

Dublin City Joint Policing Committee
Minutes of Meeting held on Monday 25th July 2011
at 3.30 p.m., Council Chamber, City Hall

Attendance: Committee Members

Lord Mayor Andrew Montague	
Councillor Gerry Breen (Chair)	Councillor Mannix Flynn
Councillor John Gallagher	Councillor John Redmond
Councillor Larry O'Toole	Councillor Bríd Smith
Councillor Tom Brabazon	Councillor Marie Metcalfe
Deputy Catherine Byrne	Deputy Finian McGrath
Asst. Commissioner Mick Feehan	
Mr. Tom Coffey, Dublin City Business Association (D.C.B.A.)	
Mr. Dick Brady, Assistant City Manager, Housing & Residential Services Department	
Mr. Vincent Norton, Executive Manager, City Manager's Department	
Ms. Ruth Treacy, Senior Staff Officer, City Manager's Department	

Non-Members:

Apologies: John Tierney (City Manager), Mr. Philip Maguire, Deputy City Manager
Deputies Maureen O'Sullivan & Michael Conaghan, the Archdeacon of Dublin, the Venerable
David Pierpoint, Mr. Peter O'Connor, Community Policing Forum (North East Inner City),
Senator Catherine Noone, Cllrs. Críona Ní Dhálaigh & Cieran Perry

1. Minutes of Previous Meeting held on 30th May 2011

Order: Agreed.

Chairperson Cllr. Breen welcomed the new Oireachtas member, Deputy Finian McGrath, to the meeting.

2. Matters Arising

Order: Noted

3. Manager's report

Order: Noted.

Action: Members to forward submissions by 31st August on the Discussion Document No. 4
"The Community and the Criminal Justice System" to in writing / by email to:

White Paper on Crime Unit
Department of Justice and Equality
94 St. Stephen's Green
Dublin 2

or

whitepaperoncrime@justice.ie

4. Report of Assistant Garda Commissioner

Order: Report noted.

An Garda Síochána is running training courses on the SARA (Scanning, Analysis, Response, Assessment) model of problem solving. Training commenced in January 2011 and has taken place in a number of areas to date.

A "Train the Trainer's" course is currently being developed and three courses will be scheduled in Harcourt Square during August, which will train approximately 36 trainers in the SARA model with a view to sustaining the initiative on a local basis into the future. This will include staff from community policing units, CPD schools and also personnel from the various council areas in the Dublin Metropolitan area.

Action: *Ruth to liaise with Assistant Commissioner Feehan in this regard and update members accordingly.*

5. Department of Justice White Paper on Crime workshop

See Item 3 above.

6. Casual Trading

Report noted.

The Chairperson commended Councillors McGinley, Costello, Fitzpatrick and Flynn who, in addition to himself, worked hard in the preparation of these Draft Casual Trading Bye-Laws, which represent the first changes in eight years. Cllr. Flynn congratulated the Chair on his stewardship of the Casual Trading Committee. It is anticipated that they will be brought to City Council in September/October and come into effect in 2012.

7. J.P.C. Work Plan 2011-2012

Action: Members to email items they wish to have included on the Work Plan 2011/2012 to Ruth by end of August 2011 at the following address:

ruth.treacy@dublincity.ie

8. Motion from Councillor Mannix Flynn

Call on this committee to establish a sub-committee to examine ways in which the work of the local policing community fora can be financed or financially supported in their efforts with regard to policing committees at local area level. The policing act which governs this initiative is lacking the necessary legal framework to enable this initiative to draw down funds and to administer these funds. At present it would appear that the drug task force initiative and the department for social protection unit is the source for some funding in some areas this is creating an inequality in funding opportunity and is somewhat adhoc.

I believe it is now time to put local policing fora initiatives on a much more best practice financial arrangement throughout the entire area of local policing fora
In order to advance this process I would ask that a sub-committee be set up to enquire into this matter.

Order: Motion carried.

Action: Chairperson, Manager and Assistant Commissioner Feehan to meet to discuss this issue. A submission on this is to be made in the first instance to the Department of Justice and Equality under the auspices of the White Paper on Crime Discussion Document No. 4 "The Community and the Criminal Justice System", following which it will be incorporated into the 2011/2012 Work Plan in addition to being listed for further discussion at the next meeting of the J.P.C. on 3rd October.

9. Next meetings

3rd October 2011
5th December 2011
23rd January 2012
5th March 2012
28th May 2012

All meetings are scheduled to take place at 3.30 p.m. in the Council Chamber, City Hall, Dame Street, Dublin 2.

10. A.O.B.

(i) Establishment of Community Courts

Tom Coffey (D.C.B.A.) spoke about the efforts his association has been making for in excess of 5 years to establish Community Courts in Dublin to handle small-scale crime. One already exists in Nenagh and Dublin is in serious need of at least one owing to the size of its population. This would facilitate the handling of small scale crimes and avoid the need for young people to get convictions which would prevent them securing employment at a later stage. This system operates successfully in the U.S.

(ii) Housing of Sex Offenders

Dick Brady informed the Committee that, following their request at the previous meeting, he has twice made contact with the Chair of the Cross Departmental Team on Homelessness in the Department of the Environment, Community & Local Government (DECLG) on this issue and awaits a response.

Assistant Commissioner Feehan also assured members that An Garda Síochána has policies and procedures in place to maintain contact with all registered sex offenders throughout the country on a regular basis. Depending on the level of risk identified, Gardaí conduct visits and make telephone calls in addition to ensuring that they are meeting their obligations. Child Protection is an enormous issue and the Gardaí are anxious that members convey the message to their constituents that every possible action is being taken.

Manager's Report to Dublin City Joint Policing Committee (J.P.C.)

25/07/2011

Smithfield Horse Fair

I attach, for your information, copy of correspondence received in the Central Area Office on 4th July last from Mr. William Coventry, Competition & Consumer Policy Section concerning the Smithfield Horse Fair.

White paper on Crime

All Councillors and members of the Dublin City Joint Policing Committee (JPC) were invited by the Department of Justice White Paper on Crime Unit to attend a seminar on Wednesday 15th June in the Institute of Public Administration (I.P.A.), Lansdowne Road, Dublin 4 entitled:

"The Community and the Criminal Justice System"

Following this the Department of Justice and Equality published the discussion document 'The Community and the Criminal Justice System' (copy of 33-page document emailed to Dublin City JPC Members on 20th June and another copy is emailed with this agenda) as part of the final stage of the White Paper on Crime consultation process. The document looks at the range of interactions between the public and the criminal justice system and considers how the criminal justice system can best meet public expectations in protecting communities and responding to crime. It invites views on how community engagement with the criminal justice system can be strengthened and how the experience of individuals in their interactions with the system can be improved.

Written submissions are invited on the issues raised in the document and should be forwarded by the end of August 2011, in writing or by email to:

White Paper on Crime Unit
Department of Justice and Equality
94 St. Stephen's Green
Dublin 2

whitepaperoncrime@justice.ie

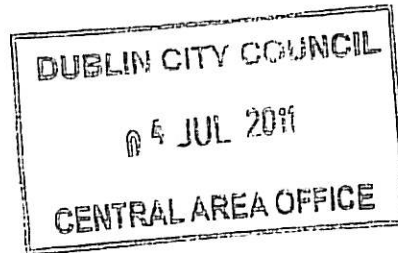
Hard copies of the discussion document are available and can be requested from the above email address or by calling LoCall 1890 253 039.

Vincent Norton
A/ Assistant City Manager



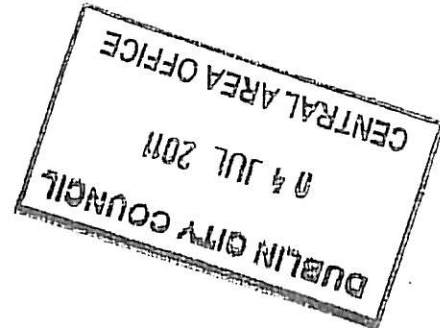
An Roinn Post, Fiontar agus Nuálaíochta
Department of Jobs, Enterprise and Innovation

Our Ref: 120/03/02/0023/1
Your Ref: CL/JM/201136.doc



29th June 2011

Mr Charlie Lowe
Executive Manager
Dublin City Council
Central Area Headquarter, Central Area
52-53 Sean McDermott St Lower
Dublin 1



Dear Mr Lowe,

I refer to your letter dated 31st May 2011 on the subject of the horse market in Smithfield, Dublin 7.

As regards the advice of the Attorney General on the Smithfield issue the Minister is satisfied with the advice received and agrees with the Attorney that the Council has sufficient powers under the Casual Trading Act 1995 to regulate the activity of the selling of horses in Smithfield.

It should be noted that the Attorney's advices are not dependent upon a finding that the Council is the owner of the market right. Section 2(1) of the Casual Trading Act defines "casual trading" as "selling goods at a place (including a public road) to which the public have access as of right or any place that is a casual trading area". The Attorney has advised that the sale of goods would include the sale of horses. Section 3(1) provides, in relevant part, that a person shall not engage in casual trading unless he is, or is the servant or agent of, a person who holds a casual trading licence. It follows therefore that individuals who engage in casual trading at a place, including a market such as the Smithfield market, are required to obtain a casual trading licence, regardless of who owns the market right. This view is consistent with the judgment of the High Court (Smyth J.) in *Simmonds v. Kilkenny Borough Council* [2007] IEHC 208.

Your letter refers to and contains historical material on Smithfield. You appear to make the point that the original market in Smithfield was for the sale of cattle, hay and straw. Over the years you show that the market ceased to be used as a selling venue for cattle and for a period up to the 1960s no markets were held. . Whereas section 7(4) of the Casual Trading Act provides that a market right that is not exercised for a period of ten years shall

stand extinguished, the Department is advised that the above section applies to periods of non-user on or after the commencement of the Act of 1995.

The point you make as to opposition by traders to be regulated under the Casual Trading Act, 1995 may well be accurate. It may well be that traders would contest any regulation in the courts. However, such a scenario may have to be accepted if the Act is to be enforced.

You mention a multi agency approach to the problems created by the market in Smithfield. This Department would agree with such an approach. However the Department would not see a role for itself or the Minister in influencing any such initiative. One of the reasons for the enactment by the Oireachtas of the Casual Trading Act, 1995 was to take the Minister and the Department out of the operational side of casual trading. You may recall that the Casual Trading Act, 1980 which was revoked when the Act of 1995 was commenced, involved the Minister and the Department directly in issuing national casual trading licences. This was felt to be an undue interference in how local authorities regulated activities in their functional areas. Therefore I hope you will understand that given this policy it would not be appropriate for the Minister or the Department to become involved in this issue. The Council is the competent authority for the selling of goods in public places in it's functional area.

As to the last point in your letter on the issue of legislation, arising out of the advice of the Attorney General and as stated previously the Minister will not be introducing legislation in respect of the market in Smithfield.

If you wish to have a meeting to discuss any of the above points please contact me (contact details below).

Yours sincerely



William Coventry
Competition & Consumer Policy Section
☎ 01 631 2664
email william.coventry@djei.ie

Joint Policing Committee

Monday 25th July 2011

Report of Assistant Commissioner Michael Feehan, Dublin Metropolitan Region

At this fourth meeting of the Joint Policing Committee for 2011, I intend to concentrate on the crime and traffic statistics since the last meeting in May 2011 and outline work that is currently being carried out in respect of Problem Oriented Policing.

Crime

Since my last report overall Property Crime has again decreased, with a particular downward trend in Burglaries. Thefts from shops are down year to date on last year's figures.

Crime Against the Person has decreased with June seeing the lowest monthly levels in 4 ½ years. Overall levels are down on last years figures.

Criminal Damage and Public order incident are showing a downward trend for the year, with levels down on last year also.

The initiatives across the city to target organised and armed crime are still in place. As alluded to previously these initiatives are intelligence-driven and continue to be seen locally as having an effect on the activities of persons involved in organised crime. These initiatives will continue to be a priority for An Garda Síochána right across the city.

Traffic

The number of people killed on the roads to date is 7; this compares to 13 deaths for 2010. While the number of deaths has decreased An Garda Síochána is conscious that each of these deaths is a tragedy for families and the wider community. This is an area which is under constant review and the subject of a Casualty Reduction Strategy throughout the Region managed by the Regional Traffic Division. With the August Bank Holiday coming upon us, a Traffic Enforcement Plan will be in place to target offences and prevent fatal and serious road collisions.

Problem Oriented Policing

Problem Oriented Policing is a community-based initiative which is focussed on local community policing areas in which Gardaí are partnered with the community. The initial impetus for the training comes from my Regional Policing Plan 2010, the plan made specific reference to a commitment by An Garda Síochána to work with communities "through a partnership approach to solving community problems". Having regard to the Garda Síochána Act 2005, in particular sections 36, 37, and 38 initial approaches were made to a number of communities across the City. The course comprises six modules; each module is designed to build on the prior learning of delegates and the main learning style is through action learning and group work. The course outline is as follows:

- Overview of Problem Oriented Policing and Problem Solving
- Collaborating with the Community
- Introduction to Problem Solving
- Scanning
- Analysis
- Response and Assessment

The main thrust of the course is to develop the capacity to problem solve within a collaborative model which is sustainable. With this in mind the course explores the issues set out in the following descriptors:

- Problem solving addresses the underlying conditions that prompt calls for service.
- Problem solving involves greater engagement with the community to ensure that the police are meeting community needs.
- Problem solving recognises and uses the expertise of all people/groups involved, including the police officer.
- Problem solving encourages the use of a wide range of resources to engage in developing solutions.
- Community collaboration involves a formal, sustained commitment to work together to accomplish a common mission.

On completion of the course participants will have developed an ability to apply the Scanning, Analysis, Response, Assessment (SARA) model of problem solving to problems within a community policing setting. It was also envisaged that through the collaborative approach engendered within the problem oriented policing model existing partnerships would be strengthened. The course was attended by community residents, community groups, community policing personnel and staff from the various councils within the city. It should be noted that the Local Authorities were most helpful and supportive in providing locations within their control in order to facilitate this training initiative.

The initial area targeted for the training initiative was the Fatima regeneration area. Training began on the 19th and 20th of Jan 2011. In other districts within the DMR a number of training initiatives have been completed; among these are one course in Finglas south, two courses in Blanchardstown which targeted the community policing areas of Blanchardstown and Cabra area. In the Coolock area a course was run in Darndale. This course was very well attended by residents from Darndale and Clongriffin. A further course was run in the 'R' District in the Brackenstown area of Swords; this course catered for the Brackenstown and Donabate community policing areas. In the Tallaght district three courses were run and training was provided for the complete community policing area of the Tallaght sub-district. A course will be run in the St. Michaels Estate community policing area on the 26th and 27th of July.

Projecting into July and August a train the trainer's course is currently being developed and three courses will be run in Harcourt Sq. in the month of August. These courses will train a cohort of trainer's in the SARA method of problem solving. It is intended to train staff from community policing units, CPD schools and also personnel from the various council areas in the Dublin Metropolitan area. It is proposed to train approximately thirty-six trainers with a view to sustaining the initiative on a local basis into the future.

THANK YOU