



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 29 April 2021

Venue: By Video Conference

Part A – Authority Meeting

Attendance

Authority: Bob Collins (Chairperson), Elaine Byrne, Donal de Buitléir, Deborah Donnelly, Valerie Judge, Paul Mageean, Stephen Martin, Moling Ryan.

Apologies: Shalom Binchy

Secretary: Aoife Clabby

Staff of the Authority: Helen Hall (Chief Executive), Margaret Tumelty, Cormac Keating, Clare Kelly (items 6, 7, 12, 13), Mark Nother (item 6), Sharon O’Brien (item 7), Karen Shelly (item 8).

1. Private Authority meeting

The Authority exercised the option to meet in private.

2. Chairperson’s Opening Remarks

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

The Chairperson provided Members with an update on a number of matters including:

- The likely requirement for an additional meeting of the Authority to consider the General Scheme of the Policing, Security and Community Safety Bill. Members were advised that a copy of the Bill and the Explanatory Memorandum had been uploaded to the online documents portal.
- Arrangements for future Authority meetings. Noting the agreement in principle to meet on the afternoon prior to public meetings, the Chairperson apprised Members of the proposed times for any such meetings and advised that an additional meeting was proposed for 26 May, to facilitate consideration by the Authority of its ways of working and the supporting governance framework. Members also agreed a date change to the September meeting in public, in order to facilitate attendance by the Commissioner.
- Arrangements in the Department of Justice following the commencement of the Minister for Justice’s maternity leave. It was agreed that the Chairperson would write to the Minister to convey the Authority’s congratulations on the birth of her son.

3. Minutes and Matters Arising

The minutes of the meetings held on 25 March were approved, subject to the inclusion of a small number of wording amendments, and cleared for publication.

The Log of Actions was noted and proposals to close specified actions were approved. Members sought further information in respect of progress against the action to seek the advice of counsel on the Article 2 elements of the Homicide Review. Clarity was also sought in respect of the scope of the review and it was agreed that this matter would be the subject of further, bi-lateral engagement with the Chief Executive. Members sought information on the status of the review of one remaining homicide investigation which had been in progress at the conclusion of the review processes. It was agreed that this matter would be pursued with the Garda Síochána.

Members noted material received through the Garda Actions Register, in particular the response to a request to provide further information to the Authority regarding procedures and guidance for immigration checks undertaken by the Garda National Immigration Bureau. Members considered the overview of training provided to immigration officers and raised a number of queries in relation to the extent to which engagement with children in an immigration process and the assessment and management of risk formed part of training provided. It was agreed that further information on these matters would be sought from the Commissioner. The Chief Executive advised that there had been further positive engagement with Garda representatives in relation to the Actions Register and that future meetings would focus on the prioritisation of aged requests and associated escalation procedures.

No.	Action point	By Date	By Whom
A_090_01	Bi-lateral engagement on the scope of the Homicide Review.	ASAP	Chief Executive
A_090_02	Seek clarification from the Garda Síochána on the status of the review of the homicide investigation which was still in progress at the conclusion of the case review processes.	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, as follows:

- The receipt of the Garda Síochána Risk Register summary document, which had been uploaded for Members' reference under the agenda item 'Garda Síochána Risks and Resources'.
- The publication of the General Scheme of the Garda Síochána (Digital Recording) Bill. The Chief Executive advised that the Authority had previously provided its observations on the draft General Scheme in November 2020 and that a copy of this document was available on request from the Secretary.
- Engagement with GSOC to discuss the nature of complaints information received and to consider whether mechanisms could be established to provide summary information of relevance to the Authority's oversight role.
- Forthcoming personnel changes in the Garda Síochána Strategic Transformation Office.

- The award, by the Garda Síochána, of the contract for its Public Attitudes Survey to Behaviour and Attitudes. Members noted contingency plans for conducting interviews in the case of sustained restrictions on movement, and expressed concern at the potential loss of the 16-17 year cohort from the sample and the apparent absence of any mitigations. The importance of capturing the views of young people on their experience of policing, particularly in the context of the COVID-19 pandemic was considered and it was agreed that the matter would be explored further with Garda representatives.
- An overview of the process relating to a freedom of information request.

Members considered the first quarterly review indicating progress to date on the Authority’s 2021 Business Plan and were satisfied that no refinements or adjustments were required at this juncture. The Authority acknowledged the exceptional work of the Executive throughout the COVID-19 pandemic in progressing the Authority’s work, particularly in the context of remote working.

Members noted the update received from the Garda Síochána on the development of its Strategy Statement, 2022-2024.

Members considered a draft Request for Tender (RFT) for research being commissioned to understand the experience of policing diverse communities in Ireland, to include at least two different groups. Having regard to the proposed budget, Members noted that there was capacity for the initial research to direct other, future avenues. Members were satisfied with the terms of reference for the research as proposed by the Executive.

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

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_090_03	Provide specified correspondence, on an anonymised basis, to the Commissioner	Immediate	Chief Executive

5. Committee Updates

5.1. Garda Appointments Quality Assurance and Selection Governance Committee

Members considered a written update received from the Committee Chairperson, noting that the Committee had met on 23 April to discuss the preparation for the 2021 Selection Competition for appointment to the rank of Superintendent. Members also noted that the process and documentation for competition, as approved by the Committee, was scheduled for consideration under item 7.

5.2. Garda Organisation Development Committee

The Committee Chair updated Members in relation to the meeting of the Committee that had taken place on 13 April, in particular in relation to:

- Executive briefings on a range of matters including the Garda Síochána Culture Audit, Code of Ethics, progress on the roll-out of the Anti-Corruption Unit and progress against Policing Plan 2021 targets.

- Engagement with Garda representatives in relation to recommendations arising from the Mazars review of the Garda Síochána finance function and the approach to their implementation.
- Constructive discussion on the approach to financial planning.
- Consideration of material received in relation to workforce planning and engagement on a further iteration of a workforce plan in the context of a number of factors.
- Garda Síochána recruitment, the approach to vetting at divisional level and the potential impact on recruitment from various communities. Members were advised that Garda representatives had committed to providing further information on the matter.

5.3. Policing Performance and Strategy Committee

The Committee Chair updated Members in relation to the meeting of the Committee that had taken place on 19 April, in particular in relation to:

- Fieldwork engagement that had taken place in support of the Authority's oversight of policing during COVID-19. In that regard, the Committee Chair highlighted the experiences of some communities and the importance of reflecting their considerations to the Garda Síochána, particularly in the context of the strategic mission of 'keeping people safe'.
- A review of performance against Policing Plan targets in Quarter 1, with particular focus on a number of themes. The Committee Chair advised that the Garda Síochána intended to re-activate a number of policing plan initiatives in tandem with any reduction in policing activity linked to COVID-19, but that these areas remained to be identified.
- Engagement with Garda representatives on the issue of community safety. The Committee Chair conveyed some concerns in respect of a perceived disconnect between the stated intent of being a community policing service, the proposed framework for community policing and the lived experience of some communities, particularly in the context of illegal drugs activity.
- Discussions on the significant increase in searches of the person. The Committee Chair advised that further statistical information on this matter had been requested from the Garda Síochána.
- Understanding the significant increase in drug driving, driven by increased testing and a consideration of public awareness of the impact of drug driving.
- The extent of the implementation of recommendations arising from the Homicide Investigation Review Team, including the introduction of peer-to-peer review and the prioritisation of training in the Investigation Management System.

Members discussed a number of matters in relation to community safety and the Garda Síochána mission of 'keeping people safe', in the context of recent outreach work with community organisations and the Garda organisation's vision for community policing. Arising from this, a number of themes for engagement with the Commissioner in Part C of the meeting were agreed.

6. Audit, Governance and Risk

Members considered the monthly report on risk, in accordance with the Authority's Risk Management Policy. The Committee Chair advised that there had been a modest number of changes to the status of some risks over the course of the month.

The Committee Chair advised that a review of the Policing Authority Governance Framework had been undertaken by the Committee and that a number of proposed changes would be brought to the May meeting for consideration by the Authority.

The Committee Chair provided an overview of the revised draft report, ‘External Assessment of Board’s Governance Controls’, prepared in compliance with the requirements of the Code of Practice for the Governance for State Bodies. Members were satisfied that the revised draft had addressed concerns previously expressed. Members discussed the range of recommendations contained in the report, noting that further consideration would be required to address gaps identified and to assess the feasibility of implementation. Members also considered the nature of the questions posed as part of the review and ways in which they might be enhanced. It was agreed that a meeting of the Chairperson, Committee Chair and Chief Executive would be convened to give detailed consideration to the recommendations and the matters raised. It was further agreed to revert to the Authority with the outcomes of this meeting.

The Committee Chair advised that an audit to review the impact of COVID-19 on business operations was being undertaken, including the effectiveness of processes in place and ways of working. Members noted that the findings of the review would be instructive in considering the nature of transition back to the work place over the course of 2021.

No.	Action point	By Date	By Whom
A_090_04	Convene a meeting of the Chairperson, ARC Committee Chair and Chief Executive to consider review of board effectiveness findings and revert to the Authority.	ASAP	Secretary

7. Garda Síochána Appointments

Members considered a range of documents in support of a request to undertake a selection competition for appointment to the rank of Superintendent in the Garda Síochána. An overview of the structure of the competition was provided, together with indicative timeframes for its completion and the presentation of an order of merit to the Authority. The Chief Executive advised that correspondence had issued to Commissioner seeking Garda Síochána input on aspects of the competition, in addition to a request to nominate an individual to participate on the selection board. Following discussion, the Authority was satisfied to approve the proposed approach, as outlined.

The Authority considered and approved requests received for the extension of two temporary acting up positions, at the level of Principal Officer, in the Garda Information Services Centre (GISC) and Garda Síochána Internal Audit (IA).

The Authority considered and approved a request received to appoint a candidate to the Garda Síochána ICT Directorate, at the level of Principal Officer. In considering the associated competition material, Members again drew attention to what had been an inconsistent approach to the description of eligibility criteria for future positions, particularly in respect of candidates from the United Kingdom. It was agreed that the matter would again be raised with Garda Síochána HR&PD with particular attention to one of the competitions recently concluded.

Members considered a request for observations on three Candidate Information Booklets for Principal Officer positions in the Garda Síochána Analysis Service, GISC and the Data Protection Office. Members noted the marked improvement in the quality of the booklets submitted.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_090_05	Undertake a selection competition for appointment to the rank of Superintendent	Immediate	Chief Executive
A_090_06	Notify CAO of the extension of two temporary acting PO positions in GISC and GSIA	Immediate	Chief Executive
A_090_07	Notify GS HR&PD of the appointment of PO to GS ICT and highlight requirement for consistency in eligibility criteria in Candidate Information Booklet.	Immediate	Chief Executive

8. Policing and Community Safety Draft Bill

At the outset of the agenda item, the Chairperson provided an overview of the Authority's engagement to date with the various processes to consider the future of policing in Ireland. Noting that the General Scheme for the Policing, Security and Community Safety Bill and accompanying Exploratory Memorandum had been published, the Chairperson highlighted to opportunity to consider the Scheme from a variety of standpoints and in particular to consider the extent to which representations made in the Authority's October submission had been reflected in the current Scheme. Members discussed the process of pre-legislative scrutiny and considered likely approaches to the communication of the Authority's views on the Scheme, as drafted.

It was agreed that there would be an additional meeting of the Authority to give detailed consideration to the General Scheme. In support of the Authority's deliberations, it was further agreed that an analysis and evaluation of the revisions to the General Scheme would be undertaken, having regard to the Authority's prior detailed submission on the draft General Scheme and to the efficacy of the proposals made. Finally it was agreed that hard copies of both the General Scheme and the Explanatory Memorandum would be provided to the Members.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_090_08	Convene an additional meeting of the Authority to consider the General Scheme for the Policing, Security and Community Safety Bill.	ASAP	Secretary
A_090_09	Provide Authority with an analysis and evaluation of the revisions to the General Scheme, having regard to the Authority's prior submission.	ASAP	Chief Executive
A_090_10	Provide Authority Members with hard copies of the General Scheme and Explanatory Memorandum.	ASAP	Secretary

9. 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.

10. Other Business

There were no matters for discussion under this agenda item.

Documents for Noting by the Authority – April 2021

The following documents were noted by the Authority:

	<i>Document</i>	<i>Action Required</i>
D_90_01	Garda Síochána Professional Standards Unit Annual Report 2020	For noting
D_90_02	Garda Síochána Review of Local Intervention	For noting
D_90_03	Garda Strategy Statement 2022-2024 Public Questionnaire	For noting
D_90_04	Community Safety & Wellbeing: Report of a Scoping Review for the Department of Justice	For noting
90_04_05	Data from iReport.ie: Reports of racism in Ireland 2020	For noting
90_04_06	Football-related policing Glasgow 6/7 March: Independent Advisory Group on Police Use of Temporary Powers Relating to the Coronavirus Crisis	For noting
90_04_07	Death, Investigation, Coroners' Inquests and the Rights of the Bereaved-A Research Report for the Irish Council for Civil Liberties	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), Andrew O’Sullivan (Chief Information Officer), Kathryn Clifford (Executive Director), Anne Marie Cagney (Assistant Commissioner), Paula Hilman (Assistant Commissioner) Laura Mangan (Chief Superintendent), Gráinne Shortall (Assistant Principal).

At the outset of the meeting in private, the Chairperson welcomed Deputy Commissioner Shawna Coxon and conveyed the Authority’s good wishes in her new career with the Garda Síochána.

11. Human Resource related matters

Members discussed with the Commissioner recent media coverage in respect of four serving Garda members and a private citizen who had been arrested and charged with offences relating to perverting the course of justice, following directions received from the Director of Public Prosecutions.

The Commissioner was advised that arrangements to undertake a selection competition for appointment to the rank of Superintendent had been approved earlier in the meeting and the Authority recorded its appreciation of the support provided by Garda personnel in the development of aspects of the competition process.

Members discussed envisaged arrangements in respect of senior HR positions arising from the forthcoming retirement of the acting Executive Director, HR.

Members were apprised of the status of the vaccination of Garda personnel and noted that vaccinations were in progress, based on the identification of areas of particular operational need. Members noted that further, needs-based vaccination of personnel was progressing.

Members noted the recent submission of a work force plan to the end of 2021 and sought the Commissioner’s assessment of the extent to which current systems and processes had the capacity to keep the plan up to date. The Commissioner advised the Authority that further development was required to scope out a range of resource demands, encompassing technology, estate and fleet. In addition, further consideration was needed to assess operational demands and the required skills to deliver them. The continued reliance on paper-based systems was cited as a barrier to the easy identification of skills for operational and strategic deployment. In addition, the requirement for significant investment in ICT in this area, in the context of other draws on the ICT budget was cited as particularly challenging. An overview of work in progress to scope out the procurement of a HR and finance systems was provided.

12. Garda Síochána Risks and Resources

Members sought the Commissioner's assessment of the extent to which the Garda Síochána Risk Register adequately reflected the real risks faced by the organisation and the degree to which the register affected the management of the organisation by the Garda Senior Leadership Team. The Commissioner outlined the Garda risk framework, the mechanisms in place for capturing risks at different levels in the organisation and for reviewing and questioning mitigations in place.

Members noted the reference in the register to a draft costed policing plan and sought further detail in relation to the status of the document. Members noted that the plan, as described, was the work previously done by the Garda Síochána to retrospectively apportion costs to key policing plan initiatives, rather than a costed policing plan.

The Authority highlighted the recent publication of the Draft Stability Programme Update 2021 by the Department of Finance and sought the Commissioner's assessment of the likely impact of the budget figures cited on the Garda Síochána reform programme. The Commissioner cited a number of influencing factors in respect of the delivery of the reform programme, in particular the requirement for multi-annual budgeting in respect of capital and personnel expenditure. Decisions in the early summer in relation to the Garda Síochána submission made as part of the National Development Plan were also cited as critical.

13. Examination of the cancellation of Computer Aided Dispatch 999, Priority 1 Incidents

At the outset of the agenda item, the Chairperson acknowledged engagement that had taken place with the Executive and commended the quality of the work being done to date.

Members had a detailed discussion with the Commissioner in relation to a number of matters pertaining to the examination, including a consideration of the various elements of the review, the number of calls in scope and the rectification measures implemented and being contemplated. The Authority sought further clarity on the timeframe within which issues emerged that led to an examination of call cancellation. The Chairperson expressed unhappiness with aspects of the provision of information to the Authority on this matter and emphasised the critical importance of receiving notification of any such issues in a proactive, timely manner. The Commissioner agreed to revert to the Authority with a timeline of the events leading to the examination, including the associated chain of communication within the Garda Síochána on the matter.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_090_11	Provide the Authority with a timeline of the events leading to the examination, including the chain of communication on the matter.	ASAP	Garda Síochána

14. Other Business

There were no matters for discussion under this agenda item.

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Executive: As for Part B

Garda Síochána: Drew Harris (Garda Commissioner), Joe Nugent (Chief Administrative Officer), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), John O’Driscoll (Assistant Commissioner), Pat Clavin (Assistant Commissioner) Paula Hilman (Assistant Commissioner), Anne Marie Cagney (Assistant Commissioner), Laura Mangan, (Chief Superintendent).

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>

The following matters were discussed during the meeting:

Agenda Item	Principal matters discussed
Mother & Baby Homes Commission of Investigation	<ul style="list-style-type: none"> • Overview of evaluation, by the Garda Síochána, of the Commission of Investigation report. • Outline of the supports and potential avenues of pursuit available for individuals impacted by the report’s findings and an appeal to any individuals concerned to contact the Garda Síochána.
Policing Performance	<p>a) Policing Plan 2021-Review of Performance in Quarter 1</p> <ul style="list-style-type: none"> • Garda Síochána assessment of quarter 1 performance against Policing Plan 2021 targets and an identification of the challenges to the achievement of the plan. • Consideration of the impact of the easing of COVID-19 regulations on Garda resources and the re-instatement of paused initiatives in the plan. • Engagement on detection rates and the status of the detections improvement plan. <p>b) Policing during COVID-19</p> <ul style="list-style-type: none"> • Discussion on the rationale for the continued use of anti-spit hoods, in the context of the easing of COVID-19 restrictions. Further review to be undertaken by the Garda Commissioner in September 2021 and a determination on their retention or discontinuation to be made. The Authority’s view that the use of anti-spit hoods should be discontinued was reiterated. • Consideration of the extent to which COVID-19 regulations are consistently applied across Garda divisions. • Discussion in relation to the policing experiences of different groups and communities during current phase of restrictions.
Community Safety/Keeping People Safe	<ul style="list-style-type: none"> • Engagement on the Garda Síochána vision for community safety, in the context of the strategic mission of ‘keeping people safe’.

Agenda Item	Principal matters discussed
	<ul style="list-style-type: none"> • Impact on communities of on-street drug dealing and the Garda Síochána response, including efforts to tackle organised crime and the requirement for inter-agency response at community level. • Extent of relationships established by the Garda Síochána in communities, in particular those impacted by drug dealing and criminality. • Overview of the approach to community policing in the Garda Síochána and the nature of the training provided to Garda members. • Consideration of strategic and operational approaches to public safety and measures deployed to give practical effect to Garda organisational policy. • Governance and oversight of policing response provided to local communities. • Approaches to addressing hate crime and hate incidents and mechanisms to record and report data via the PULSE system.
Items for Mention	<p>a) Garda Inspectorate Report on Anti-Corruption</p> <ul style="list-style-type: none"> • Envisaged timelines for the implementation of recommendations contained in the Inspectorate report. • Current levels of staffing in the Garda Síochána Anti-Corruption Unit. • Status of the submission of a plan to the Policing Authority addressing relevant recommendations of the Hamilton Review of Economic Crime and Corruption. <p>b) Examination of the cancellation of Computer Aided Dispatch 999, Priority 1 Incidents</p> <ul style="list-style-type: none"> • Envisaged timeframe for the completion of the review. • Overview of immediate measures introduced to ensure 999 calls are appropriately cancelled, including a summary of circumstances where a call might be cancelled.
Commissioner's monthly report to the Authority	<ul style="list-style-type: none"> • Current levels of overtime spend and systems in place to guard against excessive hours and ensure appropriate rest. • Implementation of Schengen Information System, delivery of associated training to Garda members and policing benefits of being connected to the system.
Other Business	<ul style="list-style-type: none"> • Contingency plans for the Garda Síochána Public Attitudes Survey and the potential loss of the 16-17 year old cohort from the survey. It was agreed that the matter would be the subject of further discussion with Garda representatives.

Actions arising from the meeting held in public:

A_090_12	Further engage with Garda representatives in relation to contingency plans for the GS Public Attitudes Survey and in particular whether alternative strategies can be put in place to ensure that the views of young people on their experience of policing is considered as part of the newly contracted public attitudes survey.	ASAP	Chief Executive.
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