



Corporate Governance Committee – 10th December 2009

Regulation of Investigatory Powers Act 2000

Report of LEGAL & DEMOCRATIC SERVICES MANAGER

(This matter is the responsibility of Councillor Ross Henley, Leader of the Council)

EXECUTIVE SUMMARY

To note the number of authorisations that have been granted under the Regulation of Investigatory Powers Act 2000.

1. Purpose of the Report

1.1 To keep members informed of how many authorisations that have been granted under this legislation since the Council's last inspection on the 18th July 2008.

2. Background

2.1 The Regulation of Investigatory Powers Act 2000 (RIPA) is an Act which makes provision for the interception of communications, the acquisition and disclosure of data relating to communications, the carrying out of surveillance, the use of covert human intelligence sources and the acquisition of the means by which electronic data protected by encryption or passwords may be decrypted or accessed.

2.2 As a public body, local authorities can authorise covert surveillance to be carried out in some circumstances. In order to carry out such surveillance the Council has to have policies and procedures in place. In addition the Council is inspected approximately every 3 years by the Office of Surveillance Commissioners.

2.3 Generally covert surveillance will only be carried out as a last resort or if it is deemed the most appropriate way in which evidence can be gathered it is not used as a matter of routine as officers always have to look at whether they can obtain evidence overtly.

2.4 Under the legislation the Council has to have officers of sufficient seniority to act as authorising officers and they are trained to ensure that the Council uses the legislation in an appropriate manner.

2.5 As mentioned above the Council is inspected approximately every 3 years and the council was last inspected on the 18th July 2008. A small number of recommendations were made which have been completed.

2.6 Since the last inspection no authorisations have been granted under RIPA.

3. Recommendation

3.1 to note the contents of this report.

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