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Senior Responsible Officers (SROs) under Part I Chapter 2 of RIPA

16<sup>th</sup> December 2014

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Dear Sir / Madam,

Further to my letter of 12<sup>th</sup> December I thought it would be helpful to update you directly concerning ongoing work my office has been undertaking in relation to the new statistical requirements outlined in the revised code of practice published by the Home Office for public consultation<sup>1</sup> on 9<sup>th</sup> December.

As an SRO you will be aware that for over two years the Interception of Communications Commissioner has identified the inadequacy of the current statistical requirements, and, for reasons of transparency and public accountability it is important that the new requirements are implemented as promptly as possible.

I am very grateful to those of you who have got in touch with us to discuss these important changes. These discussions have identified that many of the stakeholders and their workflow providers were not as well informed as we would have expected them to be given the logistical challenges such requirements will bring. This is disappointing particularly as we provided the new statistical requirements to the Home Office in August 2014 who indicated the requirements were being shared with stakeholders.

Over the past few months IOCCO has engaged directly with the *main* workflow providers and I am pleased to be able to report that they have informed us that they anticipate having the required amendments in place by the end of January 2015. This is an important step as it will enable the statistical information to be automatically collected.

However, in light of the fact that some of the stakeholders and workflow providers have not been sufficiently consulted, we have decided to delay our requirement. This will provide further time for the workflow upgrades to be implemented within individual public authorities, and, for the additional recording requirements to be drawn to the attention of applicants.

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<sup>1</sup> <https://www.gov.uk/government/consultations/communications-data-codes-of-practice-acquisition-disclosure-and-retention>

We will now be requiring public authorities to collect the new statistical information - as described in Annex A of our submission to the Investigatory Powers Review<sup>2</sup> (and mirrored in the amended Code of Practice currently subject of consultation) **from 1<sup>st</sup> April 2015**. I would encourage you to continue to work with the Home Office and your workflow providers to ensure the necessary changes are instituted.

For our 2015 Annual Report (published in 2016) we will, as a consequence of the above delay, accept statistics based on the existing Code of Practice for applications submitted up to and including 31<sup>st</sup> March 2015. For all applications submitted from 1<sup>st</sup> April 2015 the new statistical requirements will apply.

Finally, we will shortly be writing to you in order to collect the statistics for our 2014 Annual Report (covering the period 1<sup>st</sup> January – 31<sup>st</sup> December 2014) and I can advise that the statistical requirements are unchanged for that reporting period.

I hope that clarifies matters.

Yours sincerely,

**Joanna Cavan**  
**Head of IOCCO**

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<sup>2</sup> <http://www.iocco-uk.info/docs/IOCCO%20Evidence%20for%20the%20Investigatory%20Powers%20Review.pdf>