



11th June 2015

IOCCO Response to the Investigatory Powers Review Report

During the debates considering the Data Retention and Investigatory Powers Bill in July 2014, the Home Secretary announced to Parliament that David Anderson Q.C., the Independent Reviewer of Terrorism Legislation would lead a review of the capabilities and powers required by law enforcement and the security intelligence agencies; and, the regulatory framework within which those capabilities and powers should be exercised.

We were very pleased to contribute to this important review. In December 2014 we published our written evidence¹ to the review which set out the effectiveness of the current statutory oversight arrangements, the safeguards to protect privacy, the case for amending or replacing legislation and the statistical and transparency requirements that should apply.

Today the Prime Minister has laid the report of the Investigatory Powers Review in Parliament. The report by David Anderson Q.C. entitled "A Question of Trust" is very comprehensive and, as well as informing the public and political debate, it sets out an extensive series of proposals for reform. It is clear from the very detailed and balanced report that the Investigatory Powers Review team has consulted at length with a diverse range of interested and informed parties and has considered independently a significant amount of evidence.

The Rt Hon. Sir Anthony May says:

"We are pleased to note that the Review's report addresses the concerns and inadequacies with regard to the current legislative framework and the safeguards to protect privacy that we highlighted in our written evidence to the review. We are also pleased that the review has recognised the significant efforts that we have made to improve transparency and accountability through our half-yearly reports to Parliament, our additional inquiries, investigations and publications, our various public engagements and social media presence. We read with interest the comments and recommendations in relation to reforming oversight and IOCCO looks forward to future consultations and engagement to consider such issues and how they can be developed and implemented."

"The key challenge for the future is to ensure that the UK has legislation governing interception and access to communications data that provides reasonable clarity and foreseeability, contains adequate human rights protections and provisions for the retention, access to, sharing of and destruction of material and data, and which provide effective oversight mechanisms and rights to effective remedy. This is a considerable task and therefore it is critical for all to ensure that any debates on the privacy implications of public authorities' use of intrusive RIPA powers, on how those powers are used, and on what capabilities might be required in future are informed and accurate."

¹ <http://www.iocco-uk.info/docs/IOCCO%20Evidence%20for%20the%20Investigatory%20Powers%20Review.pdf>

Notes to Editors:

IOCCO is an independent oversight body – independent of Government and Parliament – we are led by the Interception of Communications Commissioner.

IOCCO conducts thorough and robust inspections of public authorities which have powers to intercept communications and / or acquire communications data under the Regulation of Investigatory Powers Act (RIPA). These inspections ensure they are acting within the law.

IOCCO carried out 116 RIPA inspections in 2013, and made over 400 recommendations to ensure compliance or to improve systems and procedures. Our latest half-yearly report covering 2014 can be accessed via this link:

[http://www.iocco-uk.info/docs/IOCCO%20Report%20March%202015%20\(Web\).pdf](http://www.iocco-uk.info/docs/IOCCO%20Report%20March%202015%20(Web).pdf)