

19 December 2019		ITEM: 5
Standards & Audit Committee		
Regulation of Investigatory Powers Act (RIPA) - Activity Report April 2019 – September 2019		
Wards and communities affected: N/A		Key Decision: N/A
Report of: Lee Henley – Strategic Lead – Information Management		
Accountable Strategic Lead: Lee Henley – Strategic Lead – Information Management		
Accountable Director: Tim Hallam – Assistant Director of Law and Interim Monitoring Officer		
This report is public		

Executive Summary

This report:

- Provides an update on the usage and activity of RIPA requests during 1 April 2019 to 30 September 2019

1. Recommendation(s)

1.1 To note the statistical information relating to the use of RIPA for the period 1 April 2019 – 30 September 2019

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 On the 1st September 2017, The Office of Surveillance Commissioners, The Intelligence Services Commissioner's Office and The Interception of Communications Commissioner's Office were abolished by the Investigatory Powers Act 2016. The Investigatory Powers Commissioner's Office (IPCO) is now responsible for the judicial oversight of the use of covert surveillance by public authorities throughout the United Kingdom.

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

3. Issues, Options and Analysis of Options

3.1 RIPA Activity

- 3.1.1 The number of Thurrock RIPA surveillance authorisations processed during 1 April 2019 to 30 September 2019 is 1. Below is a breakdown showing the areas the authorisations relate to for this period (along with previous full year's figures):

	2019/20 (April-Sept)	2018/19 (full year figures)
Trading Standards	0	2
Fraud	1	3
Covert Human Intelligence Source (CHIS) authorisations	0	0
Total	1	5

- 3.1.2 The outcomes of the above RIPA directed surveillance authorisations cannot be summarised in detail. This is due to Data Protection requirements and to ensure that any on-going investigations are not compromised due to the disclosure of information.
- 3.1.3 Low numbers of RIPA authorisations are a result of the Council utilising other forms of investigation due to our collaboration with the police and/or enforcement work being more overt rather than covert.
- 3.1.4 The table below shows the number of requests made to the National Anti-Fraud Network (NAFN) for Communication Data requests:

Application Type:	2019/20 (April-Sept)	2018/19 (full year figures)
Service Data	0	0
Subscriber Data	0	3 (Fraud x3)
Combined	0	0
Totals	0	3

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 the reporting period 1 April 2019 – 30 September 2019.

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 RIPA supports the council's approach to corporate governance and will ensure the proper balance of maintaining order against protecting the rights of constituents within the borough.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**
Chief Accountant

There are no financial implications directly related to this report.

7.2 Legal

Implications verified by: **Paul Field**
Senior Employment Lawyer

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.

- 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:

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