

**POLICE AND CRIME COMMISSIONER (PCC) FOR LINCOLNSHIRE
REQUEST FOR DECISION**

REF: 01/2018


DATE: 9 January 2018

SUBJECT	SECTION 22A AGREEMENT CREATING A COLLABORATIVE UNIT FOR THE PURPOSE OF THE AUTHORISATION OF COVERT HUMAN INTELLIGENCE SOURCES (CHIS)
REPORT BY	CHIEF CONSTABLE
CONTACT OFFICER	Detective Chief Superintendent Chris Davison Tel 01522 558007
EXECUTIVE SUMMARY AND PURPOSE OF REPORT The signing of a national Section 22a Police Act 1996 agreement will create a collaborative unit for the purpose of the authorisation of Covert Human Intelligence Sources.	
RECOMMENDATION	<i>That the Police and Crime Commissioner signs the S22A Agreement to approve the Section 22A Agreement for the collaboration of police function of authorising CHIS</i>

POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE

I hereby approve the recommendation above, having considered the content of this report.

Signature:



Date:

9/1/18

A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC

A1. INTRODUCTION AND BACKGROUND

1. RIPA, the 2010 Order, the 2013 Order and the CHIS Code of Practice incorporate a number of safeguards which include a requirement that authorisations are only granted by an Authorising Officer of designated rank. RIPA incorporates restrictions regarding the applicant and Authorising Officer being from the same force.
2. The Parties detailed within the S22A Agreement believe that the management of CHIS can be more efficiently and effectively discharged through the co-operation and collaboration of the police forces involved. It is believed that such cooperation and collaboration is enhanced by utilising the arrangements permissible under section 22A of the PA96.

3. The Chief Officers and the Policing Bodies have agreed to collaborate with each other in the manner anticipated by section 29 (2A) of RIPA in order to discharge the functions of members of a police force more effectively and efficiently in accordance with section 22A of the PA96.
4. The original draft agreement was circulated in January 2017, which had been approved as lawful and effective by an "A Panel Counsel". Over 30 police forces and authorities promptly signed the agreement but several forces sought changes. Following this, meetings took place and two further drafts were created to take requested changes into account. As a result of these changes a further draft has been circulated which arises from careful consideration of the proposals which forces have put forward

A2. LINKS TO POLICE AND CRIME PLAN AND PCC'S STRATEGIES/PRIORITIES

RIPA applications relate to the acquisition of data or authorisation of activity to combat serious crime and disorder.

B. FINANCIAL CONSIDERATIONS

None beyond existing collaboration provisions.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

[This should include the legal powers the PCC has for making the decision]

This proposal is in full accordance with the Police Acts of 1996 and 1997. Human Rights considerations are paramount in each individual RIPA application.

D. PERSONNEL AND EQUALITIES ISSUES

[This should include a copy of the Equality Impact Assessment, if required]

NONE

E. REVIEW ARRANGEMENTS

The collaboration agreement will be subject to the governance structure included within the S22A collaboration agreement.

F. RISK MANAGEMENT

The management of risk has been considered throughout the development of the S22A collaboration agreement.

By codifying national policies and understandings into a S22A collaboration agreement with defined governance it provides legal structure and allows risk to be managed effectively.

G. PUBLIC ACCESS TO INFORMATION

Information in this form along with any supporting material is subject to the Freedom of Information Act 2000 and other legislation. Part 1 of this form will be made available on the PCC’s website within one working day of approval. However, if release by that date would compromise the implementation of the decision being approved, publication may be deferred. An explanation for any deferment must be provided below, together with a date for publication.

Is the publication of this form to be deferred? No

If Yes, for what reason:

Until what date:

Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate part 2 form.

Is there a part 2 form? Yes

If Yes, for what reason: The National Collaboration Agreement is marked ‘Official Sensitive’ as it contains confidential information that cannot be published in the public domain.

DECLARATIONS

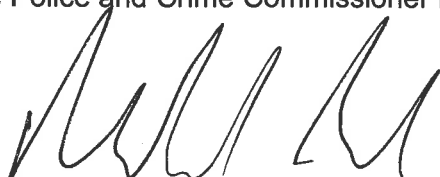
	Initial to confirm
Originating Officer: DCS Chris Davison recommends this proposal for the reasons outlined above	CD
The CC’s Chief Finance Officer has been consulted on this proposal	SE
The Chief Constable has been consulted on this proposal	W
The PCC’s Chief Finance Officer has been consulted on this proposal	BF
The PCC’s Monitoring Officer has been consulted on this proposal	MO

OFFICER APPROVAL

Chief Executive

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. Consultation outlined above has also taken place. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lincolnshire.

Signature:



Date:

5/1/18