

Corporate Issues Overview and Scrutiny Committee

20 April 2015

Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 – Quarter 3 - 2014/15



Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To inform members about the Council's use of powers under the Regulation of Investigatory Powers Act 2000 ('RIPA') during the period 1 October 2014 until 31 December 2014 (Quarter 3) to ensure that it is being used consistently with the Council's policy and that the policy remains fit for purpose.

Background

2. As members are aware, the Regulation of Investigatory Powers Act 2000 (RIPA) enables local authorities to carry out certain types of surveillance activity provided that specified procedures are followed. The Local Authority is able to rely upon the information obtained from those surveillance activities within court proceedings.
3. This report gives details of RIPA applications that have been authorised during the period 1 October 2014 and 31 December 2014 and the outcomes following surveillance.

Quarter 3 Activity

4. During Quarter 3 there have been 3 new RIPA Directed Surveillance authorisations, which related to operations conducted by Trading Standards regarding sales of illicit cigarettes from a residential premises, unlicensed gambling at a premises and the sale of counterfeit clothing, footwear and accessories.

5. There were also 2 new Covert Human Intelligence Source (CHIS) authorisations which related to operations which were conducted by Trading Standards and for which a Directed Surveillance authorisation was also obtained as outlined in paragraph 4.
6. All authorisations were approved the Magistrate and there were no difficulties or issues raised by the Magistrate in approving the applications.
7. The Council's Senior Responsible Officer is satisfied that the Council's use of its powers under RIPA during both quarters is consistent with the Council's policy and the policy remains fit for purpose.

Outcomes following surveillance

8. No formal action is to be taken in relation to the operation regarding unlicensed gambling at a premises. Whilst there have been no prosecutions yet in relation to the other operations carried out during the reporting quarter, potential defendants have been identified and interviewed.

Recommendations and Reasons

9. It is recommended that members receive the quarterly report on the Council's use of RIPA for the period 1 October 2014 to 31 December 2014 and resolve that it is being used consistently with the Council's policy and that the policy remains fit for purpose.

Background Papers

None

Contact: Clare Burrows

Tel: 03000 260548

Appendix 1: Implications

Finance: None

Staffing: None

Equality and Diversity: None

Accommodation: None

Crime and Disorder: The appropriate use of an oversight of RIPA powers will enable the Council to provide evidence to support appropriate prosecutions and tackle crime.

Human Rights: None

Consultation: None

Procurement: None

Disability Discrimination Act: None

Legal Implications: None