

NORTH LINCOLNSHIRE COUNCIL

CABINET

REGULATION OF INVESTIGATORY POWERS 2000 (RIPA) UPDATE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Members of the Council's activity relating to surveillance matters under the RIPA regime

2. BACKGROUND INFORMATION

- 2.1 RIPA provides a legislative framework which details a system of authorisation which exists to secure the lawfulness of surveillance activities and ensure that they are consistent with obligations under the Human Rights Act 1998.
- 2.2 The different types of authorisation include covert surveillance directed at a person(s); the use of a "covert human intelligence source" (CHIS) which involves the establishing of a relationship for the covert purpose of obtaining information and access to communications data such as telephone subscriber details and itemised phone logs.
- 2.3 Between 1st January 2019 and 31st December 2019 one RIPA request was authorised relating to Communications Data. No authorisations were granted in relation to Directed Surveillance and Covert Human Intelligence Source matters. Technological advances are enabling officers to locate information legally through open source research reducing the need to use covert operations.
- 2.4 In September 2019 relevant officers attended a training update session relating to the authorisation of Communications Data applications and in particular noted that recent changes dictate that requests for Communication data should be submitted through the Office for Communications Data Authorisations. At this training an update was also provided in relation to the open source research resources publicly available.

3. OPTIONS FOR CONSIDERATION

3.1 To note the contents of this Report

4. ANALYSIS OF OPTIONS

4.1 Guidance indicates that the Cabinet must be aware of RIPA usage within the Council and ensure its procedures remains up to date.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The RIPA provisions are already in place within existing resources.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The application of the RIPA provisions will ensure the Council is “safe” and “well” as covert surveillance will only be conducted in accordance with the legislative framework and guidance.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The provisions are either statutory or good practice which the Investigatory Powers Commissioner will expect to be followed.

9. RECOMMENDATIONS

9.1 That the content of this Report is noted.

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Background Papers used in the preparation of this report – North Lincolnshire Council RIPA Policy