



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 24 June 2020

Venue: By Video Conference

Part A – Authority Meeting

Attendance

Authority: Bob Collins (Chairperson), Vicky Conway, Pat Costello, Deborah Donnelly, Judith Gillespie, Valerie Judge, Paul Mageean, Moling Ryan.

Secretary: Aileen Healy

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

1. Private Authority meeting

[Any items to be included from the private meeting?]

2. Chairperson's Opening Remarks

The Authority observed a moments silence as a mark of respect in memory of Detective Garda Colm Horkan and expressed their condolences to the Horkan family and his Garda Síochána colleagues.

Members confirmed their intention to resume their meetings in person with the Commissioner from September if possible, subject to lifting of current COVID-19 restrictions and appropriate social distancing being observed.

The Chairperson updated Members on a number of conversations with the Commissioner noting that there has been useful and positive engagements on a range of matters.

The draft agenda was discussed and approved. No conflicts of interest were declared in relation to any of the matters for discussion. A number of items of correspondence were noted, including from the Minister for Justice and Equality ('the Minister') conveying thanks for the Authority's work in relation to the oversight of the COVID-19 enforcement powers by the Garda Síochána ('GS').

3. Minutes and Matters Arising

The minutes of the meeting on 27 May 2020 were approved and cleared for publication. The log of actions was noted and Members received an update on a number of items. Members discussed an outstanding matter arising from the Homicide Review regarding Article 2 compliance, noting the intention that this matter would be reviewed by the Human Rights Advisor. It was agreed, in light of delays in the procurement process to source a Human Rights Advisor, that this matter should be progressed separately by obtaining specific advice on the matter.

No.	Action point	By Date	By Whom
A_072_01	The Chief Executive to revert to the Authority with a proposal for obtaining advice regarding Article 2 compliance in the context of the Homicide review.	27 July	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:

- The Chief Executive to attend the Disclosures Tribunal in the coming week when the Authority's statement regarding certain allegations made at hearings earlier in the year in relation to the Authority's appointments process will be read into the Tribunal's record;
- Failure to award a contract for a Human Rights Advisor following receipt and evaluation of tenders under the public procurement process. Members expressed disappointment with this outcome, given the Authority's priority to progress work in this area without delay, and asked the Chief Executive to explore how to progress sourcing a suitable resource to undertake this work;
- Members discussed the draft job specification for the position of Executive Director Finance in the GS and requested that, in light of the fact that the appointment to this position would be made by the Authority, the finalised specification be provided for their consideration prior to advertisement of the position;
- Arrangements which are being progressed and tested for return to the office in line with the lifting of COVID-19 restrictions. It was noted that all staff continue to work remotely in line with Government requirements, with a small number of exceptions where some attendance at the office is essential;
- The draft oversight agreement with the Department was noted and Members discussed a number of outstanding issues in relation to which the Chief Executive is engaging with the Department; and
- A project being undertaken to facilitate consultation with the public which is being undertaken funded by an Innovation Find award to the Authority.

Members noted items in the monthly correspondence report and approved proposals to refer specific items on an anonymised basis to the Commissioner, asking that the Chief Executive seek feedback from the Commissioner on the reports received to date.

No.	Action point	By Date	By Whom
A_072_02	The Chief Executive to explore how to progress the sourcing of a Human Rights Advisor.	27 July	Chief Executive

5. Committee Updates

5.1. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last Authority meeting.

5.2. Organisational Development Committee (ODC)

The Committee Chair updated members in relation to the recent meeting of the Committee which was convened to discuss a number of specific issues relating to Garda resources, including:

- The draft Mazars report on the Garda Finance function. Members noted a number of central issues and concerns that would be addressed to the GS by way of observations on the draft report. It was also agreed that the Chief Administrative Officer (CAO) in the GS would be asked to brief the Committee with a view to getting a sense of the plans for implementing the recommendations in the report and how their implementation would contribute to resolving the problems identified, not least the importance of a strategic and visible finance function to support the prioritisation and allocation of resources; and
- The inadequacy of information available to the Authority to inform its consideration of advice to the Minister of the GS resource requirements for 2021 and noting that the CAO had been invited to meet with the Committee in July to discuss their 2021 resourcing requirements and any issues arising in this context.

Members considered the briefing material provided in relation to GS resources under Agenda Item 14, in the context of the adequacy to assist them in forming a view on which to both satisfy itself that the GS has the capacity to deliver the activities in the policing plan and to form a basis on which to advise the Minister on the adequacy of GS resources. Members agreed to consider this in July in light of the additional engagement by the Committee with the CAO.

5.3. Policing Strategy and Performance Committee (PSP)

The Committee Chair updated Members in relation to the recent meeting of the Committee, including in relation to:

- Discussions with the GS regarding outreach with ethnic minority groups in the wake of the Black Lives Matter protests;
- Discussion of the assessment of policing performance in the context of COVID-19 policing and the 2021 Policing Plan;;
- Community policing resources, welcoming the active consideration of resources required for community policing;
- Confirmation that the public Attitudes Survey is to continue, albeit with some possible issues regarding comparability of data. It was noted that the survey will be conducted at Divisional level in future;
- Briefing from the GS on serious and organised crime;
- A high level update received from the GS on the Crowe recommendations.
- The approach to the half year performance report, which was endorsed by the Authority.

Members noted the updates provided by the Executive regarding outreach conducted with a range of stakeholders in the course of the oversight of COVID-19 policing.

5.4. Policing Reform Working Group

The Group had not met since the last Authority meeting.

6. Audit, Governance and Risk

The Committee Chair brief updated Members in relation to the recent meeting of the Audit and Risk Committee (ARC), including:

- The ARC Charter, noting the Committee's review of the charter and their recommendation for a number of minor amendments, which were approved by the Authority;
- The Internal Audit Annual report for 2019 which had been approved by the Committee. Members considered the report, noting that, further to the follow-up audit which was undertaken in the preparation of this report, all Internal Audit recommendations had been implemented with the exception of 4 minor matters where the auditors had accepted the Authority's position and that only one recommendation remained to be implemented. The Committee were satisfied, based on the report, Internal Audit work and the report of the C&AG, to give assurance to the Authority on the adequacy of the internal controls in place; and
- A detailed annual review to be undertaken over the coming months of the Risk Register, which it was anticipated would be considered by the Committee in September in advance of it being brought back to the Authority for review. Members considered the Risk Management report and discussed emerging risks and the actions to mitigate risk.

7. Garda Síochána Appointments

The Secretary briefed members on the outcome of the clearance process in respect of candidates on the Chief Superintendent and Superintendent panels. Members considered the outcomes of the clearance process and appointed the candidates with effect from the date of taking up their position as assigned by the Garda Commissioner.

Members considered a request to extend an acting appointment to an Executive Director position and agreed to the request, subject to the Chief Executive obtaining confirmation from the Chief Administrative Officer that the agreed conditions are met.

Members discussed correspondence from the Commissioner regarding a report of a review of the amalgamation of the positions of Executive Director ICT and Chief Data Officer. Acknowledging that the decision was for the Commissioner to make, Members expressed disappointment at the lack of analysis of the issues about which the Authority had raised concerns when the matter was first considered in late 2019 and to which the Authority would have welcomed an opportunity to have an input.

No.	Action point	By Date	By Whom
A_072_03	Further to appointments to the rank of Chief Superintendent and Superintendent in the GS, the Chief Executive to notify the persons of their appointment.	Immediate	Chief Executive
A_072_04	The Commissioner to be notified of the appointments made by the Authority.	Immediate	Chief Executive
A_072_05	Seek the approval of the Ministers for Justice and Equality and Public Expenditure and Reform to extend the acting	July 2020	Chief Executive

No.	Action point	By Date	By Whom
	appointment to an Executive Director position in the GS, subject to confirmation that the agreed conditions are met.		

8. Oversight of Policing of COVID-19

Members discussed the draft report to the Minister on oversight of the policing of COVID-19, noting in particular the depth and value of engagement with stakeholders, the data on the use of spit hoods and other policing interventions under the regulations and the policing of protests during COVID-19. The report was approved for submission to the Minister subject to drafting in light of the discussion. Members also noted the potential for lessons on both the policing and oversight of the policing of the COVID_19 regulations to inform future approaches, in particular to ongoing and any future COVID_19 regulations and to community policing and engagement with stakeholders. In particular the possibility of the Authority to act as convenor for future engagement with stakeholders and the GS was discussed.

No.	Action point	By Date	By Whom
A_072_06	The Chief Executive to finalise and submit the report on the Authority's oversight of COVID-19 policing to the Minister.	ASAP	Chief Executive

9. Garda Síochána Resources

This item was considered in conjunction with the report from the Organisational Development Committee under Agenda Item 5.

10. Children in the Youth Justice System

Members considered the draft response to the consultation document on Children in the Youth Justice system and welcomed the considered and detailed approach to the issue, noting the Human Rights focus together with the significant perspective of the Authority's work in supporting the policing principles which would be evident in the Authority's focus on Children over the coming months. It was agreed that Members would provide any further input with regard to the document to the Executive in the coming days.

No.	Action point	By Date	By Whom
A_072_07	The Chief Executive to finalise the Authority's response to the consultation document on Children in the Youth Justice system in light of input from Members.	ASAP	Chief Executive

11. General Scheme of Police Powers Bill

Members discussed the draft response to the bill and approved its finalisation subject to drafting. The Chairperson thanked the group of Members and the Executive team for the extensive work done in preparing the response.

No.	Action point	By Date	By Whom
A_072_08	The Chief Executive to finalise the Authority's response to the General Scheme of Police Powers Bill.	ASAP	Chief Executive

12. 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.

13. Documents for Noting by the Authority – April 2020

The following documents were noted by the Authority:

	Document	Action Required
D_072_01	CSO Crime Statistics for Q1 2020	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: As for Part A

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joe Nugent (Chief Administrative Officer), Anne Marie McMahon (Acting Deputy Commissioner).

14. Garda Síochána Risk and Resources

Members had a brief discussion and raised questions with the Commissioner in relation to a range of matters in the context of organisation risk, including:

- The investigation into the killing of Detective Garda Horkan and the risks to and measures to protect the safety of Garda members in light of this and other recent incidents;
- Crimes involving sexual violence and coercion, with particular reference to the outcome of a recent court case and a NUIG study;
- Current priorities and what informs the GS in determining priorities;
- Use of Spit-hoods;
- How the mobility project is being used as a method of data collection and the potential for its use to collect Use of Force and other data;
- Crime Statistics, in particular the increase in crimes involving drugs and fraud.

There was a brief discussion regarding the budgetary situation in the GS, with particular regard to additional expenditure due to COVID-19. The Commissioner confirmed that additional funding will be required to meet the shortfall not offset by savings elsewhere in the Garda Vote and that he will provide further details to the Authority in the coming days.

15. HR Related Matters

Members discussed a number of HR related matters with the Commissioner including in relation to approval for Executive Director positions in the GS. Members expressed disappointment that the Authority had not had an opportunity to provide an input into the review of the amalgamation of the Executive Director ICT and Chief Data Officer roles in light of the perceived risks to the organisation and the Commissioner indicated that he would welcome a response from the Authority raising any pertinent points which should be considered.

16. Other Business

The Chairperson indicated that the Authority would welcome a future engagement with the Commissioner in relation to approaches to oversight across a range of areas, including what mechanisms might be deployed to track the use of any future extraordinary policing powers in the event of any future significant resurgence of COVID-19 and re-introduction of regulations for public health restrictions.

No.	Action point	By Date	By Whom
A_072_09	The GS to provide details of additional expenditure requirements due to COVID-19.	30 June	GS

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Executive: As for Part B

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joe Nugent (Chief Administrative Officer), Anne Marie McMahon (Acting Deputy Commissioner), John O’Driscoll (Assistant Commissioner), Paula Hilman (Assistant Commissioner).

This meeting with the Garda Commissioner and his team was held remotely and live streamed to the public as it was not possible to meet in public due to COVID-19 restrictions. 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/previous-meetings-details/policing-authority-meeting-with-the-garda-commissioner-24-06-2020>

A moments silence was observed in memory of Detective Garda Colm Horkan at the start of the meeting.

The following matters were discussed during the meeting:

Agenda Item	Principal matters discussed
Commissioner’s Monthly Report to the Policing Authority	<ul style="list-style-type: none"> • Policing successes, particularly with regard to organised crime; • Recording and reporting of hate crime and ethnicity to provide an understanding of interactions with diverse communities; • The current position on the GS budget; • Sickness absence; • Sign-up to the Code of Ethics; and • The GS Vision for ICT and when the Implementation Plan will be available.
Children in the Youth Justice System	<ul style="list-style-type: none"> • Enticement of children into crime by criminal groups; • How families can be supported to keep children on the right path and avoid their being brought into criminal engagement • Societal benefits of engagement by the GS with young people; • PA work in oversight of policing relating to children as victims and suspects, Youth Diversion and Child Sexual Abuse and continuing extensive outreach to vulnerable groups; • Concerns regarding perceptions of lack of trust and respect and disproportionate policing, particularly in some sections of society; • Availability of data on policing interactions with children as suspects and victims and in relation to stop and search; • Impact of drugs on communities and young people, prevalence of young people being drawn into offending behaviour by drugs gangs and how this is tackled by the GS; • The strategic GS approach to children, if there is a coherent approach to how young people are addressed in GS policies, particularly as regards focus on preventative action;

Agenda Item	Principal matters discussed
	<ul style="list-style-type: none"> • Importance of recruitment reaching across different communities to attract young people from different backgrounds to policing as a career and the potential for initiatives and engagement to engender trust in policing; and • Progress with implementation of the recommendations of the Garda Inspectorate report on Child Sexual Abuse.
Policing of COVID-19	<ul style="list-style-type: none"> • Positive response from communities for Garda engagement during COVID-19; • The importance of the tone and nature of the approach to community interactions; • How the COVID-19 experience of community policing will impact on the Community Policing Framework; • Areas where benefits of community policing are not yet apparent and what proactive approaches can be taken by reaching into communities; • If it is intended to undertake a formal evaluation of the effectiveness of Operation Faoiseamh; and • The experience of Garda employees during COVID-19.
Public Order Policing	<ul style="list-style-type: none"> • Overview of the implementation of the recommendations of the Garda Inspectorate report on Public Order Policing and when all recommendations will be in place; • Progress in completion of the Public Order STRA and if this has been revised in the context of COVID-19; • Publication of Use of Force data and confidence regarding the accuracy of this data; • Training of Garda members in the recording of the use of force and the need to embed the importance of accurate data with front line and supervisory members; • If all members of Public Order Units have signed the Code of Ethics; and • Confidence regarding the training, oversight and supervision measures to ensure that use of force is necessary, proportionate and legal.
Roads Policing and Driver Training	<ul style="list-style-type: none"> • How the core issues in the Crowe report have been addressed; • Driver Training policy; • Impact of the availability of training resources on driver training; • Lessons from COVID-19 policing for roads policing; • Road Safety awareness and policing performance; and • Resourcing of roads policing and use of ICT to support roads policing.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_072_10	The GS to provide an update to the Authority on progress in recording demographic data including on ethnicity in relation to recruitment.	ASAP	GS
A_072_11	The GS to provide up to date statistics on sign-up to the Code of Ethics.	Sept 2020	GS

No.	Action point	By Date	By Whom
A_072_12	The GS to provide information to the Authority on the data available regarding GS interactions with children and young people as victims, suspects and in relation to stop and search.	Sept 2020	GS