

Press release: Investigatory Powers Commissioner appointed: Lord Justice Fulford

The Prime Minister has approved the appointment of Lord Justice Fulford as the first Investigatory Powers Commissioner for a 3-year term. Lord Justice Fulford will take up appointment with immediate effect.

Prime Minister Theresa May said:

I'm pleased to announce the appointment of Lord Justice Fulford as the first Investigatory Powers Commissioner. He brings a wealth of experience in the judiciary and expertise in matters of law which will be crucial to his vital role scrutinising the use of investigatory powers, as part of a world-leading oversight regime.

Biographical notes

The Rt Hon Sir Adrian Fulford qualified as a barrister in 1978 and took Silk in 1994. He was appointed a Recorder of the Crown Court in 1995. He was appointed a High Court Judge of the Queen's Bench Division on 21 November 2002. He was elected to serve as 1 of the 18 judges of the International Criminal Court in 2003 for a term of 9 years, and was assigned to the Trial Division. He was sworn into office on 11 March 2003. He was appointed as a Lord Justice of Appeal on 10 May 2013.

With effect from 1 January 2015, Sir Adrian was the Deputy Senior Presiding Judge for England and Wales. From 1 January 2016 he became the Senior Presiding Judge. He is currently the Judge in Charge of IT and leads for the judiciary on HM Courts & Tribunals Service reform.

Whilst holding the appointment as the Investigatory Powers Commissioner, Sir Adrian will remain a Judge of the Court of Appeal.

Background

[Section 227 of the Investigatory Powers Act 2016](#) provides for the Prime Minister to appoint the Investigatory Powers Commissioner (IPC). The role of the IPC is to authorise and oversee the use of Investigatory Powers by public authorities.

Sir Adrian will now begin work on establishing his office, and will take on the statutory functions of the IPC in due course.

Corporate report: Results-Based Agri-environment Payment Scheme (RBAPS) pilot study in England

Updated: Issue 2 of newsletter added.

The EU Directorate General awarded a 3-year grant to Natural England and the Yorkshire Dales National Park Authority (YDNPA) in 2016 to jointly run a pilot study, known as the Results-Based Agri-environment Payment Scheme (RBAPS).

There are 2 other pilot studies funded by the EU in:

- [Ireland and Spain](#)
- [Romania](#)

Agreement holders get paid by results, not by following set methods. Management actions taken are not assessed. Agreement holders can choose the most suitable method to achieve the agreed end result.

The results of all 3 pilot studies will shape land management scheme design in England and the EU for the future.

RBAPS is being applied to 4 land management options – 2 options each in 2 locations in England. The tables show how RBAPS management options compare to current Environmental Stewardship (ES) and Countryside Stewardship (CS) options.

Study areas

The 2 pilot study areas test grassland and arable management options.

Grassland options – Wensleydale, North Yorkshire

RBAPS option	Species rich hay meadow
ES comparable options	HK6 – maintenance of species rich, semi-natural grassland, HK7 – restoration of species rich, semi-natural grassland
CS comparable options	GS6 – management of species rich grassland, GS7 – restoration towards species rich grassland
RBAPS option	Habitat for breeding waders
ES comparable options	HL7 – maintenance of rough grazing birds, HL8 – restoration of rough grazing for birds
CS comparable option	UP2 – management of rough grazing for birds

Read the grassland factsheet (attached on this page) for progress in Wensleydale.

Arable options – Norfolk and Suffolk

RBAPS option

Winter bird food

ES comparable options EF2/HF2 – wild bird seed mixture, HF12 – enhanced wild bird seed mixture

CS comparable option [AB9](#) – winter bird food

RBAPS option

Pollen and nectar

ES comparable option EF4/HF4 – nectar flower mix

CS comparable option [AB1](#) – nectar flower mix

Read the arable factsheet (attached on this page) for progress in Norfolk and Suffolk.

Study aims

Natural England and the YDNPA will:

- design and implement the pilot scheme
- develop ways of measuring results for the 4 management options
- monitor control sites
- analyse results

Measuring success

Results will test how:

- RBAPS affects environmental performance
- accurately farmers carry out self-assessment as part of the new approach
- cost effective the approach is
- well farmers and stakeholders respond to the approach

The pilot study will publish 2 newsletters each year providing updates for the lifetime of the scheme. Read issue 1 attached on this page.

Read the National Audit Office summary report on [government's use of payment by results schemes](#). The report concludes that sharing good practice and gathering strong evidence is vital for the success of these schemes.

[News story: Aircraft Accident Report AAR 1/2017 – G-BXFI, 22 August 2015](#)

Hawker Hunter G-BXFI crashed on to the A27, Shoreham Bypass near

Shoreham Airport.

[Aircraft Accident Report 1/2017](#) was published on 3 March 2017.

It concerns the accident to Hawker Hunter, G-BXFI which crashed on to the A27, Shoreham Bypass near Shoreham Airport during air display on 22 August 2015.

Press release: Poor due diligence and monitoring put charity assets at risk

The Charity Commission ('the Commission') has today published a [report](#) of its statutory inquiry into [Human Aid UK \(registered charity number 1138111\)](#) ('the charity'). The charity describes itself as an international humanitarian charity which strives to alleviate the suffering of the oppressed and says it works in collaboration with dedicated partner organisations in remote areas of the world, including Africa, Middle East and South Asia. The inquiry was opened to examine issues identified at visits to the charity regarding their controls around fundraising and the end use of charitable funds.

The inquiry found that whilst the charity acted on some of the earlier regulatory advice provided by the Commission to address vulnerabilities in its financial controls and management of fundraising, the charity had not exercised sufficient oversight of its work with partners, particularly in areas which are considered to be high risk or where conflict prevails.

The Commission found that the charity's records and systems regarding its activities in Turkey/Syria and/or on the Syrian border did not sufficiently account for the proper end use of all the funds transferred from the charity to partner organisations. The inquiry could not reconcile some costs with the records and systems inspected at the time on one project with a partner organisation based in Turkey for an emergency medical service convoy to Syria and found further deficiencies in relation to the charity's monitoring of the end use of funds relating to a baby milk project with another UK partner.

The inquiry did not find evidence of specific misapplication of charity funds. However, due to the overall lack of adequate documentation to demonstrate the charity's due diligence checks and monitoring of the end use of funds, the inquiry concluded that the trustees had failed to adequately protect the charity and its assets.

The Commission has exercised its powers and directed the trustees to carry out a number of actions to address compliance with key trustee duties including a review of the charity's financial management and controls as well as its due diligence policies and record keeping. The Commission is

monitoring the charity's compliance with the order.

Michelle Russell, Director of Investigations, Monitoring and Enforcement at the Charity Commission, said:

Many charities doing vital humanitarian work rely on partner organisations to help them carry out activity in the UK and overseas. The findings in this report are a reminder to those charities about the need for them to carry out proper due diligence on partners that receive money from or work closely with the charity and proper monitoring and verification of spend of the charity's funds.

A fundamental basic is the need to keep adequate and appropriate receipts and other records of spend and have proper systems and procedures in place to request, analyse, record and hold these on a systematic and regular basis.

Monitoring is important to ensure that trustees are able to account for the proper use of the charity's funds and that they maintain donor confidence. Our experience of talking to and visiting charities that work in this field is that good record keeping is a basic given but there is also the need to use a combination of monitoring and verification techniques adapted to the different working environment and areas the charity is working in. This is particularly important where a charity works with or through partners, or works in high risk areas.

Further guidance about trustees' obligations and responsibilities can be found in [The essential trustee: what you need to know, what you need to do \(CC3\)](#). Further guidance on due diligence and monitoring is available in the Commission's compliance toolkit – [Chapter 2: Due diligence, monitoring and verifying the end use of charitable funds](#).

The [full report](#) is available on GOV.UK.

Ends

PR 13/17

Notes to editors

1. [The Charity Commission](#) is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
2. Search for charities on our [online register](#).
3. Details of how the Commission reports on its regulatory work can be found on [GOV.UK](#).

News story: Defence Secretary applauds service of globally deployed Scots

During a visit to Edinburgh, Sir Michael met soldiers from Scots-based Army units. Many have either recently returned, or are about to deploy on missions with the UK's allies overseas.

Defence Secretary Sir Michael Fallon said:

Scotland is on the frontline defending the United Kingdom from growing threats at sea, in the air, and on land. Whether countering Daesh, improving security in Afghanistan, or playing a leading role in peace-keeping missions, Scottish troops deserve our gratitude for the incredible job they do.

At any time, at least 20% of the troops from Army units in Scotland are actively involved in operational, defence engagement or training with other nations.

Midlothian-based personnel of The Royal Highland Fusiliers, Second Battalion the Royal Regiment of Scotland (2 SCOTS) are part of the UN mission in South Sudan. They are also supporting NATO's Very High Readiness Joint Task Force and is currently deployed to Kenya where it is leading battle group training for 950 personnel.

Scotland's 51 Brigade have taken part in exercises with the Emiratis, Kuwaitis and the Qatari Armed Forces.

Scotland is also home to the UK's nuclear deterrent submarines at Her Majesty's Naval Base Clyde, and the Quick Response Aircraft at RAF Lossiemouth.