

AUDIT & RISK MANAGEMENT COMMITTEE - 25 NOVEMBER 2009

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

TRAINING PROGRAMME FOR OFFICERS ON THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

1. SUMMARY

This report summarises the training programme for staff who may be applicants or Authorising Officers for authorisation for covert surveillance granted under the Regulation of Investigatory Powers Act 2000 (RIPA). It was requested by the Audit and Risk Management Committee at its meeting on 23 September 2009.

2. BACKGROUND

- 2.1 At its meeting on 23 September 2009 the Committee considered the report of the Surveillance Commissioner on the results of the inspection carried out by his Inspectors on 1 July 2009 on the Council's use of its powers under RIPA to grant authorisations for covert surveillance.
- 2.2 One of the Surveillance Commissioner's recommendations was that training events for officers should focus more on the practical applications of the provisions of RIPA including in particular guidance regarding completion of applications and authorisations for covert surveillance. The training has hitherto been concentrated on the legal requirements of RIPA with less emphasis on its practical application.

3. TRAINING PROGRAMME

- 3.1 It is a requirement of the Council's Policy and Guidance Document on RIPA that all authorising and applying officers should receive adequate training on the use of the Council's powers under RIPA at least once every 2 years.
- 3.2 A training register has been kept which records the training received by each officer within the 2 year period.
- 3.3 Training has been provided by one of the leading experts in this field Mr Ibrahim Hasan. They include sessions on 7 October 2008, 21 April 2009, 18 May 2009 and 2 July 2009.
- 3.4 An illustration of the topics covered by the training is included in Appendix 1. It is an extract from the slides presented by Mr Hasan in his Power Point Presentation.

4. PROPOSED MODIFICATION TO THE TRAINING PROGRAMME

- 4.1 Mr Hasan has been asked to prepare a training session for officers who are already familiar with RIPA but who would benefit from more practical guidance on how to apply the law and complete correctly the authorisation forms.
- 4.2 A suggested course outline has been supplied by Mr Hasan in Appendix 2. It would be provided early in 2010 subject to the views of the Committee.
- 4.3 The aim of the course would be to reduce the likelihood of the recurrence of the deficiencies in the authorisations detected by the Surveillance Inspector and described in his report of 22 July 2009.
- 4.4 The course will also provide commentary on any changes in the Home Office Guidance on RIPA which are imminent.

5. FINANCIAL, STAFFING, LOCAL AGENDA 21, PLANNING, SOCIAL INCLUSION AND LOCAL MEMBER IMPLICATIONS

There are none other than the cost of the (essential) training on RIPA. This is likely to be in the region of £1500.

6. EQUAL OPPORTUNITIES IMPLICATIONS

The training should enable officers to strike a fair balance between the rights of individuals to privacy and the duty of the Council to act in the public interest to detect and prevent criminal behaviour.

7. COMMUNITY SAFETY IMPLICATIONS

The use of RIPA enables the Council to use covert surveillance to tackle the problems of anti social behaviour and disorder.

8. BACKGROUND PAPERS

The report to the meeting of the Audit and Risk Management Committee on 23 September 2009.

9. RECOMMENDATION

Members approve the modification to the RIPA training programme proposed in paragraph 4 above.

BILL NORMAN
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