



Heddlu Dyfed-Powys Police

Crime Management and Reduction Department

COVERT HUMAN INTELLIGENCE SOURCES (CHIS)

Force Policy

Author:	Section 40(2) Personal Information exemption and Section 31(1)(a)(b)(C) Law Enforcement applied.
Version:	0.03
Date:	November 2009
Person Responsible:	Detective Chief Superintendent

POLICY IDENTIFICATION PAGE

THIS POLICY HAS BEEN DRAFTED IN ACCORDANCE WITH THE PRINCIPLES OF THE HUMAN RIGHTS LEGISLATION, PUBLIC DISCLOSURE IS NOT APPROVED UNLESS WHERE OTHERWISE INDICATED AND JUSTIFIED.

Policy Title: COVERT HUMAN INTELLIGENCE SOURCES (CHIS)

Policy Reference No: 01/09

Policy Ownership: Dyfed-Powys Police

Portfolio/Business Area Ownership: CM & RD

Department Responsible: Crime Management

Person Responsible: Detective Chief Superintendent

Links/Overlaps with other Policies:

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Policy Review Date: November 2010

Document History

Version	Date	Author	Reason for Change
0.02	16.11.09	Section 40(2) exemption and Section 31(1)(a)(b)(C) Law Enforcement. applied	Annual Review – no changes.

Certificate of Compliance

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its contents and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

Name: _____ **Bryn Thomas** _____

Department: _____ **Legal Services Department**

Signed: _____ ***B. Thomas*** _____

REVIEW

This policy is due for review in: November 2010.

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Policy Document Statement

This policy has been drafted in accordance with Human Rights Legislation and the Freedom of Information Act 2000.

General Principles

It is the policy of Dyfed-Powys Police:

- To deliver guidance in respect of the management of Covert Human Intelligence Sources (CHIS).
- To clearly define administrative duties in support of key policing objectives.
- To provide key information to front line officers.
- To work in partnership with other agencies to protect the public and prevent crime.

All staff, in the adoption of this policy, and in the exercise of their daily duties, must ensure that:

- a. They follow a clearly defined decision making process by detailing their objective(s), assessing all available and relevant information and feasible options, documenting decisions and reviewing outcomes;
- b. They give due regard to the welfare, safety, general well being and human rights of all individuals;
- c. They do not unjustifiably discriminate against any individual or groups of individuals;
- d. Actions taken are justified, strictly proportional to, and are the least intrusive and damaging option to the achievement of their legitimate aims.

Aims and Lawful Authority

The purpose of this policy is to provide guidance to police personnel on the management of Covert Human Intelligence Sources (CHIS) within the Force.

The legal basis for the exercise of powers and duties outlined in this policy are:

- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000 and the Codes of Practice under Part Two of the Act
- Data Protection Act 1998
- Criminal Appeal Act 1995
- Criminal Procedures and Investigations Act 1996
- Health & Safety at Work Act 1974
- The Management of Health & Safety at Work Regulations 1999

Dyfed-Powys Police consider that these actions are necessary in a democratic society in the interest of and in order to safeguard:

- Public safety
- The prevention of disorder or crime
- The prevention of public order
- The protection of rights and freedoms of others

Documents underlying this policy include the Guidance on the Management of Covert Human Intelligence Sources (CHIS) 2006 and the Management of Covert Human Intelligence Sources Confidential Supplement 2006. These documents produced by the National Centre for Policing Excellence (NCPE) on behalf of the Association of Chief Police Officer are intended to shape law enforcement responses to ensure consistent levels of service.

The NCPE guidance document should always be referred to in the absence of guidance contained within this force policy.

1. Introduction

For more than two hundred years the courts have recognised that the employment of human beings to provide information is a vital tool in the law enforcement effort and one which should be protected. Covert Human Intelligence Sources (CHIS), offer unrivalled access to criminals and their enterprises enabling the best chance of frustrating criminal efforts and undermining and disrupting criminal groups.

Covert Human Intelligence Sources

The purpose of this policy is to set out the Dyfed-Powys Police approach to the use and management of CHIS and includes:

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

'CHIS' or 'Source'

A CHIS is a person who establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating anything that:

a) covertly uses such a relationship to obtain information or to provide access to any information to another person.

Or

b) covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

'Covertly' means that at least one of the parties in the relationship is unaware of the purpose.

'Actions' of an individual that require authorisation, on behalf of a law enforcement agency in a particular manner.

2. Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

3. Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

4. Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

5. Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

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Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

Appendix A

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

Section 31 (1) (a)(b)(c) Law Enforcement exemption applied

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