Belfast City Council

Report to:	Strategic Policy & Resources Committee
Subject:	Justice Bill (NI) 2010
Date:	19 November 2010
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1	**Relevant Background Information**
1.1	The Council was invited to provide written evidence to the Justice Committee on the Draft Justice Bill (NI) 2010 on 21st October 2010, with a deadline for submission of 17th November 2010. An extension to this deadline has been granted until after the Strategic Policy and Resources Committee meeting of 19th November.
1.2	The Committee will be aware that at its meeting on 22nd October 2010, Members requested that representatives from the Department of Justice (DOJ) be invited to provide an overview of Part 3 of the draft Justice Bill (NI) 2010 at a briefing session to which all Members of Council were invited.
1.3	This briefing session was held on Monday 15th November 2010 and Mr Dan Mulholland and Ms Nicola Creagh of the DOJ provided input the proposals that relate to recommendations for the future integration of the Community Safety and District Policing Partnerships. Appendix 1details a draft response in respect of Part 3 of the Bill on behalf of Belfast City Council based on the comments and queries raised by Members at this briefing. In addition to this, Appendix 2 details a short draft response in respect of Part 4 (regulation at sporting events) as this also impacts on the Council's regulatory functions.

2	**Key Issues**
2.1	At present the Council plays a leading role in administering both the District Policing Partnership (DPP) and the Community Safety Partnership (CSP). However the Justice Bill will provide enabling legislation for a new partnership arrangement which brings both partnerships together.

2.2	The Bill specifically describes the new partnership model for Belfast. This includes: • A new main Policing and Community Safety Partnership (PCSP) which will perform the wider community safety role. This will also have a sub committee known as the Policing Committee which shall meet to perform the functions of the current DPP • New District Policing and Community Safety Partnerships (DPCSPs) for each 'Police District' and within each of these, a sub committee known as the District Policing Committee. The DOJ has currently advised that they consider there to be a need for four DPCSPs in Belfast.
2.3	Some of the key issues for Council that have therefore been reflected in the response on Part 3 (Appendix 1) include: • **Making a difference in local communities –** the need for the focus to be on improving safety within neighbourhoods and not just on structures. • **The complexity of the proposed Belfast structures** and implications for Members (in terms of numbers of meetings) and administration (in terms of servicing meetings and making returns). • **Membership of the PCSP and DPCSP** – including implications for, and overall role of, Elected Members, identification and participation of partner organisations and the appointment of independent members. • **Financial assistance and Members' (both elected and independent) allowances,** the latter being no longer specifically allowed for in the legislation. • **Legal Status of the new partnership** and its relationship between the new PCSP and the Council. • **Accountability and governance** – the need to ensure proposals support streamlined reporting and the need for clarity in respect of the relationship with the Council. • **Integration with other structures** – the need to ensure that the proposed Belfast model supports integration with existing inter-agency and community-based structures and that the emerging model ensures improved frontline delivery for communities • **Statutory Duty** – consideration of the implications of imposing a statutory duty on public bodies to have regard to community safety.

3	**Resource Implications**
3.1	Whilst central government spending for 2011/12 has not yet been agreed it has been articulated that that this is 'not a cost cutting exercise'. It is anticipated that, in line with current CSP arrangements, a grant shall be awarded to the local Council to support both the running of the new partnership and frontline service delivery.
3.2	It is anticipated that the proposed structural changes will not impact upon the revenue estimates in 2011/12. However as part of the Council's response concern has been voiced about the increased administrative burden that the new structures will impose and the resulting re-direction of available staffing resources away from frontline service delivery.

3.3	It should also be noted that the draft legislation does not contain the requirement for 25% match funding from Council (as is the case with the DPP at present) though DOJ has indicated that it is their expectation that there will continue to be a commitment of investment from Council and other partners.
3.4	The Bill makes no specific provision to pay allowances for members of the PCSP or DPCSPs (although expenses can be paid). In its response however Belfast City Council has outlined the implications of this proposal for both independent and Elected Members. Council officers are also currently in discussion with DOE to determine whether special responsibility payments can be extended to Elected Members for defined roles.
3.5	Part 4 of the draft Bill, relating to regulation at sporting events, contains proposals for new offences and penalties in Northern Ireland based on those which have been operating very effectively in Great Britain for some time. They include new powers around offensive chanting at games, missile throwing and pitch incursion; powers to tackle alcohol-related problems around sporting events; powers to tackle ticket touting; and proposals for a soccer banning order regime that would prevent trouble-makers from attending matches. The package of new powers is proposed in relation to key sporting events across football, GAA and rugby.
3.6	These proposals are considered to complement and enhance the objectives of the Safety of Sports Grounds Order in securing the reasonable safety of spectators at designated sports grounds and in regulated stands across Northern Ireland. Appendix 2 contains a draft response in support of these proposals.

4	**Equality and Good Relations Implications**
4.1	The Bill itself has been subject to an Equality Impact Assessment. It is possible however that the implementation of the resulting structural changes in Belfast will need to be subject to further equality screening.

5	**Recommendations**
5.1	It is recommended that the Committee endorse the attached draft responses in Appendix 1 and Appendix 2.

6	**Decision Tracking**
None. The Director of Health and Environmental Services, however will endeavour to update the Committee as appropriate as the Bill progresses through the Assembly.	

7	Key to Abbreviations

CSP – Community Safety Partnership
DPP – District Policing Partnership
DOJ – Department of Justice
PCSP – Policing and Community Safety Partnership
DPCSP – District Policing and Community Safety Partnership

8	Documents Attached

Appendix 1 – Response to Part 3 of the Justice Bill (NI) 2010 on behalf of Belfast City Council
Appendix 2 - Response to Part 4 of the Justice Bill (NI) 2010 on behalf of Belfast City Council