



AN TÚDARÁS PÓILÍNEACHTA  
POLICING AUTHORITY

## Minutes of Meeting of the Policing Authority

**Date:** 22 November 2018

**Venue:** Dublin Castle and by Conference Call (CC)

### Part A – Authority Meeting

#### Attendance

**Authority:** Josephine Feehily (Chairperson), Noel Brett, Bob Collins, Pat Costello, Judith Gillespie, Valerie Judge, Maureen Lynott (CC), Moling Ryan.

**Secretary:** Aileen Healy

**Staff of the Authority:** Helen Hall (Chief Executive), Margaret Tumelty, Síle Larkin

**Visitors** Mark Toland (Chief Inspector), Pauline Shields (Inspector), Hugh Hume (Inspector) and Tom Maguire (Principal Officer), Garda Inspectorate (for Agenda Item 8)

#### 1. Chairperson's Opening Remarks

In accordance with section 62J(7)(b) of the Act, Ms Judith Gillespie chaired the discussion under Agenda Items 2,3 and 8.

The draft agenda was discussed, amended and approved. No conflicts of interest were declared in relation to any of the matters for discussion.

The Chairperson advised that the process to fill positions on the Authority is underway.

The intention to publish the Authority's headline results for 2018 early in January 2019 was noted and a draft will be considered at the December meeting.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_046_01	A draft of the Authority's headline results for 2018 to be prepared for the Authority's consideration in December.	13 December	Chief Executive

#### 2. Minutes and Matters Arising

The minutes of the meetings on 25 October and 20 November were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

#### 3. Chief Executive's Report

The Chief Executive's report was taken as read. Further updates were provided to Members on the following matters in the context of the report:

- Issues arising from recent attendance at a meeting to discuss the the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

(OPCAT) were drawn to Members' attention in the context of required inspection of places of detention (including Garda stations);

- Expectation that the Executive would be engaging with the Garda Síochána ('GS') in the coming weeks in relation to the draft 2019 Policing Plan;
- Sanction sought from DPER for a proposed OGP procurement process for a preferred provider of review services. Members approved proceeding with this procurement; and
- A further 13 Garda staff positions approved by the Chief Executive in line with her delegated sanction and consent of the Minister sought.

Members noted that the Authority's submission on the report of the Commission on the Future of Policing (CFP) had been provided to the Department of Justice and Equality ('the Department'). The Department have indicated that a Steering Group and Implementation Group comprising representatives of the Department, the Department of the Taoiseach ('DoT'), the Department of Public Expenditure and Reform ('DPER') and the GS and a Programme Office (in DoT) have been put in place to support the implementation of the recommendations of the report and that it is expected that the Minister will bring a Memorandum to Government on the CPF report for consideration in December. It was agreed that the Authority's submission would be shared in a limited way initially, including with the Garda Commissioner and the other policing oversight bodies, and would be published on the website at an appropriate time. Members requested that the Chairperson seek a meeting, together with the Committee Chairs, with the Minister to discuss the report and the Authority's subsequent submission.

Members noted the monthly financial and correspondence reports and approved the provision of an extract of the correspondence report to the Commissioner.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_046_02</b>	The Chief Executive to share the Authority's submission to the Department on the report of the CFP with the Commissioner and the other oversight bodies.	ASAP	Chief Executive
<b>A_046_03</b>	A meeting to be sought between the Minister and the Chairperson and Committee Chairs to discuss the CFP report.	ASAP	Chairperson
<b>A_046_04</b>	The Authority's submission to the Department on the report of the CFP to be published on the website at an appropriate time		Chief Executive

#### **4. Committee Updates**

##### **4.1. Code of Ethics Committee**

The Committee Chair updated members on the final committee meeting, noting good engagement with the GS and ongoing work to embed the Code.

The Chairperson thanked the Committee Chair and members for their work on developing and overseeing the embedding of the Code of Ethics over the past three years. It was noted that ongoing oversight of the embedding of the Code, which continues to be an important item on the Authority's agenda, will be through the Organisational Development Committee as agreed at the Authority meeting of 25 October.

##### **4.2. Garda Appointments Quality Assurance and Selection Governance Committee**

The Committee had not met since the last Authority meeting.

### 4.3. Organisational Development Committee

The Committee Chair gave a brief update on the recent committee meeting. It was noted that the next report to the Minister on the implementation of 'Changing Policing in Ireland' would focus on a review of the implementation to date with particular emphasis on substantive major issues. It was proposed that the strategic focus of the Committee should be reconsidered in the context of the implementation of the CFP report and agreed that revisions to the Terms of Reference would be considered in due course.

### 4.4. Policing Strategy and Performance Committee

The Committee Chair updated members on the recent committee meeting including:

- Improvements in the quality and timeliness of performance reporting by the GS;
- Discussion in relation to possible themes for public meetings in 2019;
- Data quality, noting that the GS Interim Data Officer had been invited to discuss data quality and associated risks at the next Committee meeting in December;
- An update received in relation to the ongoing Homicide review and issues arising in relation to ownership of the implementation of recommendations arising from the review
- The extension of the 2018 Policing Plan into the first quarter of 2019 and plans to hold a workshop in relation to the 2019 Policing Plan;
- Priority areas for site visits; and
- Review of the Committee's Terms of Reference.

The value of site visits to evidence implementation of the Policing Plan and other aspects of the Authority's oversight were noted and the Executive was requested to prepare a paper on recent site visits for the December committee meeting to inform a discussion on planning for 2019 Committee work.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_046_05	Draft revised Terms of Reference for Authority Committees to be considered at an appropriate time		Authority

## 5. Audit, Governance and Risk

The Audit and Risk Committee had not met since the last Authority meeting.

Members noted the risks reported in the High Risk Report and considered any further changes required to the Risk Register in light of emerging risk.

## 6. Garda Síochána Human Rights Framework

Members noted the draft Human Rights Framework which had been circulated for consultation by the GS. It was agreed that further questions should be raised which would assist in the Authority's consideration of the matter.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_046_06	The Chief Executive to raise questions with the GS regarding the draft Human Rights framework.	ASAP	Chief Executive

## 7. Meeting with Chief Inspector, Garda Inspectorate

The Garda Inspectorate ('GI') attended to discuss their draft report on 'Policing with Local Communities'. Members noted that, in the context of public discourse about the closing and reopening of Garda stations in 2016 and the commitment in the Programme for Partnership Government for the Authority to oversee a review, the Minister for Justice and Equality requested under s117(2) of the Act that the Authority request the GI to conduct a review examining the dispersement and use of resources available to the Garda Síochána.

The GI representatives presented an overview of the report and addressed Members questions. It was agreed that the report would be finalised in advance of the Authority's meeting on 13 December, taking account of Member's feedback and that the Chief Executive and the Chief Inspector would brief the Department in relation to the draft report.

The GI updated Members on their work on the review of Public Order Policing and it was noted that the Chief Executive has arranged two-weekly meeting to monitor progress.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_046_07</b>	The Garda Inspectorate to finalise their report on 'Policing with Local Communities' for the Authority's consideration at its December meeting.	7 December	Garda Inspectorate
<b>A_046_08</b>	The Chief Executive and Chief Inspector to brief the Department on the draft report on 'Policing with Local Communities'.	ASAP	Chief Executive

## 8. Preparation for meeting with the Garda Commissioner

Members discussed the agenda for the meeting and agreed the matters to be discussed with the Garda Commissioner and his team.

## **Part B – Authority Meeting with the Garda Commissioner in private**

### **Attendance**

**Authority:** Josephine Feehily (Chairperson), Noel Brett, Bob Collins, Pat Costello, Judith Gillespie, Valerie Judge, Moling Ryan.

**Secretary:** Aileen Healy

**Staff of the Authority:** Helen Hall (Chief Executive), Margaret Tumelty, Síle Larkin

**Garda Síochána:** Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), John O’Driscoll (Assistant Commissioner), Andrew McLindon (Director of Communications).

### **9. Commissioner’s Monthly Report to the Authority**

The Commissioner updated the Authority briefly in relation to a number of current issues including an upcoming road safety campaign and plans for increasing policing visibility over the pre-Christmas period. Members also noted ongoing work on anti-corruption including preparation of a draft policy.

It was noted that the three-year report to the Authority under S.23 of the Act in respect of the period 2015-2018 was overdue.

## Part C – Authority Meeting with the Garda Commissioner in public

### Attendance

**Authority and Staff:** As for Part B above

**Garda Síochána:** Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Pat Leahy, (Assistant Commissioner), Finbarr O’Brien (Assistant Commissioner), David Sheahan (Assistant Commissioner), Brian Sutton (Chief Superintendent), Gráinne Shortall (Assistant Principal).

This meeting with the Garda Commissioner and his team was held in public. In accordance with the Authority’s Standing Orders, the official record of the meeting is the recording which is available to view at:

<http://www.policingauthority.ie/website/PA/PolicingAuthorityWeb.nsf/page/Meetings-en>

The following matters were discussed during the meeting:

Agenda Item	Principal matters discussed
Commissioners Monthly Report to the Authority	<ul style="list-style-type: none"> <li>• Pay budget for 2018 and 2019</li> <li>• Staffing and capital budget for reopening of Garda stations</li> <li>• Driver training</li> <li>• Update on ICT projects</li> <li>• Criminal Assets Bureau engagement with JPCs</li> <li>• Emergency response exercise</li> <li>• Public Attitudes Survey - gap between general satisfaction rate and from people who have had direct contact with the GS</li> </ul>
Disclosures Tribunal	<ul style="list-style-type: none"> <li>• What is being done or needs to be done to respond to the report</li> <li>• Risk of behaviours identified in the report (and previous reports) still happening in other parts of the organisation</li> <li>• Low response rate by officers to Tribunal request for information</li> <li>• Need for self-awareness and responsibility and acknowledgement where things go wrong and commitment to do the right thing thereafter.</li> <li>• Weaknesses in internal reviews identified in this and previous Tribunals</li> <li>• Cultural reform and the role of the Code of Ethics and how plan to address cultural issues identified in the culture audit and the Tribunal</li> <li>• Safe environment for speaking up - important to finish review promptly and bring outstanding issues to a conclusion</li> </ul>
Garda Reserves	<ul style="list-style-type: none"> <li>• Role, purpose and value of a Garda reserve</li> <li>• Role for a broad range of members of public to support the Gardaí</li> <li>• Deployment, supervision of reserves and integration with units on the ground</li> <li>• If capacity to manage and supervise reserves is affected by high Garda recruitment</li> <li>• Grade structure within the reserve</li> <li>• Consistent acceptance of Garda reserves across the organisation</li> <li>• HR Strategy</li> <li>• Need to address hygiene factors for Garda Reserves</li> </ul>

Agenda Item	Principal matters discussed
Homicide Review	<ul style="list-style-type: none"> <li>• Update on progress</li> <li>• Governance and ownership of recommendations and status of implementation</li> <li>• Data issues including risk of numerous identities on PULSE and how being mitigated</li> <li>• Assurance that classification issues won't recur and in tray of misclassified homicides not refilling</li> <li>• Review team working together collectively in a team effort</li> </ul>
Garda Síochána Report on the Youth Diversion Programme	<ul style="list-style-type: none"> <li>• Procedures and robust governance to ensure follow up if an issue is identified</li> <li>• Priorities over the next few weeks</li> <li>• Assurance that review will be complete in time for PA to consider by mid-January</li> <li>• 14 month delay in publishing the 2016 report and lack of significant issues identified despite ongoing review</li> <li>• External chair to the Review Committee</li> <li>• Whether in-tray is re-filling while review work is ongoing</li> </ul>
Other Business	<p><u>Updates on:</u></p> <ul style="list-style-type: none"> <li>• Implementation Plan for Crowe Horwath Report</li> <li>• Reports relating to Public Order incidents - An Cosán and Protest at North Frederick St.</li> </ul> <p><u>Other matters</u></p> <ul style="list-style-type: none"> <li>• Alleged Child Sexual Abuse involving Scouting Ireland and if GS engaged on the matter or any investigations underway which would reassure the community?</li> <li>• Opportunity to give reassuring messages to the Community and any activities that would like to share at this time of the year?</li> </ul>

**Actions arising from the meeting held in public:**

No.	Action point	By Date	By Whom
A_046_09	<p><i>Commissioner's report to include details of:</i></p> <ul style="list-style-type: none"> <li>• <i>Staff, by gender, unavailable for duty due to sick leave and suspensions;</i></li> <li>• <i>Garda reserve and</i></li> <li>• <i>Trends in diversity</i></li> </ul>	ASAP	GS
A_046_10	Provide report on the Juvenile Diversion Programme in time for the Authority to consider it in advance of a meeting in public to discuss the report in mid-January	January 2019	GS