



Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

Inaugural Meeting of the Dublin City Joint Policing Committee – held on Monday 23rd October 2006 at 4.30 p.m. Council Chamber, City Hall.

At a pre-meeting held immediately before the start of the Joint Policing Committee Councillors Michael Conaghan and Larry O'Toole were elected Chairperson and Vice-Chairperson respectively by the Council Members of the Committee.

Attendance: Committee Members

Councillor Charlie Ardagh

Martin Brady TD

Councillor Michael Conaghan

Joe Costello TD

Councillor Paschal Donohoe

Councillor Kevin Humphreys

Councillor Liam Kelly

Mr Philip Maguire, ACM

Ms Kathy Moore

Councillor Críona Ní Dhálaigh

Councillor Larry O'Toole

Mr John Tierney, City Manager

Senator Cyprian Brady

Councillor Anne Carter

Chief Superintendent Tom Conway

Councillor Lucinda Creighton

Councillor Mary Freehill

Lord Mayor, Cllr Vincent Jackson

Mr. Brendan Kenny, ACM

Ms Maria Metcalfe

Ass. Commissioner Al Mc Hugh

Aengus O Snodaigh TD

Councillor Mick Rafferty

Also Present:

Eileen Brady, Damian Drumm, Charlie Lowe, Michael Stubbs, Declan Wallace, Hugh Fitzpatrick, Oonagh Casey

Apologies:

Councillor Julia Carmichael

Councillor Bronwen Maher

Richard Bruton TD

Ruairi Quinn TD

Following a brief introduction by each of the members, the City Manager John Tierney and the Assistant Garda Commissioner Al McHugh presented their reports to the Committee (Copy of their reports attached as Appendix A and B respectively)

The Chairperson then asked members to outline what they considered were the main issues in relation to Crime and Policing in the city. As the common theme that was mentioned in practically all contributions was “**Anti Social Behavior**” and the major problem that it posed for communities and in the public domain, the Committee

unanimously agreed that it would be the first issue that they would focus on. They will look at initiatives in other areas, both within and outside of this jurisdiction, that have proved successful. The Committee will look at statistics relating to Anti Social Behavior and also try and identify the factors that cause it, such as lack of facilities in a particular area, etc.

Members of the Committee were invited to submit any suggestions that they might have in relation to the holding of Workshops/Training, etc. Deadline for receipt of submissions: Friday 3rd November 2006.

The Committee agreed to meet again on Monday, 27th November 2006 at 4.30 p.m.

Michael Conaghan
Chairperson

APPENDIX A
DUBLIN CITY MANAGER'S REPORT

The Garda Síochána Act 2005 provided for the establishment of Joint Policing Committees and Dublin City is one of a number of pilot areas selected to try out this new initiative.

The 2005 Act provides that the functions of JPC's shall be to serve as a forum for consultations, discussions and recommendations on matters affecting the policing of the Local Authorities administrative area and in particular:-

- (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 established under *paragraph (d)* or otherwise.

If any dispute arises over the establishment of a local policing forum, the joint policing committee shall submit the dispute to the Minister for Justice whose decision, made after consulting with the Minister for the Environment, Heritage and Local Government and the Minister for Community, Rural and Gaeltacht Affairs, shall be final.

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.

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, the Garda Commissioner and such other persons as may be specified in the guidelines issued under *section 35*.

The Guidelines on JPC's issued under the 2005 Act elaborates on the functions as follows:

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.

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.

Section 37 of the 2005 Act imposes a general duty on Local Authorities to have regard to the importance of taking steps to prevent crime, disorder and anti-social behaviour within its area of responsibility. Copy of the relevant sections of the 2005 Act is circulated herewith.

City Council Initiatives

Dublin City Council has made byelaws for the control and management of its parks and its beaches. As well as directly employing Park Rangers and Lifeguards to control and monitor activity in these spaces we also employ on a contract basis a mobile warden service at an annual cost of €½ m p.p. approx.

The staff in practice have few extra legal powers and must rely on their presence and personality to curb undesirable behaviour in most instances, otherwise they must call in the Gardai. Public Domain Officers have been appointed to three of the Area Committees; they keep the streets and other public areas under daily review to resolve issues that crop up suddenly; i.e. litter, grafitti, broken lights, safety requirements etc. They also liase regularly with local gardai re antisocial behaviour and congregation.

Alcohol Consumption

The City Council made Byelaws prohibiting consumption of alcohol in public.

Around 1100 / 1200 p.a. fines have been levied on persons who transgressed these byelaws in the last few years. It is understood that in addition the byelaws are used extensively to confiscate alcohol without fines being issued.

Alcohol Sale

The Intoxicating Liquor Act 2003 gives formal powers to Local Authorities to pass resolutions regarding applications for special exemption orders for pubs (with a dance licence) in their area or a part of their area - normal pub hours are as follows:

Monday – Thursday	10.30 a.m. – 11.30 p.m.
Friday/Saturday	10.30 a.m. – 12.30 a.m.
Sunday	2.30 p.m. – 11.00 p.m.

Exemptions up to 2.30 a.m. may be applied for to the Courts for any weekday and up to 1.00 a.m. on Sundays. Large numbers of city centre pubs apply for such extensions for 4/5 days of the week on a regular rolling basis. The District Court under Section 22(2) of the Act is to have regard to the terms of any resolution passed by a Local Authority in respect of such exemption orders. Before adopting such a resolution a Local Authority must consult with the officer in charge of the Garda Síochána for the area concerned and consider any views submitted by him/her or any other person including views in relation to any health aspects of the making of a special exemption order. For public consultation purposes, details of the proposed resolution must be published in at least two newspapers circulating in the area at least one month prior to proposal of resolution. The Court is also to have regard to the opinion of the Gardaí.

The Intoxicating Liquor Act, 2003 provides that the “Court shall not grant a special exemption order in respect of any premises unless it is satisfied that the special occasion will be conducted in a manner that will not cause undue inconvenience or nuisance to persons residing in the locality or create an undue risk to public order therein”.

The Intoxicating Liquor Act, 2000 allows the Court to apply temporary closure orders to pubs for serving underage customers.

The Intoxicating Liquor Act, 2003 extends the list of offences for which a judge may impose a temporary closure order to include: the supply of liquor to intoxicated persons; the allowance of disorderly conduct on the premises; and the encouragement of consuming liquor to excess.

On the 6th April, 2004 the Irish Independent reported that 275 pubs had been closed for underage drinking – some for up to two weeks – after closure orders were imposed by the courts between July 2000 and February, 2004

The Courts Service Annual Report for 2005 shows that over 71,179 special section order cases were dealt with in that year by the district court.

It is understood that a new “Sale of alcohol Bill” is currently being drafted by Department of Justice; this will update and codify all legislation dating back over 100 years. This Bill is expected to be published during the course of 2007.

Miscellaneous

City Council also has powers relating to Control of Dogs and Control of Horses. The statistics for these functions are as follows:

100 – 120 Horses seized p.a. over the last few years.
1700 dogs seized p.a. over the last few years

Lord Mayors Commission on Crime and Policing

In 2004/05 a Commission was established under the aegis of the then Lord Mayor Cllr. Michael Conaghan to research and publish a report on Crime and Policing. The Commission Report is enclosed herewith; many of the recommendations of the Commission have been included in the Garda Act 2005 or otherwise implemented with some variations.

Housing and Community Department Initiatives

Estate Management and Anti-Social Behaviour

There is a clear written policy and procedure in relation to how Dublin City Council deals with cases of Anti-Social Behaviour.

In 2005

- There were 2806 complaints in relation to Anti-Social Behaviour of which 247 were drug related.
- Dublin City Council staff held 1136 interviews with tenants under the Housing Miscellaneous (Provisions) Act, 1997.
- There were 1939 live case files in our 12 Area Offices.
- There were 13 Section 20 evictions
- 53 cases of surrender of tenancy due to Anti-Social Behaviour
- 23 requests for Notices to Quit
- 6 cases of evictions where warrants were executed
- 26 cases that were the subject of Appeal, Challenge or Judicial Review.

Currently in 2006 there are 25 Anti-Social Behaviour cases going through the courts. Warrants for eviction have been granted in 20 cases, all of which are subject to appeal. 1 case is the subject of appeal to the Supreme Court on the grounds that an eviction in this case infringes on the rights of the individual under the European Convention on Human Rights Act, 2004. We are waiting a Supreme Court date, and Dublin City Council is contesting this case.

Dublin City Council is committed to taking action, where necessary, to prevent Anti-Social Behaviour, in order to secure and protect the interests of those tenants and their families who wish to live in peaceful occupation of their homes.

Dublin City Council staff, working in the area of Anti-Social Behaviour are totally committed and highly trained in dealing with cases of Anti-Social Behaviour and will interview, challenge, caution and evict, when necessary, those tenants who do not wish to conform.

Anti-Social Behaviour in Dublin City Council estates is still a serious issue, but it must be pointed out that the vast majority of our tenants live in peaceful occupation of their homes and only a very small minority of individuals engage in

serious Anti-Social Behaviour. These small numbers however, when engaged in such activities, can cause a huge amount of turmoil and unease in our estates and this type of behaviour can have a detrimental effect on the morale of tenants and the living conditions of residents in general.

It is essential that Dublin City Council personnel deal with and are seen to deal with the issues, which at times can be of a complex and sensitive nature.

The ultimate sanction on tenants, who refuse to adhere to their obligations as tenants, is eviction. Dublin City Council does not take the issue of eviction lightly, and will endeavour to try and resolve problems that do arise, but in some cases the City Council is left with no alternative.

Dublin City Council is also engaged in several positive initiatives such as Homework Clubs, Sport and Play Development etc., which are preventative and long-term strategies towards the reduction of Anti-Social problems.

Litter Management and Graffiti Removal

The City Council is proposing a budget of €35m for street cleaning and graffiti removal in the 2007 budget. This will incorporate a new partnership with the business organisations in the city supported by the Gardaí with the introduction of new area based initiatives for: -

- Review of city-wide cleaning operations
- Additional cleaning crews (5)
- New larger leak-proof litter bins
- Additional surveys to identify weaknesses and focus improvements
- 5 area based crews to eliminate graffiti
- New graffiti policy
- New litter management plan

John Tierney
Dublin City Manager

Appendix B

Report of Assistant Garda Commissioner to the Inaugural Meeting of the Joint Policing Committee

My name is Al McHugh and I am the Assistant Commissioner with responsibility for policing in the Dublin Metropolitan Region. Together with my colleague Chief Superintendent Tom Conway, we will represent An Garda Síochána on this committee. We are delighted to be with you today and aim to work closely with you in a partnership approach to address issues of common concern.

The Garda Síochána Act, 2005 places new focus on policing. It is the single biggest change to policing in this State since the establishment of An Garda Síochána when our first Commissioner Michael Staines, stated that we would succeed, not by force of arms, but by the moral authority vested in us by the people. The people are those who we serve and it is vital that their interests are to the forefront in all our deliberations. We agree that policing is not a panacea for all the societal problems facing us as communities. We must engage in a partnership process with the democratically elected representatives of the people, of whom Gardai are a part, and must ensure that the views and opinions of these communities and the voluntary sector are heard and acted upon.

The Mission Statement of An Garda Síochána is; to achieve the highest attainable level of Personal Protection, Community Commitment and State Security. We will do our utmost to achieve this mission; however, working together, we can achieve so much more. We already have much experience of working with partner organisations and communities through our involvement in the North and South Inner City and Cabra Community Fora, the Garda Youth Diversion Projects and other numerous projects throughout the city. We have ongoing informal contacts with the City Council and work closely on issues as diverse as the Housing (Miscellaneous Provisions) Act to Graffiti removal projects. We look forward to further cementing these excellent relationships through this Committee.

The 2007 Garda Corporate Strategy document which is nearing completion, lists Community Engagement as one of our primary Strategic goals. This follows on from the 2006 strategy where Public Safety, Public Confidence and Ethnic and Cultural Diversity were three of our corporate goals.

These strategies display a clear commitment to the community and ongoing Garda efforts to address their concerns and policing requirements. I am a firm advocate of Community Policing and have allocated resources throughout the Region as circumstances permit. While it is high on my list of priorities, there are other serious crime and traffic related issues that also require attention and the allocation of substantial resources. There is a fine balancing act to be achieved and I ask that you appreciate that there are finite resources available and that such resources must be allocated appropriate to the various demands placed on the Garda Service.

The Joint Policing Committee Guidelines have been issued for the initial pilot stage and will undoubtedly change as our practical experiences dictate best practice. We will actively engage and participate as equal partners in the work of the committee and will advise on safety, quality of life and crime prevention issues affecting our communities. Many of you will be aware that there are some boundary issues that will affect our ability to supply crime figures where particular Local Authority areas cross Garda operational areas. The Garda computer recording system records crime statistics in respect of each Garda District, Division, and Region.

An Garda Síochána produce annual policing plans at a National, Divisional and District level. In these plans we attempt to prioritise areas that have been identified by the community as requiring focussed attention. As stated, Policing is a two way process and I would welcome inputs from Community Groups to help inform our thinking and decision making in preparing the 2007 Policing Plans. I believe that this committee can act as an effective conduit to relay public apprehensions to local Garda management and so have their particular concerns addressed. Rest assured that we will strive to address all issues in a fair and comprehensive manner, taking due account of availability of resources and any concerns expressed at these committee meetings.

Point 17.6 of the Guideline document, requires that I present a report which will include general information in relation to the commission of crime and to crime prevention matters for the Dublin Metropolitan Region.

You will be pleased to hear that headline crime, that is; serious indictable crime, is **down 4%** for the first nine months of this year. Headline crime categories include the following; murder, manslaughter, thefts, burglaries, rapes and other serious sexual

assaults. Our detection rates are currently running at **37%**. While our figures compare very favourably under international Crime Comparisons there is no room for complacency and we will strive to achieve continuous improvement on our preventative measures and detection rates.

I am extremely conscious of the fact that for many residents of this city, non headline offences, such as public nuisance or public disorder, are of greater concern and add greatly to the fear of crime. These issues are being actively addressed throughout the Region by high visibility uniform and plain clothes patrols and targeted crime initiatives. Our Community Relations Section, through its Schools Programme visit local schools and Youth Clubs to try to engender respect for the elderly and more vulnerable sections of our communities. This is an excellent forum through which we can impart our message; Policing is not a matter for the Gardai alone – Parents, Teachers, Youth Workers, Voluntary and Public Sector organisations and public representatives all have a role to play. It is only through such a multi-agency approach that we can make real differences to people living in fear and isolation within their own communities.

As discussed earlier, these crime figures are general for the Region as a whole. Sub-committees throughout the Region will examine figures relevant to their particular areas. You will note that the Commissioner has appointed Chief Superintendents to each of these committees to ensure that An Garda Síochána is represented at the highest level. In a proactive initiative, in conjunction with Philip Maguire of the City Council, these Divisional Officers have already attended meetings with Councillors and Officials from the five administrative committees of Dublin City Council.

They, like me and Chief Superintendent Conway, look forward to working closely with you, to address our common concerns in making Dublin a better and safer place to live and work.