

*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

Part 3: Policing and Community Safety Partnerships

This Part integrates the roles of Community Safety Partnerships (CSPs) and District Policing Partnerships (DPPs) to create a single partnership for each district council. These single partnerships are known as Policing and Community Safety Partnerships (PCSPs). Each single partnership comprises of councillors, independent members and representatives of delivery partners (both statutory and voluntary). Within that partnership sits a ‘policing committee’ comprising councillors and independents performing the police monitoring functions inherited from the DPPs and reporting on these to the Policing Board. All the other functions of DPPs and CSPs are passed to the whole partnership reporting to the relevant council, the Department of Justice and the Policing Board.

Section 20: Establishment of PCSPs and DPCSPs

This section requires each district council to establish a PCSP and the district council for Belfast to establish a DPCSP for each police district. It also states that a joint committee shall be formed with representatives from the Department of Justice and the Policing Board to oversee the PCSPs.

The section also gives effect to Schedules 1 and 2. Schedule 1 provides for the membership composition and rules; the election of a chair and vice chair; procedure of the partnership; details of the policing committee and any other committees; insurance; finance; the establishment of joint PCSPs; and modifications specific to Belfast PCSP. Schedule 2 does this for the Belfast DPCSPs.

Section 21: Functions of PCSP

This section sets out the functions of a PCSP. The functions are in relation to policing and community safety in the district. The functions are to obtain and fully consider the views of the public; to act as a forum for discussion and consultation on these matters; to prepare plans to reduce crime; to identify targets to measure the success of the plans; and to provide financial or other support to

persons involved in ventures designed to reduce crime or enhance community safety in the district.

This section also explains that there are a number of “restricted functions” which must be carried out by the policing committee of the PCSP. These are the specific functions inherited from DPPs in relation to holding PSNI to account for its performance in respect of the local policing plan; making arrangements for obtaining the co-operation of the public with the police; and reporting on these to the Policing Board.

Section 22: Functions of DPCSP

This section sets out the functions of the DPCSP which are the same as in section 21 except they are all in relation to the police district rather than district.

Section 23: Code of practice for PCSPs and DPCSPs

This section states the joint committee will issue a code of practice containing guidance as to the exercising of functions of the PCSPs. Before issuing a code the joint committee will consult with district councils and the Chief Constable. The code of practice may include provisions concerning procedures for meetings; holding public meetings; arrangements for giving notice of meetings; arrangements for submitting reports or other documents to the joint committee; and arrangements for dealing with the Policing Board and the Department. It can also contain arrangements for the policing committee’s functions in relation to monitoring the police.

Section 24: Annual report by PCSP to council

Section 24 outlines that annual reports (for each council except Belfast) must be sent to the district council and the joint committee by a PCSP no later than three months after the end of the financial year. Before a report is submitted, the policing committee shall consult with the relevant district commander. The council will arrange for the report to be published in such a manner as it feels appropriate.

Section 25: Annual report by Belfast PCSP to council

This section states that the PCSP for the district of Belfast has up to four months after the end of each financial year to produce a report on the exercise during that year of its functions and those of the DPCSPs. The PCSP report and the various DPCSP reports must be submitted to the council and copied to the joint committee. Before a report is submitted the policing committee shall consult with the district commander of each police district in the district of Belfast. The council will arrange for the PCSP report to be published and if appropriate the DPCSP reports.

Section 26: Annual report by DPCSPs to principal PCSP

This section states that a DPCSP must, no later than two months after the end of the financial year, submit to the principal PCSP a report on its functions in that year. Before submitting the report the DPCSP shall consult the relevant district commander.

Section 27: Reports by PCSP to joint committee

This section requires the PCSP (except Belfast) to provide a report at any time when requested by the joint committee. The report must be provided within three months, or a longer period if agreed by both parties, from the request. The joint committee can publish the report as it sees appropriate.

Section 28: Reports by Belfast PCSP to joint committee

This section allows the joint committee to request reports on the Belfast PCSP or any of the DPCSPs. The report must be received within three months unless it relates wholly or partly to the functions of a DPCSP in which case the time limit is four months. The joint committee can publish the report as it sees appropriate.

Section 29: Reports by DPCSP to principal PCSP

This section requires a DPCSP to provide a report on its functions to the PCSP whenever it is requested. This must be done within two months or an agreed longer timescale. The PCSP can publish this report as it sees fit.

Section 30: Reports by policing committees to Policing Board

This section allows the Policing Board to request a report from a policing committee of a PCSP, except Belfast, at any stage. The policing committee has three months, or longer if agreed, to provide the report which the Policing Board may publish if appropriate.

Section 31: Reports by policing committee of Belfast PCSP to Policing Board

This section requires the policing committee of the Belfast PCSP to submit reports to the Policing Board on request. The report must be received within three months unless it relates wholly or partly to the functions of a DPCSP in which case the time limit is four months. When submitting the report the policing committee of the Belfast PCSP must also send any relevant policing committee reports from the DPCSPs. The Policing Board may publish any reports if appropriate.

Section 32: Reports by policing committee of DPCSP to policing committee of principal PCSP

This section requires a policing committee of a DPCSP to submit a report to the policing committee of the principal PCSP at any point it is requested. The policing committee of a DPCSP has two months, or longer if agreed, to comply.

The policing committee of the principal PCSP can arrange for the report to be published if appropriate.

Section 33: Other community policing arrangements

This section allows policing committees, with the Policing Board's approval, to make arrangements to facilitate consultation by the police with any local community within their district. If it appears to the Policing Board that this has not been done the Board itself may make arrangements to facilitate consultation by the police with that local community. The Policing Board may pay reasonable expenses of any body set up to achieve the consultation. The Chief Constable shall be consulted to ensure the arrangements are satisfactory.

Section 34: Functions of joint committee and Policing Board

This section states that the joint committee must assess the level of public satisfaction with the partnerships and assess the effectiveness of the partnerships to perform their functions. The Policing Board must assess the level of public satisfaction with the policing committees and assess the effectiveness of the policing committees to perform their functions.