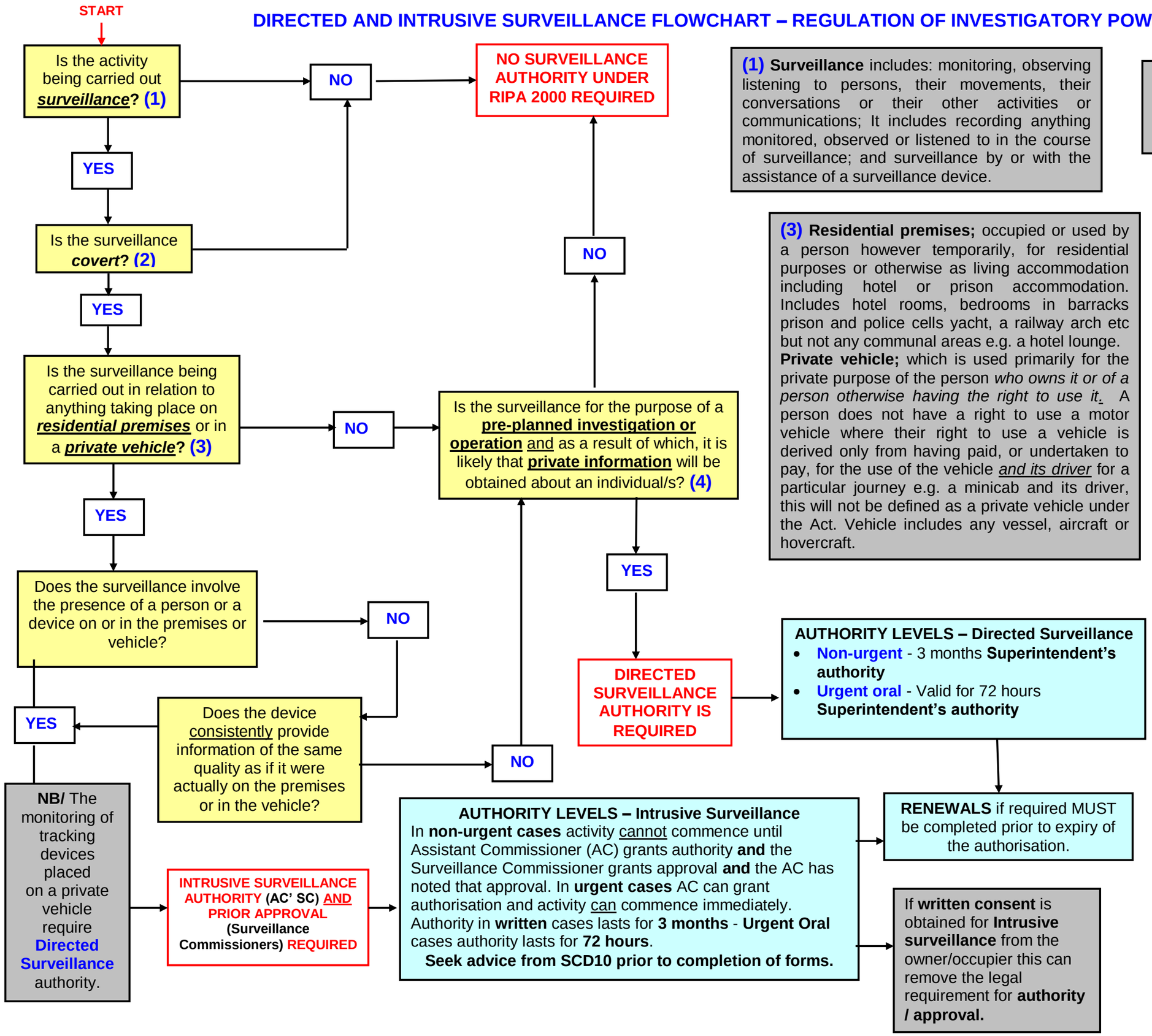
DIRECTED AND INTRUSIVE SURVEILLANCE FLOWCHART – REGULATION OF INVESTIGATORY POWERS ACT 2000



(1) Surveillance includes: monitoring, observing listening to persons, their movements, their conversations or their other activities or communications; It includes recording anything monitored, observed or listened to in the course of surveillance; and surveillance by or with the assistance of a surveillance device.

(2) Covert is defined as surveillance which is carried out in a manner that is calculated to ensure that the persons who are the subject to it are unaware that it is or may be taking place.

(3) Residential premises; occupied or used by a person however temporarily, for residential purposes or otherwise as living accommodation including hotel or prison accommodation. Includes hotel rooms, bedrooms in barracks prison and police cells yacht, a railway arch etc but not any communal areas e.g. a hotel lounge.
Private vehicle; which is used primarily for the private purpose of the person *who owns it or of a person otherwise having the right to use it*. A person does not have a right to use a motor vehicle where their right to use a vehicle is derived only from having paid, or undertaken to pay, for the use of the vehicle *and its driver* for a particular journey e.g. a minicab and its driver, this will not be defined as a private vehicle under the Act. Vehicle includes any vessel, aircraft or hovercraft.

(4) Pre-planned investigation / operation; surveillance is not planned if it is conducted as an immediate response to events or circumstances the nature of which it would not be reasonably practicable for authority to be sought.

(4) Private information includes any information relating to a persons private or family life. This must be interpreted broadly to include an individual's relationship with others. This will include information about a person's associations, lifestyle, finances etc. It is immaterial whether the person about whom the information will be gathered is the subject of the investigation / operation.

PART III POLICE ACT 1997
Property Interference
NB// If the surveillance activity involves trespass, entry on or interference with office premises, dwelling, hotel bedroom or likelihood of acquiring confidential material **AC'SC's Authority** and **Prior Approval** from **Surveillance Commissioner** is required. If interference occurs with 'other' property (sheds, dustbins, driveways etc) **Authority** from **AC'SC** is required.
Seek advice from SCD10 prior to completion of forms