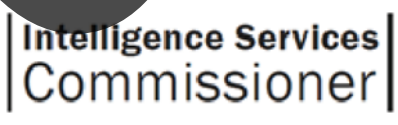


This document was withdrawn in September 2017

Surveillance Road Map

A shared approach to the regulation of surveillance in the United Kingdom



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The road map has been drawn up by the Commissioners whose work it describes, in response to suggestions that their roles and responsibilities should be better understood. The document will be updated in the light of developments.

Surveillance Road Map

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Introduction

The purpose of the surveillance road map is to clarify the roles and responsibilities of the bodies involved in overseeing legislation concerning surveillance in the United Kingdom. It provides a guide to enable those bodies to work effectively together to ensure that respective roles are understood and that the privacy of individuals is balanced with the legitimate aim of preventing and detecting crime. In order to achieve this balance it is important to have an overview of who is responsible for what and the avenues open to individuals who wish to challenge any surveillance to which they are subjected.

The legislation referred to in this road map and the associated codes of practice all sit under the umbrella of the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 (HRA). The bodies involved in regulating surveillance must seek to ensure that any surveillance carried out by public authorities does not interfere with the individual rights set out in the ECHR, whilst also ensuring that their own decisions are compliant with Human Rights legislation. The arrangements outlined in this document help to ensure that where overlaps exist responsibilities are clear and there are no areas that are neglected.

Although the surveillance road map is a public document it is primarily aimed at facilitating an understanding between the bodies involved in the regulation of surveillance for their own use. The table showing complaints and oversight functions is likely to be most helpful to the public, showing the avenues available to challenge or complain about any alleged breach of surveillance legislation.

The regulation of surveillance is a complex area. This document does not aim to be exhaustive. There are bodies that are not mentioned that have responsibilities for overseeing or advising on legislation referred to within this document. These include the Equality and Human Rights Commission and the Northern Ireland Human Rights Commission who have statutory remits to promote and monitor human rights.

This document is focused primarily on the main provisions of, and the overlaps within, the Regulation of Investigatory Powers Act 2000 (RIPA), the Data Protection Act 1998 (DPA) and the Protection of Freedoms Act 2012 (PoFA).

Surveillance Legislation

Regulation of Investigatory Powers Act 2000 (RIPA)

RIPA provides the regulatory framework for determining whether a range of covert investigatory techniques by public authorities is proportionate and necessary in compliance with Article 8 of the European Convention on Human Rights.

Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA)

RIPSA provides the regulatory framework in Scotland for determining whether covert surveillance and the use of covert human intelligence sources by public authorities acting on devolved matters, is proportionate and necessary in compliance with Article 8 of the European Convention on Human Rights.

Intelligence Services Act 1994 (ISA)

The ISA makes provisions for the issue of warrants and authorisations enabling certain actions to be taken by the Intelligence Services in relation to interference with property and wireless telegraphy.

Part III Police Act 1997

Part III Police Act 1997 outlines the requirements for the consideration and authorisation of interference in respect of property and wireless telegraphy.

Data Protection Act 1998 (DPA)

The DPA regulates the processing of personal data. It provides eight principles of good information handling with which organisations must comply and provides individuals with rights with respect to the processing of their personal data.

Protection of Freedoms Act 2012 (PoFA)

The PoFA introduces a code of practice for surveillance camera systems; the appointment of Surveillance Camera and Biometrics Commissioners; and provides for judicial approval of certain surveillance activities by local authorities.

European Convention on Human Rights (ECHR)

The ECHR sets out the fundamental rights and freedoms that signatory governments must secure to everyone within their jurisdiction. Article 8 provides a right to respect for an individual's private and family life, home and correspondence.

Human Rights Act 1998 (HRA)

The HRA gives further legal effect in the UK to the fundamental rights and freedoms contained in the ECHR. Its effect is that all public bodies such as police and local governments, and other bodies carrying out public functions, have to comply with an individual's ECHR rights. Among other things it also means that individuals can take human rights cases to domestic courts rather than having to take their case in the European Court of Human Rights.

Roles and Functions of Surveillance Bodies

Information Commissioner (IC) Elizabeth Denham	
Role	<p>The IC is responsible for promoting and enforcing the Data Protection Act 1998 (DPA); the Freedom of Information Act 2000 (FOIA); and associated legislation including the Privacy and Electronic Communications Regulations 2003 (PECR) and Environmental Information Regulations 2004 (EIR). The IC promotes the protection of personal information by increasing public awareness, by providing good practice guidance to organisations and by taking remedial action when the DPA is breached.</p> <p>The IC has produced a CCTV code of practice which provides guidance on how organisations operating overt surveillance equipment, which captures or records personal data, comply with their legal obligations under the DPA.</p>
Complaints handling	<p>The IC investigates complaints from individuals about breaches of the DPA including complaints about the use of CCTV and ANPR cameras. The IC may also investigate complaints about other uses of personal data.</p>
Overlaps	<ul style="list-style-type: none"> • The IC's CCTV code of practice dovetails the Surveillance camera code of practice. The latter, issued by the Secretary of State under section 30 of the Protection of Freedoms Act 2012 (PoFA), provides guidance which all system operators will be encouraged to adopt on a voluntary basis. The duty to have regard for the code is placed upon the police; police and crime commissioners; and local authorities in England and Wales as relevant authorities under the PoFA. The IC's CCTV code sets out guidance on how to meet the enforceable requirements of the DPA across <i>all</i> of the UK and <i>all</i> sectors. • The Surveillance Camera Commissioner does not have a complaints handling or enforcement function so may refer matters involving personal data to the Information Commissioner. An MOU has been established to clarify this process. • Any unlawful interception of communications or unlawful surveillance may also be a breach of the first principle of the DPA. It should be made clear that the IC's remit does not extend to making determinations as to lawfulness of interceptions under RIPA. Individuals have a right of complaint to the IC but this is limited to an assessment as to whether it is likely or unlikely that

	<p>the organisation concerned has complied with the DPA and may be subject to the national security exemption. Complaints about interception of communications or surveillance under RIPA should be made to the Investigatory Powers Tribunal.</p>
Remedies for Individuals	<p>The IC's role is to make an assessment as to whether it is likely or unlikely an organisation has complied with the DPA in any given case. The IC cannot award compensation. Individuals have further recourse to claim compensation in the courts if they have suffered damage and/or distress as a result of a contravention of the DPA.</p> <p>The IC has enforcement powers, including the power to issue civil monetary penalties. He uses these powers where there are serious or systemic compliance concerns.</p>
Tenure	<p>Currently 5 year term (extended to 7 years non-renewable under the PoFA).</p>
Links	<p>Annual Report: ICO Annual Report 2015-2016</p> <p>Revised CCTV code, published 2014: In the picture: A data protection code of practice for surveillance cameras and personal information</p>
Contact Details for the Public	<p>Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.</p> <p>Helpline: 0303 123 1113</p> <p>Email: casework@ico.org.uk</p>

Interception of Communications Commissioner (IoCC) The Rt Hon. Sir Stanley Burnton	
Role	<p>The IoCC provides statutory independent oversight of the lawful interception of communications (under Part I Chapter I of RIPA), the acquisition and disclosure of communications data (under Part I Chapter II of RIPA) and the performance of the powers and duties conferred on the Secretary of State by Part III of RIPA (investigation of electronic data protected by encryption). The Interception of Communications Commissioner’s Office (IoCCO) undertakes a revolving programme of inspections to all relevant public authorities authorised to intercept communications or acquire communications data.</p> <p>The IoCC also has a responsibility to investigate complaints made under the Regulation of Investigatory Powers (Monetary Penalty Notices and Consents for Interceptions) Regulations 2011 (unintentional unlawful interception of electronic communications).</p> <p>The IoCC shall give the Investigatory Powers Tribunal (IPT) all such assistance as the Tribunal may require in accordance with Section 57(3) of RIPA.</p>
Complaints handling	<p>Individuals who believe they have been subject to interception of their communications by intercepting agencies under RIPA are able to complain to the Investigatory Powers Tribunal. Cases of intentional, unlawful interception should be investigated by the police as an offence under section 1 of RIPA. The IoCC investigates complaints about unintentional unlawful interception of communications which do not meet the criminal threshold of section 1 of RIPA.</p>
Overlaps	<ul style="list-style-type: none"> • Intentional unlawful interceptions of data may also be a breach of the first principle of the DPA. The IoCC is able to investigate complaints of unintentional unlawful interception of communications which do not meet the criminal threshold of section 1(1) of RIPA and impose sanctions. The Information Commissioner’s remit does not extend to making determinations about lawfulness of interceptions under RIPA. Individuals have a right of complaint to the ICO but this is limited to an assessment as to whether it is likely or unlikely that the organisation concerned has complied with the DPA and may be subject to the national security exemption. Complaints about conduct in connection with the interception of communications under RIPA should be made to the Investigatory Powers Tribunal. • Unauthorised access to the content of a communication can be investigated by the IPT, police or IoCC as appropriate.

	<p>Such unauthorised access may also constitute a breach under the DPA.</p> <ul style="list-style-type: none">• The Intelligence Services Commissioner (ISC) also reviews warrants issued by the Secretary of State under RIPA but in relation to intrusive surveillance and interference with property – broadly speaking the IoCC deals with Part I of RIPA and the ISC Part II of RIPA.• The IoCC can investigate and impose civil monetary penalties on any person carrying out unintentional unlawful interception of communications including communications service providers. Overlaps with the ICO’s monetary penalty powers will need to be considered.
Remedies for Individuals	Individuals may be awarded remedies by the Investigatory Powers Tribunal. In relation to unintentional interception of communications not related to trying to put into effect a RIPA warrant and not an existing criminal offence of intercepting without lawful authority, the Commissioner has powers to impose civil monetary penalties and/or an enforcement obligation to cease interception.
Tenure	3 year renewable term.
Links	<p>The website has links to the IOCCO’s half-yearly reports, civil monetary penalty complaints procedure and other IOCCO investigation / inquiry reports:</p> <p>http://www.iocco-uk.info/</p> <p>twitter: @iocco_oversight</p>
Contact Details for the Public	<p>info@iocco-uk.info</p>

Office of the Surveillance Commissioners (OSC) The Rt Hon Lord Judge (Chief Surveillance Commissioner)	
Role	The OSC is an independent body which oversees the use of covert surveillance (property interference, intrusive surveillance and directed surveillance) and covert human intelligence sources (CHIS) by all designated public authorities (but not the intelligence services) under the Police Act 1997 and Parts II and III RIPA, its Scottish equivalent RIP(S)A, and the Regulation of Investigatory Powers Ordinance for the Sovereign Base Area, Cyprus. Different levels of authorisation apply to each of these activities. The OSC publishes guidance for those designated public authorities.
Complaints handling	Individuals who believe they have been subject to unlawful action under RIPA or the Police Act 1997 are able to complain to the Investigatory Powers Tribunal.
Overlaps	<ul style="list-style-type: none"> Part 2 of RIPA applies to designated public authority use of directed or intrusive surveillance (covert surveillance in residential premises and private vehicles). Part 2 of RIPA does not apply to public authority non-covert surveillance, or covert surveillance carried out by individuals or the private sector (unless they are specifically tasked by a public authority). Where surveillance is overt the DPA will apply but RIPA will not.
Remedies for Individuals	Individuals may be awarded remedies by the Investigatory Powers Tribunal.
Tenure	3 year renewable term.
Links	<p>Annual Report of the Chief Surveillance Commissioner 2015-16: https://osc.independent.gov.uk/wp-content/uploads/2016/07/OSC-Annual-Report-2015-2016-2.pdf</p> <p>Procedures and Guidance from the Chief Surveillance Commissioner 2015-16: https://osc.independent.gov.uk/wp-content/uploads/2016/07/OSC-Procedures-Guidance-July-2016.pdf</p>
Contact Details for the Public	oscmalbox@osc.gsi.gov.uk – general queries and feedback

**Intelligence Services Commissioner (ISC)
The Rt Hon Sir Mark Waller**

Role

The ISC reviews the Secretary of State's issuing of warrants authorising intrusive surveillance and interference with property under Part II of RIPA, and interference with property under s.5 of the Intelligence Services Act (ISA, 1994) and activity under s7 of ISA including CNE. He also reviews the use of directed surveillance and of covert human intelligence sources (i.e. agents) by the Intelligence Agencies, MOD and members of the armed forces to check that they are acting in accordance with the requirements of RIPA.

The Justice and Security Act 2013 has given additional functions to the ISC. This came into force from 25 June 2013, stating:

- (1) So far as directed to do so by the Prime Minister and subject to subsection (2), the Intelligence Services Commissioner must keep under review the carrying out of any aspect of the functions of—
- (a) an intelligence service,
 - (b) a head of an intelligence service, or
 - (c) any part of Her Majesty's forces, or of the Ministry of Defence, so far as engaging in intelligence activities.
- (2) Subsection (1) does not apply in relation to anything which is required to be kept under review by the Interception of Communications Commissioner or under section 59.
- (3) The Prime Minister may give a direction under this section at the request of the Intelligence Services Commissioner or otherwise.
- (4) Directions under this section may, for example, include directions to the Intelligence Services Commissioner to keep under review the implementation or effectiveness of particular policies of the head of an intelligence service regarding the carrying out of any of the functions of the intelligence service.
- (5) The Prime Minister must publish, in a manner which the Prime Minister considers appropriate, any direction under this section (and any revocation of such a direction) except so far as it appears to the Prime Minister that such publication would be contrary to the public interest or prejudicial to—
- (a) national security,
 - (b) the prevention or detection of serious crime,
 - (c) the economic well-being of the United Kingdom, or

	<p>(d) the continued discharge of the functions of any public authority whose activities include activities that are subject to review by the Intelligence Services Commissioner.</p> <p>(6) In this section “head”, in relation to an intelligence service, means—</p> <p>(a) in relation to the Security Service, the Director-General,</p> <p>(b) in relation to the Secret Intelligence Service, the Chief, and</p> <p>(c) in relation to GCHQ, the Director.</p> <p>The Prime Minister has issued two such directions which place on a statutory footing the ISC’s oversight of:</p> <p style="padding-left: 40px;">The Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees</p> <p style="padding-left: 40px;">The acquisition, use, retention, disclosure, storage and deletion of bulk personal datasets, including the misuse of data and how this is prevented.</p>
Complaints handling	The ISC has no complaints handling function. Individuals who believe they have been subject to surveillance under RIPA or ISA are able to complain to the Investigatory Powers Tribunal.
Overlaps	<ul style="list-style-type: none"> • The ISC’s role is to keep the intelligence services under review only so far as they are not required to be kept under review by the IoCC. • The IoCC keeps under review RIPA Part I which includes warrants issued by the Secretary of State in relation to interception of communications.
Remedies for Individuals	Individuals may be awarded remedies by the Investigatory Powers Tribunal.
Tenure	3 year renewable term.
Links	<p>ISC Annual Report 2014</p> <p>See link from website:</p> <p>http://intelligencecommissioner.com/content.asp?id=19</p>
Contact Details for the Public	info@iscom.gsi.gov.uk

Investigatory Powers Tribunal (IPT) Mr Justice Burton (President)	
Role	A judicial body set up under section 65 RIPA to consider complaints and Human Rights Act claims from individuals about surveillance by public bodies with powers under RIPA and complaints about the conduct of the UK Intelligence Services. The Tribunal is the <i>only</i> appropriate forum for people to take human rights claims against the intelligence agencies.
Complaints handling	The IPT can investigate and hear complaints from individuals about interference under RIPA by public bodies. The Tribunal can hear complaints on interception of communications and obtaining of communications data, intrusive surveillance, directed surveillance, interference with property, and investigation of protected electronic information. Statutory Instrument 2000 no. 265 sets out the Rules which apply to the Tribunal's handling of complaints and human rights claims.
Overlaps	<ul style="list-style-type: none"> • The IPT has no jurisdiction to investigate complaints about private individuals or companies unless an individual believes they are acting on behalf of an intelligence agency, law enforcement body or other public authority covered by RIPA. • Unlawful interception is a police matter. • Claims brought to the IPT under the Human Rights Act are limited to any of the Intelligence Services, any of her majesty's forces, any UK police force, the National Crime Agency (NCA), HM Revenue and customs and the Police Service. Individuals are advised on the IPT website to seek legal advice on the appropriate course of action for Human Rights claims against any other bodies.
Remedies for Individuals	The IPT may award compensation as they think fit. Other orders may include– (a) an order quashing or cancelling any warrant or authorisation; and (b) an order requiring the destruction of any records of information which– (i) has been obtained in exercise of any power conferred by a warrant or authorisation; or (ii) is held by any public authority in relation to any person.
Appeal Rights	There are no appeal rights. For cases involving Human Rights there may be recourse to the European Court of

	Human Rights.
Tenure	All members have 5 year renewable terms
Links	Published statistics, reports on activity and key cases are available and are updated on the Tribunal's website at: http://www.ipt-uk.com
Contact Details for the Public	The Investigatory Powers Tribunal PO Box 33220 London SW1H 9ZQ 0207 035 3711 Website for complaints information: http://www.ipt-uk.com

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Investigatory Powers Commissioner for Northern Ireland Section 61 RIPA which creates this position remains in force but a Commissioner has never been appointed. Under the Investigatory Powers Bill 2016 it is proposed to repeal section 61 and incorporate this function into the role of the new Investigatory Powers Commissioner.	
Role	Keeps under review the exercise and performance in Northern Ireland of authorisations for the use of covert surveillance and covert human intelligence sources under Part II of RIPA. Those able to authorise these tactics are prescribed by the Office of the First Minister or deputy First Minister of Northern Ireland. (See Statutory Rule 2002 No.292 of the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order (NI) 2002).
Complaints handling	None. Individuals are able to complain to the Investigatory Powers Tribunal.
Overlaps	<ul style="list-style-type: none">• The OSC oversees RIPA Part II and III activity in Northern Ireland in bodies not covered by Statutory Rule 2002 No.292 including police and prisons.• The IoCC oversees RIPA Part I activity in Northern Ireland which includes warrants issued by the Secretary of State in relation to interception of communications.
Remedies for Individuals	None. Individuals may be awarded remedies by the Investigatory Powers Tribunal.
Tenure	3 year renewable term.
Links	N/A
Contact Details for the Public	None available.

Surveillance Camera Commissioner (SCC) Tony Porter	
Role	<p>Under the Protection of Freedoms Act 2012 the SCC has the following functions:</p> <ul style="list-style-type: none"> • encouraging compliance with the Surveillance Camera code of practice, • reviewing the operation of the code, and • providing advice about the code (including changes to it or breaches of it). <p>The Commissioner reports annually to the Home Secretary about the exercise of these functions, and the report is laid before Parliament.</p> <p>The code came into force in 2013 and applies to relevant authorities in England and Wales who are operating surveillance camera systems in public places. Relevant authorities are public authorities, principally local authorities and the police. It is based on 12 guiding principles for operators to adopt.</p> <p>A relevant authority must have regard to the surveillance camera code when exercising any functions to which the code relates.</p> <p>A failure on the part of any person to act in accordance with any provision of the surveillance camera code does not of itself make that person liable to criminal or civil proceedings. This code is, however, admissible in evidence in criminal or civil proceedings, and a court or tribunal may take into account a failure by a relevant authority to have regard to the code in determining a question in any such proceedings.</p>
Complaints handling	<p>There is no provision for a complaints handling function in the PoFA. There is also no mechanism in the PoFA for direct enforcement of the code or for dealing with individual complaints about non-compliance with the code; nor will this result in any civil or criminal sanctions.</p>
Overlaps	<ul style="list-style-type: none"> • See ICO and OSC sections for overlaps with the SCC. • The Surveillance Camera code of practice is applicable to overt surveillance, and whilst it provides further guidance on the dividing line between overt and covert surveillance, the Surveillance Camera Commissioner does not have a role in relation to covert surveillance under RIPA. • An MoU has been signed to establish the respective roles of the IC and the SCC.
Remedies	<p>None proposed.</p>

for Individuals	
Tenure	Protection of Freedoms Act states in accordance with the terms of the Commissioner's appointment.
Links	<p>The Surveillance Camera code of practice -</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/157901/code-of-practice.pdf</p> <p>Annual Report:</p> <p>https://www.gov.uk/government/publications/surveillance-camera-commissioner-annual-report-2014-to-2015</p> <p>Self-assessment tool:</p> <p>https://www.gov.uk/government/publications/surveillance-camera-code-of-practice-self-assessment-tool</p>
Contact Details for the Public	<p>2 Marsham Street 1st Floor, Peel London SW1P 4DF</p> <p>Email: scc@sccommissioner.gsi.gov.uk</p> <p>twitter: @surcamcom</p>

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Commissioner for the Retention and Use of Biometric Material (‘Biometrics Commissioner’) Professor Paul Wiles	
Role	<p>The Biometrics Commissioner is independent of government. His role is to keep under review the retention and use by the police of DNA samples, DNA profiles and fingerprints.</p> <p>Under the Protection of Freedoms Act 2012 the Biometrics Commissioner is responsible for keeping under review all National Security Determinations pursuant to which fingerprints and DNA profiles may be retained for the purposes of national security, and the use to which such material is being put.</p> <p>Having reviewed a national security determination, the Commissioner may order the destruction of the fingerprints / DNA profile held where he concludes that it is not necessary or proportionate for the relevant material to be retained.</p> <p>In addition, a ‘responsible chief officer of police’ may apply to the Commissioner for consent to retain Section 63D material (DNA profiles or fingerprints) in cases where a person with no prior convictions has been arrested for, but not charged with, a ‘qualifying offence.’</p> <p>The Biometrics Commissioner must make an annual report to the Home Secretary about the carrying out of the Commissioner’s functions and may decide, or be commissioned by the Home Secretary, to report on any other matter relating to the Commissioner’s statutory remit.</p>
Complaints handling	<p>In the case of Section 63G applications to retain the biometric material of individuals arrested for, but not charged with, a qualifying offence written notice will be given to the data subject that the Commissioner is considering an application and the data subject will be given the opportunity to make representations to the Commissioner (within 28 days of the notification).</p>
Overlaps	<p>Respective roles are clearly defined.</p>
Remedies for Individuals	<p>The Biometrics Commissioner can order the destruction of biometric material subject to a National Security Determination if the Commissioner considers that retention of that material is no longer necessary in the</p>

	<p>interests of national security and the biometric material is not otherwise capable of being lawfully retained. Should the Commissioner not consent to an application for retention of Section 63G material, the relevant biometric material will fall to be destroyed / deleted if it is not otherwise capable of being lawfully retained.</p> <p>It should be noted that an order to destroy biometric material will not be in response to individual complaints.</p>
Tenure	PoFA states in accordance with the terms of the Biometrics Commissioner's appointment.
Links	<p>Information available at: http://www.gov.uk/biometrics-commissioner/</p> <p>Annual report: https://www.gov.uk/government/publications/biometrics-commissioner-annual-report-2014-to-2015</p> <p>Other reports: https://www.gov.uk/government/publications/biometrics-commissioners-annual-report-2015-further-report</p>
Contact Details for the Public	<p>Enquiries@BiometricsCommissioner.gsi.gov.uk or</p> <p>Office of the Biometrics Commissioner PO Box 72256 London SW1P 9DU</p>

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Surveillance road map: complaints and oversight functions

KEY	
Individual can make a complaint.	
Commissioner roles and functions set out in the Protection of Freedoms Act. No separate complaints or enforcement function.	
Oversight, reporting, inspection functions etc	
not applicable / see footnote	

	Information Commissioner's Office	Investigatory Powers Tribunal	Surveillance Camera Commissioner	Office of the Surveillance Commissioner	Interception of Communications Commissioner	Intelligence Services Commissioner	Commissioner for the Retention and Use of Biometric Material	Police/Crown Prosecution Service
Overt surveillance of individuals involving the processing of personal data ie overt CCTV or ANPR cameras	Investigates complaints involving processing of personal data							**
Covert surveillance of individuals not covered by RIPA - not directed or intrusive; or surveillance undertaken by private sector etc	Investigates complaints involving processing of personal data							
Lawful interception of Communications by public authorities with powers under RIPA (1)	*	IPT investigates complaints about interception of communications by public authorities under RIPA			Interception Commissioner has oversight and inspection functions, and assists the IPT as necessary.			Intentional interception of communications without lawful authority is a criminal offence

Information Commissioner's Office	Investigatory Powers Tribunal	Surveillance Camera Commissioner	Office of the Surveillance Commissioner	Interception of Communications Commissioner	Intelligence Services Commissioner	Commissioner for the Retention and Use of Biometric Material	Police/Crown Prosecution Service
Unlawful Interception of Communications by any organisation or individual other than the authorised bodies listed in (1)				Interception Commissioner does not investigate intentional unlawful interceptions. These are matters for the police			Intentional interception of communications without lawful authority is a criminal offence
Unintentional Interception of Communications not related to trying to put into effect a RIPA warrant and not an existing criminal offence of intercepting without lawful authority				Interception Commissioner investigates complaints and can impose civil monetary penalties and/or an enforcement obligation to cease interception.			
Obtaining Communications Data by those bodies with powers under RIPA (2)	IPT considers complaints under RIPA			Interception Commissioner has oversight and inspection functions, and assists the IPT as necessary.			**
Intrusive Surveillance (covert surveillance in a private residence or vehicle) by certain bodies (3)	IPT considers complaints about intrusive surveillance under RIPA		Complaints about surveillance under RIPA should be made to the IPT.		Complaints should be made to IPT		**

	Information Commissioner's Office	Investigatory Powers Tribunal	Surveillance Camera Commissioner	Office of the Surveillance Commissioner	Interception of Communications Commissioner	Intelligence Services Commissioner	Commissioner for the Retention and Use of Biometric Material	Police/Crown Prosecution Service
Directed Surveillance (covert surveillance that seeks to discover private information about a person) for certain bodies (4)	*	IPT considers complaints about surveillance under RIPA		Complaints about surveillance under RIPA should be made to the IPT.		Complaints should be made to IPT		**
Retention of Biometric Materials	Investigates complaints involving processing of personal data							
Interference with property by certain bodies (5) (including residential premises, private vehicles and personal possessions)		IPT considers complaints about RIPA		Complaints should be made to IPT		Complaints should be made to IPT		**
Covert Human Intelligence Sources	*	IPT considers complaints about RIPA		Complaints should be made to IPT		Complaints should be made to IPT		**

Information Commissioner's Office	Investigatory Powers Tribunal	Surveillance Camera Commissioner	Office of the Surveillance Commissioner	Interception of Communications Commissioner	Intelligence Services Commissioner	Commissioner for the Retention and Use of Biometric Material	Police/Crown Prosecution Service
Investigation of Protected Electronic Information (right of complaint for organisation served with notice requiring disclosure)	IPT considers complaints about under RIPA						**
<p>* Although an individual has a right to complain to the ICO in relation to these matters they would be advised to approach the Investigatory Powers Tribunal. The ICO does not have the necessary powers to investigate breaches of RIPA and will only make a decision as to whether it is likely or unlikely that an organisation has complied with the DPA. The Investigatory Powers Tribunal has the necessary investigatory powers and powers to order the appropriate individual remedies for breaches of RIPA.</p>							
<p>** The Police and Crown Prosecution Service has powers to investigate/prosecute where a criminal offence has taken place.</p>							
<p>NOTES</p>							
<p>(1) Authorised bodies include: the Intelligence Services, National Crime Agency (NCA)*, Metropolitan Police, The Police Service for Northern Ireland (PSNI), A Scottish Police Force, HM Revenue & Customs (HMRC), H.M Armed Forces.</p>							
<p>(2) Any Police Force including the Police Service of Northern Ireland (PSNI), any Police Force of HM Forces and British Transport Police, National Crime Agency (NCA)*, HM Revenue & Customs (HMRC), One of the Intelligence Services, Local Authorities such as FSA, BERR, the Emergency Services; government departments such as DEFRA, Dept of Health, Home Office; as well as County and District Councils. (See SI/2010 No 480).</p>							
<p>(3) Any UK Police Force, including PSNI and the police forces of HM Forces, National Crime Agency (NCA), HM Revenue & Customs (HMRC), the Intelligence Services, The Ministry of Defence Police and British Transport Police.</p>							
<p>(4) See SI 2010 No 521</p>							
<p>(5) Any UK Police Force, including PSNI and the police forces of HM Forces, National Crime Agency (NCA), HM Revenue & Customs (HMRC), Any of the Intelligence Services (MI5, MI6, GCHQ), The Ministry of Defence Police, British Transport Police</p>							