

GARDA SÍOCHÁNA ACT 2005
JOINT POLICING COMMITTEES
GUIDELINES

Preface

The Garda Síochána Act 2005 makes provision for the establishment of Joint Policing Committees. It does this against the background of a rapidly changing Ireland and with the awareness that not only central government must respond to the issues faced by local communities. The changes we are facing present both central and local government with many challenges. We see the Joint Policing Committees as offering an outstanding opportunity to address these challenges.

It is against this background that the Committees are now being rolled out to all 114 local authority areas. They will offer local authority elected members, An Garda Síochána, members of the Oireachtas and members of the public, through a partnership model, the opportunity to make what we believe will be a significant impact on the quality of daily life for all members of the community in each local authority area.

In the course of the last two years, 29 Joint Policing Committees have been established in representative local authority areas throughout the country. The practical experience gained through the operation of these pilot Committees, and the lessons learned in the course of a consultation process, which commenced with a seminar for representatives of these pilot Committees in November 2007, have made a significant contribution to these new and comprehensive Guidelines.

The partnership between An Garda Síochána and the local authority will be central to the effective operation of each Committee. However, as with any committee, it is essential that the role of each member is recognised and that there is a collective approach to assigning and accepting responsibility. Co-operation between town and county will also be essential to ensure that duplication and overlap are avoided and that the activities of Committees are complementary. The development of a close liaison between a Committee and its County or City Development Board will also be vital. Only with such a collective and co-operative approach can a Joint Policing Committee work effectively for the benefit of its local community.

We believe that the Joint Policing Committees have the potential to make a major contribution to the improved policing of the areas they represent to the benefit of all its residents and to realising the objective of the Garda Síochána Act 2005.

Dermot Ahern
Minister for Justice,
Equality and Law Reform

John Gormley
Minister for the Environment,
Heritage and Local Government

1. Introduction

- 1.1 These Guidelines replace all previous Guidelines, which are now withdrawn.
- 1.2 A reference in these Guidelines to a joint policing committee (JPC) is to be construed as a reference to a Dublin City area subcommittee also.
- 1.3 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 JPC in each local authority administrative area. The purpose of these JPCs 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 JPCs be partnerships which are co-operative in nature and operate in accordance with paragraph 2.1 below with the minimum of formality to identify, raise awareness of and find solutions for issues impacting on, or causing concerns for, the local community. Through the work of a JPC both partners – the local authority and the Garda Síochána - along with Oireachtas members and community interests have the opportunity to contribute to the improved safety and quality of life of the community.
- 1.4 JPCs should accordingly be established for the administrative areas of all 114 local authorities in the State. In the case of Dublin City, five area subcommittees, corresponding to the operational areas of the City Council, should also be established to progress the work of the JPC in an effective, efficient and manageable way. (See section 16 for details of JPC membership.)
- 1.5 The establishment of the JPCs should not detract from, or substitute for, either regular day-to-day contact or 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.
- 1.6 It is desirable that demands on the Garda Síochána and the local authorities arising from participation in the JPCs should be kept within manageable proportions. There should be flexibility to adapt to particular local circumstances, such as population, the nature of the area and policing priorities, and there should be proper linkage between the JPCs and their local authorities.
- 1.7 Each member of a JPC should receive a copy of these Guidelines.
- 1.8 Copies of the Guidelines should be available at all local authority offices for consultation and reference by elected members and staff of the local authority and by members of the public. Copies should also be available at all operational Garda premises for consultation and reference by Garda officers, civilian employees and members of the public. Local authorities and An

Garda Síochána should ensure that awareness of the JPCs, subcommittees and the Guidelines is as widespread as possible.

- 1.9 Greater detail in respect of certain aspects of the Guidelines is provided in Appendix 1 – Code of Practice.

2. Functions

- 2.1 The function of the JPCs 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.”

- 2.2 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.”

- 2.3 As a result of the work of the JPCs, decisions which are made by any of the interests represented on the JPC should be better informed ones as a result of

the discussion of local needs and circumstances. In particular, the JPC acts as a mechanism through which, firstly, the local authority 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 the local authority to assist it in carrying out its duties, functions and activities.

3. Establishment

3.1 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 ...”

3.2 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 JPC.

3.3 The Garda Síochána representatives on the JPC 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.

4. Chairperson

4.1 Section 35(2)(c) of the Garda Síochána Act provides that the chairperson of a committee will be drawn from the elected members nominated to the JPC by the relevant local authority.

4.2 The local authority elected members of the JPC shall appoint the chairperson of the JPC.

4.3 The term of office of a chairperson shall be not less than two years and, after the first term, rotate between the local authority elected members of the JPC. In view of the central role of the chairperson in the success of the JPC, JPCs are encouraged to consider a term of office longer than two years.

4.4 The chairperson of a JPC has the key role in ensuring that these Guidelines are followed.

4.5 It shall be open to a JPC to appoint a vice-chairperson from among the local authority elected members. The local authority elected members of the JPC shall appoint the vice-chairperson of the JPC. The JPC shall ensure that, as far as is practicable, the offices of chairperson and vice-chairperson are at all times held by elected members of different political groupings.

5. Members of Oireachtas who are not Members of JPCs

- 5.1 A member of the Oireachtas is entitled to be present without notice at a meeting of a JPC, subject, as appropriate, to section 45(3) of the Local Government Act, 2001 or regulations made under section 54 of that Act.
- 5.2 A JPC shall make available without charge to members of the Oireachtas who are not members of the JPC the notice, agenda and minutes of meetings of the JPC, reports made by and to the JPC, where a member informs the JPC in writing or electronically that he or she wishes to receive such documents.

6. Meetings of a JPC

- 6.1 The presumption is that members of the public (any person who is not attending the meeting at the JPC'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 JPC and information and documents produced for the JPC are to be available to them, unless it would not be possible for legal or confidentiality reasons or would not be in the public interest to have such persons present or make such information or documents available. (See paragraphs 6.2 and 6.3 following.) JPCs should endeavour to make their reports and documents publicly available to the widest degree possible.
- 6.2 Where a JPC 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 desirable, for example, due to the special nature of the meeting or of an item of business to be, or about to be, considered at the meeting, the JPC may decide to meet *in committee*.
- 6.3 Meetings to plan future business, including public meetings, shall be held *in committee*.
- 6.4 Particular efforts should be made by a JPC in its initial phase to advertise publicly:
- its establishment, purpose and functions;
 - the date, time and place of its initial meetings;
 - an invitation to the public to attend, taking into account the provisions of paragraphs 6.2 and 6.3.
- 6.5 Efforts should be made to ensure that meetings take place throughout the local authority area or operational area, as appropriate.
- 6.6 It is envisaged that quarterly meetings for each committee would prove adequate in most circumstances. Meetings should be held at times and in locations which facilitate maximum attendance.

- 6.7 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.
- 6.8 In setting the date and time of a meeting, a JPC 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.

7. Public Meetings

- 7.1 Section 36(2)(c) of the Garda Síochána Act provides that the function of a JPC is, inter alia, to “arrange and host public meetings concerning matters affecting the policing of the local authority’s administrative area”.
- 7.2 The emphasis of public meetings shall be on general policing rather than individuals and on obtaining the co-operation of the public in preventing crime.
- 7.3 It is envisaged that JPCs would hold public meetings at regular intervals and at least once a year. Care should be taken to ensure that the venue is varied.
- 7.4 When considering arranging and hosting a public meeting, a JPC should consider whether the business of the meeting should focus on a particular topic, age group or geographic area or a combination of these.
- 7.5 Procedures for public meetings should have a minimum of formality and should reflect the co-operative nature of the JPCs.
- 7.6 Decisions on holding public meetings shall be made at meetings of the JPC. 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 JPC;
 - of the procedure for submitting written questions, including an address for doing so;
 - of an alternative means of submitting a question (for those who have difficulty in providing written material), for example by recording a question via a telephone number for setting down in writing;
 - that questions will be accepted from any person affected by the policing of the area;
 - that questioners should give their name and address, which will not be publicised;
 - that the JPC welcomes the public’s views on what should be discussed at the meeting and how the meeting should be conducted and also on previous public meetings held (the formulation used should take account of any decisions subsequent to paragraph 7.4);

- that in some circumstances it may not be possible to provide information requested (see paragraph 7.12 and section 8 below).

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

Dissemination of Information Regarding Public Meetings

7.8 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 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 and any relevant RAPID Programme Area Implementation Teams.

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

Procedure for Tabling Questions

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

7.11 In certain circumstances, for legal reasons or because it would not be in the public interest to do so (see section 8), it may not be possible for either the Garda representative or the local authority to reply to a question.

7.12 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.

7.13 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.

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

8. Subject Matter of Meetings

8.1 The subject matter of meetings should be in line with section 2 of these Guidelines. There is, however, a range of matters which may not be discussed. These are set out in the following paragraphs.

8.2 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 to public meetings arranged and hosted by a JPC.

8.3 A JPC 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; or
- it is deemed prejudicial to a Garda operational matter, such as the deployment or composition of specialist units, or involves material of a sensitive nature.

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

9. Reports

9.1 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.”

9.2 In addition, a copy of the report should be supplied to the Minister for the Environment, Heritage and Local Government.

9.3 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 and the outcomes from strategies adopted by the JPC.

10. Support

10.1 Some funding to support the work of the JPC will be available from the Departments of Justice, Equality and Law Reform and the Environment, Heritage and Local Government.

11. Steering Group

- 11.1 In view of the scale of the activities of JPCs for city and county administrative areas, such JPCs are urged to establish a steering group, consisting of the chairperson of the JPC, a representative of An Garda Síochána and the city/county manager or a person nominated by him or her. The function of the steering group will be to facilitate the efficient functioning of the JPC. In particular, it will arrange procedures for the appointment of any new or replacement members, draw up the agenda and arrange for documentation for meetings (see paragraph 15.7), be the point of contact for co-operation and joint action with other JPCs (see section 13) and with any subcommittees of the JPC.

12. Subcommittees

- 12.1 If a JPC 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. No JPC shall establish more than three subcommittees. In the case of Dublin City Council, these would be in addition to the five area subcommittees. These area subcommittees may each establish no more than three working groups.
- 12.2 A subcommittee should focus on a specific geographical area within the local authority's administrative area or have a thematic remit (see Appendix 1 – Code of Practice) or be a combination of both. It should not be regarded as equivalent to a local policing forum (see section 14).
- 12.3 Subcommittee, other than a Dublin City area subcommittee, should be for either a specified period, eg. as a result of a specific problem arising, or an undetermined period, eg. when it has a thematic remit, and should be highly outcome focused.

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

- 13.1 If two or more JPCs consider it appropriate to do so, they may, by resolution of each of the JPCs, co-operate and perform joint actions. A JPC may co-operate and perform joint actions with more than one JPC or group of JPCs. A Dublin City area subcommittee may co-operate and perform joint actions with more than one Dublin City area subcommittee or group of Dublin City area subcommittees.

Town and County Joint Policing Committees

- 13.2 In particular, a JPC for a town shall co-operate and act jointly on matters of common concern with the JPC for the county in which it is located and with the JPCs for any other towns in the county. The JPC for the county shall similarly co-operate and act jointly with the JPCs for the towns in the county.

- 13.3 It is essential that town and county JPCs take all steps necessary to ensure that there is no duplication or overlap in their work, but that their activities complement each other. In addition to the matters set out in paragraphs 13.1 and 13.2, these could include exchanges of agendas (in advance of meetings) and minutes of meetings; joint meetings from time to time of the chairs of town/county JPCs together with representatives of the Garda and local authorities to ensure an efficient and effective approach by and across the JPCs within the county.
- 13.4 The work programmes and reports of the JPCs within the county should clearly demonstrate how such co-operation is being achieved.
- 13.5 Where a town is located adjacent to the border of a county, other than the county within which it is situated, co-operation and joint action by the JPC for the town and the JPC for the adjacent county should also take place. Co-operation would be facilitated by meetings between the chairpersons where considered necessary.

County/City Development Boards and County/City Joint Policing Committees

- 13.6 The JPC for a county or city and the County/City Development Board (CDB) for the same area should ensure that effective linkage is maintained between them. Such linkage should include copies of the JPC reports for the county or city being provided to the relevant CDB.

14. Local Policing Fora

- 14.1 Section 36(2)(d) of the Garda Síochána Act (see paragraph 2.1) provides for the establishment of local policing fora by JPCs. The internal procedures of such fora should be similar to those for the JPCs, but to the greatest extent possible be more informal.
- 14.2 As a general principle, JPCs should ensure that in establishing local policing fora they do not divert scarce resources from the work of the JPCs themselves.
- 14.3 In accordance with action 11 of the National Drugs Strategy 2001 – 2008, Guidelines for the operation of local policing fora in Local Drugs Task Force areas, tailored to address particular issues faced by those areas, will be issued separately prior to their establishment. Guidelines for the operation of local policing fora in other areas will issue subsequently when JPCs are well established and prior to their establishment.

15. Internal Procedures

- 15.1 A code of practice is attached as Appendix 1, section 1 of which sets out principles and approaches which JPCs should adhere to in their functioning.
- 15.2 JPC members shall declare to the JPC if they have an interest in any matter under discussion and shall withdraw from the meeting while that matter is being discussed.

- 15.3 JPCs should always bear in mind the importance of clear, comprehensive and ongoing communication between their members.
- 15.4 Procedures should have a minimum of formality and should reflect the co-operative nature of the JPCs. 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 JPC, each member present at the meeting shall have one vote. A member may abstain from voting, and such abstention may be recorded in the minutes. 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.
- 15.5 A quorum shall be such as applies to a committee of the local authority.
- 15.6 In order to facilitate JPC members, a date for the following meeting should be set at each meeting, save in exceptional circumstances. In any case, members of the JPC must be notified in writing of the date, time and place of a meeting at least 21 days before the meeting. A meeting, when arranged, should not be cancelled, save in exceptional circumstances and with the agreement of the chairperson. When a meeting is cancelled, the date, time and place of the next meeting should be fixed, with the agreement of the chairperson.
- 15.7 An agenda and related documents, including minutes of the previous meeting, should be circulated in advance of a meeting. Agendas should be focused, clear and the number of items included should reflect the time available. They should strike a balance between the role and responsibilities of each stakeholder. A template for the agenda is included in the code of practice (Appendix1). The setting of an agenda should not prevent the raising of an item of business (in advance of the meeting) that is, in the opinion of the person chairing the meeting or, if the chairperson is not available, the vice-chairperson, and the Garda representative, particularly urgent.
- 15.8 If considered appropriate by the JPC, a non-member may be invited to attend a meeting and speak to a specific agenda item. This applies in particular to representatives of statutory agencies or persons with specific expertise where the JPC considers that their expertise at a particular meeting is required.
- 15.9 At JPC meetings, the Garda representative presents a report which includes general information in relation to the commission of crime and to crime prevention matters in the area. The Garda representative should, to the greatest extent possible, endeavour to provide statistical data which is appropriate and relevant to the local authority's administrative area.
- 15.10 The city or county manager, as appropriate, or an official nominated by him or her, will also present a report in relation, or ancillary, to their functions and the work of the JPC.
- 15.11 Members of the JPC have the opportunity to ask the relevant Garda and local authority representative questions on matters contained in their report or on

other matters. Questions should be asked only in respect of the work of the JPC and should not take up a disproportionate amount of the time available for the meeting.

- 15.12 In order to increase the productivity of meetings, reports, documentation and copies of presentations should be circulated in advance of a meeting. Such documents should be treated as confidential until the meeting takes place. Advance notice of questions which it is intended to ask should also be given.
- 15.13 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 JPC should be informed accordingly.
- 15.14 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.
- 15.15 Any public statements by a JPC should be made on an agreed basis and issued by the chairperson on behalf of the JPC or, if the chairperson is unavailable, the vice-chairperson.
- 15.16 The actions, decisions and proceedings of a JPC 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.
- 15.17 The actions, decisions and proceedings of a JPC shall not be invalidated for the reason only that the number of members of the Oireachtas who have registered their interest in being a member of the JPC, and hence the number of such members on the JPC, is less than the number provided for in these Guidelines.
- 15.18 In the event of disorderly behaviour at a JPC meeting, the procedure set out below should be applied.

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.

Where a committee decides in accordance with (a) and (b) above 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.

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.

16. Membership of Joint Policing Committees

- 16.1 The number of members of each JPC is based on the number of elected members of the relevant county, city or town council and shall be as follows:

<u>Number of Elected Members of Council</u>	<u>Number of Members of JPC</u>
<u>County Councils</u>	
32 or more	28
26 – 31	27
20 – 25	26
<u>City Councils</u>	
52	28
31	30
17	26
15	24
<u>Borough/Town Councils</u>	
12	22
9	19

Membership of JPCs shall therefore be as set out in the following paragraphs.

16.2 County Councils

16.2.1 County Councils with 32 or more Elected Members

The JPC membership shall consist of:

- 15 local authority elected members with at least 2 from each local electoral area. In addition, the Cathaoirleach shall be an ex-officio member of the JPC. Each political grouping on the County Council must be represented on the JPC. 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 shall be facilitated by the County Council. Each political grouping represented by Oireachtas members for the County Council area 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 shall be chosen by lot;
- The county manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.2.2 County Councils with 26 – 31 Elected Members

The JPC membership shall consist of:

- 14 local authority elected members with at least 2 from each local electoral area. In addition, the Cathaoirleach shall be an ex-officio member of the JPC. Each political grouping on the County Council must be represented on the JPC. 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 shall be facilitated by the County Council. Each political grouping represented by Oireachtas members for the County Council area 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 shall be chosen by lot;
- The county manager, who shall be an ex-officio member, and a person

nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.2.3 County Councils with 20 - 25 Elected Members

The membership of the JPC shall consist of:

- 13 local authority elected members with at least 2 from each local electoral area. In addition, the Cathaoirleach shall be an ex-officio member of the JPC. Each political grouping on the County Council must be represented on the JPC. 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 shall be facilitated by the County Council. Each political grouping represented by Oireachtas members for the County Council area 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 shall be chosen by lot;
- The county manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.3 City Councils

16.3.1 Dublin City Council

16.3.1.1 The membership of the JPC shall consist of:

- 13 local authority elected members, of whom one shall 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 City Council. In addition, the Lord Mayor shall be an ex-officio member of the JPC. 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 shall 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 shall be chosen by lot;
- The city manager, who shall be an ex-officio member, and two other officials selected by him or her. They may be accompanied to a meeting of the JPC 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;
- 3 persons representing the community and voluntary sector in the City Council area, selected in accordance with local arrangements which may include consultation with the community and voluntary forum and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.3.1.2 The JPC shall establish five area subcommittees corresponding to the five operational areas of the City Council. The membership of each area subcommittee shall consist of:

- The local authority elected members for the operational area. The Lord Mayor shall be an ex-officio member of all the area 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 of that area subcommittee. The Oireachtas membership shall rotate every second year on a basis to be

decided by the Oireachtas members who have registered. This selection process shall be facilitated by the City Council. Each political grouping represented by those Oireachtas members who have registered their interest in being a member of that area subcommittee 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 shall be chosen by lot;

- The city manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the area subcommittees 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.3.2 **Cork City Council**

The membership of the JPC shall consist of:

- 16 local authority elected members, of whom at least 2 must be selected from each electoral area of the City Council. In addition, the Lord Mayor shall be an ex-officio member of the JPC. Each political grouping on the City Council shall be represented on the JPC. 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 shall 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 shall be chosen by lot;
- The city manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.3.3 Limerick City Council

The membership of the JPC shall consist of:

- 13 local authority elected members, of whom at least 3 must be selected from each electoral area of the City Council. In addition, the Mayor shall be an ex-officio member of the JPC. Each political grouping on the City Council shall be represented on the JPC. 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 shall 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 shall be chosen by lot;
- The city manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.3.4 City Councils with 15 Elected Members

The membership of the JPC shall consist of:

- 11 local authority elected members, of whom at least 3 must be selected from each electoral area of the City Council. In addition, the Mayor shall

be an ex-officio member of the JPC. Each political grouping on the City Council shall be represented on the JPC. 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 shall 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 shall be chosen by lot;
- The city manager, who shall be an ex-officio member, and a person nominated by him or her. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.4 **Borough/Town Councils**

The membership of the JPC shall consist of:

- All local authority elected members of the Borough/Town Council;
- 3 members of the Oireachtas, chosen from among their number by those members of the Oireachtas who have registered with the 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 shall be facilitated by the Borough/Town Council. Each political grouping represented by Oireachtas members for the 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 shall be chosen by lot;
- 2 officials nominated by the county manager, one of whom may be the county manager. They may be accompanied to meetings of the JPC 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 and any relevant RAPID Programme Area Implementation Teams or Community Safety Sub-Groups.

16.5 General Membership Matters

16.5.1 In order to facilitate as wide a representation as possible of Oireachtas members, no Oireachtas member may register for membership of more than one JPC at county/city level. In the case of Dublin city, no Oireachtas member may register for membership of more than one area subcommittee. However, where there will be a substantial under representation in the number of Oireachtas members on a particular JPC, by reference to what is specified in these Guidelines, the Minister will consider proposals to set aside this requirement for that JPC with a view to increasing the number of Oireachtas members on it.

16.5.2 Members of JPCs subcommittees shall not be entitled to appoint substitutes to attend and participate as members of any JPC, with the exception of officials and members of the Garda Síochána as provided for in these Guidelines.

16.5.3 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.”

16.5.4 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 elected 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 elected 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 this section.

16.5.5 To the greatest extent possible, the principle of gender equality in membership should be adhered to.

Dermot Ahern
Minister for Justice,
Equality and Law Reform

, 2008

Appendix

Joint Policing Committees – Code of Practice

1. Joint Policing Committees (JPCs) are intended to be a forum for discussion and a means of building confidence and trust, thereby bringing communities together through a process with which all participants feel comfortable. A JPC should engage with local community groups to the greatest degree possible. Such groups are an important resource in tackling the issues addressed by the JPC.

2. Operation

It is recognised that JPCs should be allowed to develop their own agendas and approaches, since one size does not fit all. Nevertheless, JPCs should have regard to the following principles and approaches in their operation.

- 2.1 A JPC should be strategic. It should not be a forum for addressing matters of detail. It should set priorities and be action oriented.
- 2.2 It should draw up an annual work programme, which would include realistic targets and indicators to measure implementation. The work programme should set out tasks for each stakeholder in the JPC.
- 2.3 It should not become a “talking shop”. Discussion of issues should be outcome focused and, in this context, should be of a constructive nature. An excessive amount of meeting time should not be spent on questions and speeches. An oral report or presentation and related questions should last for no longer than 15 minutes. (See paragraph 15.11 of the Guidelines).
- 2.4 A JPC should aim at developing a cross sectoral strategy and building consensus. Meetings should focus on delivering a partnership approach and not on question and answer sessions directed particularly at any one set of participants. A JPC should not concentrate on presentations and crime statistics.
- 2.5 While the Garda and local authority partnership is central to the effective operation of the JPC, it is essential that there is a collective approach to assigning and accepting responsibility. JPC members should indicate what they will contribute to its work. All stakeholders have a role to play.
- 2.6 Possible issues a JPC could focus on are: illegal drugs; CCTV; public order; anti-social behaviour; underage drinking; drinking in public places; consideration of drink licensing applications; vandalism; safer neighbourhoods; estate management (including tenancy enforcement and

public lighting); youth diversion; traffic management; planning of major events attracting large crowds, eg. fleadhanna; casual trading; litter; community-based crime prevention initiatives. Consideration of issues should be data and research based – it should not be emotion based.

- 2.7 A JPC should consider consulting on District/Divisional policing plans and relevant local authority initiatives.
- 2.8 A JPC should focus on outcomes. It should make recommendations, eg. suggest varying bye-laws or changes to policies and regulation, and set out the reasons for its recommendations.
- 2.9 Each item on the agenda of a meeting should have an action outcome. Provision should be made at an early point on the agenda of each meeting for a review of the status of implementation of recommendations made at the previous or earlier meetings.
- 2.10 The following is a template for JPC agendas:
 1. Minutes of previous meeting
 2. Progress on actions agreed at previous/earlier meeting
 3. Reports by An Garda Síochána and local authority representatives, followed by questions on reports
 4. Discussion on specific topics
 5. Actions agreed
 6. Date of next meeting
 7. Any other business
- 2.11 Minutes of each meeting shall be submitted for confirmation as an accurate record at the next following ordinary meeting and recorded in the minutes of that meeting. Responsibility for preparing the minutes should be assigned to a specified person.
- 2.12 Following each JPC meeting, a document should be prepared and circulated to members, setting out the issues discussed; the actions to be taken and by whom; a target date for completion; and the date, time and place set for the following meeting (paragraph 15.6 of the Guidelines).
- 2.13 JPC and local authority council meetings should not be held so close together that there is a risk of their agendas and consequent discussions becoming intertwined. When scheduling meetings of the JPC, regard should be had to scheduled meetings of other bodies in which members are involved.
- 2.14 While JPCs should have the flexibility to adapt to particular local circumstances (paragraph 1.6 of the Guidelines), it is desirable that they work as far as possible to similar standards.

3. Training

3.1 Training should be on a collective basis. It should give participants a thorough knowledge of the potential of the JPCs and the role and responsibilities of members, thereby enabling them to operate the JPCs to their full potential and in the spirit of partnership.

3.2 Training of chairpersons is particularly important, as they have a central role in the efficient and effective conduct of meetings. Training should be given inter alia in how to act effectively as facilitator of committees and smaller groups.

4. Joint Co-operation

4.1 JPCs are encouraged to bear in mind on an ongoing basis the provisions of section 13 of the Guidelines and, if they consider it appropriate to do so, co-operate and perform joint actions.