



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Garda Organisation Development Committee

Date: 27 October 2022

Venue: Online Meeting

Part A – Committee Meeting

Attendance

Authority: Paul Mageean (Chair), Elaine Byrne, Donal De Buitléir, Valerie Judge

Secretary: Michal Alfasi-Hanley

Executive: Helen Hall (CEO), Cormac Keating, Margaret Tumelty, Sharon O'Brien, Judy Higgins, David Murphy

Apologies: Mark Nother

1. Closed Session

The standing option to conduct a closed session was not exercised.

2. Chairperson's Opening Remarks

There were no declarations of interest from the members in respect of any of the agenda items.

The Chair noted that Deputy Commissioner Shawna Coxon had indicated that she would be unavailable for the meeting.

The Committee agreed that although there is good representation at Assistant Commissioner level at meetings, it would be appropriate to bring this to the attention of the Authority, particularly due to non-attendance of Garda management at the previous committee meeting.

Members discussed the option of a pre-meeting conversation between the Chairperson and DC Coxon as a matter of a routine.

3. Consent Agenda Items

The minutes of the previous meeting (21 September) were approved following minor corrections.

4. Policing Plan Performance

- The Executive provided a report on Policing Performance in Q3 of 2022. Among the matters discussed were the increase in total gross allocation for the Garda Vote, and the impact of this additional funding on key areas in the Garda Síochána.

- Use of force was discussed, particularly in relation to use of spit hoods and tasers. It was noted that firearms were not used in 2022 (as of 1 September).
- Resourcing, ICT, health and well-being, and estate management were identified as ongoing areas of concern.
- It was further noted that responsibility for Reserve Members had been taken over by HRPD, and that there was slow progression in implementation.
- The backlog of training for recently recruited members, the attrition of Garda members and staff, and working conditions of Garda staff were identified as areas of concern.
- The Authority received the latest iteration of the workforce plan report, to be discussed at the next Authority meeting.
- It was noted that cyber-enabled crime appears as a reduced risk in the performance report. The committee agreed to seek clarity regarding this.
- The Committee also agreed to seek clarity regarding the process for accepting or rejecting recommendations¹ (by the GS), as well as how recommendations are prioritised.
- The Policing Plan Performance Report states that data has been collected and collated on Garda members who have not signed the Code of Ethics. The Committee agreed to query whether this report can be made available to the Authority.
- The CEO noted that the Executive had met with Assistant Commissioner Paula Hilman to discuss the restructuring of the Diversity Forum. The Authority will be observing this process and providing assistance as required.

5. Policing Plan 2023

- The Committee discussed the draft Policing Plan 2023.
- The Committee noted that the targets are more focussed than in 2022, but that greater detail regarding how the goals are to be achieved is needed.
- The Committee expressed concerns that the budget may need to be revised to reflect forecasted inflation.
- High fatigue reported by members was noted as a concern, in relation to the overtime budget and the effect on decision-making.

6. Garda Complaints - Adequacy and appropriateness of response

- The members discussed issues such as assurances as to the efficacy of the current system, information regarding complaints that should be in the public domain and could be shared with the Policing Authority, the mandates for elevating a complaint from being handled informally by Sergeants to a more serious level and complaints from people in detention.
- The Committee agreed that there was a need for stronger engagement between the Authority and the Garda Síochána Ombudsman Commission (GSOC), as well as better and formalised data sharing agreements between GSOC, the Garda Síochána, and the Policing Authority.

7. Executive updates on oversight activity - for information

- A brief verbal update on the restructuring of the Diversity Forum was provided.

¹ Such as from the Policing Authority, the Garda Síochána Inspectorate, academic research.

- The Executive expressed concerns that there was a lack of progress in regard to work on online hate crime reporting, and an apparent lack of engagement between the Human Rights Unit and the broader Garda organisation.
- The Executive provided a report on Garda integrity matters, specifically in relation to Anti-Corruption and discipline. The Committee noted that there was an apparent lack of consistency regarding the assessment criteria for notifying cases to GSOC. This matter was also discussed in regard to the clearance process for promotions. The Committee agreed that it would be appropriate to seek clarity on this matter with Garda management in Part B of the meeting.
- There was a brief discussion on health and well-being of Garda members, and it was noted that a physical therapy course is currently being developed.

8. GAR requests and Administration

- The Executive provided a brief verbal update on GAR request 768, and GAR request 764.

Part B – Meeting with Garda Síochána Representatives

Attendance

Authority: As per Part A above

Garda Síochána: Jonathan Roberts, Assistant Commissioner, Governance and Accountability; Yvonne Cooke, Acting Executive Director HRPD; Kathryn Clifford, Executive Director, Finance and Services; Deirdre Morris, PO, Strategic Transformation Office; Gráinne Shortall, AP, PALO.

Apologies: Shawna Coxon, Deputy Commissioner Strategy, Governance and Performance; Joseph Nugent, CAO.

9. Closed Session

- The standing option to conduct a closed session was not exercised.

10. Policing Plan Performance

Resources

- The Committee queried resources allocation, especially in the ‘enablers’ areas (such as IT, Finance, People) and how the Authority may assist in this matter. The GS representatives noted that resourcing is central to the work of the GS and any support on this matter will be well received.
- The committee queried whether there are discussions at the management level around re-deploying as an alternative to requesting additional resources. The GS representatives noted that this discussion is growing.
- The GS representatives further noted that as part of workforce planning, GS management is seeking to gain greater clarity as to the needs of different units, in regard to resourcing, and requiring a higher level of evidence from units requesting additional staffing.
- The Committee reiterated the importance of ensuring that strategic blockers are identified and mitigated where possible.

Training and Recruitment

- The Committee asked about current issues in recruitment and training of recent recruits. The GS representatives noted that there is sufficient capacity to ensure training is completed by staff and members, including new recruits. Regarding recruitment, a number of concerns were raised:
 - There is a need to speed up the Public Appointments Service process pipeline.
 - Some candidates are showing a poor level of physical fitness. When asked about the appropriateness of these tests, the GS representatives noted that compared to other police forces, the GS's tests are not difficult. The Committee further noted that these tests may not be relevant for staff joining office-based units.
 - The vetting process is also impeding progress in finalising candidates.

Promotion and Retention

- The Committee asked for information regarding promotions and retention of recruits from 2016 onwards. It was agreed that the GS will provide this data to the Authority.
- Following a query by the Committee, the GS representatives noted that 'exit interviews' are carried out on an ad hoc basis, however a national exit interview process is currently being considered.
- The GS representatives further noted that there are ongoing problems in relation to retention of Garda staff. In particular, concerns have been expressed in regard to mobility and transfers.
- Furthermore, GS representatives mentioned that based on the success of the internship model, HRPD is considering engaging with academic institutions with a view to graduate recruitment for up to a year in the Human Resources, in areas including business, legal and cybercrime'.

ACTION: GS to provide data on promotion and retention of recruits from 2016 onwards.

Recommendations Tracker

- The Committee asked for clarity regarding the process by which external recommendations (GSOC, Policing Authority, academic, etc.) are monitored, prioritised, accepted or rejected.
- The GS representatives noted that the first step was to collate all recommendations from 2005 to date into the tracker. With regard to newer reports, a more robust process is applied - recommendations are referred to the appropriate units to be accepted in principal or rejected. The Units then updates the STO and the tracker is updated accordingly. It was further noted that GS STO is currently scoping an in-house IT system to manage recommendations.
- The Committee asked how the tracker is monitored, given the high number of recommendations and whether it is reviewed and discussed by the SLT. The GS representatives noted that the tracker is currently being reviewed with actions being arranged by the recommendations. Deputy Commissioner Coxon chairs the Risk Governance Board, which assesses key recommendations in regard to risk. The risk register is reviewed by the Commissioner and Assistant Commissioners on a monthly basis at leadership team meetings.
 - The Committee noted that cyber - crime had been marked as a decreased risk in the Policing Plan Performance Q3 2022 report. GS management stated that this was due to a high level of mitigation put in place, and while not on the Corporate Risk Register, it is still monitored at local level.

11. Policing Plan 2023

- GS representatives noted that work on the Policing Plan 2023 commenced in June. Priorities in the draft policing plan include: better integration between divisional and national units;

alignment of enabling functions; recognising the requirement of appropriate skills to meet the demands of crime trends.

- The Committee noted that the reduced number of targets is positive, however sharper and more specific targets are still needed, to be able to measure whether goals were achieved or not. Therefore, it will be useful to include more concrete measures in the 2023 Policing Plan. The GS confirmed that indicators of success will be provided to managers.
- The Committee asked if there would be sufficient resources to allow a successful implementation of the Policing Plan. The GS representatives noted they are satisfied that there is sufficient funding, noting that ICT will get substantial additional funding in 2023, however there are concerns regarding staffing.
- The Committee asked if there was scope for transferring funds from a capital to a current account. The GS representatives stated that this can create difficulty but will be explored as an option in discussions with the Department of Public Expenditure and Reform.
- The Committee queried about progress following the Mazars Report. The GS representatives noted that the Finance department is at 60% capacity, therefore progress is slow. However, the review will be completed by the end of the year. There have been resourcing issues in the finance unit, and Accenture has provided support. An Assistant Principal forum has been set up to assist in driving efficiency. Additionally, the Department of Public Expenditure and Reform worked with the finance unit on budgeting. An ICT strategy for the finance unit is also being developed.
- The Committee noted that high levels of fatigue had been reported by Garda members, and asked what work the GS Management Team had done to mitigate this. The GS representatives noted that the Commissioner expressed the necessity of wellbeing to be a key consideration for review. The GS representatives further stated that reports are provided to the Commissioner noting personnel who have records of a high number of hours worked and it is also monitored locally. In addition, this area will be looked-at closely in terms of the Roster review.

12. Garda Complaints – Adequacy and appropriateness of response

- A presentation was provided by AC Jonathan Roberts regarding data on complaints.
- AC Roberts noted that information on complaints come from various sources, such as GSOC, GS Internal Affairs, GS ACU, GS HR, Suspensions, Cultural Audit and more. There is no one central registration of it all, rather it is managed as individual pieces of information.
- The Committee noted that the GSOC data is published well after a complaint was made and queried how often do GS managers get ‘real time’ data and whether they will be aware of spikes of complaints in specific areas. The GS representatives noted that although there are strong relationships with GSOC, the current system doesn’t allow it completely, so awareness could be better. The GS representatives further noted that there is scope for providing information on complaints in a different way, such as using the Operating Model.

Action: GS to consider the potential development and provision of increased, more detailed data associated with complaints in a similar way to those provided for Use of Force, possibly through the Operating Model structures.

- The Committee referred to the report provided by former Assistant Commissioner Governance and Accountability (to GAR Request 673). The GS representatives agreed to review this document and provide further clarification in respect of ‘informal complaints’.

Action: GS to provide clarification around 'informal complaints' and the use of Discipline Regulation 10, as cited in the GS response to GAR 673.

- The Committee queried around the criteria consistency of approach in referring complaints to GSOC and were assured by the GS representatives that all complaints must, by statute, be referred to GSOC.
- The Committee further noted that the data received from the GS on suspensions shows a low number of Section 102 referrals to GSOC. The GS representatives will review and provide clarifications.

Action: GS to provide clarity regarding suspended members in 2022 whose cases have not been referred to GSOC.

- With respect to complaints by people in detention, the Committee noted that those are recorded in a log book and asked the AC whether he has access to this book and how aware he is of those complaints. AC Roberts noted that all complaints must be referred to GSOC, no matter in which way they were recorded.
- The Committee queried how a referral to GSOC can be triggered in the absence of information on complaints being resolved 'informally'. The GS representatives noted that currently, the data is not as sophisticated as it should be, however procurement for a new ICT system is underway and should assist with this issue. It was also noted that the Body Worn Cameras could assist as well in due course.

Action: GS to consider the provision of clarity regarding the scrutiny assigned to reports of the CPT that highlight concerns (since 2015 approximately) around treatment of persons detained by An Garda Síochána.

- The Committee referred to a prior discussion with the Commissioner regarding deaths in custody and deaths after release, and noted that a response to letters sent to Commissioner on this matter had not been received.

Action: GS to provide an update regarding the response to correspondence from the Policing Authority to the Commissioner dated 24 August 2022 (and GAR 768) regarding deaths/harm in custody.

- The GS representatives confirmed that the Commissioner is informed of all deaths in custody.
- The Committee suggested that an amendment be made to the directive regarding deaths in custody to more accurately reflect the legislation.

Action: GS to reflect on the wording in HQ Directive 10/10 to address the reference to "may" as opposed to "must". To reflect also on the definition of 'Death in Custody'.

- The Committee requested that reports and data related to the Code of Ethics and its effectiveness review, to include the report about Garda members who have not signed the CoE, be made available to the Authority.

Action: GS to provide the Policing Authority with the above reports.

- The Executive queried how data on behaviour of Garda members or the lack of it is affecting the clearance process for promotions. Furthermore, the Executive queried whether there are behavioural issues which may be addressed through performance management, rather than disciplinary system. The GS representatives noted that there is a clearance process through

which history of behavioural issues will come up. It was further noticed that Regulation 10 clearly sets out the distinction between serious and less serious ill-discipline.

Action: The GS to provide clarification around the clearance process for promotion and how it is streamlined with data on poor behaviours.