
Overview

This unit is about determining and reviewing authorisations required for law enforcement purposes whether required by law or by organisational procedures. It focuses on the decision making that goes into granting or refusing requests. It then goes on to look at monitoring and reviewing authorisation.

Authorisation includes, for example; applications for search warrants, search authorisations, authorisation of further detention, reviews of detention, authorisations for firearms deployment, authorisations for surveillance operations. This is not an exhaustive list and individuals undertaking this unit will do so in the context of their work role and the type of authorisation they are able to grant or decline.

You will need to be able to assess the information, records and intelligence in relation to the request, determine whether the request is lawful, carry out any necessary consultation and make a decision to accept or reject the application. You will also need to communicate your decision and provide additional feedback and advice.

In cases where the authorisation has been granted you will need to monitor and review the authorisation. This will require that you put effective systems in place to monitor compliance. It will also mean making revisions to the authority, where this is necessary, based on the information you obtain.

There are two elements

1. Respond to requests for authorisations
2. Monitor and review authorisations

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Determine and review authorisations

Performance criteria

Respond to requests for authorisations

You must be able to:

- P1 assess all the available information, records and intelligence in relation to the request
- P2 take the appropriate action if there is insufficient information to make a decision
- P3 determine whether the request is lawful and in accordance with current policy
- P4 take the necessary representations to inform your decision
- P5 reach a justifiable decision to accept or reject the application based on any relevant **factors**
- P6 communicate your decision clearly and promptly to those responsible for making the request
- P7 provide those that have made the request with the necessary feedback and advice concerning your decision
- P8 fully document all decisions, actions, options and rationale in accordance with current policy and legislation

Monitor and review authorisations

You must be able to:

- P9 establish effective systems to monitor and review compliance with the decision
- P10 review the authority in accordance with legislation and current policy, and identify if there is a need to **revise the authority**
- P11 communicate with any relevant others to monitor and review authorisation
- P12 take the appropriate developmental action based on the available information
- P13 communicate any changes to authority clearly to relevant others in accordance with legislation and current policy
- P14 fully document all decisions, actions, options and rationale in accordance with current policy and legislation

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Determine and review authorisations

Knowledge and understanding

You need to know and understand:

Legal and organisational requirements

- K1 current, relevant legislation, policies, procedures, codes of practice and guidelines for determining and reviewing authorisations within your level of responsibility
- K2 current, relevant legislation and organisational requirements in relation to race, diversity and human rights
- K3 current, relevant legislation and organisational requirements in relation to health and safety
- K4 the necessary authority in law or policy for granting requests
- K5 the limits of your responsibility for determining and reviewing authorisations

Responding to requests for authorisations

You need to know and understand:

- K6 the types of authorisations that may be requested
- K7 the importance of assessing all the available information, records and intelligence
- K8 how to assess the available information, records and intelligence in order to arrive at a decision
- K9 how to check that requests are consistent with current legislation, policy, aims and objectives
- K10 the actions to take if there is insufficient information to make a decision
- K11 the relevant others that should be considered in connection with requests for authorisations
- K12 how to communicate with relevant others and take representations
- K13 the importance of balancing the relevant factors, including; legality, proportionality, accountability, necessity, cost effectiveness, desired outcomes, risk assessments and community impact assessment
- K14 how to provide advice and feedback on your decision

Monitoring and reviewing authorisations

You need to know and understand:

- K15 how to establish systems to monitor and review compliance with the decision
- K16 how to review progress and identify if there is a need to revise the authority
- K17 the actions to take if authorisations are not meeting the requirements
- K18 the need to communicate with relevant others to monitor and review authorisations, and let them know of any changes
- K19 the types of developmental actions you can take within your responsibility
- K20 the authorities that must be involved in reviewing progress and informed of any changes

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Determine and review authorisations

Record keeping

You need to know and understand:

K21 the importance of keeping accurate records

K22 the types of records that must be kept

K23 the reasons for fully recording decisions, actions, options and rationale

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Determine and review authorisations

Additional Information

Scope/range related to performance criteria

Respond to requests for authorisations

1. **factors**
 - 1.1 legality
 - 1.2 proportionality
 - 1.3 accountability
 - 1.4 necessity
 - 1.5 cost effectiveness
 - 1.6 desired outcomes
 - 1.7 risk assessments
 - 1.8 community impact assessment

Monitor and review authorisations

2. **revise the authority**
 - 2.1 revise the extent of authority
 - 2.2 withdraw authority

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Determine and review authorisations

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