



Creating a safer
Cambridgeshire



Police and Crime Commissioner
CAMBRIDGESHIRE AND PETERBOROUGH

To: Business Coordination Board

From: Chief Constable and Chief Executive

Date: 07 August 2017

COVERT HUMAN INTELLIGENCE SOURCES – SECTION 22A AGREEMENT

1. Purpose

1.1 The purpose of this report is to update the Business Coordination Board (the “Board”) on the collaboration agreement for Covert Human Intelligence Sources (CHIS). The CHIS collaboration agreement provides a statutory basis for the police function of authorising CHIS.

2. Recommendation

2.1 The Board is recommended to note the signing of the CHIS Section 22A Agreement under the Police Act 1996 (as amended).

2.2 The Police and Crime Commissioner (“the Commissioner”) signs the Decision Notices to sign the S22A Agreement to approve the Section 22A Agreement for the collaboration of police function of authorising CHIS.

3. Background

3.1 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.

3.2 The Parties 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.

- 3.3 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.
- 3.4 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

4. Section 22A Agreement under the Police Act 1996

- 4.1 A Section 22A Agreement enables police forces and local policing bodies as defined in the Police Act 1996 (as amended) and other parties to make an agreement about the discharge of functions by officers and staff where it is in the interests of the efficiency or effectiveness of their own and other police force areas.
- 4.2 Hertfordshire Constabulary legal department have reviewed the amended CHIS Section 22 A Agreement and consider the agreement is lawful and fit for purpose.
- 4.3 Comments have been requested on the final draft of the Agreement and only substantive amendments will be included. On 11 September 2017 Charter (the new CT national CHIS database) will be going live and this agreement is integral to that process.

5. Recommendation

- 5.1 The Board is recommended to note the signing of the CHIS Section 22A Agreement under the Police Act 1996 (as amended).
- 5.2 The Police and Crime Commissioner ("the Commissioner") signs the Decision Notices to sign the S22A Agreement to approve the Section 22A Agreement for the collaboration of police function of authorising CHIS

BIBLIOGRAPHY

Source Documents	
Contact Officers	Chief Constable, Cambridgeshire Constabulary Dorothy Gregson, Chief Executive, Office of Police and Crime Commissioner



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