

17 March 2015		ITEM: 6
Standards and Audit Committee		
Regulation of Investigatory Powers Act (RIPA) 2000 – Quarterly Activity Report		
Wards and communities affected: N/A	Key Decision: N/A	
Report of: Fiona Taylor, Head of Legal Services and Monitoring Officer		
Accountable Head of Service: Fiona Taylor, Head of Legal Services and Monitoring Officer		
Accountable Director: Graham Farrant, Chief Executive		
This report is public		

Executive Summary

This report provides an update on the usage and activity of RIPA requests during October 2014 to December 2014.

1. Recommendation(s)

1.1 To note the statistical information relating to the use of RIPA from October 2014 to December 2014.

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.

3. Issues, Options and Analysis of Options

- 3.1 The number of Thurrock RIPA directed surveillance authorisations processed from October 2014 to December 2014 is 1. Below is a breakdown showing the areas the authorisations relate to for this period (along with year to date figures):

	Oct 14 – Dec 14	2014/15 – Year to date volumes
Trading Standards	0	1
Fraud	1	3
Regulatory	0	0
Covert Human Intelligence Source (CHIS authorisations)	0	0

Notes:

Thurrock's Fraud Team provide a shared service within Southend Council. During October 2014 - December 2014, 1 RIPA directed surveillance request and 1 CHIS was authorised for surveillance activity undertaken within the Southend area. The following should be noted in relation to these requests:

- RIPA activity was authorised using Thurrock's RIPA process as Thurrock are considered to be the 'tasking Agency' – i.e. the agency with the lead on the criminal investigation.
- These requests have been excluded from Thurrock's RIPA statistics, as the activity was undertaken on an agency/shared service basis on behalf of another public authority.
- Checks are in the process of being undertaken with Southend Council and the Office of Surveillance Commissioner, to ensure they both are in agreement with the approach our Fraud Team have adopted in relation to the authorisation of RIPA requests for Southend investigations.

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

	Oct 14 – Dec 14	2014/15 requests to date
Service Data	1 (Fraud)	1 (Fraud)
Subscriber Data	2 (1 Fraud and 1 Trading Standards)	6 (5 Trading Standards. 1 Fraud)

Notes:

- 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.

4. Reasons for Recommendation

4.1 This report provides an update on the usage and activity of RIPA requests for October 2014 – December 2014.

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: **Mike Jones**
Management Accountant

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

Chief Executive's Office