



*A guide to completing the standard forms for covert surveillance and CHIS under the Regulation of Investigatory Powers(Scotland) Act 2002 (RIPSA)*

The Regulation of Investigatory Powers (Scotland) Act 2002 (RIPSA) governs the way Scottish local authorities conduct Directed Surveillance and deploy a Covert Human Intelligence Source (CHIS). Each covert investigation involving these surveillance techniques has to be properly documented using the correct standard Scottish Executive forms. Incorrect form filling is a regular criticism made by the Office of Surveillance Commissioners (OSC) when doing compliance inspections. Up to now there has been no published Scotland specific guidance on this important issue.

Ibrahim Hasan has developed this detailed guide on how to complete the standard RIPSA forms for Directed Surveillance and CHIS. It is specifically tailored to the needs of Scottish local authorities whose surveillance operations differ from other RIPSA authorities. The guide consists of each form reproduced with detailed notes on how to complete each section. The often-misunderstood key human rights concepts of necessity, proportionality and collateral intrusion are full explained. All the forms are included from application, through to review, renewal and cancellation. There is even a suggested template form to be used when doing surveillance not covered by RIPSA. This is not available elsewhere.

**STOP PRESS: The guide has been fully revised in the light of the new RIPSA Order (which came into force on 29<sup>th</sup> November 2010) and suggested best practice by the Office of Surveillance Commissioners.**

At a time of increasing pressure on local authority budgets, the RIPSA Forms Guide will save you time and money.

**The Guide includes:**

Each RIPSA form with:

- Detailed notes on how to complete each section
- References to the latest RIPSA Codes and Order
- References to the OSC Procedures and Guidance Document

Other useful documents including:

- Colour flowcharts to help officers decide what type of RIPSA surveillance they are undertaking
- A list of common mistakes to avoid when completing forms
- A suggested template form to be used when doing non RIPSA surveillance – not available elsewhere
- A detailed briefing note on the decision of the Investigatory Powers Tribunal in the case of Poole Council and its implications for local authorities conducting Directed Surveillance

**ABOUT THE AUTHOR**

**Ibrahim Hasan** is a solicitor and director of Act Now Training. He is one of the UK's leading authorities on RIPA, RIPSA and surveillance law generally. He has trained many local authorities and public sector organisations on this topic. He writes for various professional journals including the Law Society Gazette, Solicitors Journal and IRRV magazines. He has been interviewed on Radio 4 and Radio 5 about public sector information and surveillance. A full professional biography can be read at [www.actnow.org.uk](http://www.actnow.org.uk)



**WHO SHOULD BUY THIS GUIDE?**

This guide can be used by all public authority departments that undertake or advise upon Directed Surveillance and CHIS operations under RIPSA, including :

- Trading standards
- Environmental health
- Planning enforcement
- Benefit fraud
- Data protection
- Licensing
- Anti social behaviour
- Audit
- Legal

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The Act Now RIPA/RIPSA Helpline is designed to supplement your internal surveillance law expertise by acting as a “sounding board” or “signpost service” for you to discuss your covert surveillance operations. Our experts will guide you through the relevant area of law; discuss possible legal tactics and how to complete the relevant standard Home Office forms. Full details: [www.actnow.org.uk](http://www.actnow.org.uk)

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