

Pre-surveillance checks

1. Pre-surveillance checks must be conducted in all cases before requesting authorisation for surveillance.
2. The purpose of pre-surveillance checks is to establish that surveillance is relevant to the investigation, that the information cannot be obtained by other less intrusive means and to ensure that any proposed surveillance activity is properly planned. It is acceptable for lone officers to carry out pre-surveillance activities.
3. A pre-surveillance check must involve:
 - conducting background checks from other sources such as benefit computer systems
 - visiting a location to identify if it is suitable for surveillance for risk assessment purposes.
 - If surveillance is planned at different times of the day at a particular location the risk assessment should cover all the proposed times
 - If more than one location is involved, a visit can be made to each location.
4. A written Health and Safety risk assessment must be completed using the Risk Assessment Pro-forma.
5. More than one pre-surveillance visit may be undertaken but must be necessary to reinforce the risk assessment. If so, full details as to why more than one visit was considered necessary must be noted
6. It may also involve Other Government Departments (OGDs) where there is a legal gateway for exchange of information or where a Memorandum of Understanding (MOU) exists.
7. Information provided by OGDs or other Agencies such as the police in relation to pre-surveillance activity can be accepted and included in the risk assessment. Pre-surveillance visits do not require an authorisation under Regulation of Investigatory Powers Act (RIPA) 2000/Regulation of Investigatory Powers (Scotland) Act (RIP(S)A) 2000.
8. The visit will involve a survey of the area to assess collateral intrusion, operational/personal risks and any particular sensitivity in the local community where surveillance will take place. Details of the visit must be recorded in the official notebook.
9. The recording of vehicle registration numbers for Driver and Vehicle Licensing Agency (DVLA) checks, at the time of the pre-surveillance check visit, is permitted, provided it can be shown that there are grounds to believe that there was a possible connection to the investigation.
For example, a vehicle parked outside the relevant location or on the driveway. Details must be recorded in the investigators official notebook. .
10. If an officer needs to identify an individual before commencing surveillance, this can be covered by a pre-surveillance check. This must not involve calling the individual to the office for the express purpose of identifying them. Under no circumstances must photographs of the individual be taken as part of pre-surveillance activity.
11. For example, an investigator intends to identify an individual when they next attend the Jobcentre or Local Authority (LA) before commencing surveillance. This is not classed as surveillance. If the intention is to perform surveillance as soon as the individual leaves the premises, prior authorisation must have been obtained. Prior authorisation would allow for photographic evidence to be obtained, however collateral intrusion must be taken into account.

12. Within five working days of the pre-surveillance check the investigator must complete the RIPA/RIPSA application form and forward the form to their Authorising Officer. This will ensure that the information on the application form reflects the most up to date position. Any delays and their subsequent impact on surveillance location suitability, along with any collateral intrusion risks must be considered and explained.