

Regulation of Investigatory Powers Act 2000 R.I.P.A

Using social media as a surveillance tool

1. Surveillance is defined within R.I.P.A as **monitoring, observing or listening to persons, their movements, conversations or other activities and communications**. It includes the recording of any information obtained.
2. Use of internet searches (including social media platforms) can constitute covert surveillance under R.I.P.A.
3. For Local Authorities in England and Wales, the only statutory purpose (for surveillance under R.I.P.A) **is the prevention or detection of crime (or prevention of disorder)**.
4. When social workers **monitor social media** and exercise child protection powers, it is very rarely for the detection or prevention of crime, but rather for the purposes of meeting the Local Authority's child protection functions, with material acquired being used in care planning or family proceedings.
5. As R.I.P.A authorisations can only be used for the prevention or detection of crime, social media surveillance for child protection purposes is likely to fall outside what can lawfully be authorised under R.I.P.A.

Conclusion

We should not be routinely using the internet/social media platforms as part of child protection planning, it will rarely, if ever meet the criteria for 'R.I.P.A authorisation'.

We must also ensure that social media surveillance in our child protection work does not breach Article 8 of the Human Rights Act 1998 (Article 8 protects your right to respect for your private life, your family life, your home and your correspondence - letters, telephone calls and emails, for example).

If you have any queries or questions in relation to R.I.P.A or the use of the internet/social media platforms within child protection/care planning, please consult with the childcare legal team.