

# Corporate Issues Overview and Scrutiny Committee

28 September 2015

## Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 – Quarter 1 - 2015/16



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## Report of Colette Longbottom, Head of Legal and Democratic Services

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### 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 April 2015 until 30 June 2015 (Quarter 1) 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 April 2015 and 30 June 2015 and the outcomes following surveillance.

### Quarter 1 Activity

4. During Quarter 1 there were 2 new RIPA Directed Surveillance authorisations and 1 renewal of a RIPA Directed Surveillance Authorisation, which related to operations conducted by Trading Standards regarding sales of illicit cigarettes from residential premises.

5. There were also 2 new Covert Human Intelligence Source (CHIS) authorisations which related to operations conducted by Trading Standards. One regarding sales of counterfeit tobacco and cigarettes and one in relation to online sales of counterfeit goods
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. Investigations remain ongoing in relation to two operations regarding the sale of counterfeit tobacco and cigarettes from premises. No formal action is to be taken in relation to the other two cases.

#### **Recommendations and Reasons**

9. It is recommended that members receive the quarterly report on the Council's use of RIPA for the period 1 April 2015 to 30 June 2015 and resolve that it is being used consistently with the Council's policy and that the policy remains fit for purpose.

#### **Background Papers**

None

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## **Appendix 1: Implications**

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**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