

Quarterly Newsletter: Spring 2022

A Message from the Investigatory Powers Commissioner, Sir Brian Leveson:

In the last few months, we at IPCO have experienced change, challenge and growth.

In January of this year, we published our 2020 Annual Report, which includes inspection findings, recommendations, errors and breaches. Once again, I am pleased to say that the report demonstrates high levels of compliance with the legislation. We have seen that considerable measures have been taken to maintain the appropriate use of investigatory powers and that recommendations from inspections have been implemented. More information can be found below in our "Spotlight" piece for this quarter.

This month, I appointed a new Chair of the Technology Advisory Panel, Professor Dame Muffy Calder. Dame Muffy is Vice-Principal and Head of the College of Science and Engineering at Glasgow University and was formerly the Chief Scientific Adviser for Scotland. She has been a member of the Panel for four years, under the leadership of the TAP's previous Chair, Sir Bernard Silverman. Her experience both as a member of the TAP and her wider academic work makes her the ideal candidate to take on the role of Chair at this point.

Towards the end of last year, we ran a recruitment campaign to appoint new inspectors and we are looking forward to welcoming four new members of the team in the coming months. Their various backgrounds and diverse experiences will bring new contributions and fresh challenge to our inclusive workplace at IPCO.

I am pleased to see that we are out doing more in-person inspections again now. We have not been without challenge as we have navigated the impact of the pandemic but, supported by your ongoing cooperation, our oversight activities have continued efficiently. I hope this remains to be so in the months ahead.



Updates from IPCO:

The Investigatory Powers Commissioner spoke at the EOS Committee conference in Norway this week. [EOS](#) is responsible for the oversight of the Norwegian intelligence service and runs an annual public event at the time of publication of its annual report. The Commissioner spoke about the role of IPCO and reflected on some of the recent legal challenges that are relevant to our work.

IPCO's Chief Executive joined colleagues from other European oversight bodies this month to discuss the different ways we do our oversight, particularly in the light of changing technology.

The Technology Advisory Panel recently published a briefing paper which offers a short explanation of the Cloud. It can be found on our website [here](#).

Spotlight on: IPCO Annual Report

We published our [Annual Report](#) on the use of investigatory powers by public authorities in January. The report covers IPCO activity during 2020, as well as work of the Office for Communications Data Authorisations (OCDA), which also falls within responsibilities of the Investigatory Powers Commissioner.

Key points in the 2020 report include:

- As with IPCO's findings in 2018 and 2019, drug-related offences were the most common offence for which communications data was requested by law enforcement agencies in 2020.
- There were 29 serious error investigations in 2020, four of which involved significant harm. However, the Error Reduction Strategy (produced by the National Police Chief's Council Data Communications Group in conjunction with IPCO) is proving effective and has contributed to a fall in the number of errors made around internet protocol address resolutions, from 506 in 2019 to 109 in 2020.
- For the UK intelligence community, there were substantially fewer errors reported in 2020 than in 2019.
- For the first time since 2017, the use of covert human intelligence sources (CHIS) by law enforcement agencies has increased, from 1,866 authorisations in 2019 to 2,086 in 2020.
- Of the 2,137 CHIS authorisations granted across all public authorities, only three related to juveniles. None of these were under the age of 16 at the time authorisation was granted.
- Outstanding inspections of local authorities were completed by IPCO in 2020 despite the pandemic.
- We identified examples of public authorities who acted on specific IPCO recommendations and adapted their ways of working. For example, Greater Manchester Police purchased software to support their use of investigatory powers and posted experienced staff into key roles, and Her Majesty's Prison and Probation Service introduced a new policy framework and set up regional units to advise on covert activity.
- OCDA became fully operational on 13 January 2020 and applications to OCDA for communications data authorisations more than trebled from 2019 to 2020. A total of 226,383 applications were received in 2020, compared to 71,610 in 2019.

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