

JOINT POLICING COMMITTEES

GUIDELINES

Preface

We are delighted, as the Minister for Justice, Equality and Law Reform and the Minister for the Environment, Heritage and Local Government, to publish these guidelines for the joint policing committees which are being established under the provisions of the Garda Síochána Act 2005. The guidelines have been prepared by the Minister for Justice, Equality and Law Reform in consultation with his colleagues the Minister for the Environment, Heritage and Local Government and the Minister for Community, Rural and Gaeltacht Affairs. The Garda Síochána Act represents the biggest change to our system of policing since the establishment of the Garda Síochána and is designed to enable the force to meet the challenges of our increasingly complex and diverse society now and in the future. The joint policing committees form a significant part of the new arrangements being put in place arising from the Act.

We are strongly of the view that policing our society is best achieved through a partnership process involving the Garda Síochána and the democratically elected representatives of the communities which the Garda Síochána serves and with the participation of the community and voluntary sector. Each of these partners has its own distinct perspective and inputs to offer, and each has its responsibilities in ensuring that our society's policing needs are effectively met – the local authorities as much as the Garda Síochána – so as to ensure safe and secure communities.

The guidelines are being issued for an initial brief pilot phase, during which committees are being established in a limited number of local authority areas. We and our Government colleagues are of the view that these new committees represent a radical new departure. As such, it is only through practical experience gained through their operation that we will discover how best they should be structured and should operate. The pilots will be evaluated on an ongoing basis and in the light of the experience gained these guidelines will be amended as necessary.

The guidelines expand on the provisions of the Garda Síochána Act and set out how the joint policing committees will be integrated into the existing local authority structures. Great care has been taken in drawing up the guidelines to ensure that all those involved will have the opportunity to play a constructive role in making the committees a success. We have no doubt that all involved will make the most of the opportunities which the committees will offer elected representatives, the Garda Síochána and communities.

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Minister for Justice,
Equality and Law Reform

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1. Introduction

- 1.1 The purpose of these guidelines is to set out in detail the functions, composition and operation of joint policing committees in accordance with the Garda Síochána Act 2005. The Act (section 36) provides for the establishment of a joint policing committee in each local authority administrative area. The purpose of these committees is to provide a forum where a local authority and the senior Garda officers responsible for the policing of that area, with the participation of Oireachtas members and community interests, can consult, discuss and make recommendations on matters affecting the policing of the area. It is intended that the committees will be co-operative in nature and will operate with the minimum of formality. Through the work of the committee both partners – the local authority and the Garda Síochána - along with Oireachtas members and community interests will have the opportunity to contribute to the improved policing, in its broadest sense, of the area to the benefit of its residents by carrying out their duties and performing their functions.

2. Pilot Committees

- 2.1 In view of the innovative nature of the committees and the number which will be established (there are 114 local authorities in the State), it has been decided to pilot the committees in a limited number of local authority areas, which have been selected to give a representative sample of the local authorities in the State. The pilot phase will run for a limited period. These guidelines will be reviewed, and amended as necessary, in the light of the experience of running the pilots and a consultation process which will be undertaken in parallel with the pilots.
- 2.2 Pilot joint policing committees are accordingly being established for the areas of the following local authorities: Fingal, Offaly and Wicklow County Councils; Dublin, Galway, Limerick and Waterford City Councils; Drogheda and Sligo Borough Councils; Athy, Arklow, Ballinasloe, Birr, Bray, Edenderry, Greystones, Letterkenny, Mallow, Tralee, Tuam, Tullamore and Wicklow Town Councils. In the case of Dublin City, five subcommittees, corresponding to the operational areas of the City Council, will also be established to progress the work of the committee in an effective, efficient and manageable way.
- 2.3 From January 2007 an evaluation of the pilot phase will be undertaken in tandem with its operation. As part of the evaluation, these guidelines, including the provisions relating to membership and structures, will be revised as necessary in the light of the experience gained from the pilot programme and evaluation. Committees and, as appropriate, subcommittees of those committees, will then be established in all local authorities at an early date after mid 2007 and will remain in office until the next local elections in 2009. Thereafter they will be re-established after each local election for the lifetime of the local authority.
- 2.4 Each member of a joint policing committee or subcommittee should receive a copy of these guidelines.

- 2.5 The Garda Commissioner and each Garda Divisional and District Officer in the administrative areas in which a committee or subcommittee is being established should also receive a copy.
- 2.6 Copies should be available at all local authority offices for consultation and reference by members and staff of the local authority and members of the public. Local authorities should ensure that awareness of the committees, subcommittees and the guidelines is as widespread as possible. Copies should also be available at all operational Garda premises for consultation and reference by Garda officers, civilian employees and members of the public.

3. General

- 3.1 The establishment of the committees should not detract from, or substitute for, either regular day-to-day contact and consultation at ground level which is a feature of ordinary policing or the maintenance and development of suitable local liaison between local authority and Garda representatives not requiring a formal structure.
- 3.2 It is desirable that demands on the Garda Síochána arising from participation in the committees and any subcommittees should be kept within manageable proportions.
- 3.3 There should be flexibility to adapt to particular local circumstances, such as population, the nature of the area and policing priorities.
- 3.4 There should be proper linkage between the committees and subcommittees and their councils.

4. Membership and Frequency of Meetings

- 4.1 Membership of the committees and subcommittees in the pilot local authorities will be as follows:

4.1.1 Dublin City Council

In Dublin City there will be one overall joint policing committee. The membership will consist of:

- 13 councillors, of whom one will be nominated by the City Council from each of the 13 electoral areas. There will to the greatest extent possible be representation from each political grouping represented on the Council. In addition, the Lord Mayor shall be an *ex-officio* member of the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 6 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the City Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. This selection process will be facilitated by the City Council. Each political grouping represented by Oireachtas

members for the City Council area shall to the greatest extent possible have representation among these six members. If the members of the Oireachtas registered are unable to choose six members from among their number, they will be chosen by lot;

- The city manager, who shall be an *ex-officio* member, and two other officials selected by him/her. They may be accompanied to a meeting of the committee by such officials as the manager may consider appropriate having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 2 persons representing the community and voluntary sector in the city, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.1.2 The committee shall establish five subcommittees corresponding to the five operational areas of the City Council.

4.1.3 The membership of each subcommittee will consist of:

- The local authority members for the operational area. The Lord Mayor shall be an *ex-officio* member of all the subcommittees;
- 6 Oireachtas members chosen from among their number by those members of the Oireachtas who have registered with the City Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered (see paragraph 4.11). This selection process will be facilitated by the City Council. Each political grouping represented by those Oireachtas members who have registered their interest in being a member shall to the greatest extent possible have representation among these six members. If the members of the Oireachtas registered are unable to choose six members from among their number, they will be chosen by lot;
- The city manager, who shall be an *ex-officio* member, and a person nominated by him/her, accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 2 persons representing the community and voluntary sector in the area, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.2 **Galway City Council**

4.2.1 In Galway City there will be one joint policing committee. The membership will consist of:

- 11 local authority members, of whom at least 3 must be selected from each electoral area of Galway City Council. In addition, the Mayor shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;

- 6 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the City Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the City Council. Each political grouping represented by Oireachtas members for the city council area shall to the greatest extent possible have representation among these six members. If the members of the Oireachtas registered are unable to choose six members from among their number, they will be chosen by lot;
- The city manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in the city, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.3 **Limerick City Council**

4.3.1 In Limerick City there will be one joint policing committee. The membership will consist of:

- 13 local authority members, of whom at least 3 must be selected from each electoral area of Limerick City Council. In addition, the Mayor shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 5 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the City Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the City Council. Each political grouping represented by Oireachtas members for the city council area shall to the greatest extent possible have representation among these five members. If the members of the Oireachtas registered are unable to choose five members from among their number, they will be chosen by lot;
- The city manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in the city, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.4 **Waterford City Council**

4.4.1 In Waterford City there will be one joint policing committee. The membership

will consist of:

- 11 local authority members, of whom at least 3 must be selected from each electoral area of Waterford City Council. In addition, the Mayor shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 5 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the City Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the City Council. Each political grouping represented by Oireachtas members for the city council area shall to the greatest extent possible have representation among these five members. If the members of the Oireachtas registered are unable to choose five members from among their number, they will be chosen by lot;
- The city manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in the city, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.5 **Fingal County Council**

4.5.1 In Fingal there will be one joint policing committee. The membership will consist of:

- 13 local authority members with at least 2 from each local electoral area. In addition, the Cathaoirleach shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 5 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the County Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the county council. Each political grouping represented by Oireachtas members for Fingal shall to the greatest extent possible have representation among the five. If the members of the Oireachtas registered are unable to choose five members from among their number, they will be chosen by lot;
- The county manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such

Garda officers as they deem appropriate;

- 3 persons representing the community and voluntary sector in the county, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.6 **Offaly County Council**

4.6.1 In Co. Offaly there will be one joint policing committee. The membership will consist of:

- 11 local authority members with at least 2 from each local electoral area. In addition, the Mayor/Cathaoirleach shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 5 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the County Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the county council. Each political grouping represented by Oireachtas members for Offaly shall to the greatest extent possible have representation among the five. If the members of the Oireachtas registered are unable to choose five members from among their number, they will be chosen by lot;
- The county manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in the county, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.7 **Tullamore, Birr and Edenderry Town Councils**

4.7.1 A committee shall be established in each of the above town council areas. The membership of each will consist of:

- All local authority members of the respective town council;
- 3 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the respective town council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the respective town council. Each political grouping represented by Oireachtas members for the respective town council area shall to the greatest extent possible have representation among the three. If the members of the Oireachtas registered are unable to choose three members from among their number, they will be chosen by lot;
- The local authority manager, who shall be an *ex-officio* member of the committee, and a person nominated by him/her. They may be

accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;

- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in each town, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.8 **Wicklow County Council**

4.8.1 In Co. Wicklow there will be one joint policing committee. The membership will consist of:

- 11 local authority members with at least 2 from each local electoral area. In addition, the Mayor/Cathaoirleach shall be an *ex-officio* member of the committee. Each political grouping on the council must be represented on the committee. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting;
- 5 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the County Council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the county council. Each political grouping represented by Oireachtas members for Offaly shall to the greatest extent possible have representation among the five. If the members of the Oireachtas registered are unable to choose five members from among their number, they will be chosen by lot;
- The county manager, who shall be an *ex-officio* member, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in the county, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.9. **Arklow, Bray, Greystones and Wicklow Town Councils**

4.9.1 A committee shall be established in each of the above town council areas. The membership of each will consist of:

- All local authority members of the respective town council;
- 3 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the respective town council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the respective town council. Each political grouping represented by Oireachtas members for the respective town council area shall to the greatest extent possible have representation among the three. If the members of the Oireachtas registered are unable to choose three

- members from among their number, they will be chosen by lot;
- The local authority manager, who shall be an *ex-officio* member of the committee, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in each town, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.10 Drogheda and Sligo Borough Councils and Athy, Ballinasloe, Letterkenny, Mallow, Tralee and Tuam Town Councils

4.10.1 A committee shall be established in each of the above borough/town council areas. The membership of each will consist of:

- All local authority members of the respective borough/town council;
- 3 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the respective borough/town council their interest in being a member. The Oireachtas membership shall rotate every second year on a basis to be decided by the Oireachtas members who have registered. The selection process will be facilitated by the respective borough/town council. Each political grouping represented by Oireachtas members for the respective borough/town council area shall to the greatest extent possible have representation among the three. If the members of the Oireachtas registered are unable to choose three members from among their number, they will be chosen by lot;
- The local authority manager, who shall be an *ex-officio* member of the committee, and a person nominated by him/her. They may be accompanied by such other officials as he or she considers appropriate, having regard to the agenda for the meeting;
- 2 Garda officers nominated by the Commissioner, accompanied by such Garda officers as they deem appropriate;
- 3 persons representing the community and voluntary sector in each borough/town, selected in accordance with local arrangements which may include consultation with the community and voluntary forum.

4.11 In order to facilitate as wide a representation as possible of Oireachtas members, no Oireachtas member may register for membership of a joint policing committee with more than one city or county council. In the case of Dublin city, no Oireachtas member may register for membership of more than one subcommittee.

4.12 Members of committees and subcommittees shall not be entitled to appoint substitutes to attend and participate as members of any committee or subcommittee, with the exception of officials and members of the Garda Síochána as provided for in these guidelines.

4.13 Section 35 (3) of the Garda Síochána Act provides:

“In nominating members of the Garda Síochána for appointment to a joint policing committee, the Garda Commissioner shall have regard to the need to ensure that such members are of appropriate rank and seniority.”

- 4.14 Filling of a casual vacancy: A person appointed to fill a casual vacancy shall hold office for the remainder of the term of the person in whose place he or she is appointed. A member who is a local authority member shall cease to be a member of the committee if (i) he or she resigns by notice in writing to the local authority; (ii) he or she becomes disqualified for membership of the local authority; or (iii) he or she ceases to be a member of the local authority. A member other than a local authority member shall cease to be a member if (i) he or she resigns by notice in writing to the local authority; or (ii) he or she ceases to be a member of the grouping which originally nominated him or her to the committee. A person whose term of office expires or who has resigned shall be eligible for re-appointment subject to compliance with membership requirements outlined in paragraph 4 of the guidelines.
- 4.15 To the greatest extent possible, the principle of gender equality in membership should be adhered to.
- 4.16 It is envisaged that two meetings per annum for each committee and subcommittee would prove adequate in most circumstances.
- 4.17 If the chairperson and a Garda representative agree that for urgent reasons an additional meeting would be of value, such a meeting may exceptionally be held.

5. Functions

- 5.1 The function of the committees is set out in section 36 (2) of the Garda Síochána Act, which states:

“The joint policing committee’s function is to serve as a forum for consultations, discussions and recommendations on matters affecting the policing of the local authority’s administrative area, and in particular to –

- (a) keep under review -
- (i) the levels and patterns of crime, disorder and anti-social behaviour in that area (including the patterns and levels of misuse of alcohol and drugs), and
 - (ii) the factors underlying and contributing to the levels of crime, disorder and anti-social behaviour in the area,
- (b) advise the local authority concerned and the Garda Síochána on how they might best perform their functions having regard to the need to do everything feasible to improve the safety and quality of life and to prevent crime, disorder and anti-social behaviour within the area,

- (c) arrange and host public meetings concerning matters affecting the policing of the local authority's administrative area,
- (d) establish, in consultation with the local Garda superintendent, as the committee considers necessary within specific neighbourhoods of the area, local policing fora to discuss and make recommendations to the committee concerning matters that it is to keep under review under paragraph (a) or on which it is to advise under paragraph (b), in so far as those matters affect their neighbourhoods, and
- (e) co-ordinate the activities of local policing fora under paragraph (d) or otherwise."

5.2 Section 37 (1) provides:

"A local authority shall, in performing its functions, have regard to the importance of taking steps to prevent crime, disorder and anti-social behaviour within its area of responsibility."

5.3 As a result of the work of the committees and subcommittees, decisions which are made by any of the interests represented on the committee or subcommittee should be more closely informed by the discussion of local needs and circumstances. In particular, the committee or subcommittee will act as a mechanism through which, firstly, elected representatives and local communities can have a role in conveying information and views to Garda Divisional and District officers to assist them in the formulation and operation of their annual policing plans and, secondly, Garda Divisional and District officers can convey information and views to elected representatives and local communities to assist them in carrying out their duties, functions and activities.

5.4 The matters to be considered by the committees and subcommittees might include traffic, vandalism, anti-social behaviour, underage drinking, casual trading, litter, planning for events attracting large crowds, community-based crime prevention initiatives, Garda Divisional and District annual policing plans and local authority initiatives.

6. Establishment

6.1 Section 36 (1) of the Garda Síochána Act provides:

"A local authority and the Garda Commissioner shall arrange for the establishment of a joint policing committee in accordance with guidelines issued ..."

6.2 A local authority shall, after consultation with the Garda Commissioner or an officer authorised by him or her to consult with the local authority, by resolution establish a committee.

- 6.3 The Garda Síochána representatives on the committee shall be appointed by the Garda Commissioner. The other members first appointed shall be appointed by resolution of the local authority by which it was established, and subsequent appointments shall be by such resolution or in such other manner as that local authority may provide for by resolution.

7. Chairperson

- 7.1 Section 35 (2) (c) of the Garda Síochána Act provides that the chairperson of a committee shall be a member of the local authority concerned nominated to membership of the committee as a member of the local authority concerned.
- 7.2 The local authority members shall nominate the chairperson. They shall also nominate the chairpersons of any subcommittees.
- 7.3 The term of office of a chairperson shall not be less than two years and will, thereafter, rotate between the local authority members of the committee or subcommittee.
- 7.4 It shall be open to a committee or subcommittee to appoint a vice chairperson from among the local authority members. The committee or subcommittee shall ensure that, as far as is practicable, the offices of chairperson and vice-chairperson are at all times held by members of different political groupings.

8. Members of Oireachtas

- 8.1 A member of the Oireachtas is entitled to be present without notice at a meeting of a committee or of a subcommittee of that committee, subject, as appropriate, to section 45 (3) of the Local Government Act, 2001 or regulations made under section 54 of that Act.
- 8.2 In setting the date and time of a meeting, a committee or subcommittee should endeavour to ensure that a date and time are set which would allow a member who is a member of a House of the Oireachtas to attend a meeting of that House.
- 8.3 A committee or subcommittee shall make available without charge to members of the Oireachtas not members of the committee or subcommittee the notice, agenda and minutes of meetings of the committee or subcommittee, reports made by and to the committee or subcommittee, where a member informs the committee or subcommittee in writing or electronically that he or she wishes to receive a copy of them.

9. Meetings of a Committee or Subcommittee

- 9.1 The presumption is that members of the public (any person who is not attending the meeting at the committee's request) and representatives of the media (including accredited representatives of local and national press, local and national radio and local and national television) are entitled to be present at a meeting of a committee or subcommittee and information and documents

produced for the committee or committee will be available to them, unless there are legal reasons why this would not be possible or it would not be in the public interest to do so.

9.2 Where a committee or subcommittee is of the opinion that the absence of members of the public and representatives of the media from the whole or part of a particular meeting is in exceptional circumstances desirable because:

- of the special nature of the meeting, or of an item of business to be, or about to be, considered at the meeting, or
- for other special reasons

the committee or subcommittee may decide to meet in committee.

9.3 Meetings to plan future business, including public meetings, will be held in committee.

9.4 Particular efforts should be made when a committee or subcommittee is first established to advertise publicly

- its establishment, purpose and functions
- the date, time and place of its meetings
- an invitation to the local population to attend.

9.5 Efforts should be made to ensure that meetings take place throughout the local authority area or operational area, as appropriate.

10. Public Meetings

10.1 Section 36 (2) (c) of the Garda Síochána Act provides that the function of a joint policing committees is, inter alia, to “arrange and host public meetings concerning matters affecting the policing of the local authority’s administrative area”.

10.2 The emphasis of public meetings will be on policing rather than individuals and obtaining the co-operation of the public in preventing crime.

10.3 It is envisaged that committees and subcommittees of the Dublin City committee would hold public meetings at regular intervals and at least once a year. Care should be taken to ensure that meetings take place throughout the local authority area.

10.4 Procedures should have a minimum of formality and should reflect the co-operative nature of the committees and subcommittees.

10.5 Decisions on holding public meetings will be made at meetings of the committee or subcommittee. At least 14 days before a meeting, advertisements should be placed informing the public:

- of the date, time, place and purpose of the meeting;

- that they are welcome to attend;
- that they have the right to make their views known and ask questions of the members of the committee or subcommittee;
- of the procedure for submitting written questions, including an address for doing so. For those who have difficulty in producing written material, there should be a means of submitting a question, for example by recording a question via a telephone number for setting down in writing. Questions will be accepted from any person affected by the policing of the area. Questioners should give their name and address, which will not be publicised;
- that in some circumstances it may not be possible to provide information requested (see below).

10.6 As public knowledge of the meetings grows, the committee may consider that it is not necessary to provide the same level of detail in all such advertisements.

Dissemination of Information Regarding Public Meetings

10.7 Appropriate provision should be made to ensure that marginalised and hard to reach sections of the community are made aware of the meetings. Particular care should be taken to choose a date, time and place which will maximise the opportunity of the community to attend the meetings. In this respect, use should be made to the greatest possible extent of active community networks and local groups.

10.8 Representatives of the media may attend public meetings, subject to the provisions of section 45, Local Government Act, 2001.

Procedure for Tabling Questions

10.9 In order to increase the productivity of meetings, the public should be encouraged to give to the greatest extent possible advance notice of questions which will be raised.

10.10 In certain circumstances it may not be possible for either the Garda representative or the local authority to reply to a question, for legal reasons or because it would not be in the public interest to do so (see section 11).

10.11 Furthermore, in some circumstances it may not be possible to provide information or respond to a question because to do so would involve the disproportionate use of resources and the meeting should be informed accordingly.

10.12 If information cannot be provided for any of the above reasons the chairperson should encourage the questioner to rephrase the question in order to create a greater opportunity for information to be provided. This may involve the questioner submitting a general rather than a specific question.

10.13 A record should be kept of all written questions submitted. Questions and the answers provided will form part of the official records of the committee. Such records should be stored appropriately.

11. Subject Matter of Meetings

11.1 Section 36 (4) of the Garda Síochána Act provides:

“Neither the joint policing committee nor any of its subcommittees may consider matters relating to a specific criminal investigation or prosecution or matters relating to the security of the State.”

This also applies also to public meetings arranged and hosted by a committee.

11.2 A committee or subcommittee should not consider a matter if:

- it would endanger the security of one or more individuals;
- it relates to an individual;
- it involves information received by the Garda Síochána or the local authority in confidence
- it would, or would be likely to, prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.

11.3 Individuals shall not be discussed or named. An individual’s right to privacy and the provision of the European Convention on Human Rights Act 2003 must be adhered to.

12. Subcommittees

12.1 If a committee considers it necessary to establish a subcommittee, it may do so. Care should be taken to avoid a proliferation of subcommittees, which would represent an unproductive use of scarce resources. Other than in the case of Dublin City Council, no committee shall establish more than three subcommittees. In the case of Dublin City Council, the five subcommittees corresponding to the five operational areas of the city council shall each establish no more than three working groups.

13. Local Policing Fora

13.1 Section 36 (2) (d) of the Garda Síochána Act (see section 5) provides for the establishment of local policing fora by a committee. The internal procedures of such fora should be similar to those for the committee, but to the greatest extent possible be more informal.

13.2 As a general principle, local policing fora will be established only where resources are available to do so and where they would not divert scarce resources from committees or subcommittees.

13.3 Supplemental guidelines for the local policing fora shall be made at a later date.

13.4 In accordance with the National Drugs Strategy (action 11) priority will be given to establishing local policing fora in all Local Drugs Task Force areas and other areas experiencing problems of drugs misuse.

14. Reports

14.1 Section 36 (5) of the Garda Síochána Act provides:

“Not later than 3 months after the end of each year, the joint policing committee shall –

- (a) submit to the local authority a report on the performance of its functions during the preceding year, and
- (b) supply a copy of the report to the Minister [for Justice, Equality and Law Reform], the Garda Commissioner and such other persons as may be specified in the guidelines issued under section 35.”

14.2 In particular, the report should set out how it carried out its function under each of the headings set out in section 36 (2) of the Garda Síochána Act.

15. Co-operation and Joint Action with Other Joint Policing Committees

15.1 If two or more committees, or two or more of the Dublin City subcommittees, consider it appropriate to do so, they may, by resolution of each of the committees, co-operate and perform joint actions. A committee may co-operate and perform joint actions with more than one committee or group of committees. Similarly, a Dublin City subcommittee may co-operate and perform joint actions with more than one subcommittee or group of subcommittees.

16. Secretariat and Funding

16.1 The secretariats for the committees and subcommittees will be provided by local authorities with the necessary financial resources supplied by the Department of Justice, Equality and Law Reform and the Department of the Environment, Heritage and Local Government.

17. Internal Procedures

17.1 Procedures should have a minimum of formality and should reflect the co-operative nature of the committees and subcommittees. It is envisaged that decisions would be taken by agreement rather than by voting. However, in the exceptional event of a vote being taken at a meeting of a committee or subcommittee, each member present at the meeting shall have one vote. Where there is an equality of votes, a matter before a meeting shall be determined by a second or casting vote of the person chairing the meeting.

Conduct of a meeting

17.2 A quorum shall be such as applies to a committee of the local authority.

17.3 At least 21 days before a meeting, members of the committee or subcommittee will be notified of the date, time and place of the meeting.

- 17.4 An agenda and related documents, including minutes of the previous meeting, should be circulated in advance of a meeting. This should not prevent the raising of an item of business, that is, in the opinion of the chairperson or, if the chairperson is not available, the vice chairperson, and the Garda representative, particularly urgent. In order to increase the productivity of meetings, to the greatest extent possible members should give advance notice of questions which will be raised.
- 17.5 A non-member may be invited to attend a meeting and speak, if considered appropriate by the committee or subcommittee, to a particular agenda item, for example, representatives of statutory agencies where the committee or subcommittee considers that their particular expertise is required.
- 17.6 At a meeting, the Garda representative will present a report which will include general information in relation to the commission of crime and to crime prevention matters in the area. Members of the committee or subcommittee will have the opportunity to ask questions on matters in the report or on other matters.
- 17.7 The city or county local authority manager, as appropriate, or an official nominated by him or her, will also present a report and reply to questions.
- 17.8 In some circumstances, it may not be possible to provide information or respond to a question because to do so would involve the disproportionate use of resources and the committee or subcommittee should be informed accordingly.
- 17.9 A report of each committee and, in Dublin City, subcommittee meeting should be circulated by the committee or subcommittee secretariat to the full council, any town council in the county and the Garda Commissioner not later than one month after the meeting. The local authority member holding the chair of the committee or subcommittee or, if he or she is not available the vice chairperson, shall present this report to the full council. A town council joint policing committee should submit a copy of its report to the relevant county council. The reciprocal circulation of reports by town councils and county councils will strengthen links between them.
- 17.10 The reports should primarily be functional documents, which can be made publicly available.
- 17.11 All such reports should be readily available for consultation and reference by members of the local authority and the public available at the appropriate local authority offices, on its website, if it has one, and any other means which appear appropriate to the local authority, the Garda Síochána and the members of the committee.
- 17.12 Minutes of a meeting shall be submitted for confirmation as an accurate record at the next following ordinary meeting and recorded in the minutes of that meeting.

17.13 When confirmed, with or without amendment, the minutes of a meeting shall be signed by the person chairing the meeting they were submitted to for confirmation and any minutes claiming to be so signed shall be received in evidence without proof.

Other Provisions

17.14 Any public statements by a committee or subcommittee should be made on an agreed basis and issued by the chairperson on behalf of the committee or subcommittee or, if the chairperson is unavailable, the vice chairperson.

17.15 The acts, decisions and proceedings of a committee shall not be invalidated only because of a vacancy or vacancies in its membership or of the disqualification or want of qualification of any of its members.

- 17.16 (1) If –
- (a) in the opinion of the person chairing a meeting (“the chair”), any member has been or is disorderly by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting, and
 - (b) the chair has conveyed his or her opinion to the members present by naming the member concerned,

then the chair or any member may move “that the member named leave the meeting” and the motion, if seconded, shall be put and determined without discussion.

(2) Where a committee decides in accordance with subparagraph (1) that a member leave a meeting, that member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.

- (3) Where in the opinion of the chair –
- (a) there is general disorder which impedes the orderly transaction of business, or
 - (b) where a member against whom it was resolved that he or she leave the meeting by virtue of this paragraph refuses to do so,

the chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

Michael McDowell TD
Minister for Justice,
Equality and Law Reform

June, 2006