



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 25 and 26 May 2022

Venue: Hillgrove Hotel, Monaghan &
by Video Conference

Part A – Authority Meeting

Attendance

Authority: Bob Collins (Chairperson, items 1-3; 10-13), Donal de Buitleir, Deborah Donnelly, Valerie Judge, Paul Mageean, Elaine Byrne (items 3-13), Shalom Binchy (items 1-3), Moling Ryan (Acting Chairperson items 5-13).

Secretary: Aoife Clabby

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

1. Meeting of Members in Private

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

2. Chairperson's Opening Remarks (25 May 2022)

The Chairperson highlighted the constructive meeting that had taken place with Chief Superintendent Alan McGovern and his colleagues at Monaghan Garda Station, attended by a number of Authority Members and Executive staff. The Chairperson further highlighted the value of such engagements in providing greater insights into policing service provision at divisional level and in providing context for the planned engagement with local stakeholders.

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. Members noted correspondence issued to the Department of Justice in response to a consultation on the third Domestic, Sexual and Gender-based Violence Strategy. The Chief Executive advised that correspondence had been received from the Commissioner in relation to the evaluation of the management and use of anti-spit hoods and that the document would be uploaded as a late paper for Members' consideration.

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

The minutes of the meetings held on 28 April and 18 May were approved and cleared for publication.

3.2. Policing Authority and Garda Síochána Actions Logs

The Log of Actions was noted and proposals to close specified actions were approved. Members again expressed their dissatisfaction with the extent of information requests outstanding on the Garda Actions Log. It was agreed that the matter would be raised with the Commissioner in part b of the meeting.

3.3. Proposal for Appointments to the Senior Ranks in the Garda Síochána

Members were provided with the outcomes of the clearance process in respect of the appointment of three candidates to the rank of Assistant Commissioner in the Garda Síochána. The Authority was satisfied to appoint two the candidates to the rank of Assistant Commissioner, with effect from the date on which the candidates take up the position to which they are assigned by the Garda Commissioner. It was noted that further clarification was being sought by the Chief Executive in relation to the requirement for a third candidate to be appointed in the context of a forthcoming retirement.

Members were provided with the outcomes of the clearance process in respect of the appointment of three candidates to the rank of Superintendent in the Garda Síochána. The Authority was satisfied to appoint the candidates to the rank of Superintendent, with effect from the date on which the candidates take up the position to which they are assigned by the Garda Commissioner.

The Chairperson made a number of observations in relation to the appointment competition process for the rank of Assistant Commissioner in the Garda Síochána. Members discussed a number of themes arising from the observations made. It was noted that the opportunities and challenges arising from the extent of leadership change in the Garda Síochána over the next twelve months would be engaged on with the Commissioner under item 8 and would provide the opportunity to explore the themes arising from Members' discussions.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_107_01	Notify the Commissioner of the appointment of two candidates to the rank of Assistant Commissioner and notify the candidates of their appointment.	Immediate	Chief Executive
A_107_02	Notify the Commissioner of the appointment of candidates to the rank of Superintendent and notify the candidates of their appointment.	Immediate	Chief Executive

4. Chairperson's Opening Remarks (26 May 2022)

At the outset of the meeting on 26 May, the Chief Executive conveyed the Chairperson's apologies due to illness. In accordance with the Authority's Standing Orders, Members selected Dr Moling Ryan as Acting Chairperson for the remainder of the meeting.

Dr Ryan welcomed Mark Toland, Chief Inspector of the Garda Inspectorate to the meeting. The Acting Chairperson advised that Mr Toland had been invited to attend Authority meetings, having regard to the future establishment of the Policing Community and Safety Authority (PCSA) and to enhance mutual understanding of the Authority and Inspectorate's respective functions in anticipation of transition of both agencies to the PCSA. The Chief Inspector provided Members with an overview of both the Inspectorate's work plan for 2022 and the organisation's engagement with the Department of Justice on matters of governance and inspection. The Chief Inspector expressed his appreciation of the opportunity to engage with the Authority on an on-going basis on matters of mutual interest.

5. 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:

- CAD999: The Chief Executive advised that the next phase of the review by Mr. Derek Penman had commenced and that Mr. Penman's work was being supported by two Executive staff. Arising from a significant number of meetings that had taken place with the Garda Síochána to agree the legally binding guidance document in support of the review, the Chief Executive advised that a summary of key legal issues arising was being prepared for provision to the Department of Justice. It was noted that action to address the issues raised would be of critical importance in the context of the establishment of the oversight and inspection functions of the PCSA. Members sought and were provided with clarification for the likely timeframe for the receipt of Mr. Penman's report.
- Visit to Scotland: The Chief Executive apprised members of meetings held with the Chief Executive of the Scottish Policing Authority and the Chief Inspector of HMIC Scotland and of her attendance at the Scottish International Policing Conference on 23 May. Members were provided with an overview of the approach to inspections in Scotland and noted that further engagement with HMIC Scotland was envisaged. Members discussed the comparability of the oversight structures in both jurisdictions and were advised that a further meeting of the Policing Authority and Scottish Policing Authority, involving the Chairpersons of both agencies, was being organised.
- Governance meeting with Department of Justice: Members were advised that the senior management team had met with Department of Justice representatives on 12 May for the first governance meeting of 2022 and an overview of matters discussed at the meeting was provided. It was noted that a further meeting with Department representatives was planned to discuss the recommendations from the Garda Inspectorate report on custody and to ensure no duplication of effort in relation to work being undertaken by the Policing Authority and the Department on the matter. The Chief Executive also provided Members with a brief overview of discussions that had taken place in relation to the Policing, Security and Community Safety Bill and advised that the provision of a copy of the next iteration of the Bill was anticipated before the end of July.
- Third Party Recommendations and Internal Assurance Processes: The Chief Executive advised that a very productive meeting had taken place with Deputy Commissioner Shawna Coxon and colleagues from the Strategic Transformation Office to discuss work underway to improve internal assurance processes in the Garda Síochána. Members noted that a further meeting was planned before August.
- GRECO 5th round draft Report-response from Policing Authority: Members were advised that the draft report from GRECO on Ireland's fifth evaluation round had been received for review and clarification. The Chief Executive outlined the process for the provision of feedback to the Department of Justice in its capacity as liaison on behalf of Ireland.

Members noted the Executive's assessment of the progress and achievements of the Authority with regard to its Business Plan for 2022 and were satisfied that no amendments or revisions were required at this juncture.

Members sought an update in relation to progress being made to provide advice to the Minister on the adequacy of Garda Síochána resources. The Chief Executive advised that the matter was scheduled for consideration at the June Authority meeting. Members noted that a statutory report on the effective and efficient use of Garda Síochána resources was expected by the end of May and it was anticipated that this document would also feed into the Authority's discussions. Members discussed potential areas of focus in

respect of the Authority’s advice in the current year, in particular the potential impact of lack of investment on the delivery of a policing service. Members considered the possibility of the publication of the Authority’s advice to the Minister and it was agreed that further consideration should be given to the matter at the June meeting.

Members were advised that clarification had been provided in relation to the forthcoming retirement of an Assistant Commissioner and a request had been received during the Authority meeting from the Commissioner’s office to appoint a third Assistant Commissioner to enable handover in the period to the end of June. Members were provided with the outcomes of the clearance process in respect of the appointment of the next candidate to the rank of Assistant Commissioner in the Garda Síochána. The Authority was satisfied to appoint the candidate with effect from the date on which the candidate takes up the position to which they are assigned by the Garda Commissioner.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_107_03	Consider the approach to the publication of advice to the Minister in relation to the adequacy of Garda Síochána resources.	June	Authority
A_107_04	Notify the Commissioner of the appointment of a candidate to the rank of Assistant Commissioner and notify the candidate of their appointment.	Immediate	Chief Executive

6. Committee updates

6.1. Garda Appointments Quality Assurance and Selection Governance Committee

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

6.2. Garda Organisation Development Committee

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

6.3. Policing Performance and Strategy Committee

The Committee Chair provided Members with an update in relation to the meeting of the Committee that had been held on 18 May, in particular in relation to:

- Policing in rural areas: The Committee Chair advised that a number of matters were discussed under this agenda item including current crime trends, which Members noted were returning to pre-COVID levels. She advised that there had been engagement on fraud and other cybercrimes which have substantially increased and a consideration of the adequacy of Garda Síochána resources to address the increases and the nature of the policing response to this evolving crime area. Members were advised that there had also been engagement on the impact of the community policing framework and that the deployment of resources for community policing would be re-visited by the Committee. Members noted there had been engagement on the extent of training provided to community guards and how good practice in the delivery of a policing service can be replicated across other divisions. Members discussed the current approach to resourcing community policing at divisional level. The Committee Chair advised that discussions in relation to rural crime had focussed on drugs units resourcing and the governance relationship between the national bureau and divisional units, the nature of the Garda response to drugs

intimidation in local communities in both urban and rural settings and the impact of Operation Tara.

- Policing Performance Assessment: Members were advised that feedback had been provided to Garda representatives in relation to the performance report for quarter one. While work to enhance the approach to reporting was still ongoing, the Committee Chair noted the significant progress that had been made with the revised, quarterly approach. Members sought clarification in relation to the extent of alignment between reporting to the Authority and the senior leadership team in the Garda Síochána and further, whether the revised approach to reporting had been rolled out at divisional level. The Committee Chair confirmed her understanding in this regard.
- Protective Services: The Committee Chair advised that there had been some discussion in relation to the extent of knowledge among Garda members in relation to court orders, such as safety, protection or barring orders that can be availed of by persons experiencing domestic violence or domestic abuse and advocated further engagement on the matter by the Authority. Members considered how the Garda Síochána views vulnerability generally in the context of the roll-out and operation of divisional protective services units and the role of protective services as a source of expert knowledge for Garda members in regular units. On the basis of local stakeholder engagement, Members also considered whether the background and prior history of an individual was a determining factor in the quality of policing service received. Members discussed the critical importance of appropriate first contact in instances of domestic violence and abuse and the role that training plays in this regard, in addition to a strategic assessment of how such training might best be delivered.
- Roads Policing: Members noted that engagement on roads policing at Committee had centred on the need for data driven decisions in respect of roads policing, the deployment of mobility devices and the use of Drager devices for the detection of driving under the influence of alcohol and drugs.
- Public Attitudes Survey: The Committee Chair advised that the results from the Garda Síochána's public attitudes survey were expected by the end of July and that a tendering process for the next cycle of the survey was underway.

6.4 Audit and Risk Committee

The Committee had not met since the last meeting of the Authority. The Committee Chair advised that a revised draft Risk Register was scheduled for consideration at the 14 June meeting and would be presented to the Authority for consideration and approval on 30 June.

7. Policing, Security & Community Safety Bill

No matters were discussed under this agenda item.

8. Preparation for meeting with the Commissioner

Members discussed the agenda for the meeting and agreed the matters to be discussed with the Commissioner and his team, having had regard to the meeting held with local stakeholders and engagement with the Divisional Chief Superintendent and his colleagues. Members expressed their appreciation of the groups whose representatives the Authority met on the evening of 25 May and the valuable experiences and insights provided to Members.

Documents for Noting by the Authority – May 2022

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_107_01	Garda Síochána Ombudsman Commission Annual Report 2021	For Noting
D_107_02	GS HR&PD Joint Justice presentation 9 May 2022	For Noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

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

Apologies Bob Collins, Shalom Binchy.

Garda Síochána: Drew Harris (Garda Commissioner), Shawna Coxon (Deputy Commissioner), Anne Marie McMahon (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Orla Maguire (Sergeant).

9. Leadership Changes: Risks & Opportunities

In the context of the significant level of change occurring at the rank of Assistant Commissioner, Members engaged with the Commissioner on a number of matters including the extent of experience leaving the organisation, mentoring and support available for newly appointed Assistant Commissioners and the opportunities arising from the degree of change being experienced.

The Commissioner provided an overview of his plans for the assignment of new personnel, noting the extent of experience and corporate knowledge available within the senior leadership team in support of both the newly appointed Assistant Commissioners and those to be appointed over the course of the year. Members noted that plans were in train for the development of a programme of mentoring and team building for the senior leadership team. The Commissioner also outlined work underway to ensure the appropriate transfer of work and stakeholder relationships at the level of Assistant Commissioner, in particular in the area of Organised and Serious Crime. Members discussed with the Commissioner the consequential impact of the number of promotions to Assistant Commissioner on the Chief Superintendent rank. While noting that the volume of retirements in the period was not usual, the Commissioner emphasised his desire to establish as much stability as possible at senior level in the organisation and outlined measures being contemplated in that regard. The Commissioner also provided some reflections on the selection process for the rank of Assistant Commissioner, in the context of opportunities for senior leadership development.

Members discussed with the Commissioner and his senior colleagues the organisation's approach to ongoing professional development for Garda members and staff. The need for more a more structured approach to the identification of, and funding support for, professional development was acknowledged and the Commissioner outlined some considerations by the Expert Learning Group in this regard.

10. Other Business

The Acting Chairperson conveyed the extent of the Authority's frustration at the significant delays experienced in the provision of requested information to the Authority, in addition to the continuing non-receipt of information. Members were advised that the matter was receiving active consideration. The Acting Chairperson requested that the matter would be addressed at an early date in order to have clarity in relation to what information was going to be provided.

Members discussed with the Commissioner a number of matters relating to inappropriate sexual conduct by a small number of Garda members with vulnerable individuals. The Commissioner apprised Members of the degree of its occurrence and the extent of the reporting of such instances in the Garda Síochána. The Commissioner also highlighted the challenges to addressing such matters, having regard to the current disciplinary regulations. The Commissioner indicated his willingness to address the matters discussed, in addition to developments in relation to anti-corruption generally in the Garda Síochána, at the Authority meeting in public on 30 June.

Members asked the Commissioner for his observations on recent media coverage of a statement issued by the Tánaiste.

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

Attendance

Authority and Executive: Moling Ryan (Acting Chairperson), Elaine Byrne, Valerie Judge, Paul Mageean, Debbie Donnelly, Bob Collins (via video conference), Helen Hall.

Garda Síochána: Drew Harris (Garda Commissioner), Joseph Nugent (Chief Administrative Officer), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), David Sheahan (Assistant Commissioner), Paula Hilman (Assistant Commissioner), John O’Driscoll (Assistant Commissioner), Alan McGovern (Chief Superintendent)

Apologies Donal de Buitléir, Shalom Binchy.

This meeting with the Garda Commissioner and his team was held in public. In accordance with the Authority’s Standing Orders, the official record of the meeting is the recording which is available to view at <https://www.policingauthority.ie/en/authority-meetings>

The following matters were discussed during the meeting:

Item Number	Agenda Item	Principal matters discussed
10	Safeguarding Vulnerability at Local Level	<ul style="list-style-type: none">• Engagement on the identification of vulnerabilities in local rural areas in the Louth/Cavan/Monaghan division.• The role of Operation Tara in ensuring requisite resources at divisional level to respond to drug misuse.• The challenge of drug-related intimidation and of encouraging people to report intimidation to the Garda Síochána.• The extent of inter-agency working and local initiatives such as ‘Planet Youth’ to address drug and alcohol misuse among younger people.• Approach to training of Garda members in relation to legal orders and engagement on the extent of Garda members’ understanding of the applicability of various orders in cases of domestic violence or domestic abuse.• Approach to the investigation of domestic violence or domestic abuse where the perpetrator is a Garda member.• Engagement on community policing, the organisation’s community policing ethos, the method of selection of community Gardaí, determining the requisite community resource required at local level, the approach to and examples of established inter-agency working and partnerships in the community, and measures to capture and ensure knowledge transfer when new community guards take up positions.• Discussion in relation to media reports of open drug dealing in certain properties within the community and the Garda Síochána response to drug dealing of this nature.

Item Number	Agenda Item	Principal matters discussed
11	Local Policing Challenges	<ul style="list-style-type: none"> • Presentation on local policing challenges in the Louth/Cavan/Monaghan division. • Impact of Brexit on border policing and extent of co-operation with PSNI in relation to a range of policing matters. • Overview of the unique aspects of policing in the border area • Overview of joint statutory agency approach to border policing and response to emerging crimes.
12	Garda Síochána Custody Report	<ul style="list-style-type: none"> • Engagement with Commissioner on a range of themes emerging from the Garda Inspectorate report on the provision of custody services by the Garda Síochána and the extent of the Commissioner’s acceptance of the report’s recommendations. Themes explored included cell inspection, evacuation plans, the carriage of firearms, use of force, records management, death and injury in custody and the Garda custody estate. • Discussion on the status of custody cells recommended for closure and agreement to provide information to the Authority in this regard.
13	CAD 999-Progress of Review	<ul style="list-style-type: none"> • Overview of progress to date on the next phase of the review being undertaken by Mr. Derek Penman. • Engagement on extent of acceptance of recommendations contained in the interim review. • Overview of revised governance arrangements in relation to call handling. • Engagement on media reports in relation to assertions of extreme harm to individuals who had calls cancelled and overview of further analysis being undertaken by the Garda Síochána in respect of victim satisfaction and the extent of any harm experienced.

The Acting Chairperson noted the recent retirement of Assistant Commissioner Anne Marie Cagney and recorded the Authority’s sincere appreciation for her work and her engagement with the Authority. The Authority’s sincere appreciation was also recorded for the significant contribution of Assistant Commissioner John O’Driscoll to the work of the Garda Síochána, to public life and to the community. The Acting Chairperson conveyed the Authority’s good wishes to former Assistant Commissioner Cagney and to Assistant Commissioner O’Driscoll on his retirement in June.

The Acting Chairperson also noted the recent resignation of Stephen Martin from the Authority to take a position with the UK’s Civil Nuclear Constabulary. He expressed Members’ appreciation and thanks to Mr Martin for the contribution of his expertise and experience to the Authority’s oversight of the Garda Síochána.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_107_05	To provide the Authority with a status update in relation to the closure of cells in the Garda custody estate.	ASAP	GS
A_104_06	To revert to the Authority with the outcomes of the further review of 2,932 calls from the perspectives of victim satisfaction and any harm experience.	July	GS