



AN TÚDARÁS PÓILÍNEACHTA  
POLICING AUTHORITY

## Minutes of Meeting of the Policing Authority

**Date:** 16 December 2021

**Venue:** By Video Conference

### Part A – Authority Meeting

#### Attendance

**Authority:** Bob Collins (Chairperson), Donal de Buitléir, (apologies items 4-6) Deborah Donnelly (apologies items 2-4), Valerie Judge, Paul Mageean, Stephen Martin (present for items 1-6), Moling Ryan, Shalom Binchy, Elaine Byrne.

**Secretary:** Aoife Clabby.

**Staff of the Authority:** Helen Hall (Chief Executive), Cormac Keating, Margaret Tumelty.  
Mark Nother (item 6), Anne Keeley (item 6), Clare Kelly (items 7 & 11), Sharon O'Brien (item 7), Karen Shelly (item 9), Sophia Carey (item 10).

#### 1. Meeting of Members in Private

The Authority exercised its option to have a meeting in private and the Chairperson provided a confidential minute to the Secretary.

#### 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 Chief Executive advised that a family member was currently participating in the selection competition process for appointment to the rank of Sergeant. While noting that the Authority has no role in the selection process and that the matter presented no conflict of interest, Members were satisfied that the declaration by the Chief Executive should be recorded, for good order.

The Chairperson apprised Members of a visit to the Garda Síochána Innovation Centre by the Chairperson, Chief Executive and Executive staff members on 15 December. The Chairperson advised that an informative presentation had been provided by Garda representatives, outlining the extent of the achievement of the Data and Technology Vision to date and the various challenges to its furtherance. The Chairperson observed that the visit had served to reinforce the Authority's position, as articulated to the Minister for Justice, on the need for additional capital expenditure for the Garda Síochána in the area of Information and Technology. Members were advised that Garda representatives had offered to provide a similar presentation to Members in the New Year and that arrangements were being made in this regard. The Chairperson updated Members in relation to a number of matters that had been the subject of engagement with the Commissioner, as follows:

- Non-security covert policing: Members noted that the Commissioner had expressed satisfaction with the Authority's proposed approach to the oversight of non-security covert policing. The

Chairperson advised that a letter would issue to the Commissioner, formally outlining the proposed approach and the scope of oversight activity in this area.

- Governance of related entities: The Chairperson advised that the Chief Executive and he had discussed with the Commissioner the subject matter of a letter the Authority had sent to him in relation to entities associated with the Garda Síochána. Members noted that the matter was receiving attention.
- Proposal for acting Director ICT: The Chairperson conveyed the Commissioner's dissatisfaction that information to facilitate consideration of a proposal in respect of the acting position had not been provided by the Garda Síochána in a timely manner, resulting in the Authority's decision not to approve the request. The Chairperson advised that the Commissioner appreciated the Authority's position in this regard.
- Report on Public Order Incident, Grafton Street: Members were apprised of the status of the report into a public order incident that had occurred on Grafton Street in February 2021 and noted that the final report would be provided to the Authority at an early date.
- Nature of recording of domestic violence incidents: The Chairperson outlined to Members work being done by the Garda Síochána in relation the nature of reporting and recording of domestic abuse in circumstances where domestic violence was primarily identified as another crime type, for example assault. The Chairperson conveyed the Commissioner's assessment of a consequential under-reporting of domestic abuse and outlined the remedial action being taken to address the matter, in consultation with the Central Statistics Office.

Members noted that the Chairperson of GSOC, Ms. Justice Mary Ellen Ring was due to complete her term of office. It was agreed that a letter should issue from the Chairperson, conveying the Authority's good wishes and its appreciation of her work and her engagement with the Policing Authority.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_101_01	Issue correspondence to the Commissioner in relation to the approach to oversight, by the Policing Authority, of non-security covert policing.	ASAP	Chairperson
A_101_02	Issue correspondence to Ms Justice Mary Ellen Ring, outgoing Chairperson of GSOC, conveying the Authority's appreciation of her work and engagement.	ASAP	Chairperson

### 3. Minutes of Meeting and Matters Arising

The minutes of the meeting held on 30 November were approved and cleared for publication. The Log of Actions was noted and proposals to close specified actions were approved. The Authority was further satisfied to approve a request to close two additional actions relating to periodic reporting on Brexit and engagement with the Commissioner on the non-receipt of information. It was noted that a new request would issue to the Garda Síochána in relation to the policing response on Brexit.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_101_03	Issue information request to Garda Síochána in relation to the policing response on Brexit.	ASAP	Secretary

#### 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, as follows:

- Garda Síochána Training: Members noted that a series of meetings had been held with tutor Gardaí to discuss their experiences of mentoring probationer Gardaí during COVID-19, especially those probationers who had been attested early. The Chief Executive highlighted a number of themes arising from the engagements to date and advised that a briefing note would be provided to the Authority, on conclusion of the remaining scheduled meetings.
- Garda Anti-Corruption: The Chief Executive advised that members of the Executive had met with representatives from the Garda Anti-Corruption Unit to receive updates on the plan to implement the recommendations contained in the Garda Inspectorate report.
- Use of Force Statistics: Members were apprised of proposals for a new 'Use of Force' publication by the Garda Síochána and were provided with a copy of a presentation given to Executive staff of the Authority in this regard. Members sought clarification in relation to the manner in which it was proposed to report on the use of handcuffs and considered the current rate of use and the range of circumstances in which such a use of force might be deployed by Garda members. It was agreed that these matters would be the subject of further engagement with the Garda Síochána, upon publication of the report.
- Policing Authority Review of 2021: Members were provided with the annual, one-page Review of 2021 for their consideration and input. The Chief Executive advised that it was intended to publish the review on 17 December.
- Garda and Garda Staff Representative Bodies: The Chief Executive provided Members with details relating to a meeting that had taken place with the various representative bodies on 6 December, in the context of the Authority's statutory functions relating to appointments. Members were provided with summary feedback received in relation to the Authority's handling of certain matters. The Chairperson apprised Members of an exchange that had occurred with the AGSI representative.
- Criminal Justice Strategic Committee: The Chief Executive advised that she had given a presentation on 'Ethnic Data in the Criminal Justice System' at the 2 December meeting of the Criminal Justice Strategic Committee, chaired by the Secretary General of the Department of Justice and attended by all the main stakeholders within the broader justice sector. Members noted that the Secretary General had requested that all agencies would revert after the meeting with views on what the collection of data in respect of ethnicity would mean for their agency and it was agreed that the matter would be considered at the next meeting of the Committee. Members noted that the need for legislation to support the collection of special categories of data had been acknowledged at the meeting.

Members noted that a meeting had been held with the Garda Internal Audit Service (GIAS) on 29 November, as part of that function's consultation process to develop an internal audit plan for 2022. The Authority was asked to consider whether it wished to communicate any particular areas of focus or concern to GIAS in that context. In considering the request received, the Authority had regard to a number of matters, including the Garda Síochána summary risk register for quarter three and the extent of engagement between internal audit, risk management and professional standards. Members also discussed areas of concern to the Authority from an oversight perspective and gave consideration to the current level

of resources available to GIAS and the future role of internal audit in the Garda Síochána, in the context of the Policing, Security and Community Safety Bill. Following discussion, it was agreed that a letter would issue to GIAS with a number of observations.

Members considered a copy of the draft Garda Síochána Human Rights Strategy. While noting that it has no formal role in the development or approval of the strategy, the Authority had been invited to provide observations by the Garda Síochána at this early stage in the drafting process. It was agreed that any observations from Members would be provided to the Chief Executive before Christmas.

Members considered the Policing Authority Business Plan 2021 and the expected status of actions to achieve the organisation's corporate priorities by year-end. The Chief Executive advised that a final version of the status of the 2021 corporate priorities would be provided for Members' information at the 27 January meeting.

Members considered a proposed final draft of the Policing Authority Code of Conduct for Members and Staff. The Audit and Risk Committee Chair advised that some further, minor adjustments to the wording were required and the Authority was satisfied to approve the proposed approach to their finalisation by the Committee Chair.

Arising from decisions taken at the October and November meetings, Members considered a number of pieces of draft correspondence to the Department of Justice on a range of matters in particular in relation to:

- Garda Síochána ICT resources: Members discussed a supplementary letter to the Minister, outlining the critical nature of having appropriate levels of funding for Information and Technology in the Garda Síochána. The draft correspondence was approved, subject to the inclusion of a number of suggested changes relating to public policy, policing priorities and resource capacity in the Garda Síochána.
- Policing, Security and Community Safety Bill: Arising from the Justice Committee hearing on the Bill in October, Members considered and approved correspondence re-iterating the Authority's position in relation to particular proposals in the Bill with the capacity to diminish independent and transparent oversight.
- Digital Recording Bill: Arising from the previous submission and presentation to the Justice Committee, Members gave consideration to supplementary correspondence on the Digital Recording Bill. A number of observations were made in relation to specific provisions contained within the Bill, in particular in relation to data, process and procedural issues. It was agreed that further information would be provided to the Chief Executive, prior to the finalisation and submission of the correspondence.
- Police Powers Bill: Arising from its earlier submission and the Justice Committee hearing in December, Members considered a number of additional matters contained in the draft correspondence. A number of additional observations were made in relation to custody facilities and related supervisory arrangements and the approach to legal representation while in custody. It was agreed that further information would be provided to the Chief Executive, to facilitate the finalisation and submission of the correspondence.

Members noted and approved, in principle, the selection of Opes Business Partners as the preferred tenderer to provide assessment services in respect of the Authority's selection competitions for senior Garda ranks in 2022.

Members were provided with an update on progress made on the multi-year corporate priority to assess the operation and efficacy of the systems and processes for managing expressions of dissatisfaction about

the Garda Síochána and to recommend potential areas for improvement. Members considered key findings from the meetings and background research to date and agreed with the proposed approach to the development of a set of recommendations for areas of improvement by the Garda Síochána and oversight by the Policing Authority. It was noted that work on this corporate priority would feed into other areas of oversight, in addition to supporting the Authority’s consideration of the relevant provisions of the Policing, Security and Community Safety Bill.

Members noted items in the monthly correspondence report and approved proposals to refer specific items on an anonymised basis to the Commissioner.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_101_04</b>	Provide Members with a briefing note on the experience of tutor Gardaí during COVID-19.	January	Chief Executive
<b>A_101_05</b>	Issue letter to Garda Internal Audit Service in relation to the process to develop an internal audit plan for 2022.	ASAP	Chief Executive
<b>A_101_06</b>	Provide observations on the draft Garda Síochána Human Rights Strategy.	ASAP	Authority
<b>A_101_07</b>	Present final status of 2021 corporate priorities to the Authority at its 27 January meeting.	January	Chief Executive
<b>A_101_08</b>	Finalise the Policing Authority Code of Conduct for Members and Staff	ASAP	Audit & Risk Committee Chairperson
<b>A_101_09</b>	Finalise and submit correspondence on various oversight and legislative matters to the Department of Justice.	ASAP	Chief Executive
<b>A_101_10</b>	Provide items of correspondence on an anonymised basis to the Commissioner	ASAP	Chief Executive

## **5. Committee updates**

### **5.1 Garda Appointments Quality Assurance and Selection Governance Committee**

The update received from the Committee Chair was considered under item 7, Appointments.

### **5.2 Garda Organisation Development Committee (ODC)**

The Committee Chair updated Members in relation to the meeting of the Committee that had taken place on 14 December and in particular in relation to:

- Engagement with Garda representatives on equality in the Garda workplace. The Committee Chair advised that there had been constructive discussion in relation to the women’s networking group within the Garda Síochána and that the matter would be the subject of more substantive

engagement at a future meeting of the Committee, in the context of the organisation's approach to the implementation of its Equality, Diversity and Inclusion Policy.

- The Policing Plan 2022. The impacts of finance, HR and Information and Technology on frontline policing and a consideration of any risks arising.
- Garda Training. The Committee Chair advised that the planned, substantive engagement on training had not been possible due to the unavailability of relevant Garda personnel and that it had been agreed to defer the item to a later meeting of the Committee.
- A demonstration of new training modules on anti-corruption, provided by the Garda Anti-Corruption Unit. The Committee Chair advised that the presentation had facilitated a positive exchange with Garda representatives on the manner and extent to which relevant examples of unacceptable behaviour had been integrated into the training material.

### **5.3 Policing Strategy and Performance Committee (PSPC)**

The Committee Chair advised that there had been no formal meeting of the Committee since the last Authority meeting, but that an engagement with Garda representatives had taken place on 6 December in relation to the planned approach to reporting on performance against the Policing Plan 2022. The Committee Chair further advised that an extensive piece of work had been undertaken in this regard, noting that significant obstacles remained to effective reporting, in particular the manual nature of existing report systems.

Members were advised of the Garda Síochána's proposal at the meeting, to report quarterly to the Authority on performance against the policing plan. While noting the merits of the proposal and the attendant risks, Members were agreed that regardless of the frequency, it would be critical that the approach to reporting progress was qualitatively different than heretofore. Members also noted that significant challenges remained to embedding the Policing Plan as an effective mechanism for monitoring and critically assessing performance at all levels of the Garda organisation. The Committee Chair advised that it would be quarter two before the reporting system, as described, would be in place and that the matter was scheduled for further engagement at the 18 January meeting.

## **6. Audit, Governance and Risk**

The Committee Chair updated Members in relation to the meeting of the Committee that had taken place on 7 December in particular in relation to:

- Internal audit reports on the impact of COVID-19 and the review of ICT controls. The Committee Chair provided an overview of the findings in respect of both audits. In relation to the ICT audit of controls, the Committee Chair conveyed the Committee's satisfaction with the extent of assurance provided through the audit process by the Authority's IT service provider, the Department of Justice. With regard to the COVID-19 audit, the Committee Chair highlighted the value of the capacity of the current auditors to consider the Authority's arrangements in respect of COVID-19 in the context of a wide range of other public and civil service bodies.
- Internal Audit Plan 2022: Members were advised that three of the four internal audits for 2022 had been agreed and that a decision on the focus of the fourth audit would be reached in quarter two.
- Internal Audit Recommendations Review: Members noted that a review of the status of all internal audit recommendations would be undertaken at the February meeting of the Audit and Risk Committee.

Members considered the monthly report on risk, provided in accordance with the Authority’s Risk Management Policy. The Committee Chair highlighted changes to the Risk Register, including changes to risk mitigations and risk owners. Members were advised that a detailed review of the Risk Register would be undertaken in the New Year.

## 7. Garda Síochána Appointments

The Secretary briefed Members on the outcomes of the clearance process in respect of the appointment of candidates to the rank of Superintendent in the Garda Síochána. Following discussion, 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.

Members considered a written update provided by the Chair of the Garda Appointments, Quality Assurance and Selection Governance Committee, following a meeting held on 8 December. The Authority considered the proposed competition process and material for the selection competition for appointment to the rank of Chief Superintendent and the selection competition for appointment to the rank of Assistant Commissioner in the Garda Síochána. In considering the competition documents, Members had regard to the draft application forms and in particular the requirement for certification of the form by a candidate’s supervisor. Members discussed the rationale for its inclusion and considered the extent to which such a provision might act as a barrier to prospective candidates. Following discussion, it was agreed that this section of the application form merited removal and that the matter would be discussed with the Commissioner. Subject to clarification on this matter and confirmation on the terms and conditions of employment by the Garda Síochána, Members were satisfied to approve the competition process and materials for both competitions, as proposed.

Members considered and approved a request received from the Garda Síochána to appoint a candidate to the position of Head of Estate Management, at the grade of Principal Officer.

The Authority considered and approved a request received for the extension of the secondment of a Principal Officer position of Head of Industrial Relations in the Garda Síochána, subject to the consent of the Minister for Justice and the Minister for Public Expenditure and Reform.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_101_11</b>	Notify Commissioner and candidates of their appointment to the rank of Superintendent.	Immediate	Chief Executive
<b>A_101_12</b>	Advise Commissioner of proposal to remove the requirement for application form certification by supervisors and finalise materials for Chief Superintendent and Assistant Commissioner competitions.	ASAP	Chief Executive
<b>A_101_13</b>	Seek consent of DoJ and DPER to extend PO Head of IR secondment and notify GS of approval.	ASAP	Chief Executive

## 8. Policing Plan 2022

Members considered and approved the draft Policing Plan 2022, as provided by the Garda Síochána, for submission to the Minister for Justice for her consent, in accordance with the relevant statutory provisions.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_101_14</b>	Submit the Policing Plan 2022 to the Minister for Justice, for her consent.	ASAP	Chief Executive

## 9. Policing Authority Strategy Statement 2022-2024

Members considered the draft Policing Authority Statement of Strategy 2022-2024. It was noted that the draft statement had been discussed at a number of previous meetings of the Authority. Members expressed satisfaction that issues raised and earlier feedback provided had been incorporated into the most recent iteration of the document. Following discussion, the Authority was satisfied to approve the Policing Authority Strategy Statement 2022-2024 for submission to the Minister for Justice, subject to a small number of drafting amendments. The Chairperson recorded his thanks to the Members and the Executive for the work undertaken.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_101_15</b>	Finalise the Policing Authority Strategy Statement 2022-2024, in consultation with the Chairperson and submit to the Minister for Justice.	31 December	Chief Executive

## 10. Responding to Child Sexual Abuse

Members considered an Executive paper and supporting documents, providing a summary of progress in overseeing the implementation of recommendations made in the Garda Inspectorate report 'Responding to Child Sexual Abuse' 2017. Oversight of the implementation of the recommendations was a priority area in the 2021 Business Plan and had been the subject of detailed engagement at Executive level with the Garda Síochána and the Chairperson of the Inter-Agency Implementation Group, Ms. Justice Caroline Biggs, in addition to engagement at the PSP Committee. The PSPC Chair also provided an overview of the nature of the Committee's engagement with the Garda Síochána over the course of the year.

Members noted areas of progress in particular in relation to the national roll-out of the Divisional Protective Services Units (DPSU) and the establishment of structures and processes, including those to enhance joint agency working around child protection. Members were advised that stakeholder engagement across the year had found strong support for the DPSUs. Members also noted areas where recommendations had not been implemented that could potentially benefit from on-going oversight, in particular in relation to joint-agency working and the management and sharing of information, addressing the backlog of unexamined seized devices, and strategic enablers including workforce planning, information and technology, accommodation and training.



Members had a detailed and wide-ranging discussion in relation to the agenda item and were satisfied that correspondence should issue to the Minister outlining progress made in furtherance of the recommendations contained in the Garda Inspectorate report, highlighting a number of critical areas not yet implemented or, where implemented, requiring on-going, focussed oversight, and outlining the Authority’s approach to oversight of the areas identified over the course of 2022. It was also agreed that the matters raised in correspondence to the Minister would reference the adequacy of resources available to the Garda Síochána and the Authority’s statutory role in advising the Minister in this regard.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_101_16</b>	Submit correspondence to the Minister for Justice, outlining Authority oversight of the recommendations contained in the GI report “Responding to Child Sexual Abuse”.	ASAP	Chief Executive

### **11. Review of Invalid and Unwarranted Closure of CAD999 Incidents**

Members noted the receipt of counsel opinion advising the Policing Authority and the Garda Síochána on whether there is a lawful basis for the Policing Authority to access audio recordings of emergency calls, in the context of the review of the invalid and unwarranted closure of CAD999 incidents and having regard to the relevant provisions of GDPR. The Chief Executive advised that a meeting was planned on 21 December at which Senior Counsel would present the opinion and discuss any questions arising.

Members agreed to engage with the Commissioner on the likely timeframe for receipt of a management response to the recommendations arising from the preliminary examination undertaken by Derek Penman. Subject to the resolution of legal matters relating to accessing audio recordings of emergency calls, the Authority was satisfied to approve the renewal of the engagement of Mr. Penman to progress the next phase of the review and to provide a final report to the Authority for its consideration.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_101_17</b>	Continue to engage the services of Mr. Derek Penman to undertake the next phase of the CAD999 review and to produce a final report for Authority consideration.	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. Other Business**

Members agreed that a reflection and planning meeting would be scheduled for Wednesday 26 January to consider a number of matters including the Authority’s ways of working, themes for engagement with the Commissioner in public over the course of 2022, and a consideration of matters relating to preparation for transition to the Policing and Community Safety Authority. The Chairperson invited Members to submit any observations in advance of the planning meeting.

**Documents for noting-December 2021**

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
<b>D_101_01</b>	Spending Review 2021 Progressing the Development of the Costed Policing Plan and Multi-Annual Budgeting in An Garda Síochána. Report published by the Departments of Public Expenditure and Reform, Justice and the Garda Síochána, November 2021.	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), Joe Nugent (Chief Administrative Officer), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), Finbarr O’Brien (Assistant Commissioner), Yvonne Cooke (Director), Gráinne Shortall (Assistant Principal).

The Authority discussed a range of matters with the Commissioner and his senior team including:

- The presentation provided to the Chairperson, Chief Executive and Executive staff on 15 December on the progression of the Garda Síochána Data and Technology Vision 2020-2023. The Chairperson expressed his appreciation for the presentation and the opportunity for other Members of the Authority to attend the Innovation Centre in the New Year. The Authority sought the Commissioner’s assessment of the risks attaching to areas of non-progression of the Vision, in particular in relation to the IT solutions required to progress recommendations in the Garda Inspectorate report ‘Responding to Child Sexual Abuse’. Members noted that the proposed solution to enable electronic sharing of information between the Garda Síochána and TUSLA was not on the list of IT projects for implementation in 2022. The Commissioner was advised that the Authority would again be writing to the Minister for Justice identifying a number of issues in respect of the adequacy of Garda Síochána resources in this context.
- The extent of Garda Síochána engagement with the report, from the National Independent Review Panel, on the sustained sexual abuse of intellectually disabled residents at a HSE-run disability centre in Co. Donegal.
- The draft interim GSOC report in relation to the murder of Garda Tony Golden. The Commissioner advised that a copy of the full report was awaited.
- Media coverage in relation to the investigation of the murder of Ms Sophie Toscan du Plantier.
- Media coverage relating to the investigation of the alleged leaking of a confidential document by Tánaiste Leo Varadkar.

### 14. HR Related Matters

Members discussed with the Commissioner the impact of the current wave of corona virus infections on organisational resilience and on the policing response. Members were advised that organisational resilience was being challenged and that mitigations were being put in place, including the cancellation of leave. Members noted that internal Garda communications were ongoing in relation to basic precautions and steps to minimise the risk of infection among Garda personnel.

Members sought an update from the Commissioner in relation to the appropriateness of safety measures in place in Garda stations for the interview of suspects, in the context of COVID-19, and whether any additional measures had been implemented. Members were provided with an overview of measures being deployed and following discussion, it was agreed that further information on the matter would be provided to the Authority, in particular in relation to the question about how remote legal advice might be facilitated by the Garda Síochána.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_101_18</b>	To provide the Authority with information on any additional safety measures in place for the protection of individuals in Garda custody, in the context of COVID-19, in particular in relation to the question about how remote legal advice might be facilitated by the Garda Síochána.	ASAP	Garda Síochána

## **15. Garda Síochána Risks and Resources**

Members discussed the summary report on the Garda Síochána corporate risk register for quarter three with the Commissioner. Members sought clarification in relation to the process for escalating and de-escalating risks on the corporate register. Members discussed the risk rating in respect of data management and quality. Deputy Commissioner, Strategy, Governance and Performance highlighted some of the steps being taken to address the risks identified and advised that it would be an area of continued focus from a risk perspective.

Members asked the Commissioner for his assessment of the risks pertaining to under-investment in Information and Technology and noted key areas of focus in this regard, in particular in relation to staffing in this area and the manner of procurement of ICT. Members were advised of areas where ICT investment was seen as mission critical to the organisation, the positive impacts and the challenges arising from such investment, and the extent of prioritisation of ICT initiatives for implementation being undertaken by the organisation.

Members noted that a significant number of risks were on the corporate register for a protracted period of time and sought the Commissioner's views on the associated risk rating and whether the requisite attention was being given to the risks identified. Members were advised of the work in progress to ensure more accurate grading of corporate risks and of the engagement with action managers in this regard.

Members engaged with the Commissioner on the risk relating to professional conduct and professional behaviour and sought his assessment of the extent to which the risks identified linked to a programme of cultural change in the organisation. Members were advised that there were a number of programmes and initiatives being rolled out across the organisation with a cultural element and that work was ongoing to ensure cohesion across each initiative from a cultural perspective. It was agreed that the matter would be the subject of further engagement with the Authority at a subsequent meeting.

## **16. Review of Invalid and Unwarranted Closure of CAD999 Incidents**

Members engaged with the Commissioner on a number of issues arising from his preliminary review of counsel opinion on whether there is a lawful basis for the Policing Authority to access audio recordings of emergency calls. It was agreed that a practical, solutions-focussed approach which effectively addressed data protection risks would be highly desirable. The Chairperson advised that a meeting with counsel had been scheduled for 21 December to provide Authority and Garda representatives with a detailed overview of the opinion.

Members discussed with the Commissioner the next steps in progressing to the development of a final report by Mr. Derek Penman. The Commissioner advised that a Garda management response to the interim update by Mr. Penman had been developed and was in the process of being finalised with a view to

providing it to the Policing Authority early in the New Year. It was agreed that the response would be provided for the Authority’s consideration at the 27 January meeting and would be the subject of engagement with the Commissioner at that time.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_101_19</b>	To provide the Authority with the Garda Síochána management response to the interim update on the preliminary examination of the GS review of the closure of CAD incidents.	ASAP	Chief Executive

**17. Garda Síochána Assessment of Policing Performance over Strategy Period 2019-2021 (Strategic Pillars 1-3)**

At the outset of the agenda item, the Commissioner was invited to provide his assessment of the successes and challenges to policing performance over the strategic period, with particular emphasis on the strategic pillars pertaining to community policing, protecting people and a secure state.

The Commissioner identified a number of key areas of progress in the period in particular in relation to community policing. In this regard, the Commissioner highlighted work to implement the Community Policing Framework and efforts undertaken to strengthen relationships within communities and work in the areas of hate crime and diversity. Members engaged with the Commissioner on his assessment of the extent to which the organisation’s vision for community policing had been reached. The Commissioner advised that further work was envisaged in rolling out the framework to a remaining six divisions and that resourcing remained an issue, both in terms of frontline members and supervisors, at the level of sergeant.

The Commissioner highlighted the organisation’s approach to external communications as another mechanism to engage with the public, in addition to the strength of internal communications on matters of relevance to Garda personnel.

Areas of achievement highlighted by the Commissioner with regard to the strategic pillar of protecting people included the roll-out of the Divisional Protective Services Units and progress toward the provision of a more victim-centred police service, the increased detection of road traffic offences and successes in the area of drugs and organised crime. With regard to drugs and organised crime, the Commissioner noted that vigorous policing in this area had consequences in terms of increased drugs intimidation in the community and this would require sustained focus by the Garda Síochána into the future. The Commissioner also highlighted the positive impact of the Schengen Information System and the Mobility initiative on the effectiveness and efficiency of the organisation’s policing response.

In considering the challenges to the strategy’s achievement, the Commissioner referenced the impact of COVID-19 on the implementation of structural change projects such as the roll-out of the new Operating Model. The Commissioner also highlighted the challenges posed by the prevailing industrial relations landscape, in addition to on-going concerns in respect of the Garda Síochána estate. The Commissioner cited the challenges wrought by the absence of grounding legislation to support required changes to policy and processes in the Garda Síochána and the wider justice sector.

## 18. Reflection on 2021

Authority Members engaged with the Commissioner on his assessment of performance by the Garda Síochána against the Policing Plan for 2021. A number of themes were addressed under this agenda item including:

- A human rights based service: The Commissioner highlighted work undertaken to further embed the Code of Ethics and the Garda Decision Making Model over the course of 2021. Members were advised that approximately 1,000 Garda members had received human rights training with further training envisaged over the course of 2022.
- Training provision: While acknowledging that training provision had been significantly impacted by COVID-19, the capacity to deliver quality on-line training had been enhanced over the period, with over 320,000 training days available to personnel.
- Resourcing: The Commissioner noted that the recent government decision in relation to increasing the Employee Control Framework would provide a considerable increase in resources for the organisation and would enable further recruitment.
- Domestic Abuse: Members noted that the increase in instances of domestic abuse would require an organisational response underpinned by professionalism and high quality investigative skills and analytics.
- Industrial relations: Members were advised that the prevailing industrial relations environment continued to be a matter for concern for the Commissioner and that negotiations on a new roster would be of prime importance in 2022.
- Anti-corruption: The Commissioner advised members that there were a number of instances across the organisation where the behaviours and actions of Garda personnel fell significantly short of what was desired. It was acknowledged that there was more work to be done in this regard both from the perspective of organisational culture and in engaging with the Department of Justice to ensuring that the appropriate structures and regulations are in place to address matters of discipline in a timely and effective manner.
- Organisational Structure: Noting that the roll-out of the new Operating Model had been hampered by COVID-19 and industrial relations issues, the Commissioner highlighted the need for increased momentum in the roll-out of the Operating Model in 2022 in order to enhance organisational effectiveness and uniformity of response and over time, to generate efficiency in the organisation's operation and increase capacity and capability.

The Chairperson expressed the Authority's appreciation to the Commissioner and the senior leadership team for their co-operation and engagement across the year. He also expressed the Authority's sincere thanks to those Garda members and staff who engaged with the organisation in support of its oversight work. The Chairperson noted the constructive and maturing oversight relationship between the Authority and the Garda Síochána and emphasised the importance of an increased understanding of the challenges facing the organisation and its personnel.

Signed:

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**Bob Collins**  
**Chairperson**

Date: **27 January 2021**