

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY & FINANCE COMMITTEE

Agenda Item No. 21

meeting date: TUESDAY, 19 NOVEMBER 2019
title: REGULATION OF INVESTIGATORY POWERS ACT 2000 (“RIPA”)
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: STEPHEN BARKER – SOLICITOR

1. PURPOSE

1.1 To report to Committee upon the Council’s use of its powers under the Regulation of Investigatory Powers Act 2000.

1.2 Relevance to the Council’s ambitions and priorities:

- Council Ambitions – To prevent and/or detect crime or disorder, whilst respecting individuals’ rights under the European Convention on Human Rights (“**ECHR**”) and the Human Rights Act 1998 (“**HRA**”), and ensuring compliance with the Regulation of Investigatory Powers Act 2000 (“**RIPA**”).
- Community Objectives – None.
- Corporate Priorities – None.
- Other Considerations – None.

2. BACKGROUND

2.1 RIPA came into force on 25 September 2000; its aim is to strike a balance between protecting individuals’ rights under Article 8 ECHR and the HRA and the need for investigatory powers to protect the interests of society as a whole. RIPA allows the Council to carry out directed surveillance and/or use covert human intelligence sources (“**CHIS**”) lawfully if it is authorised in accordance with the provisions of RIPA, it is necessary for the purpose of preventing or detecting crime or disorder, it is proportionate to the aims, which it seeks to achieve, and any authorisation receives judicial approval.

3. ISSUES

3.1 The Council has a policy which sets out how it will deal with RIPA. This policy was last reviewed and approved by Committee in November 2018. Committee also approved the reporting of the Council’s use of RIPA to elected members on a six-monthly basis as an information report.

3.2 The Council has over the last several years not used RIPA and this trend has continued with there being no use in the last 6 months.

4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – None

- Technical, Environmental and Legal – None
- Political – None.
- Reputation – By reporting its usage of RIPA to elected members as recommended demonstrates the Council's commitment to its proper usage of its powers.

5. **RECOMMENDED THAT COMMITTEE**

5.1 Note the content of this report.

MARSHAL SCOTT
CHIEF EXECUTIVE

STEPHEN BARKER
SOLICITOR

BACKGROUND PAPERS

None.

For further information please ask for Stephen Barker, on extension 3216.