

**THE COMMITTEE ON THE
ADMINISTRATION OF JUSTICE**

**CONSULTATION
BETWEEN
THE POLICE
AND
THE PUBLIC**

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CONSULTATION BETWEEN THE POLICE AND THE PUBLIC

1. INTRODUCTION

This paper is concerned with the machinery for future dialogue between the police and members of the public, especially at "grass-roots" level, on matters which concern them both; it is not concerned with the more fundamental matter of the accountability of the police, which has constitutional implications. The paper examines the history of arrangements for consultation which have been adopted in the past, the objectives to be arrived at in the future, the types of machinery from which a choice has to be made, the matters eligible for discussion during consultation and the powers and functions of members of the public who take part in the work of consultation.

2. BACKGROUND

- 2.1 For some years a number of liaison committees between the police and the public have existed in Northern Ireland based on local authority areas. They have varied quite widely in their effectiveness, many of them being of very little value but others having made a serious attempt to provide a channel of communication. One of the most notable of these has been the three-tiered arrangement in the city of Derry and some of the thinking in what follows has been prompted by a study of that experience. But apart from Derry and one or two others the rest of the liaison committees in Northern Ireland seem to have suffered from being local authority based, thereby inheriting the weaknesses of most Northern Ireland local authorities. While it would seem to be wrong to divorce any new structure entirely from the local elected representatives of the people it is evident that if a broad spectrum of local experience and views of police operations is to be represented in any dialogue with the police recourse must be had to a wider catchment area for committee membership.
- 2.2 Lord Scarman's report in November 1981 on the Brixton riots recommended the establishment of "statutory liaison committees or other appropriate consultative machinery" preferably in every police division or sub-division in England and Wales.
- 2.3 In June 1982 the Home Office issued its Circular 54/1982 on local consultation arrangements between the community and the police. This document has come to be known as "the guidelines".
- 2.4 The Home Office Circular was addressed to Police Authorities and Chief Constables and resulted in the widespread establishment, ahead of legislation, of varying types of machinery for consultation. The Centre for Analysis of Social Policy in the School of Humanities and Social Sciences at the University of Bath has conducted a survey of these arrangements and written it up as a most informative and interesting paper.
- 2.5 The Police and Criminal Evidence Act 1984 requires Police Authorities in England and Wales to determine what arrangements

for obtaining the views of the people are appropriate in their areas. This approach could also be adopted in Northern Ireland but it may be that the Secretary of State will prefer to undertake this task himself and in view of some of the recommendations which follow that could be the more appropriate course. In England and Wales there is logic in decentralising this work to the several Police Authorities but in Northern Ireland, which is only one unit, there is in effect a straight choice between the Police Authority and the central Government itself. We believe that the result is likely to be more generally acceptable if the arrangements are attributable to the Secretary of State. This paper seeks to examine some of the issues on which decisions will have to be made.

- 2.6 The interest of the Committee on the Administration of Justice in this subject derives from our underlying concern for a fruitful and smoothly working relationship between the police and the public. There is universal agreement today that no police service can be effective unless it commands the respect and the co-operation of the public. Regrettably we have some way to go to achieve that state of affairs in Northern Ireland. To a large extent of course that is due to our history and to the continuing absence of consensus in society itself. While these influences will not be eradicated overnight it would be a mistake to conclude that any attempt in the meantime to improve the machinery for contacts between the police and the public must be abortive. What is true is that the peculiar difficulties of the Northern Ireland situation should have an influence on the choices made in designing the machinery.

3. OBJECTIVES

- 3.1 The chief purpose of any new machinery may be said to be the establishment of a two-way channel of communication. This can be of great practical use to both sides in that:
- (a) it is right that the police should know what the people (whose representatives they are) feel they need; and
 - (b) the public does not always appreciate until it is explained to them what constraints the police work under. There is scope for public education here which can make people's expectations expressed under (a) more informed and realistic.
- 3.2 It is a matter of general experience in many different fields that the more people have contact with one another and are able to discuss matters together the more they get to know and understand one another and ultimately to trust one another. This is of course not a rule of universal validity since some views are so fundamentally opposed to others that there is little point in any discussion, but it is true that much misunderstanding, erroneous belief and ill-founded antagonism is based on ignorance. Access to accurate information is therefore the foundation stone of any attempt to improve relationships. Accordingly it is to be expected that any machinery for regular contacts between the police and public will improve the public's respect for the police and the co-operation the public is willing to provide. It could also affect the police attitude towards some sections of the public.

- 3.3 As an extension of this expectation any new machinery for general consultation may well improve the effectiveness of the efforts to reduce, prevent, control and detect crime.
- 3.4 It seems reasonable to suppose that the Police Authority will wish to keep itself informed of how the arrangements are working in each area. This is a new and, to an extent, experimental field of public administration and democratic expression, and it may well be that developments will occur in one area that could with advantage be copied in another. Moreover issues will almost certainly be raised of which the Police Authority should be informed. It is noteworthy that the Home Office guidelines contain the following passage: "The Home Secretary has consistently encouraged Police Authorities to develop their role as a forum for discussion of overall policing policy in the force area. This should be supported by consultation with the community through which policies can be adopted to meet identified needs in the light of expressed wishes of the local community." While the machinery we are discussing is one of consultation between the public and the police it seems both inevitable and right that it should encompass an element of communication between the public and the Police Authority. The Authority should receive regular reports of any meetings held and of all issues of importance raised. This will improve the Authority's knowledge of local conditions and its ability to do the work laid upon it by Parliament.
- 3.5 This passage of information between the Committee and the Police Authority will need to be a two-way process if it is to be effective. Committees should be able to call for information from the Police Authority or the police as the case may be, on policies and actual events, and even to make their own enquiries where necessary.

4. THE NEW MACHINERY IN CONTEXT

At the risk of stating the obvious it is important to remember that a good deal of contact between the police and the public already takes place informally or in the context of certain defined subject matters. There is much done through community policing, visits to schools, voluntary organisations etc. All this is valuable and it is not suggested that the new arrangements should be a substitute for it. Rather the new machinery should supplement it by providing a regular opportunity specifically for an exchange of views on a wide range of issues of local concern.

5. TYPES OF MACHINERY

- 5.1 From a study of the arrangements made in England and Wales in response to the Home Office guidelines and also from our knowledge of the varying practice in Northern Ireland in recent years it is clear that there are three types of gathering which have developed:
- (a) The committee-type of meeting, which has an identifiable membership of limited size. It may be rather unwieldy at 30 or so, but more typically will be of the order of 10-15 people drawn from the police and a wide range of sections of the public with different interests.

- (b) The open forum-type of meeting, which anyone can attend and which is advertised beforehand.
- (c) In the particular case of Lambeth, which is instructive because it covers Erixton and because it has worked well, there is something of a hybrid between these two types. In addition to the police representatives, the M.P.s, the members of the Borough Council and the Greater London Council, there are some 38 representatives of statutory bodies and local organisations. This must produce a gathering of upwards of 50 people. Anyone may attend but only the above may vote. The Lambeth Constitution and an assessment of the Lambeth experience are reproduced as appendices to this paper.

5.2 It seems that each of these devices has enough potential for serving a useful purpose to make it a candidate for consideration in Northern Ireland. The committee-type of gathering will be able to have a business-like discussion behind closed doors of a particular issue between a manageable number of people who have committed themselves to a regular and sustained interest in all aspects of relations between the police and the public. These will be semi-professionals with a continuity of experience whose grasp of the issues will gradually grow and who can act as contact points in their own areas for the general public who may have a point they wish to air.

5.3 The forum-type of meeting will be more like the original form of democracy devised by the Greeks, now after so many centuries still represented in parts of the United States by the Town Meeting. It will be of unlimited size and could in practice sometimes attract several hundred people. This gathering will be more useful (i) as a means of public education, and (ii) in establishing an atmosphere of openness and trust. The mere fact that anyone can attend and that discussion is not being monopolised by a small group of so-called experts debating in secret and never letting others know what they are doing, must be of particular value in any locality where there is scepticism (or worse) about the activities of the police. It has certainly been the experience in Northern Ireland that there are people with local knowledge of a particular incident who have something useful to say but who in the ordinary course of events would confine themselves to grumbling among their friends and relations; these people when encouraged by one of the members of the committee-type gathering will often be prepared to come to an open meeting and voice their concerns, which gives the police an opportunity of listening (and being seen to listen) and either taking remedial action or giving a rational and convincing answer.

5.4 The Lambeth-type of gathering, though large, is not of unlimited size (except in so far as the non-voting public may attend). Since its membership is defined by reference to the organisations represented it will not lack continuity. It appears to have the particular attraction for Northern Ireland that its constitution ensures grass-roots participation by admitting to membership "any formally constituted group or organisation representing significant numbers of people and subscribing to the aims, terms of reference and constitution" of the consultative body.

5.5 One of the difficulties in Northern Ireland is that the nature of the local community varies so greatly. As a result it may well be that

the Lambeth-type of committee will be considered suitable in some of the major urban areas, but that in the less populated areas a combination of a small committee and sufficient public meetings will be more appropriate. The constitution of the Lambeth Consultative Group is attached as Appendix A to this paper and could be adapted for Northern Ireland easily enough. Put for those areas where the committee and forum-type meetings are likely to be more appropriate there is one consequential question, dealt with in the next section, that needs to be resolved at the start.

6. THE NATURE OF SMALL COMMITTEES AND HOW THEY RELATE TO FORUMS

- 6.1 The ways of creating a committee that naturally spring to mind are to have it appointed by some higher authority or to make it consist of representatives of certain stated interests - the local authority, the local chamber of commerce, tenants' associations, trades unions, etc. This second way has been adopted by many Police Authorities in England. (In some cases in England a mixture of these devices has been used or a nucleus of members appointed by the Police Authority has been given the power to add to its membership.) In Derry the committee was originally appointed by the Londonderry Development Commission and the interests represented were spread as widely as possible but the members were chosen by the Commission on an individual basis so that they could not be regarded (or regard themselves) as delegates from organisations with axes to grind.
- 6.2 The disadvantage from which an appointed committee suffers is that it is prone to consist largely, or even exclusively, of middle class people not closely in touch with the issues that concern people in the troubled areas. While such people may be in a position to make valuable contributions to the consultation process we cannot emphasise too strongly that we attach overwhelming importance, both in terms of access to factual information and in terms of credibility for the whole exercise, to there being a strong representation of grass-roots opinion.
- 6.3 It can be argued that in Northern Ireland anybody appointed by an existing higher authority will be looked at askance and not trusted. According to this school of thought the committee should be a working committee of, and appointed by, a forum. Others will feel that this scenario is opening a Pandora's box and that anything might result, including a committee consisting exclusively of paramilitaries. There is however some ground, based on experience in similar situations, for thinking that in practice this would not happen and that the forum would appoint sensible people who would act responsibly.
- 6.4 Our view on this difficult question is that an open public meeting is a good medium for an interchange of information and views, and for that reason alone it is something that ought to take place regularly wherever there is a demand for it, but that, although not incapable of electing a broadly based and appropriate committee, it cannot be guaranteed to produce that result. Accordingly, while wishing to avoid a committee created by appointment, our preference is for

one consisting of people nominated by organisations. Where the Lambeth pattern is followed this presents no difficulty because any reputable organisation, subscribing to the aims and terms of reference of the consultative committee, will be eligible to nominate members; and this method will have to take account of the fact that the organisations which exist vary from area to area.

- 6.5 An essential element in the usefulness of any committee must be as wide a coverage as possible, both geographically within the area covered and as regards the interests of different sections of the population. The application of this principle to areas of differing size will presumably produce committees consisting of varying types of people but in all cases the membership should encompass knowledge of all the important communities in the area and all the important sectional interests. Examples given in the Home Office guidelines (see para. 2.3 above) include:

- Chambers of Commerce
- Education establishments
- Churches
- Voluntary organisations
- Probation services
- Youth organisations
- Social services
- Residents' or tenants' associations
- Members of the local district council
- The local F.P. (In Northern Ireland this could be the local Assembly member)

This list could be added to according to taste and in England some of the Police Authorities have done so by including:

- Trades unions
- Magistrates
- Groups especially likely to be victims of crime, such as elderly people.

- 6.6 The above are only examples and it is unlikely that it will be possible in every case for them all to be represented. Indeed some categories are debatable and in England some Police Authorities have specifically decided against including magistrates or trades unions. Likewise it may not always be helpful to include politicians, but if they are to be included, as seems generally right, they should be in proportion to the votes cast for their respective parties at the preceding local election.
- 6.7 These considerations ought to make it possible to produce a sensibly chosen committee. There is the further problem that some one person or body in each area will have to act as the midwife and decide which local organisations should be invited to nominate a member. This job requires local knowledge and we think that the most suitable body to undertake it is the local district council, with suitable directions laid down in the governing legislation or in guidelines issued by the Secretary of State.
- 6.8 In areas where the Lambeth pattern is not followed there is the further matter concerning the relationship between the consultative

committee and the open public meeting (the forum). The committee will be responsible for advertising and convening the open meetings and they should be held whenever there is a request by not less than (say) 20 people, and in any event not less than once a year. In some areas open meetings two, three or four times a year will serve a useful purpose. Likewise, and especially in country areas, it may be helpful to vary the location of open meetings. In all cases the committee should give a report on its work since the previous meeting as well as opening the meeting for discussion of fresh business.

- 6.9 The length of appointments of committee members is a matter that will have to be decided. The Home Office guidelines (see para. 2.3 above) suggest a term not exceeding one year in the case of the Chairperson and Vice-chairperson. While the member concerned will only just be acquiring an understanding of the work at the end of one year there is something to be said for keeping appointments short but renewable, at least in the early experimental stage. This is also the practice in Lambeth. We assume that Lambeth-type committees as well as the smaller ones will appoint their own committee officers.
- 6.10 Police representation both at forum and committee meetings will presumably be at least in the person of the senior officer for the area covered or that person's Deputy, along with any officer specifically in charge of community liaison. It need by no means be limited to these and there is much to be said for as many officers as possible having the experience from time to time of attending consultative meetings.
- 6.11 There is additionally the question whether some junior ranks should be present, either individually or as representatives of the Police Federation. Since a number of the subjects likely to be raised may well have implications for the work of Constables and Sergeants it seems reasonable that they should be present and three Police Authorities in England have stipulated this in the constitutions they have approved. (Where there is a two-tier or greater system of consultation, and one area is small, the local officer will in any case be of junior rank.)
- 6.12 It is also necessary to be clear about the status of the police at all these meetings. Since in all three types of gatherings what will be attempted is an exercise in consultation it would be erroneous to suggest that the police should be in attendance in the same way as, for instance, the Clerk to a local authority is present as the servant of the authority to advise its members and do their bidding. The police must be there as a necessary part of the process of consultation and in order to foster the attitude of openness referred to at para. 10 below.

7. AREAS TO BE COVERED

Whichever type of liaison committee is created there is a choice to be made here, both as to size and as to which boundaries are best. Taking the latter first:

- 7.1 Existing liaison committees in Northern Ireland are local authority based and since local authority boundaries do not coincide with police divisions this may require the attendance of police officers from more than one division and complicate the job of getting a clear response from the police to a problem affecting the whole area.
- 7.2 As might be expected, in areas of England and Wales where the new machinery has been established by the Police Authorities they have mostly chosen to appoint committees (as suggested by Lord Scarman) for police divisions or sub-divisions. This may carry the disadvantage of calling for membership to be duplicated in the case of local authority representatives and it is noteworthy that some local authorities have taken umbrage at this arrangement and have boycotted the new committees.
- 7.3 On the whole, however, since this is an exercise in policing it seems that the balance of advantages lies with police boundaries.
- 7.4 There is then the question of size. On this a number of considerations seem relevant:
- (a) It ought to be possible to avoid having, on the one hand, excessively large areas where few members could be expected to have a reasonable working knowledge of local conditions throughout the area or, on the other, a plethora of very small areas making the whole machinery top-heavy with committee and forum meetings and excessive expenditure of police time.
 - (b) It would probably be a mistake to try to fix an arbitrary population size to be served. It would not necessarily be wrong to have some areas with considerably larger populations than others.
 - (c) The right unit to aim to serve seems to be the natural community or, where these are relatively small, several communities that can without too much difficulty, be treated as a group.
- 7.5 These considerations seem to point to the police sub-division being often the most appropriate unit, at any rate at the beginning of the exercise, though as in other matters the arrangements must be flexible to allow for appropriate mechanisms in widely differing areas. In some areas it could well be right to have a committee for the police division and public meetings held in each sub-division. It may even be the case that the pattern originally designed will prove in practice to need adjustment, for working experience may show that additional committees are needed. The machinery should make allowance for adaptations of this nature.
- 7.6 These committees and forums should however be allowed the flexibility to use their own discretion and, if local circumstances warrant it, to recommend additional consultation arrangements for individual parts of their areas. The Home Office guidelines seem to envisage something of that sort when mentioning consultation at

neighbourhood or parish level as well as police division or sub-division level. If this were to be done the consultation machinery would become two-tier or even, in extreme cases, multi-tier. It is not envisaged that this development would be at all common but it is important that the design of the arrangements should be flexible enough to allow it to happen if it would be really appropriate and helpful.

8. MATTERS ELIGIBLE FOR DISCUSSION

8.1 This is one of the most interesting, important and indeed potentially contentious aspects of the new arrangements. The Home Office guidelines list 10 types of subject which might usefully be discussed but are careful to say that they are illustrations only and that the Home Secretary hopes that consultative groups will themselves generate ideas resulting in open and constructive discussion. The 10 types of subject are as follows:

- (a) Issues of local concern which it is desired to bring to the attention of the police.
- (b) The creation of practical opportunities for the community to gain a better understanding of the police service and for police officers in the area to get to know better the particular communities they serve.
- (c) The promotion of joint efforts in crime prevention through practical community action to discourage and prevent crimes such as vandalism and racial attacks in the light of local circumstances.
- (d) Ways in which young people can contribute to crime prevention in the area.
- (e) Discussion of the possible focus of local crime prevention campaigns and of their effectiveness.
- (f) Promoting better community understanding of the problems facing the police and of the limits of what the police can do in response to local problems, for example because of the limitations of the law, or because matters are the responsibility of other statutory services.
- (g) Explaining how police procedures in relation to law enforcement operate.
- (h) Fostering links with local beat officers and looking at ways of improving the accessibility of the police to the community.
- (i) Discussion of police responses to crime problems, in particular responses which may affect relations with the community.
- (j) Discussion of the implications of any general complaints about police responses to the public locally and the provision of practical advice and assistance to members of the community in their dealings with the police.

2 The terms of reference laid down by the English and Welsh Police Authorities for the consultation committees they have appointed mostly cover the same subjects with some slight changes of wording; but three Authorities specifically include mediation between police and groups in conflict with them.

3 The Home Office guidelines also contain the following passage:

"It should be understood that, because of the framework of law in which consultation takes place, neither consultative groups, nor the Police Authority, nor the Home Secretary can intervene in the enforcement of the criminal law. Therefore the deployment of police officers, the method and timing of police operations, and the stage at which these may be discussed, are matters for the chief constable and his officers. Lord Scarman recognised that there are some operational aspects of policing such as criminal investigations and security matters which it would be wrong to make the subject of local consultation. Nor can consultative groups be the forum for pursuit of individual cases which may be under investigation or sub judice; nor for the discussion of allegations of crime or of individual complaints against police officers for which formal procedures already exist."

This passage, if strictly adhered to, would exclude from the agenda much of what members of the public could well be most keen to discuss, or at least place a limit on the extent to which a subject could be discussed. (The guidelines do not say that police deployment or the method and timing of police operations may never be discussed; they say that the stage at which they may be discussed are matters for the police to decide.) However the English and Welsh experience reveals two points of considerable interest:

(a) Though some Authorities have brought the guidelines to the attention of their committees, or even provided them with copies, about half the 25 Authorities who laid down their own terms of reference do not specify any topics that are barred from discussion and this would appear to be deliberate.

(b) The minutes of consultative committees indicate that subjects such as police deployment are in fact discussed and indeed are as likely to be introduced by the police as by the public.

8.4 Moreover, it is to some extent a matter of semantics what is a complaint and what is not. The guidelines quoted above permit the discussion of general but not specific complaints. It appears that in practice both categories are discussed, though without necessarily being referred to as a complaint. This seems to indicate that, where some degree of trust has been built up between people who see each other as all working towards the same broad objective, if discussion of a given matter appears likely to be fruitful it will be undertaken, no matter what is the strict interpretation of the rules. Indeed the authors of the Bath University Survey (see para. 2.4 above) concluded that "local police commanders at division or sub-division level see fairly unrestricted discussion of police matters as essential to their own credibility and thus to the credibility of the idea of consultative groups".

8.5 A further point of interest is that, despite Lord Scarman's mention of security as an inappropriate subject for local consultation and the inclusion of that observation in the guidelines, in Northern Ireland, where security is often a matter of paramount interest, it is frequently the subject of discussion and indeed some committees are attended by the Army and/or the U.D.P. as well as the R.U.C.

8.6 The Secretary of State will obviously wish to consider with very great care what conclusions to draw from the above when framing the design for the new machinery. Which subjects should be encouraged and which discouraged or excluded is a matter that is clearly linked with the type or types of gathering to be established and how they will be controlled. On the whole it would seem best not to try to avoid discussion getting out of hand by devising a rigid constitutional prohibition of too many subjects (though the provision of some Northern Ireland guidelines discussed below will almost certainly be necessary). So long as it is clear to everyone concerned that the machinery is informative and consultative, and that the power of final decision-making lies elsewhere, there is a limit to the amount of damage that can be done by the discussion of almost any subject, however sensitive; and there is much to be gained by the articulation of what people find disturbing and their awareness that they have been heard. Accordingly, how far discussion is allowed to go and whether it is or is not constructive would appear to depend very largely on the attitude taken by the police and on the statesmanship of the Chairperson.

9. POWERS AND FUNCTIONS OF COMMITTEE MEMBERS

We have argued in our earlier paper on police complaints procedures that members of liaison committees should have the right to interest themselves in individual cases of complaint, not for discussion in committee but in order to monitor progress and check that the investigation is fair and thorough. We suggested this because we thought that in many cases they would be reasonably well equipped to do that (in contrast perhaps to the complainant) and because we wanted to give them some authority to intervene with the consequential prospect that they might expect to be able occasionally to influence the course of events. We thought this important as an inducement to the acceptance of membership for those people who otherwise could be reluctant to be seen having any regular relationship with the police. This consideration could still apply in some cases despite the fact that both the Lambeth pattern and our proposals for the alternative in less populous areas are designed to produce committees not regarded as lackeys of the police. Moreover experience shows that when a person of some stature makes a request of the police it is accorded an appropriate degree of attention and this type of intervention could often be both useful and proper in the pursuit of individual cases of complaint. That this recommendation is not as radical as some may think is shown by the fact that the Lambeth Constitution includes this very power.

10. PUBLIC AND PRESS ACCESS

Forum-type meetings will by definition be open to anyone, including the press. Likewise, it is noteworthy that the meetings of the

Lambeth Consultative Group are open to both press and public, and that members of the public who attend but are not members of the group may speak with the permission of the Chairperson. It is the experience in Lambeth (an area previously of great tension and still with that potentiality) that the attitude of openness is important in helping to create constructive and sensitive treatment of the issues that are discussed.

11. CONSTITUTIONS AND GUIDELINES

- 11.1 With only two or three exceptions the English and Welsh Police Authorities when setting up their consultative committees have provided them with constitutions. These vary from a brief document on one side of paper dealing with little more than membership and appointments to the booklet drawn up by the South Yorkshire Authority which explains in some detail their multi-tier consultative machinery. The Bedfordshire Authority has also produce a booklet but this, in addition to setting out the constitution and terms of reference, gives a great deal of ancillary information likely to be useful to the members such as organisation charts and maps of police administration, details of related groups such as crime prevention panels, victim support schemes, lists of Police Authority members etc.
- 11.2 In the case of Northern Ireland, it will be necessary to decide what documentation to issue in order to get the consultation system off to a smooth start. It may well be that the Secretary of State will begin the process by issuing guidelines comparable to the Home Office guidelines but with variations appropriate for Northern Ireland. It would hardly be practical to supply anyone who exercises his or her right to attend a forum with a background document but it seems certain that something of this nature will be beneficial in the hands of members of the committee (of whatever type) and could save much ill-informed and abortive discussion.
- 11.3 The considerations which seem to be relevant in deciding the content of guidelines and constitutions are:
- (a) Within reason the more information the better, and
 - (b) Again within reason the more flexible the constitution the better. This will be a new piece of machinery and in the nature of things it is likely to develop as time goes by, perhaps not in the same way in every locality. What is reasonably certain is that some of the developments will be quite impossible to predict. Room should be left for acceptable developments and the constitution should be confined to establishing a framework which will make it possible for the machinery to do what it is intended to do and to prevent it straying in unacceptable directions.

12. MEETING PLACES

- 12.1 Forum meetings will by definition have to be held in buildings of some size. The choice will inevitably be governed by local

conditions; there may be a public hall or a community centre in a convenient situation but in all probability a school will be as good a meeting place as any. A point that many areas will wish to consider is whether the meeting place should be rotated so as to share the burden of travel.

- 12.2 Committee meetings will have a wider choice. The smaller rooms in schools and community centres will be possibilities, to which can be added public libraries. What is important is that the venue should be entirely neutral in atmosphere; police stations should be avoided at all costs and even local authority offices will be better avoided since it could be important not to give the impression, however wrong it might be, that the proceedings are unduly influenced by the party currently in power at local council level.

13. FREQUENCY OF MEETINGS

- 13.1 This is a matter that should be left, within limits, to local discretion. Forum meetings will obviously be less frequent than committee meetings, a matter referred to at para. 6.8 above. In many cases committee meetings every month will be appropriate.
- 13.2 Possibly the most important point to emphasise in any guidelines to be issued is that both types of meeting should be able to be called when the situation requires it, regardless of when the next meeting would normally be due. One of the most frustrating aspects of the troubles for many people is that they get the impression, when some disturbing incident has taken place, that no-one is doing anything about it. The fact that this impression is often wrong and due simply to ignorance of what is happening behind closed doors, does not invalidate the frustration; the appearance matters almost as much as the reality. So the Chairperson should be empowered to call special meetings of the committee or of the forum either on his or her own initiative or at the request of a reasonable number of others. Special meetings of the forum will of course be more cumbersome to arrange because they will have to be advertised, but even so it is not difficult to envisage circumstances when they would serve a very useful purpose.

14. SERVICING

- 14.1 It is not likely that there will be a call for a complicated bureaucratic system of servicing forum meetings but there ought to be an orderly method of keeping a proper record of the proceedings in case there is any dispute about what happened at earlier meetings; and no committee can function efficiently without minutes. In many cases this work can be provided by the police but doubtless in some sensitive areas there will be a demand for a lay person to undertake it.
- 14.2 That this work will be of use not merely locally but also to enable each part of the consultative machinery to make its contribution to the overall effort is evident from the passage in the Home Office guidelines which asks that 'notes of the main points raised and

conclusions of discussions should be sent on a regular basis to the Police Authority and the Chief Constable so that local views can be taken into account in their discussions about the policing of the area as a whole".

15. COST

This should not be heavy but there will be small charges for the use of premises and for secretarial work. These should be met out of the P.U.C.'s budget.

16. SUMMARY

- 16.1 After tracing the history of the thinking about this subject in para. 2 and listing in para. 3 the objectives which we regard as desirable aims of a new system for Northern Ireland, we describe in para. 5 the three main types of machinery which have been adopted so far either here or in England. Of these it seems that the most suitable type for the major urban areas will be that adopted in Lambeth and that for less populous areas a smaller committee of people nominated by appropriate bodies will be more in keeping with the resources of the community, but that there should also be public meetings from time to time. However, we recommend in para. 2.5 that the decisions on the design of the arrangements throughout Northern Ireland should be made by the Secretary of State.
- 16.2 In para. 6 we examine the relationship between these smaller committees and the public meetings in their area and we explore in some detail how the committees should be constituted.
- 16.3 We think the areas to be treated as units for consultative purposes should generally be the police sub-divisions but that the arrangements should be flexible enough to take account of the widely differing nature of the urban and rural communities (para. 7).
- 16.4 In para. 8 we record the experience to date of consultative bodies in Northern Ireland and in England relating to the types of matters discussed and we quote the Home Office guidelines on this subject. We conclude that there is much to be said for not restricting the agenda too narrowly provided it is clearly understood that the proceedings are confined to exchanging information and making recommendations to those people and bodies whose function it is to make decisions.
- 16.5 In para. 9 we endorse the recommendation we made in a previous pamphlet that members of consultative committees (of whatever type) should be empowered to interest themselves in individual cases of complaints against the police - not for discussion in committee but so that people of some standing in the community who are likely to be competent to do so may monitor progress of the investigation.
- 16.6 In para. 10 we consider the merits of press and public access to the meetings of the Lambeth-type of committee and endorse the experience in Lambeth itself that an atmosphere of openness is conducive to a good working relationship between police and public.

16.7 In paras. 11-14 we make a number of recommendations about ancillary matters - the guidelines that should be given to consultative committees, the places where they might appropriately meet, the frequency of their meetings and the arrangements for servicing their proceedings.

APPENDIX A

CONSTITUTION OF THE COMMUNITY/POLICE CONSULTATIVE GROUP FOR LAMBETH

1. NAME

The name of the Consultative Group is The Community/Police Consultative Group for Lambeth (hereinafter called "The Consultative Group").

2. AIMS

The Consultative Group is established to:

- (a) Work towards a substantial improvement in relations between the community and the Police, in particular the black and other ethnic minority communities;
- (b) Work for the better prevention of crime;
- (c) Work for the maintenance of a peaceful community in the Borough of Lambeth;
- (d) Work for a statutory provision to govern the consultative arrangements.

3. TERMS OF REFERENCE

In furtherance to the said aims, the Consultative Group may consider, research and discuss any matters directly or indirectly concerned with the policing of Lambeth or otherwise relevant to its purpose, having regard to the following guiding principles:

- (a) The Police Commander will consult with the Consultative Group on general matters of policy relating to policing and operating in Lambeth, but it is recognised that in the exercise of his professional responsibilities the final decision rests with the Commander.
- (b) Save in exceptional cases, the Police Commander will give prior notice of his intention to mount major police operations. On those occasions when circumstances do not permit prior notice to be given, the Police Commander may be required to account retrospectively to the Consultative Group for the particular types of operation mounted.
- (c) Particular complaints about police misconduct will not be dealt with by the Consultative Group but will be subject to the Complaints Procedure for dealing with complaints against the police. The Consultative Group may, however, discuss patterns of complaints.
- (d) Members of the Consultative Group may assist complainants in their dealings with the police.
- (e) Discussions of policing matters will not be confined to Lambeth but may embrace the Metropolis as a whole, or be of national application.

- (f) The Consultative Group may make representations to the Commissioner or the Home Secretary direct, about matters which are out of the jurisdiction of the local Commander.

4. POWERS

- (a) The Consultative Group may appoint such special or standing committees as it may deem necessary to further the work of the Consultative Group and shall determine their terms of reference, powers, duration and composition. All acts and proceedings of such special or standing committees shall be reported back to the Consultative Group as soon as possible.
- (b) The Consultative Group may appoint and employ appropriate staff to assist the Group in discharging its terms of reference by carrying out secretariat functions. The level of any contribution to be made from the Metropolitan Police Fund towards the administrative costs of the Group shall be as from time to time determined by the Home Office in consultation with the Group.
- (c) In furtherance of the said aims and terms of reference, the Consultative Group may raise funds, hold property and invite and receive contributions from any person or persons provided that the Consultative Group shall not undertake permanent trading activities in raising funds for such purposes.

5. MEMBERSHIP

Membership of the Consultative Group shall be open to the following:

- (a) Up to four members of Lambeth Borough Council, nominated by the Council;
- (b) Up to four representatives of the Metropolitan Police, nominated by the Police;
- (c) Members of Parliament for constituencies wholly or partly falling within the London Borough of Lambeth;
- (d) Members of the Greater London Council for the London Borough of Lambeth;
- (e) Statutory agencies and such formally constituted groups or organisations functioning within the London Borough of Lambeth and representing significant numbers of people and subscribing to the aims, terms of reference and constitution of the Consultative Group, as the Consultative Group shall from time to time determine, each of which shall be entitled to be represented by one individual member (or more at the discretion of the Consultative Group) to represent it and vote on its behalf at meetings of the Consultative Group. In the event of such person or persons resigning or otherwise leaving the organisation he or she represents, he or she shall forthwith cease to be a representative thereof. Each organisation may appoint a deputy to replace its appointed representative and exercise its vote if the latter is unable to attend any particular meeting of the Consultative Group.

- (f) Such other persons (not being representatives of a community organisation) as the Consultative Group may from time to time co-opt. Such co-opted members shall not exercise a vote.

6. QUORUM

The quorum at a meeting of the Consultative Group or any committee appointed under Clause 4(a) thereof shall be one quarter of the total voting membership of the Consultative Group or committee (as the case may be) or such other number as the Consultative Group shall from time to time determine.

7. VOTING

At the direction of the Chairman for the time being of a meeting of the Consultative Group, a vote may be taken on any matter before the Consultative Group. Each representative member of the Consultative Group as provided above shall have a single vote. In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

8. HONORARY OFFICERS

- (a) At the Annual General Meeting hereinafter mentioned, the Consultative Group shall elect the Chairman, Vice-Chairman, Treasurer and such other Honorary Officers as the Consultative Group shall from time to time decide. The persons so elected shall thereafter be responsible for the general management of the Consultative Group.
- (b) The Chairman and the Honorary Officers of the Consultative Group shall hold office until the conclusion of the Annual General Meeting of the Consultative Group next after their election and shall be eligible for re-election.
- (c) Any representative member of the Consultative Group shall be eligible to serve as an Honorary Officer. Should nominations for Honorary Officers exceed vacancies, elections shall be by ballot of representative members present and voting at the Annual General Meeting.
- (d) Notwithstanding the provisions of paragraph 8(b) above, the Chairman or any Honorary Officer may be removed at a Special General Meeting called for that purpose at which a resolution to that effect would be passed by a two-thirds majority of those present and entitled to vote.

9. MEETINGS OF THE CONSULTATIVE GROUP

- (a) Ordinary meetings of the Consultative Group shall take place at least twelve times a year.
- (b) An Annual General Meeting of the Consultative Group shall be held once in each year at such time (not being more than 15 months after the holding of the preceding Annual General Meeting) and place as the Consultative Group shall determine.

At least 21 clear days' notice of such meeting shall be given in writing to each member. At such Annual General Meeting, the business shall include the election of Honorary Officers; the appointment of an auditor or auditors as hereinafter mentioned; the consideration of an annual report of the work done by or under the auspices of the Consultative Group; and the transaction of such other matters as may from time to time be necessary.

- (c) The Chairman of the Consultative Group may at any time at his/her discretion call a Special General Meeting of the Consultative Group. The Chairman shall likewise call a Special Meeting within 21 days of receiving a written request so to do signed by not less than six representative members, and giving reasons for the request.

10. MINUTES

Minutes which shall include a record of all proceedings and resolutions shall be kept by the Consultative Group.

11. FINANCE

- (a) The Honorary Treasurer shall be responsible for the maintenance and proper accounts of the Consultative Group.
- (b) A Bank Account shall be opened in the name of the Consultative Group with such bank as the Consultative Group shall from time to time decide. The Consultative Group shall authorise in writing the Chairman, the Vice-Chairman, the Honorary Treasurer and the Consultative Group's principal officer to sign cheques on its behalf. All cheques should be signed by not less than two of the four authorised signatories.
- (c) All monies paid to the Consultative Group shall be applied to further the aims of the Consultative Group and for no other purpose PROVIDED THAT nothing herein contained shall prevent payment in good faith to any employee of the Consultative Group of such remuneration as may from time to time be determined in consultation with the Home Office.
- (d) The accounts shall be audited at least once a year by the Auditor or Auditors appointed at the Annual General Meeting.
- (e) An audited statement of the accounts for the last Financial Year shall be submitted by the Honorary Treasurer to the Annual General Meeting as aforesaid and a copy of the auditor's certificate shall be sent to the Receiver for the Metropolitan Police District.

12. TRUSTEES

- (a) Two trustees shall be appointed from time to time as necessary by the representative members of the Consultative Group. Candidates for trusteeship shall be proposed by one representative member and seconded by another representative member, the proposals to be in writing and submitted to the