

**REPORT TO THE RESOURCE AND PERFORMANCE SCRUTINY PANEL
MEETING OF 14th MARCH 2013**

Status: For Information
Title: Regulation of Investigatory Power Act (2000) RIPA
Originator: V. Wenham, Head of Legal Services and Monitoring Officer
Where from: Executive, 14th February 2011 and Council 4th April 2011
Where to next: N/A

Objective: To update the Scrutiny Panel on instances of when the Council has invoked RIPA powers.

1. Outcome sought from Panel

1.1 To note that the Council has not yet invoked RIPA powers.

2 Background

2.1 On 4th April 2011 the Council resolved that: "oversight of the RIPA Policy be referred to Scrutiny" (Council Minute 645(g) 2010/11).

2.2 The Human Rights Act 1998 (which became effective on the 2nd October 2000) incorporates into UK law the European Convention on Human Rights, the effect of which is to protect an individual's rights from unnecessary interference by the "State".

The relevant parts of the Regulation of Investigatory Powers Act 2000 (RIPA) are Part II which came into force on 25th September 2000 and regulates covert investigations and Part 1 Chapter II, the acquisition and disclosure of communications data which came into force on 5th January 2004. These provide a framework within which the "State" (the specified public bodies) can work to ensure that law enforcement and other important functions can effectively protect society as a whole.

The Public Bodies defined in RIPA include Local Authorities and, therefore, Harborough District Council's activities are subject to the RIPA framework.

3 Points for discussion

3.1 The Panel is asked to note that the Council has not yet invoked RIPA powers.

- 4 Equality Impact Assessment Implications/Outcomes (attach completed EIA)
 - 4.1 Not applicable.
 - 5 Impact on Communities
 - 5.1 Not applicable.
 - 6 Legal Issues
 - 6.1 Not applicable.
 - 7 Resource Issues
 - 7.1 Not applicable.
 - 8 Community Safety Implications
 - 8.1 Not applicable.
 - 9 Carbon Management Implications
 - 9.1 Not applicable.
 - 10 Risk Management Implications
 - 10.1 Not applicable.
 - 11 Consultation
 - 11.1 Not applicable.
 - 12 Background Papers
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Previous report(s): Executive, 14th February 2011, Council 4th April 2011

Information Issued Under Sensitive Issue Procedure: No