

14 April 2021
Our ref: 7122944

Thank you for your request received on 12 March 2021, for the following information: Please can you break down the below information for each of the following calendar years (1 January to 31 December): 2018;2019;2020.

For 2020, please can the information be broken down per month. Can you also please provide me the information for the period between 1 January 2021 and 28 February 2021.

1) On how many occasions did your council carry out surveillance operations authorised under the Regulation of Investigatory Powers Act 2000 over the stated period(s)?

For Q1, please can you breakdown the information by stating on how many such occasions your council: acquired/disclosed communications data (such as telephone billing information, subscriber details, traffic information); directed surveillance (i.e. covert surveillance of individuals in public places); used covert human intelligence sources (such as the deployment of undercover officers). For each occasion your council has used the RIPA powers under one of these categories of surveillance, could you please specify in detail the purpose/reason of/for such operations (for example, but not limited to: detecting/preventing criminal behaviour in relation to environmental crime; Covid premises regulation breaches; consumer scams; loan sharks; taxi cab regulation; underage sales of knives, alcohol, solvents and tobacco; the employment of minors). Can you please also tell me in days how long each of the authorised surveillance investigations/operations lasted for, as well as if on any of the occasions the criminal offences you were investigating in relation to the surveillance operation carried a maximum custodial sentence of less than six months (please state the offence- and its maximum custodial sentence).

2) How many times was an application for authorisation for surveillance in respect to the RIPA 2000 approved by the council's appointed authorising officer but subsequently disapproved by a magistrate (failed to gain judicial approval)?

2a) Have any such surveillance operations in respect of the RIPA 2000 commenced before said operation/investigation had been externally approved by a court? If so, please can you tell me how long in days the operation was active before a court approved/disapproved it, what the purpose of said operation was and what day it commenced (without authorisation)- in the format DD/MM/YYYY.

3) How many days of surveillance in respect to the RIPA 2000 did your council

request permission for over the stated period(s)?

4) On how many occasions between 1 January 2018 and 28 February 2021 has your council conducted covert surveillance within a person's home or vehicle, for example- but not limited to: using a hidden camera or bugging device? For Q4, if there has been any such occasion, could you please state the reason such surveillance was deemed necessary, the (criminal) offence the person/people being monitored had/were suspected to have committed, the date (DD/MM/YYYY) on which the surveillance commenced and how long the covert surveillance device/technique was carried out/installed for in days.

For all of these questions, surveillance can be defined as monitoring, observing or listening to persons, their movements, conversations or other activities and communications.

We have processed this request under the Freedom of Information Act 2000.

Response

The council holds the information requested and it is attached/ the answers to your questions are below

Q1 On how many occasions did your council carry out surveillance operations authorised under the Regulation of Investigatory Powers Act 2000 over the stated period(s)? –

For Q1, please can you breakdown the information by stating on how many such occasions your council: acquired/disclosed communications data (such as telephone billing information, subscriber details, traffic information); directed surveillance (i.e. covert surveillance of individuals in public places); used covert human intelligence sources (such as the deployment of undercover officers). For each occasion your council has used the RIPA powers under one of these categories of surveillance, could you please specify in detail the purpose/reason of/for such operations (for example, but not limited to: detecting/preventing criminal behaviour in relation to environmental crime; Covid premises regulation breaches; consumer scams; loan sharks; taxi cab regulation; underage sales of knives, alcohol, solvents and tobacco; the employment of minors). Can you please also tell me in days how long each of the authorised surveillance investigations/operations lasted for, as well as if on any of the occasions the criminal offences you were investigating in relation to the surveillance operation carried a maximum custodial sentence of less than six months (please state the offence- and its maximum custodial sentence).

We have not completed any direct surveillance RIPA operations and only one telecommunications RIPA operation in 2019. This was related to a fraud investigation which had a potential custodial sentence of greater than 12 months.

RIPA applications are reported to the Councils Audit Committee as part of quarterly Corporate Anti-Fraud Team (CAFT) Progress Report. You can find details of the committee here: <https://barnet.moderngov.co.uk/mgCommitteeDetails.aspx?ID=144>

2) How many times was an application for authorisation for surveillance in respect to the RIPA 2000 approved by the council's appointed authorising

officer but subsequently disapproved by a magistrate (failed to gain judicial approval)?

None

2a) Have any such surveillance operations in respect of the RIPA 2000 commenced before said operation/investigation had been externally approved by a court? If so, please can you tell me how long in days the operation was active before a court approved/disapproved it, what the purpose of said operation was and what day it commenced (without authorisation)- in the format DD/MM/YYYY.

N/A

3) How many days of surveillance in respect to the RIPA 2000 did your council request permission for over the stated period(s)?

None

4) On how many occasions between 1 January 2018 and 28 February 2021 has your council conducted covert surveillance within a person's home or vehicle, for example- but not limited to: using a hidden camera or bugging device? For Q4, if there has been any such occasion, could you please state the reason such surveillance was deemed necessary, the (criminal) offence the person/people being monitored had/were suspected to have committed, the date (DD/MM/YYYY) on which the surveillance commenced and how long the covert surveillance device/technique was carried out/installed for in days.

Local Authorities are not given the powers to conduct intrusive surveillance.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.