amended an authorisation, as he is allowed, on the basis of a briefing from an applicant which contained information not written in the application.

5.3. We have also encountered a situation where a magistrate has peremptorily indicated that he cannot foresee an occasion when the local authority in question would need to seek the protection of RIPA. Such a stance might encourage a local authority to seek out a more sympathetic magistrate and is, I believe, not what was intended by the legislation.

5.4. The Protection of Freedoms Act 2012 limits the use of directed surveillance to the ground of the prevention and detection of a crime for which a sentence of six months is likely on conviction for a first offence. It makes no similar limitation for the use of a Covert Human Intelligence Source.

5.5. It is not my role to encourage more or less use of covert surveillance but there are occasions when it is considered necessary and proportionate but the protection of RIPA cannot be sought. For example, covert surveillance within the residential premises of a vulnerable person may be a necessary and proportionate response but may not meet the serious crime criteria to enable an authorisation for intrusive

surveillance. My published guidance is supported by the Investigatory Powers Tribunal in the case of BA and others v Cleveland Police (IPT/11/129/CH). Though less frequent, there may be occasions when a local authority deems it necessary and proportionate to conduct covert surveillance which does not meet the six month criteria set out in the relevant Act. In all of these circumstances, since I do not decide whether the decision is correct or the authorisation valid, I consider it wise to have a verifiable audit similar to the process and documentation for RIPA available for later scrutiny.

5.6. My final tentative observation is that local authorities may be forced to use more costly alternatives to prevent or detect crimes which do not meet the six month threshold but which are of significant local concern. For example, a camera that is permanently recording is usually more reassuring than an infrequent patrol and may be a proportionate and necessary response.

Online investigations and the use of Social Network Sites

5.7. I am encouraged by the increasingly mature debate relating to the use of the Internet for investigative purposes, especially the use of social networking sites. It is not always adequate to conflate the off-line with the on-line worlds and I am satisfied that some investigations require authorisation. There are points of detail to work out, particularly in relation to repeated viewing of a publicly available site but, in the main, RIPA Part II can be used effectively. I will continue to support the production of accurate Home Office and ACPO guidance. But it is important to bear in mind that it is not always possible to give definitive answer as to whether particular activity requires authorisation: facts are infinitely variable. Where there is doubt authorisation is prudent.

Covert surveillance conducted by 'third parties'

5.8. Sensibly, it is not a requirement of RIPA that the person conducting covert surveillance must be a member of the authorising authority. It is permissible, provided legal tests are met, that another individual or group may conduct covert surveillance on behalf of the authority. It should not be considered a method of circumventing legal responsibility provided a properly constructed authorisation exists. To be compliant with RIPA and in line with *R v Sutherland*, it is incumbent on the authorising officer to make it clear that a third party is to conduct part or all of the surveillance and, crucially, exactly what the third party is and is not allowed to do. A mere requirement "to investigate" is insufficient.

5.9. I am aware of an increasing number of national organisations (for example, but not exclusively, Scambusters, the National Anti-Fraud Network, the Federation Against Copyright Theft) which conduct legitimate and important investigations often for the benefit of public authorities. An authorising officer in any public authority may authorise covert surveillance by such organisations only if it is demonstrably to the benefit of the authorising public authority. I have not yet detected a major problem, nor do I imply that any of the above named organisations cause me concern. But, with decreasing budgets, I caution against a public authority authorising officer succumbing to the temptation to authorise covert surveillance from which his authority will not be a beneficiary.

Media campaigns

5.10. Whilst RIPA in general and Part II in particular have critics, I believe that the legislation is flexible enough to cope with most circumstances and that almost all public authorities use it appropriately. Media campaigns on an ill-informed basis are unlikely to produce helpful amending legislation. It is not my role to take a public stance on whether legislation is well-written or to re-write it. My responsibility is to oversee whether designated public authorities comply with legislation which Parliament enacts.

The effect of restructuring

5.11. In relation to covert policing the consequences of collaboration are different from amalgamation, most obviously because the legislation requires each Force to have its own authorising officers. Where collaborating forces have previously adopted different but compliant structures and processes I have rejected calls to give my preference. I have also directed that forces must work within the legislation which, in some respects, limits the corporate approach which they would like.

5.12. Where forces have amalgamated the majority of their front line staff and procedures, whilst retaining a separate headquarters, I have decided to avoid duplication and conduct a single inspection. With the explicit agreement of each Chief Constable, I provide a single report.

5.13. I take a similar approach to other public authorities. When it is clear that procedures and staff are effectively a single entity, I will inspect and report on them as a single entity. But where there is a combined Central Record of Authorisations, I require that a lead authority is identified and that covert surveillance for each authority is easily identifiable.

Common procedure and documentation errors

5.14. Too many tactics requested are unused. Authorising officers and Senior Responsible Officers should monitor whether applicants are lazily requesting tactics out of habit rather than necessity.

5.15. Too many cancellations provide an insufficient record of surveillance actually conducted and the details of collateral intrusion. Rarely does guidance on the retention or destruction of product go beyond an inadequate reference to policy. It is vital that surveillance product that does not match the objectives stated in the authorisation is not retained on databases.

5.16. I am disappointed that my inspectors continue to find frequent examples of protracted recruitment of a prospective Covert Human Intelligence Source. There is little doubt that the provision of a reward means that the individual has conducted activity on behalf of the public authority. He deserves protection and the public authority should protect its staff by appropriate authorisation.

My recommendations

5.17. Failure to seek RIPA protection does not enable an authority to avoid oversight inspections. My inspectors will identify whether activity which should be authorised has been authorised as well as checking activity that has been authorised. Poor performance seems to be caused by poor environment (usually inadequate leadership), knowledge or skill. My recommendations are designed to address actual and potential errors.

5.18. I expect the recommendations of my reports to be followed whether or not individual officers agree with them. Continued failure to do so – especially on the ground that current practices have been unchallenged in Court proceedings – may result in publication of my guidance or recommendations to a wider audience. Without divulging activities which are necessarily covert, public trust in the effectiveness of my processes is essential. If I believe that my recommendations are ignored without adequate explanation, or that delay in implementation results from a desire to wait for more convenient guidance, the public is entitled to know.

5.19. The fact that, historically, there has been no legal challenge to the way in which a public authority conducts its covert procedures does not mean that the procedures are unchallengeable, nor is the absence of such challenge mitigation for poor compliance. On the contrary, if a challenge is made, it is unlikely that a trial judge

will be sympathetic to an argument that the public authority was entitled to do things in its own way if that way is at variance from published OSC guidance or comment in an OSC inspection report. The purpose of my inspection is to highlight the risk of being challenged for non-compliance. It is not acceptable to act in a non-compliant way unless caught. The Act requires certain activity to be authorised by competent staff and it should be.

5.20. I am disappointed that some public authorities wait until my next inspection before noticing compliance errors. Many of my inspections are conducted every third year and I rely on Senior Responsible Officers to monitor activities regularly and report error.

Automated Number Plate Recognition

5.21. I wish to acknowledge the considerable effort made by ACPO, the College of Policing and others in meeting my recommendations to improve compliance. I am now content with the guidance to operators of this facility and my inspectors will continue to review the use of ANPR cameras.

6. The year ahead

6.1. I anticipate continued development of collaboration agreements in England and Wales.

6.2. I will provide advice, if sought, to assist the transition to the National Crime Agency by 1st October 2013.

6.3. I expect further debate on the use of the Internet and social network sites for investigation and intelligence purposes.

6.4. I hope to agree an amended proposal which enables me to implement the recommendation of Her Majesty's Chief Inspector of Constabulary in relation to undercover officers.

6.5. I will inspect Police Scotland for the first time.

6.6. I will continue to monitor the effect of the Protection of Freedoms Act 2012 on compliance with RIPA.

6.7. I will assist a Home Office review of my support staff.

Appendix A

AUTHORISATIONS GIVEN UNDER PART III OF THE POLICE ACT 1997 (AS AMENDED) DURING LAST THREE YEARS

	2010-2011			2011-2012			2012-2013		
	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total
Total number of authorisations (not including renewals)	2531	170	**2701**	2495	151	**2646**	2343	97	**2440**

PRIOR APPROVALS

	2010-2011			2011-2012			2012-2013		
	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total
Number of cases	**215**	**22**	**237**	**212**	**24**	**236**	**225**	**18**	**243**
By category:									
• Dwelling	155	20	**175**	156	20	**176**	158	16	**174**
• Office premises	34	0	**34**	34	3	**37**	47	2	**49**
• Hotel bedroom	19	2	**21**	19	1	**20**	17	0	**17**
• Matters subject to legal privilege	4	0	**4**	3	0	**3**	1	0	**1**
• Confidential journalistic material	0	0	**0**	0	0	**0**	1	0	**1**
• Confidential personal information	3	0	**3**	0	0	**0**	1	0	**1**

Appendix B

AUTHORISATIONS GIVEN UNDER PART III OF THE POLICE ACT 1997 (AS AMENDED) FOR THE LAST THREE YEARS BY OFFENCE

	2010-2011			2011-2012			2012-2013		
	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total
Assault	42	1	**43**	45	1	**46**	51	0	**51**
Burglary/Robbery	123	1	**123**	119	1	**120**	269	0	**269**
Bribery and Corruption	-	-	**-**	-	-	**-**	35	0	**35**
Conspiracy	12	0	**12**	6	0	**6**	34	0	**34**
Drug trafficking	1424	123	**1424**	1334	95	**1429**	1397	71	**1468**
Firearms offences (including armed robbery)	163	5	**168**	175	4	**179**	115	4	**119**
Fraud	-	-	**-**	-	-	**-**	59	0	**59**
Kidnap/extortion	107	4	**111**	117	2	**119**	140	0	**140**
Money laundering	121	0	**121**	184	5	**189**	148	0	**148**
Murder/loss of life	220	29	**249**	191	30	**221**	189	11	**200**
Organised illegal immigration	22	1	**23**	24	0	**24**	13	0	**13**
Sexual offence	-	-	**-**	-	-	**-**	40	2	**42**
Tax evasion	35	0	**35**	21	0	**21**	14	0	**14**
Terrorism	17	0	**17**	18	2	**20**	14	0	**14**
Other	245	6	**251**	261	11	**272**	49	1	**50**

Appendix C

AUTHORISATIONS GIVEN UNDER PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 AND THE REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 DURING THE LAST THREE YEARS

	20010-2011			2011-2012			2012-2013		
	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total
Total number of authorisations (not including renewals)	**358**	**40**	**398**	**364**	**44**	**408**	**336**	**26**	**362**
Cases by category:									
• Private vehicle	162	17	**179**	179	24	**203**	217	10	**227**
• Residential premises	196	23	**219**	185	20	**205**	119	16	**135**

Appendix D

AUTHORISATIONS GIVEN UNDER PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 AND THE REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 IN THE LAST THREE YEARS BY OFFENCE

	2010-2011			2011-2012			2012-2013		
	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total	England, Wales & N.I	Scotland	Total
Assault	14	1	**15**	10	0	**10**	5	0	**5**
Bribery and Corruption	-	-	**-**	-	-	**-**	3	0	**3**
Burglary/Robbery	15	0	**15**	10	0	**10**	3	0	**3**
Conspiracy	3	0	**3**	2	0	**2**	0	0	**0**
Drug trafficking	158	18	**176**	169	15	**184**	79	4	**83**
Firearms offences (including armed robbery)	7	1	**8**	21	1	**22**	4	0	**4**
Fraud	-	-	**-**	-	-	**-**	2	0	**2**
Kidnap/extortion	1	0	**1**	11	0	**11**	3	0	**3**
Money laundering	13	0	**13**	19	1	**20**	2	0	**2**
Murder/loss of life	104	20	**124**	81	22	**103**	31	4	**35**
Organised illegal immigration	0	0	**0**	2	0	**2**	3	0	**3**
Sexual offence	-	-	**-**	-	-	**-**	1	0	**1**
Tax evasion	1	0	**1**	4	0	**4**	0	0	**0**
Terrorism	1	0	**1**	2	2	**4**	1	0	**1**
Other	41	0	**41**	33	3	**36**	1	0	**1**

Appendix E

INSPECTION PRIORITIES

Subject to annual inspection

British Transport Police

Civil Nuclear Constabulary

Department for Work and Pensions

Environment Agency

HM Revenue and Customs

Home Office - UK Border Agency

Home Office – UK Border Force

Ministry of Justice – National Offender Management Service

Natural Resources Wales

Northern Ireland Prison Service

Office of Fair Trading

Police forces for England and Wales

Police Scotland

Police Service of Northern Ireland

Port of Dover Police

Port of Liverpool Police

Royal Mail Group plc

Serious Organised Crime Agency (to be the National Crime Agency)

Scottish Prison Service

Subject to inspection every other year

British Broadcasting Corporation

Care Quality Commission

Department for Environment and Rural Affairs

Department for Business, Innovation and Skills

Department for Transport - Driving Standards Agency

Department for Transport - Maritime and Coastguard Agency

Department for Transport - Vehicle and Operator Services Agency

Gangmasters Licensing Authority

Health and Safety Executive

Independent Police Complaints Commission

Marine Scotland

MoD Police and Guarding Agency

NHS Counter Fraud and Security Management Service

NHS Scotland Counter Fraud Services

Office of Communications

Office of the Police Ombudsman for Northern Ireland

Police Investigations and Review Commissioner

Royal Air Force Police and Security Service

Royal Military Police

Royal Navy Police

Scottish Accountant in Bankruptcy

Scottish Environmental Protection Agency

Serious Fraud Office

Transport Scotland

Welsh Assembly Government

Subject to inspection every third year

Charity Commission

Department of Health – Medicines and Healthcare Products Regulatory Agency

Financial Conduct Authority

Fire and Rescue Services in England and Wales

Fire and Rescue Services in Scotland

Food Standards Agency

Gambling Commission

General Pharmaceutical Council

HM Chief Inspector of Education, Children's Services and Skills

Local Authorities (Unitary, Metropolitan, London Boroughs, County, District, Scottish and Welsh)

Office of the Information Commissioner

Postal Services Commission

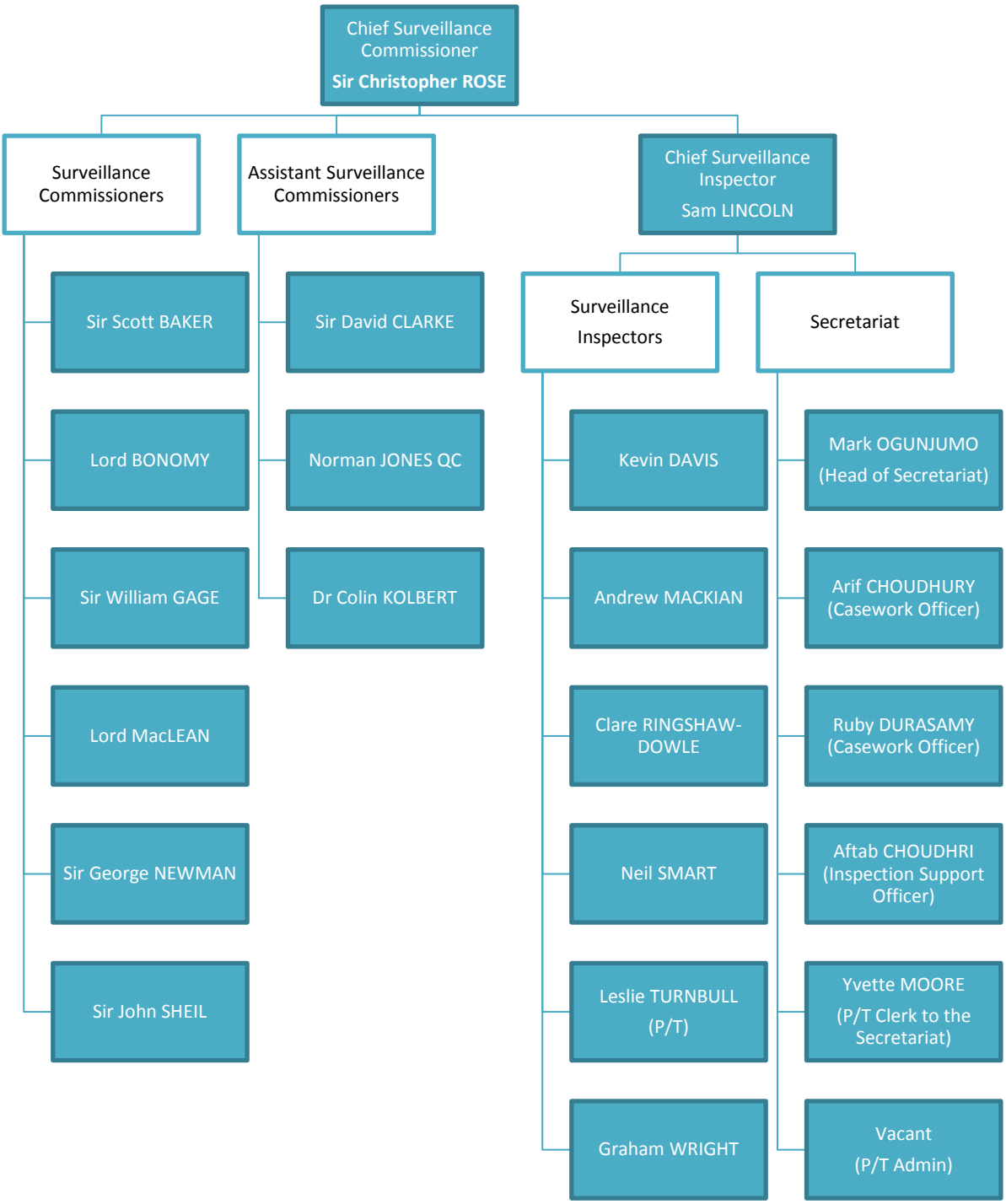
Appendix F

OSC EXPENDITURE FOR APRIL 2012– MARCH 2013

Description	Total (£)
Staff costs, including recruitment and training	1,213,124
Travel and subsistence	92,293
Conferences and meetings	5,974
IT and telecommunications	12,422
Stationery, including printing, postage and publications	2,455
Office and security equipment	4,438
Accommodation	155,099
Other	6,915
Total	**1,492,720**

Appendix G

MEMBERS OF THE OFFICE OF SURVEILLANCE COMMISSIONERS AS AT 31 MARCH 2013



Members who have left during the reporting period:

Mr. Lee Stephen
Mrs. Judith Scrivener

Office of Surveillance Commissioners

PO Box 29105
London SW1V 1ZU

Telephone: 020 7035 0074
Facsimile: 020 7035 3114

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