

*These notes refer to the Justice Act (Northern Ireland)
2011 (c.24) which received Royal Assent on 4 May 2011*

Justice Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedules

Schedule 2: District Policing and Community Safety Partnerships

This Schedule sets out how a District Policing and Community Safety Partnerships (DPCSP) in Part 3 is to be established for each police district of Belfast and the arrangements for their proceedings.

Paragraph 2: Composition

This paragraph sets out that each DPCSP shall consist of 6 political members; 5 independent members; and representatives nominated by designated organisations. It also provides that members of DPCSPs need not be members of the principal PCSP.

Paragraph 3: Political members

This paragraph details that the number of political members is determined by the council based on the number of members constituting the council. In appointing political members the council must ensure as far as possible that they reflect the balance of the parties prevailing among the members of the council immediately after the last local general election. This paragraph also details how long a political member can hold office, how they vacate office and when a casual vacancy can and cannot be filled.

Paragraphs 4 - 6: Independent members

These paragraphs detail how the number of independent members should be determined; how the independent members should be appointed; how long they should hold office; how they vacate office; and when a casual vacancy can and cannot be filled. These paragraphs also detail that the Department of Justice is responsible for preparing and revising a code of practice in relation to the appointment of independent members.

Paragraph 7: Representatives of designated organisations

This paragraph details the minimum number of representatives from delivery partners that should be on each DPCSP and who is responsible for designating organisations that must be represented on each DPCSP. It provides that there should be at least 4 designated organisations. The paragraph also details that a DPCSP is responsible for the revoking a designated organisation's membership. It also allows the Department of Justice by order to designate organisations which must be on each DPCSP. The Department must consult with each DPCSP and lay the order before the Northern Ireland Assembly for approval by resolution before making the order.

Paragraph 8: Removal of members

This paragraph details that the Policing Board or the council with the approval of the Policing Board is responsible for the removal of political and independent members of a DPCSP. The paragraph sets out the circumstances in which members of the DPCSP can be removed.

Paragraph 9: Disqualification

This paragraph sets out the circumstances in which persons are disqualified from membership of a DPCSP.

Paragraph 10: Chair and vice-chair

This paragraph provides for the appointment of a chair and a vice-chair of a DPCSP. It sets out that the chair must be appointed by the council from among the political members and that the vice-chair will be elected by the independent members from such members. The person appointed to the office of chair shall usually be appointed for a term of 12 months and the office will be held in turn by each of the largest four parties represented on the council. The paragraph explains how a member resigns from the position of chair and vice-chair of the DPCSP.

Paragraph 11: Procedure of DPCSP

This paragraph details that there is a quorum for each meeting of a PCSP which shall be one-quarter of the total of members. The paragraph also sets out how each question at a meeting of a DPCSP shall be determined and what happens in the event of the elected chair and vice-chair being absent from a meeting of a DPCSP.

Paragraph 12: Policing committee: constitution

This paragraph sets out that there shall be a policing committee for each DPCSP consisting of political members and independent members. The paragraph explains that each policing committee shall have a chair who is the chair of the DPCSP and a vice-chair elected by the independent members. If a person wishes to resign from the position of vice-chair they must do so in writing to

the Policing Board. The paragraph also explains that if a person ceases to be a member of the policing committee they will automatically vacate the position of chair or vice-chair.

Paragraph 13: Policing Committee: procedure

This paragraph details that there is a quorum of 5 for a meeting of the policing committee. The paragraph also sets out how each question at a meeting of a policing committee shall be determined and what happens in the event of the elected chair and vice-chair are absent from a meeting of a DPCSP. The paragraph explains that a policing committee may constitute sub-committees to be made up of 5 or more of its members. The policing committee can delegate to a sub-committee any of its functions.

Paragraph 14: Other committees

This paragraph provides for a DPCSP to constitute other committees made up of 5 more of its members. A DPCSP can delegate to a committee any of the functions of the DPCSP except the functions restricted to the policing committee. This paragraph allows for a committee appointed to co-opt other persons who are not members of the committee or the DPCSP.

Paragraph 15: Indemnities

This paragraph details that the council can cover a DPCSP member in respect of liability incurred by that member in connection with the business of the DPCSP.

Paragraph 16: Insurance against accidents

This paragraph sets out that the council may insure against risks of a member of the DPCSP meeting with a personal accident, whether fatal or not, whilst engaged in DPCSP business.

Paragraph 17: Expenses

This paragraph provides that the council may pay members of the DPCSP such expenses as the council determines.

Paragraph 18: Finance

This paragraph requires the Department of Justice and the Policing Board to make a grant for each financial year to the district council towards the expenses incurred by the council in connection with the establishment of, or the exercise of the functions by DPCSPs.

Paragraphs 19 & 20: Validity of proceedings & Disclosure of pecuniary interests, family connections etc.

These paragraphs set out the circumstances which should not affect the proceedings of a DPCSP.