

BIG BROTHER WATCH

Big Brother Watch, Chinaworks
London, SW8 4SE

3 November 2020

Ms Carolyn Downs
Chief Executive, Brent Borough Council

By email only

Dear Ms Downs,

I am writing to you regarding the publication of a job advertisement on Brent Borough Council's website, seeking five new COVID-19 Enforcement Officers.

It is our view that the recruitment and deployment of the COVID-19 Enforcement Officers with "investigative abilities" as advertised is heavy handed, raises serious legal questions and risks undermining public trust in authorities.

According to your advertisement, COVID-19 Enforcement Officers will "carry out spot checks and where necessary, take appropriate enforcement action to ensure adherence with Covid 19 controls." Further, the job description states that COVID-19 Enforcement Officers will "carry out routine or unplanned visits and inspections, covertly or overtly as required". There is no legal basis for local authorities to deploy COVID-19 Enforcement Officers for "covert" inspections, which would amount to spying on local residents absent a legal basis.

The Regulation of Investigatory Powers Act requires a magistrates' approval for local authorities to use covert surveillance techniques. Covert surveillance can also only be used in relation to offences punishable by a 6 months custodial sentence or the sale of alcohol or tobacco to children. Therefore, covert actions undertaken by COVID-19 Enforcement Officers would not be lawful.

Please urgently revise this job description and send a revised copy by reply. Should you maintain that COVID-19 Enforcement Officers will undertake covert actions, we will seek to take further action to protect residents' rights.

Yours sincerely,

Mark Johnson

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