

**County Laois Joint Policing Committee**  
**Minutes of Meeting**  
**Held on Monday 14 March 2022 at 10.00 am in County Hall**

**Present:** Cllr Aisling Moran, Chairperson  
Superintendent John Lawless, An Garda Siochana  
Mr John Mulholland, CE, Laois County Council  
Mr Donal Brennan Director of Service, Laois County Council  
Deputy Brian Stanley TD, Chair Public Accounts Committee  
Cllr John King, Laois County Council  
Cllr Pádraig Fleming (Vice Chairperson), Laois County Council  
Cllr Paddy Bracken, Laois County Council  
Cllr Seamus McDonald, Laois County Council  
Cllr Catherine Fitzgerald, Laois County Council  
Cllr James Kelly, Laois County Council  
Cllr Ben Brennan, Laois County Council  
Cllr Caroline Dwane Stanley, Laois County Council  
Cllr Thomasina Connell, Laois County Council  
Cllr PJ Kelly, Laois County Council  
Mr Bobby Delaney, PPN Representative  
Mr Brendan Birney, IFA  
Mr Conor O'Leary, Muintir na Tire  
Mr Thomas Jones, PPN Representative  
Ms Antoinette Kinsella, Co-Ordinator Midlands Drug and Alcohol Taskforce

**Apologies:** Chief Superintendent John Scanlon, An Garda Siochana  
Cllr Paschal McEvoy, Laois County Council  
Cllr Conor Bergin, Laois County Council  
Deputy Sean Fleming TD, Minister of State Department of Finance  
Deputy Charles Flanagan TD  
Ms Sara Rasool, PPN Representative

**In attendance:** Inspector Joe Culliton, An Garda Siochana  
Sergeant Graham Kavanagh, Crime Prevention Officer, An Garda Siochana  
Ms Carmel McNicholl, Senior Executive Officer, Laois County Council,  
Ms Suzanne O'Connor, A/Senior Staff Officer, Laois County Council,  
Ms Rose Doolin, Assistant Staff Officer Laois County Council,  
Deputy Commissioner Mr Tony Delaney, Data Protection Commission,  
Assistant Commissioner Gary Russell, Data Protection Commission.

Cllr Aisling Moran (Chair) welcomed members to the meeting.

## **Presentation by Data Protection Commission**

The meeting commenced with a briefing presentation from the Data Protection Commissioners Office representatives - Deputy Commissioner Mr. Tony Delaney and Mr Gary Russell, Assistant Commissioner.

Deputy Commissioner Mr. Tony Delaney outlined that he would proceed to address the various questions that had been pre-submitted by the member. He specified that the Data Protection Commissioners Office investigates data breach complaints, having carried out several large-scale investigations on foot of enquiries of surveillance of citizens via CCTV to date, and cited a number of examples.

Mr. Delaney summarised the requirement to have a legal basis to justify the processing of personal data, adding that certain restrictions in use of CCTV footage apply in certain circumstances eg cameras cannot be used to identify vehicle registrations (ANPR). He outlined the complex background to data protection Law in the State and the legislative basis under which local authorities undertake data controller functions.

Mr. Delaney detailed the particular arrangements on the collection of evidence for enforcement of litter and environmental protection, which is covered by separate legislation, and the use of CCTV footage in such prosecutions, which is currently disallowed, in the absence of a legal basis for same. In this regard all data obtained must comply with part 5, section 71 of the Data Protection Act 2018 in order to process data lawfully and fairly. He advised there is new legislation being brought forward to allow CCTV cameras to be used in litter detection on a legal basis.

All CCTV data obtained must comply with the data retention period.

Mr. Delaney added that in relation to Community CCTV Schemes, the Local Authority and An Garda Síochána are obliged to act as joint controller, following on a decision by the DPC. He listed a number of CCTV Schemes where JPC approval had been granted since 2016.

Mr. Delaney noted that Limerick County Council have installed Community CCTV in multiple areas around the county, indicating this was a good model for Laois to follow as progress in Laois had been relatively slow in this regard, with 15 schemes having received JPC approval and the Council acting as Data Controller in respect of one scheme only- Mountmellick.

He further noted that new legislation will make it a criminal offence for schemes to operate without Garda approval, and the Garda Commissioner would be reviewing the position in this regard.

Mr Gary Russell proceeded to provide detailed information on the use of Drones, clarifying that the Irish Aviation Authority are currently streamlining regulations to tackle this issue. Where Waste Management drones are used, they should be registered. Not all drones have cameras.

Clarification was also provided on the areas that can be recorded by Community CCTV cameras i.e. public areas only, and the use of private CCTV security systems i.e. whereby individuals may have cameras on private property, but the footage recorded cannot encroach on the public road or neighbours.

Some of the Members present expressed concerns at the lack of progress on the implementation of Community CCTV Schemes, and asked that this be addressed, and expressed frustration generally at the limitations around use of CCTV footage for law enforcement purposes.

The Members thanked the representatives of the Data Protection Commissioners Office for their briefing and requested a hard copy be circulated, stating that there was a lot of complex information to be absorbed.

Mr John Mulholland, CE, Laois County Council stated that there was apparent confusion in the public domain and a lack of clarity concerning certain aspects of the CCTV scheme generally. Mr. Mulholland advised the members that Laois County Council did not have an expertise or legal competency in policing matters, nor in the use of CCTV footage for policing purposes. In addition, Mr. Mulholland stressed that he did not accept the comparison put forward with another County Council's CCTV operational arrangements, based on differences in size, historical criminality issues, demographics and budgetary allocations. The Community CCTV Schemes in Laois are funded by Department of Justice grants, with Laois County Council exercising prudence in ensuring compliance with all legislative requirements i.e. obtaining, storing and sharing data in line with current legal standing. Mr. Mulholland further noted that Laois have established a Federation of CCTV Schemes and that while the local authority has been identified as Data Controller, concerns were aired about the role of Data Processor with a particular focus on finance, resources and the competencies of local communities. He referred to the foibles of the existing CCTV arrangement both from a statutory and practical viewpoint stating that a Code of Practice had been developed between the Department of Justice and an Garda Síochána without any reference to the Local Authority as a stakeholder. He conveyed his rebuttal to the impression given that LCC had acted as controller for just one scheme whereas in fact it had agreed to act as data controller for all valid schemes (15) in the county. Mr. Mulholland again stressed that there should be no comparisons between counties, particularly where such a comparator may have been in relation to a LA in receipt of a fine from the DPC.

Mr Donal Brennan, Director of Services, clarified that:

- the Council has undertaken to act as Data Controller for all the 15 JPC approved Schemes, but only 3 Schemes are currently in a position to be advanced.
- Laois County Council and An Garda Síochána have reached an agreement in respect of the joint data controller role.
- There are other nuances to be considered on a case by case basis e.g. Laois County Council will not take over a scheme that has ANPR (Automatic Number Plate Recognition) cameras.
- It is envisaged that the Mountmellick CCTV Scheme will be activated in the coming weeks.

Ms Carmel McNicholl further clarified that the Council was actively undertaking the role of Data Controller at present, and currently progressing Data Privacy Impact Assessments in respect of 3 Dept of Justice funded Community CCTV Schemes in the county.

The follow up discussion concluded, and the DPC representatives then left the meeting.

### **Adoption of Minutes**

On the proposal of Cllr Caroline Dwane-Stanley and seconded by Deputy Brian Stanley the minutes of the November 2021 JPC meeting were adopted.

#### **Matters Arising**

None

#### **Report from An Garda Síochána**

A report was given by SGT Graham Kavanagh, Crime Prevention Officer. In summary:

- Property Crime has risen with burglary on the increase. This is in part due to the lifting of COVID-19 restrictions. Some of the thefts are from sheds/outhouses with items not being secured properly, and bicycle and car thefts where items are similarly unsecured. There are several cases before the courts in respect of theft currently.
- Crimes against the Person and Public Order Offences are on the rise again, partly attributable to the opening of the night-time economy.
- Drugs and Weapons offences have increased particularly in the simple possession of drugs and sale or supply of drugs. This is in part due to a higher detection and engagement with the public.
- Traffic Crimes are up with an increase in traffic collisions causing material damage.
- Domestic Abuse is continuing to rise. Some of this is down to increased reporting of incidents. An Garda Síochána are continuing to engage with all victims.

The members thanked Sergeant Graham Kavanagh and proceeded to pose several questions for clarification.

Deputy Brian Stanley raised the issue of drug dealers who are threatening family members of relatives who owe money for drugs. Superintendent John Lawless stated that this is a serious issue and that there is a lot of work being done to target dealers and get them before the courts.

The issue of criminals from outside the local area versus local criminals was raised in respect of the burglaries stats. The meeting was informed that approximately 50% relate to non-local criminals. Sergeant Graham Kavanagh urged the public to be aware and to secure their property. People should also be aware of bogus people calling to homes/farms to sell items.

Cllr. PJ Kelly noted his concerns pertaining to the rise in the price of heating oil and diesel for farming and potential subsequent theft of same. This could be an issue in the coming weeks and the Members asked the press to highlight this and advise people to secure all heating oil and diesel with secure locks.

Cllr Aisling Moran asked if An Garda Síochána go into secondary schools and talk to students about criminals use of personal bank accounts for money laundering purposes? Superintendent John Lawless stated that this is more of a problem with third level students, but he would add it to their school's programme.

Mr. Bobby Delaney referenced online crime and the significant problem it is causing in Laois. Superintendent John Lawless advised that people should not click on any links in emails/text messages

which states that there is a problem with their bank account. It is a very significant problem all over the country.

Cllr Caroline Dwane Stanley raised the question of Laois County Council providing a refuge for women and children in Laois. Cllr. Stanley noted that over 100 families in the last year had sought refuge places outside of the county. Mr Donal Brennan, Director of Services advised that Laois County Council Housing Section are working with the service provider to find a suitable site in Laois. Sites have been identified and one site has been rejected by the service provider. Cllr. Stanley requested an update for the next meeting. Deputy Bran Stanley TD added that 9 counties are currently without a women's refuge recommending that the JPC write to Helen McEntee, Minister of Justice and Roderick O'Gorman, Minister for Children, Equality, Disability, Integration and Youth, seeking an update on a facility in Laois.

In addition, Cllr. Caroline Dwane Stanley raised a query in respect of the new Courthouse and when it is expected to be built. The meeting was informed that a site has been purchased for the new Courthouse in Kylekiproe but the construction of the Courthouse is a matter for the Court Services. Deputy Brian Stanley said that it is not listed for construction in this round, but it is hoped that it will be in the next round. An update on the site was requested for the next JPC meeting.

#### **Annual Report 2021**

Ms Carmel McNicholl advised members that the JPC Annual Report for 2021 was circulated in advance of the meeting for their attention. The matter was noted, and no issues were raised on foot of same.

#### **JPC Strategic Plan**

Ms Carmel McNicholl stated that work has commenced on the JPC Strategic Plan which will be in place for the next 6 years. Submissions were sought from the relevant stakeholders, and new proposals were received and an updated draft circulated to the Members for their information. It is now proposed to proceed to prepare the document for the Public Consultation phase of the process. This was agreed by the members.

Ms. Antoinette Kinsella advised that a submission was made by the Midlands Drug and Alcohol Taskforce on drug intimidation and addiction. Ms. Carmel McNicholl, SEO Community noted that this submission would be taken into consideration and form part of the discussion/consideration on the new strategic plan.

#### **Correspondence**

Correspondence received from Transport Infrastructure Ireland on the N80 was circulated prior to the meeting. It was proposed by Mr. Bobby Delaney and seconded by Deputy Brian Stanley that the 3 Deputies in Laois together with the Chief Executive and the Chief Superintendent meet with the TII and Eamon Ryan, Minister for Transport to discuss the seriousness of the matter. Deputy Stanley undertook to advance the matter.

The Records of the February JPC Municipal District meetings had been circulated with the agenda. Cllr Padraig Fleming stated that these meetings have been a great help and that local matters can be dealt with at this level and not brought to the JPC meeting.

**Any Other Business**


Cllr Catherine Fitzgerald thanked SGT JJ O'Connor, Road Policing, for all his work over the past 38 years and wished him and his family well on his retirement. She requested that a letter be sent from the JPC on this matter and this was seconded by Cllr Caroline Dwane Stanley.

**Time and Date of next meeting**

The next meeting of the JPC will take place on Monday 13<sup>th</sup> June 2022 at 2.30 pm.

That concluded the business of the meeting.

Signed:



Chair of Joint Policing Committee

Dated:

13/6/22.  
13<sup>th</sup> June 2022.