

Corporate Issues Overview and Scrutiny Committee

20 April 2016

Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 – Quarter 4 - 2015/16



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 January 2016 until 31 March 2016 (Quarter 4) 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 January 2016 until 31 March 2016 and the outcomes following surveillance.

Quarter 4 Activity

4. During Quarter 4 there were 2 new RIPA Directed Surveillance authorisations which related to operations conducted by Trading Standards regarding sales of illicit tobacco from a residential premises and test purchases at premises where complaints had been received regarding underage sales of tobacco.
5. There were 2 new Covert Human Intelligence Source (CHIS) authorisations which related to operations conducted by Trading

Standards regarding sales of illicit tobacco from a residential premises and where a Directed Surveillance authorisation was also in force.

6. During the reporting quarter there has been 1 Communications Data application for subscriber information for mobile telephone numbers, which relates to an investigation conducted by Trading Standards relating to the sale of vehicles with mileage discrepancies.
7. All authorisations were approved by the Magistrate and there were no difficulties or issues raised by the Magistrate in approving the applications.
8. The Council's Senior Responsible Officer is satisfied that the Council's use of its powers under RIPA during Quarter 4 is consistent with the Council's policy and that the policy remains fit for purpose.

Outcomes following surveillance

9. Investigations remain ongoing in relation to all of the operations.

Recommendations and Reasons

10. It is recommended that members receive the quarterly report on the Council's use of RIPA for the period 1 January 2016 to 31 March 2016 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

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