

Investigatory Powers to be subject to Human Rights Law

Conference notes the absence from the NPF Report 2018 of the surveillance society.

Conference notes the continual use of surveillance powers in the private and public sectors authorised by law, or government programme including:

- Investigatory Powers Act 2016,
- Immigration Act 2014
- Counter-Terrorism and Security Act 2015
- Digital Economy Acts 2017/2010,
- Data Protection Act 2018

Conference notes that the IPA 2016 and DEA 2010 were both interdicted by the CJEU as contrary to Human Rights Law and/or the EU acquis.

The intrusive programmes include Prevent and 'get it right from a genuine site'.

Conference believes that freedom of expression and the right to privacy are universal human rights, that the current surveillance and investigatory powers regime is in breach of these rights.

Conference resolves that a Labour Government will ensure that private and public surveillance technologies and systems will conform to laws that meet the requirements of the European Convention on Human Rights, including a need to prove reasonable suspicion before collecting evidence and the right to a fair trial with the principle of innocent until proved guilty.

Conference calls on the Labour Party to draw up a Human Rights based policy for the regulation of British Law Enforcement authorities and their investigatory powers. This to include the abolition of Prevent, the repeal of the 2014 Immigration Act and the repeal of the immigration data exception established by the DPA 2018.

Conference instructs the relevant Policy Commission to launch a consultation on Surveillance and Justice to report to Conference 2020.