

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Corporate Governance Committee 28<sup>th</sup> June 2013

**AUTHOR/S:** Executive Director (Corporate Services) / Legal & Democratic Services Manager

### REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) QUARTERLY UPDATE ON USE OF RIPA

#### Purpose

1. To update the Committee on the use of RIPA powers in the last two quarters.

#### 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 2013.

#### Background

3. The Regulation of Investigatory Powers Act 2000 (RIPA) regulates covert investigations by the Council. 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. Following a Home Office Review into counter-terrorism and security powers the Protection of Freedoms Act 2012 was passed on 1<sup>st</sup> May 2012 with the effect that from 1<sup>st</sup> November 2012 all local authority surveillance authorised under RIPA have to be approved by a Magistrate. The role of the Magistrate is to ensure that the correct procedures have been followed and the relevant factors have been taken into account. The new provisions allow the Magistrate, on refusing an approval of an authorisation, to quash that authorisation.

#### The council's use of RIPA in Quarters 1 & 2 2013

5. The information in the table below outlines the authorisations granted by the council during the first half of 2013.

Quarter	Directed surveillance	CHIS	Total	Purpose
January – March 2013	1	0	1	Fly Tipping at Uttons Drove, Swavesey. Concluded - no further flytipping has taken place.
April – June 2013	0		0	

--	--	--	--	--

### Implications

6.	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

7. None identified.

### Conclusions / Summary

8. This report updates the Committee on the Council’s use of RIPA powers in the last two quarters.

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

None

**Contact Officer:** Fiona McMillan – Legal & Democratic Services Manager  
Telephone: (01954) 713027