



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 28/29 September 2022

Venue: Dublin Castle

Part A – Authority Meeting

Attendance

Authority: Bob Collins, Donal de Buitléir, Deborah Donnelly, Valerie Judge, Paul Mageean (items 1-7, 9-16), Elaine Byrne, Shalom Binchy (items 1-6, 8-10) Moling Ryan.

Secretary: Aoife Clabby

Staff of the Authority: Helen Hall (Chief Executive), Margaret Tumelty, Cormac Keating.

Garda Inspectorate: Mark Toland (Chief Inspector) (items 1-6, 8-11)

1. Meeting of Members in Private

The Authority did not exercise its option to have a meeting in private.

2. Chairperson's Opening Remarks

The meeting agenda was approved, as drafted. No conflicts of interest were declared by the Members in relation to any of the items for consideration.

The Chairperson apprised Members of matters discussed at a meeting he had with the Commissioner in late August.

The Chairperson advised that he had spoken with the Chairperson of GSOC, Judge Rory MacCabe in relation to the investigation by GSOC into the fatal shooting of Mr. George Nkencho and the status of the investigation.

Members noted a number of pieces of correspondence received and issued. It was agreed that a copy of the correspondence that had issued to the Department of Justice regarding the review of discipline regulations in the Garda Síochána would be copied to the Commissioner. It was also agreed that further consideration would be given to the approach to managing correspondence for Members' attention at future meetings.

No.	Action point	By Date	By Whom
A_112_01	Provide a copy of correspondence to DoJ on the review of discipline regulations to the Commissioner	ASAP	Chief Executive

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

The Secretary advised that feedback had been received from the Garda Síochána in relation to the draft minutes for 28 July meeting. It was agreed that the matter would be discussed with the Commissioner in Part B of the meeting. The minutes of the meeting held on 31 August were approved and cleared for publication.

3.2. Policing Authority and Garda Síochána Actions Logs

The Log of Actions was noted and proposals to close specified actions were approved.

Members noted that the Commissioner had declined to provide the Garda Síochána's human rights advisor's report on the use of anti-spit guards/hoods, on grounds of legal professional privilege.

Following discussion, it was agreed that correspondence would issue to the Commissioner, seeking to ascertain the nature of the privilege claimed and the associated rationale.

Members considered a response received from the Garda Síochána in relation to the status of the closure of cells in the Garda custody estate, having regard to the recommendations contained in the Garda Inspectorate report 'Delivering Custody Services'. It was agreed that the action would remain open, pending the receipt of additional information.

No.	Action point	By Date	By Whom
A_112_02	Consider approach to the management of correspondence for Members' attention	ASAP	Chief Executive/Secretary
A_112_03	Issue correspondence to the Commissioner seeking clarity in respect of the nature of legal professional privilege supporting the non-provision of the GS human rights advisor's report on the use of anti-spit guards/hoods.	ASAP	Chief Executive

4. Chief Executive's Report

The Chief Executive's report was taken as read and further updates were provided to Members on a number of matters in the context of the report, including in relation to:

- A meeting that had been held with representatives from Dublin's North East Inner City Initiative on the experience of policing in the community.
- A meeting held with the Chairperson of the pilot Community Safety Partnership (CSP) in Dublin. The Chief Executive advised that the meeting had been very constructive and further, that two of the three pilot CSPs had been represented at the annual meeting held with the JPC Chairpersons and Chief Executives of Local Authorities. Members noted that further opportunities to build on relationships established to date would be considered in the context of the Authority's Business Plan 2023.
- Engagement with the Department of Justice on the process to fill a vacancy on the Authority, following the resignation of Mr. Stephen Martin.
- The budget allocation for the Policing Authority in 2023.

- The status of the final research report on the experience of victims, commissioned under the Authority’s Bursary Scheme. Members were apprised of matters contributing to a delay in the production of the report and noted that a final report was anticipated in the coming months.
- The submission made regarding policing, children and young people to the United Nations Committee on the Rights of the Child and the invitation to attend the Committee’s pre-sessional working group on 27 September in Geneva. Members were provided with a brief overview of themes addressed at the pre-session. Members commended the submission and agreed that it should be published on the Authority’s website.
- A request received from the Garda Síochána to provide an analysis of the outcomes in terms of gender of the most recent selection competitions conducted by the Policing Authority for appointment to the senior Garda ranks. Members discussed the measures being taken by the Garda Síochána in relation to diversity in the workforce and agreed that it would be useful to engage on the matter further with the Garda Síochána in the context of a Strategic Workforce Plan and the envisaged pipeline of resources.
- A meeting with the Garda Síochána Human Rights Unit. Members considered the current levels of staffing in the unit and the extent to which the work of the unit connects with, supports or influences other work requiring human rights considerations. Members also discussed the unit’s capacity to contribute to the embedding of a human rights-led approach to operational policing.

Members considered the Garda Síochána Annual Report 2021, which had been submitted on 1 September. It was agreed that in providing the report to the Minister, reference would be made to incremental improvements to the report and to the desirability of having more detailed information in relation to the organisation’s finances and budgetary spend in the Annual Report 2022.

Members considered the status of the Business Plan 2022 and progress in the year to date. Members were satisfied that no amendments or revisions to the Plan were required at the current time.

Members noted the latest information received from the Garda Síochána in response to requests regarding the resourcing of the Garda National Economic Crime Bureau. Members noted that a submission would be made to the Authority at an early date, following an internal approval process by the Garda Síochána Workforce Planning Prioritisation Board.

Members considered the periodic report on correspondence for the period 16 July to 16 September and discussed with the Chief Executive the nature and frequency of correspondence received asserting improper behaviour by Garda members.

No.	Action point	By Date	By Whom
A_112_04	Publish the submission made to the United Nations Committee on the Rights of the Child on the Policing Authority web-site	ASAP	Chief Executive
A_112_05	Submit the GS Annual Report 2021 to the Minister for Justice, highlighting the desirability of more information on GS finances and budgetary spend in Annual Report 2022.	ASAP	Chief Executive

5. Committee updates

5.1. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last meeting of the Authority.

5.2. Garda Organisation Development Committee

The Committee Chair provided members with an update in relation to the meeting of the Committee that had been held on 21 September. Members were advised that the meeting had not been attended by Garda representatives due to a scheduling issue that had arisen and the Committee's consequent dissatisfaction in that regard. Members were advised that the Committee had considered Policing Plan Performance and had discussed the findings of the second Garda Síochána Cultural Audit.

5.3. Policing Performance and Strategy Committee

The Committee Chair provided Members with an update in relation to the meeting of the Committee that had been held on 20 September in particular in relation to:

- Policing Performance Assessment: The Committee Chair advised that a number of matters had been addressed under this agenda item including the work of the divisional protective services units (DPSUs) with a particular focus on operational reviews currently underway, the operation of the domestic violence risk assessment tool, detection rates and recent research on sex workers' experiences with the Garda Síochána published by the University of Limerick. Members noted that there had also been engagement on roads policing with a focus on the impact of intelligence-led policing in this area on reducing serious injury and fatalities and the engagement between roads policing divisionally and the National Bureau in this regard. The Committee Chair advised that discussions had also taken place in relation to legislation for the use of e-scooters and the Garda Síochána's views on recent calls in the media for a dedicated transport unit.
- Policing Plan 2022 Milestones Realignment: The Committee Chair advised that a presentation had been provided on the outcomes of an internal review undertaken by the Garda Síochána on performance against the Policing Plan 2022 and that the Committee had engaged with Garda representative on the rationale underpinning the re-alignment of milestones.
- Policing Plan 2023 Development: The Committee Chair advised that a presentation had been provided on the approach to the development of the National Policing Plan 2023. Members noted that the need for alignment between different plans had been stressed and that work was ongoing at a divisional level in this regard.

5.4. Audit and Risk Committee

The Committee Chair advised that the September meeting of the Committee had been deferred to 24 October to facilitate attendance of the new Audit and Risk Committee members.

6. Risk Management

Members considered the monthly risk management report, provided in accordance with the Authority's Risk Management Policy, noting that there had been no significant changes to the Risk Register since the Authority's July meeting.

7. Garda Síochána Appointments

Members were provided with the outcomes of the clearance process in respect of the appointment of eight candidates to the rank of Chief Superintendent in the Garda Síochána. The Authority was satisfied to

appoint the candidates to the rank of Chief Superintendent, with effect from the date on which the candidates take up the position to which they are assigned by the Garda Commissioner.

Members were provided with the outcomes of the clearance process in respect of the appointment of eight candidates to the rank of Superintendent in the Garda Síochána. It was agreed that further information would be sought from the Garda Commissioner in order to allow for the consideration and conclusion of the clearance process in relation to two of the candidates. Following the receipt of the information requested, the Authority was satisfied to appoint the candidates to the rank of Superintendent, with effect from the date on which the candidates take up the position to which they are assigned by the Garda Commissioner.

The Authority considered and approved a request received from Garda HR for a new position of Director of the Garda Síochána Analysis Service (GSAS) and authorised the Chief Executive to engage with the Garda Síochána regarding the finalisation of the candidate information booklet and to seek the consent of the Minister for Justice and the Minister for Public Expenditure and Reform to the approval by the Authority of this position.

Members considered a request received from the Garda Síochána for details of a specified number of candidates placed on the panel established by the Authority for promotion to the rank of Superintendent, noting the rationale provided for access to the information. In considering the request, Members had regard to commitments given to candidates in relation to the treatment of their personal data. Following discussion, the Authority was satisfied to approve the request in principle, further to the receipt of consent from the candidates concerned to share their personal data and subject to the provision of the information on a strictly confidential basis to the Commissioner and the Acting Executive Director, HR&PD. Members further agreed that there would be merit in considering the approach to the treatment of such data in future competitions. It was agreed that the matter should be considered by the GS Appointments Governance Assurance Committee in the context of the review of competitions currently underway.

Members considered and approved a request to dismiss a member of the Garda Síochána. Following discussion, the Authority was satisfied to consent to the dismissal, in accordance with Regulation 39(2)(a) of the Garda Discipline Regulations 2007.

No.	Action point	By Date	By Whom
A_112_06	Notify the Commissioner of the appointment of eight candidates to the rank of Chief Superintendent and notify the candidates of their appointment.	Immediate	Chief Executive
A_112_07	Notify the Commissioner of the appointment of eight candidates to the rank of Superintendent and notify the candidates of their appointment.	Immediate	Chief Executive
A_112_08	Engage with the GS to finalise the candidate information booklet for Director of GSAS and seek DoJ and DPER consent to approval by the Authority of the position.	Immediate	Chief Executive
A_112_09	Seek consent of a specified number of candidates on the Superintendent panel to provide their data on a strictly confidential basis to the Commissioner and the ED, HR&PD	Immediate	Chief Executive
A_112_10	Notify Commissioner of Authority consent to dismissal of a Garda member, in accordance with Regulation 39(2)(a) of the Garda Discipline Regulations 2007.	Immediate	Chief Executive.

8. Policing, Security and Community Safety Bill

Members considered a draft Authority submission in response to a request for observations on the draft Policing, Security and Community Safety (PSCS) Bill, by the Department of Justice. Members discussed a range of matters relating to the draft submission and expressed a number of concerns regarding aspects of the draft Bill when compared to the General Scheme of the PSCS Bill that had been published in 2021. In particular Members viewed a range of the proposed measures as having the capacity to exercise a negative impact on independent, external oversight in the public interest. Members also considered the intersection between certain provisions contained in the General Scheme of the Inspection of Places of Detention Bill and the draft PSCS Bill. Following detailed discussion, it was agreed that the submission would be finalised by the Chief Executive, in consultation with the Chairperson.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_112_11	Finalise the Authority submission on the PSCS Bill, in consultation with the Chairperson, and submit to the Department of Justice.	ASAP	Chief Executive

9. Policing Priorities

Members considered the review undertaken of Policing Priorities 2022-2024 and was satisfied to approve the continuation of the Priorities in line with their establishment for the period 2022-2024.

10. Policing Plan

Members had regard to a paper prepared on the revision of milestones for targets included in the Policing Plan 2022 and on the preparations for, and drafting of, the Policing Plan 2023.

11. Preparation for meeting with the Commissioner

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

Documents for Noting by the Authority – September 2022

The following documents were noted by the Authority:

	<i>Document</i>	<i>Action Required</i>
D_112_01	Domestic, Sexual and Gender-Based Violence-A Report on Crime Levels and Garda Operational Responses	For Noting
D_112_02	Criminal Justice Systems in the UK-Governance, Inspection, Complaints and Accountability	For Noting
D_112_03	'Keeping our People Supported': Garda Síochána Health & Wellbeing Strategy Statement and Action Plan 2021-2023	For Noting
D_112_04	Policing Authority Guidelines for Joint Policing Committees	For Noting

<i>Document</i>		<i>Action Required</i>
D_112_05	Garda Síochána press statement: 'An Garda Síochána-Online Garda Survey' An Urbanised Cohort'	For Noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: Bob Collins (Chairperson), Moling Ryan, Shalom Binchy, Donal de Buitleir, Deborah Donnelly, Valerie Judge, Paul Mageean, Elaine Byrne, Helen Hall (Chief Executive), Margaret Tumelty, Cormac Keating, Aoife Clabby (Secretary).

Garda Síochána: Drew Harris (Garda Commissioner), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), Kathryn Clifford (Executive Director), Gráinne Shortall (Assistant Principal).

12. HR Matters

a. Roster Management

The Commissioner outlined the current situation in relation to the new Garda Roster proposals and apprised Members of a number of related matters. Members noted that the Commissioner had corresponded again with all the representative bodies that had participated in the Westmanstown Rosters Working Group.

b. Internal Audit Report on Travel and Subsistence

Members engaged with the Commissioner on a range of matters arising from the report conducted by the Garda Síochána Internal Audit Service concerning controls and procedures for the claiming of travel and subsistence claims related to the Garda College and a subsequent external review conducted by Deloitte. Members were advised that further work was being undertaken, arising from the findings of both reports and that the Garda Síochána Audit and Risk Committee was very engaged with the process underway.

13. Policing Priorities and Policing Plan 2022 and 2023

The Chairperson advised the Commissioner that arising from the Authority's earlier discussions, no changes were proposed in relation to the Policing Priorities 2022-2024 and that the Authority would issue correspondence on the matter, in the context of the development, by the Garda Síochána, of its Policing Plan 2023.

14. Well-being and organisational culture

Members engaged with the Commissioner in relation to recent policing events and the difficult, challenging situations being experienced by Garda members in carrying out their work. While noting the recent policing incidents that had been the subject of significant media coverage, the Commissioner emphasised the unrelenting nature of such events; their capacity to have a negative impact on members' health and well-being and the required level of support that needs to be provided by the organisation to its personnel. In this particular regard, the Commissioner highlighted the critical shortage of staff in the Office of the Chief Medical Officer and the challenges in hiring personnel with the requisite experience.

Part C – Meeting with the Garda Commissioner (in public)

Attendance

Authority and Executive: Bob Collins (Chairperson), Moling Ryan, Elaine Byrne, Valerie Judge, Paul Mageean, Debbie Donnelly, Donal de Buitléir, Shalom Binchy, Helen Hall.

Garda Síochána: Drew Harris (Garda Commissioner), Shawna Coxon (Deputy Commissioner), Anne Marie McMahon (Deputy Commissioner), Andrew O’Sullivan (Chief Information Officer), Paula Hilman (Assistant Commissioner), Jonathan Roberts (Assistant Commissioner), Angela Willis (Assistant Commissioner), Gráinne Shortall (Assistant Principal), Liam Geraghty (Superintendent).

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 <https://www.policingauthority.ie/en/authority-meetings>

At the outset of the meeting, the Chairperson welcomed two newly appointed Assistant Commissioners, Angela Willis and Jonathan Roberts and wished them both every success in their new roles.

The following matters were discussed during the meeting:

Item Number	Agenda Item	Principal matters discussed
15	Impact of recent events on the wellbeing of Garda members	<ul style="list-style-type: none"> • Opening remarks from the Chairperson in relation to recent policing events, their impact on Garda members and the manner and extent to which individual members are being supported by the organisation. • Acknowledgment by the Commissioner of the impact of such events and their aftermath on Garda personnel and the need for the provision of support by the organisation and within communities. • Overview of organisational supports available. • Recognition of concerns raised through Garda cultural audit in relation to the health and well-being of personnel. • Condemnation by the Authority Chairperson of attacks on Garda members.
16	Community safety in the context of the recent incident in Cherry Orchard	<ul style="list-style-type: none"> • Engagement with the Commissioner on the prevalence of anti-social behaviour in communities and the degree of assurance that can be provided to communities, having regard to the Garda Síochána’s response. • Acknowledgement of the significant support provided by the community in Cherry Orchard in the wake of the incident that had recently occurred. • Overview of Operation Tombola in the run-up to Halloween to anticipate and address anti-social behaviour. • Discussion in relation to the national approach to community safety.

Item Number	Agenda Item	Principal matters discussed
		<ul style="list-style-type: none"> • Discussion in relation to the three pilot Community Safety Partnerships and the importance of moving to a preventative model in addressing anti-social behaviour and in ensuring community safety. • Overview of 'see something, say something' pilot project and its roll-out to a number of divisions.
17	Examination of GS review of closure (including cancellation of CAD999 incidents)	<ul style="list-style-type: none"> • Opening remarks by Chairperson in relation to work undertaken by Mr Derek Penman and the significance of both the interim and final reports produced in contributing to an understanding of what happened. • Commitment given regarding the Authority's continued engagement with the findings and its oversight of the implementation of the recommendations contained in the review to ensure that the quality of the 999 service is as members of the public, particularly the most vulnerable, would wish. • Opening remarks by the Commissioner, welcoming the report and its recommendations. • Overview provided of measures taken to date to address systems failures, poor performance, deficiencies in service provision and to ensure a person-centred service delivery for individuals at their most vulnerable in the context of calling the 999 service. • Engagement with Commissioner on extent of supervision in place, the degree of assurance that such supervision will prevent inappropriate incident closure and the manner in which supervision is undertaken and poor performance managed. • Overview of enhanced supervisory arrangements and their impact; the extent of additional training provided to call takers and despatchers, the nature of the training provided; and the envisaged timeframe for acquiring and training additional staff for regional control rooms. • Discussion on the nature of the service provided to vulnerable individuals, including a consideration of empathic approach in a pressurised control room environment. • Engagement on deficits in call handling and the impact of improperly handled calls. • Consideration of quality assurance measures in relation to call handling. • Engagement on future oversight of call handling, in the context of recommendations made in Mr Penman's report. • Engagement on approach to management of calls directly to local stations. • Discussion in relation to GS review methodology. • Engagement in relation to the supervisory role of the Garda Síochána and the oversight role of Authority in providing assurance in the public interest.

Item Number	Agenda Item	Principal matters discussed
		<ul style="list-style-type: none"> Engagement on extent to which there may have been adverse impacts arising from invalid/unwarranted call cancellation.
18	Wellbeing and organisational culture	<ul style="list-style-type: none"> Discussion in relation to the findings of the recently published culture audit, independently conducted by Durham University. Consideration of existing culture within the Garda Síochána, its strengths and weaknesses. Engagement on particular findings arising from the culture audit, including both challenging and positive findings and the implications for the organisation. Discussion on plans and approach to addressing findings of most concern to the organisation and the likely timeframe for progressing work on the audit findings. Consideration of the extent of comparability with the culture audit findings from 2018. Discussion in relation to levers for cultural change including particular roles within the organisation, the new operating model, the work of the anti-corruption unit, the importance of calling out and challenging unacceptable behaviour in the organisation and the impact of structural and policy changes on the culture of the Garda Síochána.
19	Other Business	<ul style="list-style-type: none"> Acknowledgement of the publication of the Garda Síochána Report on Domestic, Gender and Sexual-based Violence, the importance of the baseline date in the report and the implications for the work of the Garda Síochána, having regard to the research findings.