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OFFICE OF SURVEILLANCE COMMISSIONERS  
INSPECTION REPORT

Cambridgeshire Constabulary

Between 7<sup>th</sup> and 10<sup>th</sup> January 2013

Assistant Surveillance Inspector:  
Mr Kevin Davis

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OSC INSP/

The Rt. Hon. Sir Christopher Rose  
Chief Surveillance Commissioner  
PO Box 29105  
London SW1 1ZU

20<sup>th</sup> January 2013

## OSC INSPECTION REPORT-CAMBRIDGESHIRE CONSTABULARY

### Date of inspection

The inspection took place between the 7<sup>th</sup> and 10<sup>th</sup> of January 2013.

### Commissioner

Surveillance Commissioner Sir George Newman is scheduled to visit the Force on the 11<sup>th</sup> of March 2013.

### Inspectors

Mr Kevin Davis.

### Introduction

1. The Cambridgeshire Constabulary is the territorial force responsible for policing the local government areas of Peterborough Unitary Authority and Cambridgeshire County Council. The Constabulary employs around 1,400 officers and 200 Police Community Support Officers (PCSO) to police an area 3,500 km<sup>2</sup> with a resident population of 0.7 million. The population is one of the fastest growing in the country and provides a variety of challenges for the force.
2. The Constabulary has continued with Operation Redesign and in 2011/12 a new policing model came into full effect. The project has sought to:
  - Streamline processes
  - Reduce bureaucracy
  - Encourage the use of professional judgement
  - Redistribute reduced resources.
3. At the beginning of April 2012 as part of Operation Redesign the force's three divisions (Northern, South and Central) were abolished in favour of six district areas in line with local authority boundaries, to allow officers to work closely with partner agencies and deliver a more locally-focussed policing service. Each district has a team of officers and staff performing neighbourhood policing, response and local crime investigation functions.

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- 4 The Association of Chief Police Officer management team comprises the Chief Constable Mr Simon Parr, Deputy Chief Constable John Feavours and Assistant Chief Constable Mark Hopkins.
- 5 The address for correspondence is Cambridgeshire Constabulary Headquarters, Hinchbrook Park, Huntingdon, PE29 6NP.

#### Inspection approach

- 6 The purpose of the inspection was to examine policies, procedures, and administration in respect of Part III of the Police Act 1997 (PA) and Parts II and III of the Regulation of Investigatory Powers Act 2000.
- 7 The methodology agreed with the Force in advance involved meetings with key personnel and an examination of relevant documentary material relating to policies and activities. I was given statistical data on all covert activity undertaken since the last inspection.
- 8 This inspection took place at the same time as the inspection of two neighbouring forces Hertfordshire and Bedfordshire. These three forces share collaborative arrangements with regard to professional standards and counter terrorism. As part of the Bedfordshire inspection the three forces Professional Standards Department (PSD) and the Counter Terrorism and Domestic Extremism Unit (CTDEU) were inspected by Mr Graham Wright (GW). His findings are included in paragraphs 52-64 of this report.
- 9 Cambridgeshire is also part of a wider collaboration with regard to the investigation of organised crime, along with the Bedfordshire, Hertfordshire, Norfolk and Suffolk forces in the Eastern Region Specialist Operations Unit (ERSOU). As part of the 2012 Cambridgeshire, Hertfordshire and Bedfordshire inspection, individual operations have been examined. ERSOU as a separate entity is due to be inspected by the OSC in January 2014.
- 10 During the inspection period there were ■■■ RIPA authorisations for directed surveillance and ■■■ authorisations for property interference (Police Act 1997). There were ■■■ authorisations for intrusive surveillance. There are currently ■■■ CHIS authorised for use and conduct.
- 11 Meetings were held with the following:
  - Chief Constable
  - Deputy Chief Constable and Senior Responsible Officer (SRO)
  - The current Force Authorising Officer (FAO)
  - The Force Authorising Officer in post during the period under inspection
  - Dedicated Source Unit (DSU) controller and handlers
  - Technical Surveillance Unit (TSU) Manager





*(2) That the provenance of intelligence is included in the applications for covert activity to allow the authorising officer to reach a proper judgement as outlined in paragraph 109 of the OSC Procedures and Guidance document and discussed in paragraph 22.*

#### **Action**

This matter was addressed through training.

#### **Discharged**

#### **Policies and procedures**

- 15 The Senior Responsible Officer (SRO) in accordance with both paragraph 3.28 of the Covert Surveillance and Property Interference and paragraph 9.1 of Covert Human Intelligence Sources Codes of Practice is Deputy Chief Constable John Feavoyour. The FAO and SRO do not hold formal meetings with regard to RIPA, but they are regular and frequent communication. In my interview with the DCC it was evident that he was knowledgeable with regard to the legislation and keen to ensure compliance.
- 16 Since the retirement of the previous FAO shortly after the last inspection Detective Superintendent Gary Ridgeway held the post. He has recently been given portfolio responsibility for Public Protection and his successor is Detective Superintendent Tom Mackinnon. Though not formalised, Detective Superintendent Ridgeway will act as the Deputy FAO when Detective Superintendent Mackinnon is not available.
- 17 As part of the restructuring of the Force two new centralised units have been formed; the Intelligence Management Unit (IMU) to manage crime and the Central Intelligence Bureau (CIB) to develop and disseminate intelligence.
- 18 The CIB seeks to develop a strategic picture of crime, develop and disseminate intelligence through a network of Field Intelligence Officers (FIOs), and, through the deployment of their Tactical Team, deal with emerging issues and engage in enforcement activity. Local 'Impact Teams' based within the districts and comprising of a sergeant and six constables, undertake overt enforcement.
- 19 The Covert Authorities Bureau remains the centre for the administration and quality assurance of all directed surveillance applications emanating from officers across the Force. However the creation of the CIB has meant that the majority of applications are now made by FIOs. All higher level authorisations are managed by the CAB and the FAO or his deputy.
- 20 The Force has migrated to a new Web based version of the Charter IT system upon which the Force continues to maintain all covert activity. The introduction of the IT upgrade was successful and did not cause any disruption in the ability of the Force to be RIPA compliant.



## Training

- 21 Training on covert policing within the Force is driven by the FAO and the CAB. During the inspection period RIPA and Police Act training has been delivered by the CAB to Probationary Constables, Special Constables and PCSO. The DSU support the CAB by delivering an input specifically on CHIS and the concept of status drift. The personnel within the CAB have a positive and professional attitude and continue to provide advice and guidance. They deliver bespoke training where necessary to new units or individuals in specific roles.

## Significant issues

### Breaches of the legislation

- 22 Since the last inspection there have no reported breaches of the legislation.

### Section 49 (Encryption)

- 23 The Force has not used these powers.

### Confidential Information

- 24 The Force did not disclose any activity that requires declaration by the legislation (i.e. activity likely to acquire confidential information or which involved juvenile or vulnerable CHIS).

### Directed Surveillance

- 25 I examined [REDACTED] directed surveillance authorisations, two of which were completed in accordance with the urgency provisions and two applications that were rejected by the authorising officer. I make the following observations.
- 26 The applications were comprehensive with intelligence pictures contained within. The intelligence was evaluated using the 5x5x5 National Intelligence Model (NIM) methodology. My only comment is that although this allows the authorising officer to assess the value of the intelligence in the absence of an intelligence log reference it does not provide a link to the source log. This is a matter the Force may wish to consider.
- 27 All of the applications examined set out the objectives of the operation and what was hoped to be achieved by the covert activity. Of particular note was Operation [REDACTED] which was covert activity to monitor the lifestyle of a high risk sex offender.
- 28 The issues of proportionality, necessity and collateral intrusion were argued cogently. In all applications there was a detailed explanation of the alternative investigative strategies that had preceded the request for covert activity.



- 29 Where applicable, the applications were accompanied by detailed TSU feasibility studies that provided the authorising officer with a range of technical options to assist them in their deliberations. This was a recommendation from the 2012 OSC inspection.
- 30 I examined [REDACTED] authorisations made under the urgency provisions outlined in paragraphs 5.12 and 5.13 of the Covert Surveillance Code of Practice. In cases where the urgency provisions are sought to be used the 'on call' member of staff from the CAB acts as the applicant. The applicant is able to record the discussions with the authorising officer and input the documentation from their home computer via a secure link. If this is not possible paper documentation is used. In both cases the documentation contained all of the relevant information. All original documentation is stored securely within the CAB.
- 31 In light of the handover of authorising officer responsibilities from Detective Superintendent Ridgeway to Detective Superintendent Mackinnon I examined authorisations completed by both of them. I found them to be of an extremely high standard, very detailed and compliant with note 117 of the OSC guidance. Detective Superintendent Ridgeway favours a section at the end of the authorisation titled '*specific instructions to applicant*' where he identifies and reiterates any unique issues outlined in his authorisation. He also uses this part of the document to outline advice and guidance with regard to the completion of the application. I was pleased to note Detective Superintendent Mackinnon has adopted this style of presentation. It was evident that both authorising officers constructed their authorisations with constant reference to the relevant sections within the Codes of Practice.
- 32 I examined two applications that had been rejected by the authorising officer. Both were recorded on Charter. I do not wish to comment upon the decision of the authorising officer in either of these matters though I see this as good evidence of intrusive management.
- 33 Reviews were well constructed and comprehensive; the submission by the applicant of concise and relevant intelligence updates along with progress toward operational objectives provided the authorising officer with a depth of information upon which to base their observations. The submissions were often a précis of the intelligence with a 5x5x5 NIM grading but lacked the intelligence log reference as discussed in paragraph 26 of this report.
- 34 Cancellations were timely and contained the details required set out in note 141 of the OSC guidance.

#### Property Interference / intrusive surveillance

- 35 [REDACTED] applications/authorisations for intrusive surveillance with linked property interference were examined and [REDACTED] applications/authorisations for property interference together with linked directed surveillance authorisations.
- 36 The applications were of a good standard and well constructed. The authorisations are prepared in draft form for the Senior Authorising Officer (SAO) and sent to him via Charter. The original draft is retained by the CAB. Such a process raises the concern that



the SAO could merely approve the document without independently considering the issues, particularly of necessity and proportionality. I am satisfied, having interviewed the Chief Constable that this is not the case and I was shown examples where the SAO had rejected requests for the authorisation of covert activity.

- 37 Detailed TSU feasibility studies were attached to the application and available for scrutiny by the SAO. At review and cancellation the SAO was afforded a detailed analysis of the covert activity that had taken place and its value. The standard of preparation and management of documentation by the CAB was meticulous.
- 38 Cancellations were timely and undertaken initially by text message or e mail by the SAO. This is followed by hard copy signed documentation confirming the cancellation. All signed documentation is stored within the CAB. All notifications to the OSC were made within the mandatory timescales.

- 39 I received an informative presentation and examined paperwork relating to Operation [REDACTED]. This is an investigation into the theft from the Fitzwilliam museum of Chinese Jade art, conservatively valued at approximately 40 million pounds. The investigation is being undertaken by the Force Serious and Organised Crime Unit (SOCU). For the purposes of this report I do not intend to delve into the investigative methodology as it is ongoing.
- 40 A number of individuals have been convicted in relation to the initial theft and have received custodial sentences. The enquiry is now focussed on retrieving the property, none of which has been recovered to date.
- 41 During the life of the investigation there have been [REDACTED] authorisations for directed surveillance, [REDACTED] for intrusive surveillance and [REDACTED] for property interference, [REDACTED] of which were outside of the Cambridgeshire force area.
- 42 I examined a number of these authorisations and found them to be of a good standard. The relationship between the CAB, operational team and authorising officers was at all times professional; the authorisations for the covert activity were given in the appropriate timeframes to allow the investigators to benefit from the covert activity.

#### CHIS

- 43 The Force Dedicated Source Unit (DSU) structure has not changed with the advent of Operation Redesign and remains located at an offsite premises. A new controller took up post shortly after the inspection in 2011. He has continued to maintain the high standards of his predecessor and is supported by two experienced Detective Sergeants who act as his deputies. There is an establishment of eight handlers, though one vacancy exists but is due to be filled imminently.



- 44 In October 2012 the DSU personnel opted to work a shift system. The unit is able to provide a 24 hour response all year to manage the intelligence flow from the CHIS and react to any welfare requirements in accordance with paragraph 6.14 of the CHIS Code of Practice. Anecdotal evidence suggests that there has not been any reduction in the ability of the unit to respond.
- 45 There are ■ CHIS currently authorised, ■ awaiting authorisation, ■ under recruitment, and a further ■ under active consideration. It is the aspiration of the FAO and of the controller to have ■ authorised. ■  
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- 46 The DSU is assisted on a part time basis (one day a week) by a member of staff from the CIB who undertakes analysis and research.
- 47 The CHIS authorised are a mixture of those who have been active for a considerable time and are mature in years and report primarily on NIM level two criminality, and a younger cohort who report on NIM level one criminality. All records examined indicated that the CHIS were reporting on criminality as detailed in the Force NIM control strategy.
- 48 I examined a number of records and found them to be of a good standard. The authorisations were particularly detailed and pertinent to the individual CHIS. The risk assessments for generic issues within the Force are detailed within the record in a numerical fashion. Unique issues and aggravating factors are in narrative form. I found those I examined to be relevant and comprehensive. Of particular note was the risk assessment of a CHIS in prison. The risks and control measures were covered in depth. The policy log element of Charter was used to document the extensive liaison with the prison authorities.
- 49 I interviewed a focus group of handlers and then met with the controller and his two deputies. An issue that was raised in both forums was the ability of the Force to respond speedily to actionable / hot intelligence. It was reported anecdotally in the 2012 report that approximately 30% was acted upon appropriately. The consensus in both forums was that since the last inspection there had been a significant improvement. There was a general agreement that a figure of 80 % may now be more accurate. The factors contributing to the success were thought to be the management of all intelligence by the CIB that allowed for swift decision making and the proactive capacity of the CIB controlled Tactical Team and the Impact Teams on districts. The Force does not have a robust analytical process to assess the value of individual CHIS or the outcomes of intelligence generated.
- 50 In May 2012 the FAO issued guidance to all relevant personnel titled 'Procedure for disseminating 'hot' and 'actionable' intelligence'; this was followed by a paper presented to the Force Performance Board (FPB). The concluding paragraph stated the following:
- 'FPB are asked to draw reassurance from the procedures, processes and performance data contained within this report and note that there is an ongoing dialogue between the Covert Policing Department, the CIB and crime managers to drive performance improvements'.*



51 I am satisfied that the issue of status drift is being managed efficiently and effectively  
through processes in place within both the CIB and the DSU

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recognition that an IT solution is urgently needed but this has not yet been achieved. In the meantime it has been decided to continue with the flawed hybrid system. This will require good 'housekeeping' of files.

Professional Standards Department (PSD) (GW)

- 57 This department was one of the first joint Hertfordshire and Bedfordshire units and since January 2012 has included Cambridgeshire Constabulary. There are three component functions:
- Complaints and Misconduct (public complaints investigation)
  - Intelligence (including analysis and performance management)
  - Anti-Corruption (including pro-active investigations, Inf Security and Vetting)
- 58 It is predominantly the Anti-Corruption Unit that utilises covert investigative techniques but this is not done on a frequent basis. Since the introduction of the S.23 Agreement the procedure for seeking authorisation is that this will be done via the CAB of a force not involved in the investigation (for security reasons). Authorisations are usually in hard copy rather than using the IT system of the force granting the authorisation.
- 59 I was shown two files that related to two PSD investigations. Each contained authorisations pertinent to the investigations. The first was Operation [REDACTED] and I make the following comments in relation to it:
- a) Whilst there was a completed application and the authorising officer's section had been completed electronically, there was no indication that the authorising officer had signed it and agreed the authorisation.
  - b) In subsequent reviews and cancellations only the applicant's part had been completed. There was no evidence on the file of any input from an authorising officer.
  - c) The range of tactics throughout the 'life' of the authorisation varied considerably. Initially it was mobile, foot and observations on the home address of the subject but thereafter vehicle tracking devices were deployed, on another occasion ANPR, listening devices, CCTV and cameras were sought and there was a lack of justification for these tactics. Given the lack of authorising officer's input I could not whether any of these additional tactics were ever authorised.
- 60 I caused enquiries to be made regarding the missing authorising officer's input and on the day after my inspection was concluded I received communication from the PSD Intelligence Manager, that the file that I was shown was just a 'snapshot' and there had been e-mail correspondence with the relevant CAB indicating that PSD staff were informed of the authorisation and any conditions imposed by the authorising officer.
- 61 In the second investigation, Operation [REDACTED] the documentation was not in template format; rather it was a series of headed section on a blank page that gave the details of the operation. This had been authorised by a different force than the previous operation. It was exceedingly difficult to examine the contents in any meaningful way. When I asked



why a totally different format had been used for this authorisation I was not given a suitable answer.

- 62 I fully appreciate the need for the PSD to have totally secure procedures for authorisations in support of their investigations and in they are dealing with three forces but a single agreed procedure should be utilised that provides a comprehensive audit trail of the authorisation and subsequent submissions.
- 63 In relation to CHIS, there are PSD staff trained in handling and if an authorised CHIS begins reporting on corruption issues, a member of staff so trained would co-handle the source for the duration of the investigation. The staff that I spoke with were aware that there may be circumstances whereby an ethical member of staff may meet the criteria for authorisation as a CHIS. This has not yet occurred but if it did, a Dedicated Source Unit would be identified to manage the person with a PSD co-handler.
- 64 In relation to the role of OpSy; security audits in relation to physical security, covert bank accounts and procedures are carried out in all three forces. In relation to dip samples of authorisations; this is mainly done in respect of Bedfordshire (the home force of the OpSy) and I was informed that there is reluctance for this to be carried out in Cambridgeshire in particular.

#### Integrated Offender Management (IOM)

- 65 Integrated Offender Management is an overarching framework for bringing together agencies in local areas to prioritise interventions with offenders who cause crime in their locality. The Force has been a leading player in a county wide IOM scheme along with partner agencies and charitable organisations since its inception in April 2012.
- 66 The Cambridgeshire police contribution to the overall scheme comprises a Detective Inspector, three Detective Sergeants and eight Constables who are employed as IOM managers. The Force along with the partner agencies, manage approximately 170 offenders who are graded depending upon their risk of offending as Red, Amber or Green. Those with a Red classification are those thought to be most at risk of reoffending and subject to intense interaction by IOM personnel. Approximately 50% of IOM subjects are in prison at any one time. With this cohort intervention takes place within the prison setting.
- 67 In an enlightening discussion with the Detective Inspector and the Detective Sergeant from the Peterborough based IOM office it became evident that the interaction with offenders often involved discussions concerning their offending behaviour or that of their associates.
- 68 I was assured that intelligence gleaned from such meetings is submitted into the CIB, though it was acknowledged that the potential of status drift was not an issue that had been given detailed consideration and that the personnel within the unit would benefit from CHIS awareness training (see recommendation).

#### Visit to Huntingdon Police Station

- 69 The Huntingdon district has a population of 24,000 with a low crime rate. Anti social behaviour is the most prevalent form of criminality. I interviewed a focus group that



comprised of a detective, a number of patrol officers and PCSOs. The group had an acceptable level of RIPA awareness but moreover a very good knowledge of CHIS procedures and status drift. I was pleased to note that recently one of the PCSOs had been contacted by a member of staff within the CIB to discuss intelligence reports that she had submitted and delve into the relationship with the source of the intelligence.

- 70 In discussions it was acknowledged that the use of Social Network Sites (SNS) was a useful investigative tool. A number of the group indicated that they had used them on an infrequent basis. The examples cited by the interviewees of the use of SNS did not in my view require any RIPA authorisation. There was a lack of awareness amongst the group of the OSC guidance at note 308.

#### Technical Support Unit (TSU)

- 71 I interviewed the Principal Technical Officer and found him to be enthusiastic, knowledgeable and professional. He was trained in RIPA whilst he was employed at the National Police Improvement Agency at Wyboston before joining the Cambridgeshire Constabulary. He and a colleague undertake the majority of TSU work for the Force, though three officers who work on the districts undertake basic camera installation.
- 72 Following a recommendation in the 2012 inspection report the Force has adapted its procedures to ensure that TSU feasibility studies are attached to applications on Charter in accordance with note 302 of OSC guidance. I was shown a number of examples. Those examined were comprehensive, easy to understand and allowed the authorising officer to have an appreciation of the capability of the surveillance equipment and to assess collateral intrusion as outlined in note 156 of OSC guidance.

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Good practice identified

- 78 The addendum titled 'specific instructions to applicant' contained within each authorisation (paragraph 31 of this report).
- 79 The process for managing the welfare requirements of a Cambridgeshire Constabulary UCF deployed by on behalf of another law enforcement agency.
- 80 The Force has an extremely positive approach to OSC inspections and strives to ensure compliance and all personnel take their legal responsibilities seriously. The Force has maintained the high standard reported in the 2012 inspection report.

Finally I would like thank all of those who participated so positively in the inspection, and in particular Mr Bill Nisbett for making all of the necessary arrangements.

Recommendations

- 81 That when undertaking test purchase operations, the roles of handler and controller as defined in section 29(5) (a) and 29 (5) (b) of RIPA are contained within the investigative strategy.
- 82 That the Force ensures that personnel employed within the Integrated Offender Management Unit receive appropriate CHIS awareness training.

Kevin Davis

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