

<b>15 November 2016</b>		<b>ITEM: 11</b>
<b>Standards and Audit Committee</b>		
<b>Regulation of Investigatory Powers Act (RIPA) 2000 – Six Monthly Activity Report</b>		
<b>Wards and communities affected:</b> N/A	<b>Key Decision:</b> N/A	
<b>Report of:</b> Lee Henley – Information Manager		
<b>Accountable Head of Service:</b> David Lawson – Deputy Head of Legal and Monitoring Officer		
<b>Accountable Director:</b> Fiona Taylor – Director of Legal		
<b>This report is public</b>		

## **Executive Summary**

This report provides an update on the usage and activity of RIPA requests during April 2016 to September 2016.

### **1. Recommendation(s)**

#### **1.1 To note the statistical information relating to the use of RIPA from April 2016 to September 2016.**

### **2. Introduction and Background**

2.1 The Regulation of Investigatory Powers Act 2000 (RIPA), and the Protection of Freedoms Act 2012, legislates for the use of local authorities of covert methods of surveillance and information gathering to assist in the detection and prevention of crime in relation to an authority's core functions.

2.2 The council's use of these powers is subject to regular inspection and audit by the Office of the Surveillance Commissioner (OSC) in respect of covert surveillance authorisations under RIPA, and the Interception of Communications Commissioner (IOCCO) in respect of communications data. During these inspections, authorisations and procedures are closely examined and Authorising Officers are interviewed by the inspectors.

2.3 The RIPA Single Point of Contact (SPOC) maintains a RIPA register of all directed surveillance RIPA requests and approvals across the council.

2.4 Following an inspection back in November 2013 by the OSC, the Inspector expressed a preference that RIPA activity reports are brought to Members on

a quarterly basis. However due to the low numbers of RIPA activity, the Council consulted with the OSC back in June 2016 where it was agreed that reporting to Members could take place on a six monthly basis.

### 3. RIPA Activity

3.1 The number of Thurrock RIPA directed surveillance authorisations processed from April 2016 to September 2016 is 4 along with 1 Covert Human Intelligence Source authorisation. Below is a breakdown showing the areas the authorisations relate to for this period (along with 2015/16 full year figures):

Service Area/Type	April 2016 – September 2016	2015/16 – Full Year volumes
Trading Standards	1	1
Fraud	3	2
Regulatory	0	0
Covert Human Intelligence Source (CHIS) authorisations	1 (Fraud)	0
<b>Total</b>	<b>5</b>	<b>3</b>

3.2 The table below shows the number of requests made to the National Anti-Fraud Network (NAFN) for Communication Data requests:

Application Type	April 2016 – September 2016	2015/16 – Full Year volumes
Service Data	0	0
Subscriber Data	1 (Trading Standards)	1 (Trading Standards)
Combined	0	2 (Fraud)
<b>Total</b>	<b>1</b>	<b>3</b>

#### Notes in relation to NAFN applications:

- Service Data – Is information held by a telecom or postal service provider including itemised telephone bills and/or outgoing call data.
- Subscriber Data – Includes any other information or account details that a telecom provider holds e.g billing information.
- Combined – Includes applications that contain both service and subscriber data.

### 4. Reasons for Recommendation

4.1 This report provides an update on the usage and activity of RIPA requests for April 2016 to September 2016.

### 5. Consultation (including Overview and Scrutiny, if applicable)

5.1 The RIPA SPOC has consulted with the relevant departments to obtain the data set out in this report.

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 Monitoring compliance with the Regulation of Investigatory Powers Act 2000, and the Protection of Freedoms Act 2012, supports the council's approach to corporate governance. Ensuring the appropriate use of RIPA in taking action to tackle crime and disorder supports the corporate priority of ensuring a safe, clean and green environment.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Carl Tomlinson**  
**Finance Manager**

There are no financial implications directly related to this report.

### **7.2 Legal**

Implications verified by: **Chris Pickering**  
**Principal Solicitor – Employment and Litigation**

Legal implications comments are contained within this report above.

### **7.3 Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Community Development and Equalities Manager**

There are no such implications directly related to this report.

### **7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)**

Compliance with the requirements of RIPA legislation will ensure the proper balance of maintaining order against protecting the rights of constituents within the borough. There are no implications other than contained in this report.

**8. Background papers used in preparing the report** (including their location on the council's website or identification whether any are exempt or protected by copyright):

- None

**9. Appendices to the report**

- None

**Report Author:**

Lee Henley

Information Manager