

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

REF: 23 / 2023

DATE: 11 October 2023

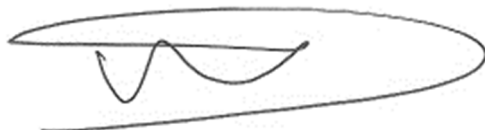
**PART II RIPA 2000, PART III PA1997 & PART III IPA 2016  
COMMS DATA COLLABORATION**

REPORT BY	<b>CHIEF CONSTABLE</b>
CONTACT OFFICER	<b>D/Supt Amy WHIFFEN, Director of Intelligence 01522 947484</b>
<b>EXECUTIVE SUMMARY AND PURPOSE OF REPORT</b> <p>The original Cross Border Agreement was signed regionally in May 2012. Since then, the collaborative working arrangements have continued to mature and are now very well embedded within EMSOU and the five constituent forces and South Yorkshire Police. The main substance of the original Agreement has served the region very well and therefore remains unchanged.</p> <p>In 2021 the agreement was amended to include the addition of the Investigatory Powers Act 2016, this was subsequently signed off by the Six Chief Constables and the respective PCC/PFCC, including CC Chris Haward and the PCC Marc Jones.</p> <p>This agreement strengthens the region's position with respect to activities undertaken by IPA 2016, Police Act 1997 and RIPA 2000, to grant authorities in relation to the acquisition, retention and disclosure of communications data, grant authorisations to interfere with property, authorise the carrying out of directed surveillance and to grant targeted authorisations for obtaining data in operations concerning crime that would otherwise be unlawful.</p>	
<b>RECOMMENDATION</b>	<b>That the PCC signs the agreement.</b>

**POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE**

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

**Signature:**



**Date: 11 October 2022**

- A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC**
- A1. INTRODUCTION AND BACKGROUND**

1. This is a request to revisit an existing collaboration agreement in respect of the cross border authorisation of RIPA requests.
2. For the purposes of the IPA and RIPA, this is an agreement under sec 22(A) of the Police Act 1996 that will allow the following:
  - an Authorising Officer power to grant an authorisation to interfere with property on an application made by a member of any of the five regional EM forces and South Yorkshire Police.
  - to permit Authorising Individuals (AI) within the authorising force to grant authorisations for officers within any of the regional EM forces and South Yorkshire Police to obtain communications data.
  - to permit an AI to issue an authority under IPA requiring the disclosure of communications data to an appropriate person in any of the regional EM forces and South Yorkshire Police.
  - to permit an AO for the purposes of Directed Surveillance or to grant an authorisation upon application by a member of any of the regional EM forces and South Yorkshire Police.
  - to permit a Senior Authorising Officer for the purposes of intrusive surveillance to grant an authorisation upon application by a member of any of the regional EM forces and South Yorkshire Police.
3. The Section 22 Agreement is attached in Part 2 of this agreement.

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

RIPA and IPA 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]*

Human Rights considerations are paramount in each individual RIPA and IPA application.

**D. PERSONNEL AND EQUALITIES ISSUES**

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

None.

**E. REVIEW ARRANGEMENTS**

None.

**F. RISK MANAGEMENT**

None

**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 Collaboration Agreement is an unredacted version of the Agreement and should not be published on the grounds that it could undermine operational tactics.

**DECLARATIONS**

	Initial to confirm
Originating Officer: <b>D/Supt Amy WHIFFEN</b> recommends this proposal for the reasons outlined above	AW
The CC's Chief Finance Officer has been consulted on this proposal	SC
The Chief Constable has been consulted on this proposal	CH

The PCC's Chief Finance Officer has been consulted on this proposal	JF
The PCC's Monitoring Officer has been consulted on this proposal	MB

## CHIEF OFFICER APPROVAL

### ***Chief Executive***

I have been consulted about the proposal and confirm that financial, legal and equalities advice have 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: 11 October 2023**