

CORPORATE GOVERNANCE COMMITTEE
23 SEPTEMBER 2014

REPORT OF THE COUNTY SOLICITOR

**COVERT SURVEILLANCE AND REGULATION OF INVESTIGATORY
POWERS ACT 2000 – QUARTERLY UPDATE**

Purpose of Report

1. The purpose of this report is to provide the Committee with a quarterly update on the use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

Background

2. At its meeting on 25 November 2013, the Committee agreed to receive quarterly reports on the use of RIPA powers. The relevant RIPA Code of Practice suggests that quarterly reports should be made to members as a means of ensuring that RIPA has been used consistently and the policy remains fit for purpose. The Code specifically states that elected members should not be involved in making decisions on specific authorisations.

Use of RIPA

3. For the period from 1 April to 30 June 2014, authorising officers in the Chief Executive's Department received the following:
 - Five applications for directed surveillance;
 - Five applications to use a covert human intelligence source;
 - One application to obtain communications data.
4. Magistrates approved all eleven authorisations and were satisfied that the County Council's submissions met all the necessity and proportionately requirements.
5. These surveillance authorisations were required to enable the Trading Standards Service to:
 - Establish the identities of persons engaged in unfair trading practices relating to the 'doorstep selling' of beds and mattresses;
 - Undertake age restricted test purchases of alcohol and tobacco products from retailers within the County;
 - Gather evidence of unfair trading practices occurring in the vehicle servicing and repairs sector;
 - Investigate the supply of counterfeit goods including illicit tobacco.

Recommendation

6. The Committee is recommended to note the contents of this report and the use of RIPA powers for the period from April to June 2014.

Equal Opportunities Implications

None.

Background papers

Report to the Corporate Governance Committee on 25 November 2013 – Regulation of Investigatory Powers Act 2000 Annual Report

Report to the Cabinet on 13th December 2013– Regulation of Investigatory Powers Act 2000 (RIPA)

Covert Surveillance and the Acquisition of “Communications Data” Policy Statement

Circulation under the local issues alert procedure

None.

Officer to contact

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