

Authorisations made under Regulation of Investigatory Powers Act

- 1.0 The Regulation of Investigatory Powers Act 2000 (RIPA) governs the use of covert surveillance by public authorities. Local authorities are only permitted to rely on RIPA where covert surveillance is undertaken for the purposes of preventing or detecting crime and only where such action is necessary, proportionate, justified and compatible with human rights. Since 1 November 2012 local authorities have been required to obtain judicial approval prior to undertaking RIPA covert surveillance. Additionally, since this date local authority use of directed surveillance under RIPA has been limited to the investigation of crimes, which attract a six month or more custodial sentence, with the exception of offences relating to the underage sale of alcohol and tobacco.
- 2.0 Under the legislation, it is the responsibility of the designated Senior Responsible Officer, which for the Council is the, Assistant Director - Legal & Democratic Services to ensure regular reports to Members on the Council's use of RIPA. The Council's usage of covert surveillance has always been low and it should be noted that there have been no authorisations of RIPA covert surveillance by the Council for several years. This is in line with the majority of Local Authorities nationwide.
- 3.0 The last inspection of the Council's use of RIPA took place virtually by the Investigatory Powers Commissioner's Office (IPCO) on 24 February 2021. The Council passed this inspection with very positive comments from the Inspectorate.
- 4.0 There have been no use of covert surveillance nor any applications to the Courts for RIPA authorisation to conduct any directed surveillance in 2020 or 2021 to date.
- 5.0 There have been no use of covert surveillance nor any applications to the Courts for RIPA authorisation to conduct any directed surveillance in 2020 or 2021 to date. No applications to court or use of covert surveillance has been carried out by the Council since before the Act came into force in 2020.