

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Corporate Governance Committee

29th June 2012

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REGULATION OF INVESTIGATORY POWERS ACT 2000 QUARTERLY UPDATE ON USE OF RIPA

Purpose

1. In September 2011 Council agreed that the Corporate Governance Committee should take on the responsibility of receiving quarterly updates on the Council's use of RIPA powers and of reviewing the RIPA policy on an annual basis and making amendments as necessary. This report includes an update on the use of RIPA in the first and second quarters of 2012.

Recommendations

2. That Corporate Governance Committee:

NOTE the information contained in the report about the council's use of surveillance powers in the period January to June 2012.

Background

3. The Regulation of Investigatory Powers Act 2000 regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
4. South Cambridgeshire District Council is included within the RIPA framework with regard to the authorisation of both directed surveillance and the use of covert human intelligence sources.
5. Under the Regulation of Investigatory Powers Act 2000 ("RIPA"), the council must have in place a system of authorising, recording and reviewing any surveillance that it carries out that is covered by the Act. This system must comply with the Act, regulations and codes of practice and every Council must have its own RIPA Policy.
6. Directed surveillance includes the covert surveillance of an individual in circumstances where private information about that individual may be obtained. The council's policy makes it clear that this should only be authorised where it is both necessary and proportionate to the investigation or operation being undertaken and to what is being sought to achieve in terms of evidence gathering.
7. A covert human intelligence source ("CHIS") is a person who, pretending to be someone that they are not, builds up a relationship of trust with another person for the purpose of obtaining information as part of an investigation. The Council has not sought to make use of the CHIS provision.

The council's use of RIPA in Quarters 1 & 2 2012

8. The information in the table below outlines the authorisations granted by the council during the first and second quarters of 2012.

Quarter	Directed surveillance	CHIS	Total	Purpose
Jan – March 2012	0	0	0	
April – June 2012	2	0	2	1) To assist in the detection of benefit fraud (DWP investigation) 2) To assist in the detection of fraud

Implications

9.	Financial	No implications
	Legal	Authorisation of surveillance activity gives that surveillance “lawful authority” for the purposes of the European Convention on Human Rights
	Staffing	No implications
	Risk Management	See comments under “Legal”
	Equality and Diversity	See comments under “Legal”
	Equality Impact Assessment completed	No adverse impact
	Climate Change	No implications

Effect on Strategic Aims

10. None identified.

Conclusions / Summary

11. This report provides an update on the Council's use of RIPA over the previous six months.

Background Papers: the following background papers were used in the preparation of this report:

None

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