



AUDIT COMMITTEE – 17TH OCTOBER 2017

SUBJECT: REGULATION OF INVESTIGATORY POWERS ACT 2000

REPORT BY: INTERIM HEAD OF LEGAL SERVICES & MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To advise Members of the numbers of covert surveillance operations undertaken by the Council in accordance with the provisions of the Regulation of Investigatory Powers Act 2000 (RIPA).

2. SUMMARY

- 2.1 To provide an update on the number of operations undertaken in accordance with RIPA.

3. LINKS TO STRATEGY

- 3.1 The Council is under an obligation to comply with legislative requirements - this report helps to achieve that.
- 3.2 The Regulation of Investigatory Powers Act 2000 (RIPA) provides a statutory mechanism for authorising directed surveillance and the use of a covert human intelligence source, which aims to ensure that any interference with the individual's right to privacy under Article 8 of the European Convention is necessary and proportionate, and that both the public interest and the human rights of individuals are protected and as such contributes to the following well-being goals within the Well-being of Future Generations act (Wales) 2015.
- A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A globally responsible Wales

4. THE REPORT

- 4.1 The Regulation of Investigatory Powers Act 2000 (RIPA) sets out strict controls for public authorities wishing to carry out covert surveillance of individual members of the public as part of their exercise of their statutory functions. In addition to the Act, advice and guidance is found within the Codes of Practice issued by the Home Office.
- 4.2 The Authority has a corporate policy, which provides guidance on how surveillance should be used by the relevant officers.

- 4.3 Public Authorities undertaking covert surveillance of individual members of the public are subject to inspection by an Assistant Surveillance Commissioner or by a Surveillance Inspector (or in some cases both).
- 4.4 Members are advised that for the period 1st June to 30th September, 2017, there has been one RIPA operation undertaken which related to the sale of alcohol to minors.

5. EQUALITIES IMPLICATIONS

- 5.1 None, the report is for information only.

6. WELL BEING OF FUTURE GENERATIONS

- 6.1 This report contributes to the Well-being goals as set out in the Links to Strategy above as compliance with the provisions of RIPA ensures that any interference with an individual's right to privacy under Article 8 of the European convention is necessary and proportionate, and that both the public interest and the human rights of individuals are protected.

7. FINANCIAL IMPLICATIONS

- 7.1 None, the report is for information only.

8. PERSONNEL IMPLICATIONS

- 7.1 None, the report is for information only.

9. CONSULTATIONS

- 9.1 None. The report is for information only.

10. RECOMMENDATIONS

- 10.1 None. Members note the information provided.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To ensure compliance with statutory requirements.

12. STATUTORY POWER

- 12.1 Regulation of Investigatory Powers Act 2000.

Author: Gail Williams, Interim Monitoring Officer (willige@caerphilly.gov.uk)
Consultees: Nicole Scammell, Acting Director of Corporate Finance and Section 151 Officer