

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, PART 3. (See end of Document for details)*



## 2011 CHAPTER 24

### **PART 3**

#### **POLICING AND COMMUNITY SAFETY PARTNERSHIPS**

##### *Establishment of PCSPs and DPCSPs*

##### **Establishment of PCSPs and DPCSPs**

**20.—**(1) Each district council shall establish for its district a body to be known as a policing and community safety partnership (a “PCSP”).

(2) The district council for Belfast shall establish for each police district established under section 20(2) of the Police (Northern Ireland) Act 2000 (c. 32) a body to be known as a district policing and community safety partnership (a “DPCSP”).

(3) Schedule 1 has effect in relation to a PCSP.

(4) Schedule 2 has effect in relation to a DPCSP.

(5) In this Part, in relation to a PCSP—

“the council” means the council by which it is established;

“the district” means the district of the council by which it is established;

“relevant district commander” means the district commander of any police district which is, or is included in, the district.

(6) In this Part, in relation to a DPCSP—

“the council” means the district council for Belfast;

“the police district” means the police district for which it is established;

“the principal PCSP” means the PCSP for the district of Belfast;

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“relevant district commander” means the district commander of the police district.

(7) In this Part—

“DPCSP” has the meaning given by subsection (2);

“PCSP” has the meaning given by subsection (1);

“the joint committee” means a joint committee formed for the purposes of this Part by the Department and the Policing Board and consisting of representatives of the Department and of the Policing Board;

“local policing plan” has the meaning given by section 22(1) of the Police (Northern Ireland) Act 2000 (c. 32);

“police district” has the meaning given by section 20 of the Police (Northern Ireland) Act 2000;

“the Policing Board” means the Northern Ireland Policing Board;

“policing committee”—

(a) in relation to a PCSP, means the committee established under paragraph 12 of Schedule 1;

(b) in relation to a DPCSP, means the committee established under paragraph 12 of Schedule 2;

“the policing plan” has the meaning given by section 26(1) of the Police (Northern Ireland) Act 2000;

“restricted functions”—

(a) in relation to a PCSP, has the meaning given by section 21(2)(a);

(b) in relation to a DPCSP, has the meaning given by section 22(2)(a).

#### **Commencement Information**

**II** S. 20 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

### *Functions of PCSPs and DPCSPs*

#### **Functions of PCSP**

**21.—**(1) The functions of a PCSP shall be—

(a) to provide views to a relevant district commander and to the Policing Board on any matter concerning the policing of the district;

(b) to monitor the performance of the police in carrying out—  
(i) the policing plan in relation to the district; and

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- (ii) the local policing plan applying to the district or any part of the district;
  - (c) to make arrangements for obtaining the co-operation of the public with the police in preventing crime and enhancing community safety in the district;
  - (d) to make arrangements for obtaining the views of the public about matters concerning the policing of the district and enhancing community safety in the district and to consider fully any views so obtained;
  - (e) to act as a general forum for discussion and consultation on matters affecting the policing of the district and enhancing community safety in the district;
  - (f) to prepare plans for reducing crime and enhancing community safety in the district;
  - (g) to identify targets or other indicators by reference to which it can assess the extent to which those issues are addressed by action taken in accordance with any such plans;
  - (h) to provide any such financial or other support as it considers appropriate to persons involved in ventures designed to reduce crime or enhance community safety in the district; and
  - (i) such other functions as are conferred on it by any other statutory provision.
- (2) The functions of a PCSP mentioned in subsection (1)(a), (b) and (c)—
- (a) are referred to in this Part as its “restricted functions”; and
  - (b) must be exercised, on behalf of the PCSP, by the policing committee of the PCSP.
- (3) References in this section to enhancing community safety in any district are to making the district one in which it is, and is perceived to be, safer to live and work, in particular by the reduction of actual and perceived levels of crime and other anti-social behaviour.
- (4) In exercising its functions, a PCSP shall have regard to the code of practice under section 23.

#### Commencement Information

**I2** S. 21 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

### Functions of DPCSP

- 22.—**(1) The functions of a DPCSP shall be—
- (a) to provide views to the relevant district commander and to the principal PCSP on any matter concerning the policing of the police district;
  - (b) to monitor the performance of the police in carrying out—

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- (i) the policing plan in relation to the police district; and
  - (ii) the local policing plan applying to the police district;
- (c) to make arrangements for obtaining the co-operation of the public with the police in preventing crime and enhancing community safety in the police district;
- (d) to make arrangements for obtaining the views of the public about matters concerning the policing of the police district and enhancing community safety in the police district and to consider fully any views so obtained;
- (e) to act as a general forum for discussion and consultation on matters affecting the policing of the police district and enhancing community safety in the police district;
- (f) to prepare plans for reducing crime and enhancing community safety in the police district;
- (g) to identify targets or other indicators by reference to which it can assess the extent to which those issues are addressed by action taken in accordance with any such plans;
- (h) to provide any such financial or other support as it considers appropriate to persons involved in ventures designed to reduce crime or enhance community safety in the police district;
- (i) such other functions as are conferred on it by any other statutory provision.
- (2) The functions of a DPCSP mentioned in subsection (1)(a), (b) and (c)—
- (a) are referred to in this Part as its “restricted functions”; and
  - (b) must be exercised, on behalf of the DPCSP, by the policing committee of the DPCSP.
- (3) References in this section to enhancing community safety in a police district are to making the police district one in which it is, and is perceived to be, safer to live and work, in particular by the reduction of actual and perceived levels of crime and other anti-social behaviour.
- (4) In exercising its functions, a DPCSP shall have regard to the code of practice under section 23.
- (5) If the principal PCSP is satisfied that a DPCSP is carrying out any of the DPCSP's functions in relation to a police district, the PCSP is not required to carry out any corresponding function it has in relation to the part of its district comprising the police district.
- (6) But subsection (5) does not prevent the principal PCSP exercising its functions in relation to the whole of the district where it appears to the principal PCSP to be necessary or appropriate to do so.

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#### Commencement Information

**I3** S. 22 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

### Code of practice for PCSPs and DPCSPs

**23.—**(1) The joint committee shall issue, and may from time to time revise, a code of practice containing guidance as to the exercise by PCSPs and DPCSPs of their functions.

(2) Before issuing or revising a code of practice under this section the joint committee shall consult—

- (a) district councils; and
- (b) the Chief Constable.

(3) The code of practice under this section may in particular include provisions concerning—

- (a) the procedures for meetings;
- (b) the holding of public meetings;
- (c) the arrangements for giving notice of meetings, and in particular for the giving of such notice to district commanders and to the public;
- (d) the arrangements for the submission by or to a PCSP, a DPCSP or a policing committee of reports and other documents;
- (e) the arrangements for enabling questions on the discharge by police officers of their functions in the district to be put by members of the policing committee for answer by the relevant district commander or a police officer nominated by that district commander for the purpose;
- (f) the arrangements for the monitoring by the policing committee of the performance of the police in carrying out—
  - (i) the policing plan in relation to the district; and
  - (ii) the local policing plan applying to the district or any part of the district;
- (g) the arrangements to be made under section 21(1)(c) and (d) and 22(1)(c) and (d);
- (h) the arrangements for dealings with the Policing Board, the Department and the joint committee.

(4) The joint committee shall arrange for any code of practice issued or revised under this section to be published in such manner as appears to it to be appropriate.

(5) In its application to a DPCSP, this section has effect with the substitution for references to the district of references to the police district.

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**Commencement Information**

**I4** S. 23 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

*Annual reports*

**Annual report by PCSP to council**

**24.**—(1) A PCSP shall, not later than 3 months after the end of each financial year, submit to the council a general report on the exercise of its functions during that year.

(2) Subsection (1) does not apply to the PCSP for the district of Belfast (as to which see section 25).

(3) When a PCSP submits its report under subsection (1), it shall at the same time send a copy of the report to the joint committee.

(4) A report under subsection (1) shall include details of the arrangements made under section 21(1)(d).

(5) Before any report is submitted under this section, the policing committee of the PCSP shall consult the relevant district commander.

(6) The council shall arrange for a report submitted under subsection (1) to be published in such manner as appears to the council to be appropriate.

**Commencement Information**

**I5** S. 24 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

**Annual report by Belfast PCSP to council**

**25.**—(1) The PCSP for the district of Belfast shall, not later than 4 months after the end of each financial year, submit to the council a general report on the exercise during that year of—

- (a) its functions; and
- (b) the functions of the DPCSPs.

(2) When the PCSP submits its report under subsection (1) it shall at the same time—

- (a) send to the council copies of the DPCSP reports for the year;
- (b) send copies of its report and the DPCSP reports for the year to the joint committee.

(3) If the PCSP has made arrangements under section 21(1)(d) the report under subsection (1) shall include details of the arrangements.

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(4) Before any report is submitted under this section, the policing committee of the PSCP shall consult the district commander of each police district in the district of Belfast.

(5) The council shall arrange for a report submitted under subsection (1) to be published in such manner as appears to the council to be appropriate.

(6) The council may arrange for a DPCSP report to be published with the report submitted under subsection (1) if—

- (a) the council considers publication of the DPCSP report to be appropriate, or
- (b) the PCSP has requested the publication of the DPCSP report.

(7) A “DPCSP report” is a report submitted to the PCSP under section 26.

**Commencement Information**

**I6** S. 25 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

**Annual report by DPCSPs to principal PCSP**

**26.—**(1) A DPCSP shall, not later than 2 months after the end of each financial year, submit to the principal PCSP a general report on the exercise of its functions during that year.

(2) A report under subsection (1) shall include details of the arrangements made under section 22(1)(d).

(3) Before submitting any report under subsection (1), a DPCSP shall consult the relevant district commander.

**Commencement Information**

**I7** S. 26 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

*Other reports by PCSPs and DPCSPs*

**Reports by PCSP to joint committee**

**27.—**(1) A PCSP shall, whenever so required by the joint committee, submit to the joint committee a report on any such matter connected with the exercise of its functions as may be specified in the requirement.

(2) This section does not apply to the PCSP for Belfast (as to which see section 28).

(3) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1);
- and

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(b) within the period of 3 months from the date on which that requirement is made, or within such longer period as may be agreed between the PCSP and the joint committee.

(4) The joint committee may arrange for a report under this section to be published in such manner as appears to the joint committee to be appropriate.

#### Commencement Information

**I8** S. 27 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

#### Reports by Belfast PCSP to joint committee

**28.**—(1) The PCSP for Belfast shall, whenever so required by the joint committee, submit to the joint committee a report on any matter which is specified in the requirement and is connected with the exercise of—

- (a) its functions, or
- (b) the functions of a DPCSP.

(2) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1); and
- (b) within the required period or such longer period as may be agreed between the PCSP and the joint committee.

(3) The required period is—

- (a) 4 months from the date on which the requirement under subsection (1) is made, if the requirement relates wholly or in part to the functions of a DPCSP;
- (b) 3 months from the date on which the requirement under subsection (1) is made, in any other case.

(4) When the PCSP submits its report under subsection (1) it shall at the same time send to the joint committee copies of any related DPCSP report.

(5) The joint committee may arrange for the publication, in such manner as appears to the joint committee to be appropriate, of—

- (a) a report submitted under subsection (1);
- (b) a related DPCSP report.

(6) A “DPCSP report” is a report submitted to the PCSP under section 29.

(7) A DPCSP report is related to a report submitted in pursuance of a requirement under subsection (1) if the PCSP imposed the requirement to submit the DPCSP report to enable it to comply with the requirement under subsection (1).



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**Commencement Information**

**I9** S. 28 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

**Reports by DPCSP to principal PCSP**

**29.**—(1) A DPCSP shall, whenever so required by the principal PCSP, submit to the principal PCSP a report on any matter which is specified in the requirement and is connected with the exercise of the DPCSP's functions.

(2) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1); and
- (b) within the period of 2 months from the date on which that requirement is made, or within such longer period as may be agreed between the DPCSP and the principal PCSP.

(3) The principal PCSP may arrange for a report submitted under this section to be published in such manner as appears to the principal PCSP to be appropriate.

(4) Subsection (3) does not apply if the principal PCSP has imposed the requirement under subsection (1) to enable it to comply with a requirement imposed on it under section 28(1).

**Commencement Information**

**I10** S. 29 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

*Policing committee reports*

**Reports by policing committees to Policing Board**

**30.**—(1) The policing committee of a PCSP shall, whenever so required by the Policing Board, submit to the Policing Board a report on any such matter connected with the exercise of the restricted functions of the PCSP as may be specified in the requirement.

(2) This section does not apply to the policing committee of the PCSP for Belfast (as to which see section 31).

(3) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1); and

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(b) within the period of 3 months from the date on which that requirement is made, or within such longer period as may be agreed between the policing committee and the Policing Board.

(4) The Policing Board may arrange for a report under this section to be published in such manner as appears to the Policing Board to be appropriate.

#### Commencement Information

**III** S. 30 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

### Reports by policing committee of Belfast PCSP to Policing Board

**31.**—(1) The policing committee of the PCSP for the district of Belfast shall, whenever so required by the Policing Board, submit to the Policing Board a report on any matter which is specified in the requirement and is connected with the exercise of—

- (a) the restricted functions of the PCSP, or
- (b) the restricted functions of a DPCSP.

(2) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1); and
- (b) within the required period or such longer period as may be agreed between the policing committee and the Policing Board.

(3) The required period is—

- (a) 4 months from the date on which the requirement under subsection (1) is made, if the requirement relates wholly or in part to the restricted functions of a DPCSP;
- (b) 3 months from the date on which the requirement under subsection (1) is made, in any other case.

(4) When the policing committee submits its report under subsection (1) it shall at the same time send to the Policing Board copies of any related DPCSP policing committee report.

(5) The Policing Board may arrange for the publication, in such manner as appears to the Policing Board to be appropriate, of—

- (a) a report submitted under subsection (1);
- (b) a related DPCSP policing committee report.

(6) A “DPCSP policing committee report” is a report submitted to the policing committee of the PCSP under section 32.

(7) A DPCSP policing committee report is related to a report submitted in pursuance of a requirement under subsection (1) if the policing committee of the

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PCSP imposed the requirement to submit the DPCSP policing committee report to enable it to comply with the requirement under subsection (1).

**Commencement Information**

**I12** S. 31 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

**Reports by policing committee of DPCSP to policing committee of principal PCSP**

**32.—(1)** The policing committee of a DPCSP shall, whenever so required by the policing committee of the principal PCSP, submit to the policing committee of the principal PCSP a report on any matter which is specified in the requirement and is connected with the exercise of the restricted functions of the DPCSP.

(2) A report under this section shall be made—

- (a) in such form as may be specified in the requirement under subsection (1); and
- (b) within the period of 2 months from the date on which that requirement is made, or within such longer period as may be agreed between the policing committee of the DPCSP and the policing committee of the principal PCSP.

(3) The policing committee of the principal PCSP may arrange for a report submitted under this section to be published in such manner as appears to the policing committee to be appropriate.

(4) Subsection (3) does not apply if the policing committee of the principal PCSP has imposed the requirement under subsection (1) to enable it to comply with a requirement imposed on it under section 31(1).

**Commencement Information**

**I13** S. 32 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

*Miscellaneous*

**Other community policing arrangements**

**33.—(1)** The policing committee of a PCSP or a DPCSP may, with the approval of the Policing Board, make arrangements to facilitate consultation by the police with any local community within the district of the PCSP or (as the case may be) the police district of the DPCSP.

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(2) Where it appears to the Policing Board that a policing committee has not made satisfactory arrangements under subsection (1) in relation to any local community, the Policing Board may, after consultation with the policing committee, make arrangements to facilitate consultation by the police with that community.

(3) Arrangements made under subsection (1) or (2) may include the establishment of bodies.

(4) The Policing Board may defray the reasonable expenses of any body established by virtue of subsection (3).

(5) Before making any arrangements under this section a policing committee or the Policing Board shall consult the Chief Constable as to the arrangements that would be appropriate.

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**Commencement Information**

**I14** S. 33 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

**Functions of joint committee and Policing Board**

**34.—**(1) The joint committee must—

- (a) assess the level of public satisfaction with the performance of PCSPs and DPCSPs;
- (b) assess the effectiveness of PCSPs and DPCSPs in performing their functions (other than restricted functions) and in particular, the effectiveness of the arrangements made under section 21(1)(d) or 22(1)(d).

(2) The Policing Board must—

- (a) assess the level of public satisfaction with the performance of policing committees of PCSPs and DPCSPs;
- (b) assess the effectiveness of policing committees of PCSPs and DPCSPs in performing the restricted functions of PCSPs and DPCSPs.

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**Commencement Information**

**I15** S. 34 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

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