



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 28 July 2022

Venue: 90 North King Street

Part A – Authority Meeting

Attendance

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

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

At the outset of the meeting, the Chairperson paid tribute to Dr Vicky Conway, former Member of the Authority, who had passed away on 19 July, noting that it was important to recall the significant contribution made by Dr Conway in relation to the establishment of the Authority and its work and to remember the strength of her analysis, insight and thinking in helping to shape the Authority's approach to oversight of the Garda Síochána. The Chairperson also noted Dr Conway's abiding commitment to the rights of individuals and the importance of the provision of a service to the community by the Garda Síochána. The Chairperson acknowledged Dr Conway's influence on her Authority colleagues in understanding and communicating the extent of the challenge facing the Garda Síochána in bringing about the change that it desired for itself as an organisation. The Chairperson expressed the wish that Dr Conway's influence and legacy would continue to act as an encouragement to the Authority in its future work.

The Chairperson advised that he had engaged with a senior official in the Department of Justice with regard to the likely date for the publication of the Policing, Security and Community Safety Bill, the timeframe for the provision of observations on the Bill and its subsequent publication.

The Chairperson provided the Members with a number of observations in relation to the recent competition for promotion to the rank of Chief Superintendent, having participated as a member of the selection board for the appointments process.

The Chairperson noted the interview given by the Chief Executive on RTÉ's Morning Ireland programme, following the conviction of a Garda member for coercive control. Members commended the Chief Executive for her representation of the Authority's position.

The meeting agenda was considered and two amendments were proposed by the Chief Executive and agreed by the Members. It was agreed that changes should be notified to the Commissioner and the revised agenda published on the Authority's website.

No conflicts of interest were declared by the Members in relation to any of the items for consideration.

Members noted a number of pieces of correspondence including a response issued to the Secretariat of the Public Accounts Committee in relation to a clarification request received from the Committee Chair. The Authority noted the Committee's correspondence and affirmed the response that had issued from the Chief Executive.

Members considered correspondence received from the Garda Inspectorate seeking the Authority's views on inspection topics to be included in the Inspectorate's work-plan for 2023. The Chief Executive advised that a constructive meeting had been held between Authority and Inspectorate staff on 26 July and that a number of suggestions for inclusion on the work-plan had arisen as part of that engagement. Members made a number of additional suggestions and it was agreed that feedback would be provided to the Garda Síochána Inspectorate in relation to the areas highlighted.

Members discussed correspondence received from the Garda Síochána in relation to the Garda Internal Audit on Travel and Subsistence Payments, Garda College, noting current developments outlined. It was agreed that further clarification would be sought from the Chief Administrative Officer in part b of the meeting.

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

The minutes of the meetings held on 30 June and 13 July 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 considered the status of an action relating to media coverage of past policing activities. It was agreed that the matter would be the subject of engagement with the Commissioner at the September meeting in public.

The Chairperson advised that the action relating to his engagement with GSOC on correspondence received regarding the fatal shooting of Mr. George Nkencho would be progressed in the coming weeks.

The Chief Executive advised that a response had been received from the Garda Síochána, providing further analysis of death in custody figures, as published in the GSOC Annual Report 2021 and that the information had been uploaded as a late paper.

Members were advised that work was underway to formally request that the Commissioner notifies the Authority in relation to a referral to GSOC of any deaths in Garda custody and related matters, in addition to information on any mechanisms in place to engage with families whose relatives have died in custody. Members were also advised that the letter to the Minister on the adequacy of Garda Síochána resources was being finalised.

Members requested that there would be further engagement with the Commissioner in relation to the number of actions remaining outstanding on the Garda Síochána Action Log.

No.	Action point	By Date	By Whom
A_110_01	Provide feedback to the Garda Inspectorate in relation to its consultation on the Inspection Programme for 2023	ASAP	Chief Executive
A_110_02	Address matters relating to media coverage of pat policing activities with the Commissioner in public in September.	ASAP	Authority
A_110_03	Revert to the Commissioner in relation to the number of outstanding action on the GS Log of Actions	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:

- A meeting had been held with the successful tenderers for the research on the experiences of policing in Ireland by diverse and minority communities. In light of the late Dr Vicky Conway's envisaged role as principal researcher, the Chief Executive advised that she had conveyed the Authority's willingness to support the continuation of the research and that a further meeting was scheduled for September to consider how this could be facilitated.
- The receipt of a legal request for discovery.
- The forthcoming annual meeting of the Chairpersons of the Joint Policing Committees and the Chief Executives of the Local Authorities on the 19th September.
- The publication on the Garda Síochána website of Use of Force statistics. Members welcomed the development and noted the capacity to build on the nature of the information published. The Chief Executive advised that feedback was being provided to the Garda Síochána in relation to terminology used in the report and further, that a link to the information would be created via the Policing Authority website.
- A meeting held with Dr Liz Aston, Director of the Scottish Institute for Policing Research, which had been attended by senior representatives of Garda management to discuss the benefits and possibilities of collaborative research, in particular a joint research bursary.

Members sought further information in relation to the Chief Executive's presentation to the Dublin City Joint Policing Committee (JPC) on 5 July. The Chief Executive advised that it had been a valuable opportunity to engage with JPC members on a range of matters in advance of the Authority's JPC event on 19 September, in particular in relation to community safety, future oversight structures and the Authority's programme of engagement with stakeholders. Members noted that the JPC event would be important in the context of future community safety partnerships and the envisaged role of the future Policing and Community Safety Authority in that regard.

Members considered a request for sanction for Garda staff that had been deferred from 30 June meeting, pending a presentation on the strategic workforce plan by the Acting Director, HR&PD on 27 July. Having considered the comprehensive presentation given, the Authority was satisfied to approve the Executive's consideration of a small number of high priority business cases. It was agreed that this decision would be communicated to the Commissioner in part b of the meeting.

Members considered the draft, half-year Assessment of Policing Performance 2022. A small number of suggestions for amendment were made and following discussion, the Authority was satisfied to approve the finalisation of the half-year assessment for publication by the Chief Executive, in consultation with the Chairperson.

Members discussed the correspondence report and the nature of engagement by members of the public, in particular vulnerable individuals, with Authority staff. The Chief Executive outlined the approach to call handling in these circumstance, including the handling of abusive calls and the mechanisms in place for supporting staff members. Members noted that training for staff in call handling was being sourced.

Members discussed correspondence relating to the welfare of Garda members and the supports deployed by the Garda Síochána for members attending traumatic incidents. Members requested that a copy of the Garda Síochána Health and Well-being Strategy would be re-circulated for consideration.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_110_04	Provide a link to GS Use of Force statistics via the Policing Authority web-site	ASAP	Chief Executive
A_110_05	Finalise and publish the half-year Assessment of Policing Performance 2022.	August	Chief Executive
A_110_06	Circulate a copy of the GS Health and Well-Being Strategy to Authority Members.	ASAP	Secretary

5. Committee updates

5.1. Garda Appointments Quality Assurance and Selection Governance Committee

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

5.2. Garda Organisation Development Committee

The Committee Chair advised that the scheduled July meeting had been deferred. Members were advised that a meeting had taken place with the Executive to discuss agendas for the remainder of the year and agree a schedule of revised meeting dates, including an additional meeting in October.

5.3. 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 19 July, in particular in relation to:

- Policing performance assessment: The Committee Chair advised that the late arrival of the Garda Quarterly Performance Report for Q2 had precipitated a discussion with Garda representatives on the timely receipt of information. Members were advised that current resourcing challenges in the Strategic Transformation Office would be likely to impact the timely receipt of the Q3 report. The Committee Chair advised that there had been engagement with Garda representatives on how the quarterly reports are used to inform the organisation’s work and decision-making and conveyed a number concerns expressed by the Committee in relation to the absence of data from the Public Attitudes Survey and the capability of the Garda Síochána to deliver such data in 2022.

Members noted that data for 2021 was scheduled to be published in late July. It was agreed that the matter would be raised with the Commissioner in part b of the meeting.

- Drugs and Drug Related Policing: Members noted that engagement on this agenda item had focused on the roles, responsibilities and links at national, regional and divisional level in relation to drugs and drugs-related policing. The Committee Chair advised that Garda representatives had been apprised of the lived experience in relation to policing in this area, as reported and detailed through the Authority’s programme of engagement with stakeholders and that the related issue of public confidence in the Garda’s Síochána’s policing response had been explored.
- Policing and Young People: The Committee Chair advised that there had been constructive engagement on the agenda item, including a consideration of the difficulties and challenges encountered by the Garda Síochána in dealing with young people together with a discussion on the most appropriate Garda strategic and operational response to policing in this area.

The Committee Chair conveyed the Committee’s ongoing concern in relation to the absence of data from the Public Attitudes Survey 2021 in circumstances where there is a high degree of reliance by the Garda organisation on the data as performance indicators against the plan. Members noted that capacity issues were leading to the delay in compiling the survey results and discussed the approach to their production by the Garda Síochána.

5.4 Audit and Risk Committee

The Committee Chair advised that an individual with requisite experience in the area of finance had been identified and had agreed to become a member of the Audit and Risk Committee. In this context, the Authority appointed Ms. Bernadette Orbinski-Burke as a member of the Committee. Members noted that arrangements would be made to provide formal induction for both new members of the Committee.

Members discussed the current vacancies on the PSP and OD Committees following the completion of terms of offices by both external members, in addition to the vacancy on the Authority precipitated by the resignation of Stephen Martin. Members also sought clarification in relation to the likely timeframe for the appointment by government of a Member to fill the vacant Authority position.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_110_07	Follow up with the Department of Justice revert in relation to the timeframe for the filling of the vacant Authority position.	ASAP	Chief Executive

6. Risk Register

Members considered the risk management report, provided in accordance with the Authority’s Risk Management Policy, noting that there had been no changes to the register since its comprehensive review in June.

7. Garda Síochána Appointments

Members considered a proposal to establish a panel for appointment to the rank of Chief Superintendent in the Garda Síochána, having regard to the report of the selection board for the competition, the candidate

order of merit, and the principles attaching to the communication of the competition results. Members noted the statistical information for publication in respect of the competition. Members also had regard to the position in respect of possible vacancies arising at the rank of Chief Superintendent to July 2023. Following discussion, the Authority was satisfied to approve the establishment of a panel of candidates for appointment to the rank of Chief Superintendent, as recommended.

Members considered a proposal to establish a panel for appointment to the rank of Superintendent in the Garda Síochána, having regard to the report of the selection board for the competition, the candidate order of merit, and the principles attaching to the communication of the competition results. Members noted the statistical information for publication in respect of the competition. Members also had regard to a number of matters in relation to the establishment and duration of the panel including possible vacancies arising at the rank of Superintendent to July 2023. Following discussion, the Authority was satisfied to approve the establishment of a panel of candidates for appointment to the rank of Superintendent for a period of 12 months and to include all candidates placed on the order of merit.

8. Garda Síochána Workforce Planning

Members discussed the presentation that had been provided by the Acting Executive Director HR & PD and the Chief Superintendent Human Resources on the Garda Síochána Workforce Plan. While noting that there were still areas requiring further exploration, in particular the links to available budget, the Authority was satisfied that the information provided had been sufficient to re-engage with the consideration of those priority business cases identified and proposed by the Garda Executive.

Members noted and supported the expressed need for an iterative workforce plan and the commitment given by the Acting Executive Director to provide the first workforce plan to the Authority for consideration at its September meeting and thereafter on a quarterly basis. In this regard, Members discussed a number of related themes for future engagement with the Garda senior leadership team.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_110_08	Submission of a comprehensive workforce plan	September 2022	Garda Síochána Acting ED for HR
A_110_09	To request receipt of an iterative workforce plan on a quarterly basis from the Garda Síochána	ASAP	Chief Executive

9. Policing, Security and Community Safety Bill

The Authority was apprised of the Executive's participation to date with the Policing Security and Community Safety Implementation Steering Group, convened by the Department of Justice, in addition to a number of on-going engagements with the Garda Síochána Inspectorate in relation to transition to the Policing and Community Safety Authority. Members noted feedback provided by the Executive on the Project Initiation Documents for each of the Implementation Group's eight project streams, in addition to an outline budgetary estimate of anticipated additional spend in 2023 specifically associated with transition to the PCSA. Members considered the most appropriate mechanisms for Authority engagement with the

various aspects associated with the transition. It was agreed that there would be merit in convening small bi-lateral working groups of the Authority and Executive, as required.

10. Review of invalid and unwarranted closure of CAD999 incidents

Members were provided with a briefing by Mr. Derek Penman in relation to the call recording sampling phase of the examination of the Garda Síochána review of the cancellation of CAD999 incidents. Members were given an overview of the terms of reference and methodology for this phase of the examination, together with an overview of the emerging findings and proposed next steps.

The Chairperson expressed his appreciation of the work undertaken to date and noted that the findings would be discussed with the Commissioner at the meeting in public on 29 September.

11. Preparation for meeting with the Garda Commissioner

Members discussed the agenda for the meeting and agreed the matters to be discussed with the Commissioner and his team.

12. Other Business

Arising from the Authority’s preparations for the meeting with the Garda Commissioner, it was agreed that correspondence should issue, as a matter for priority, to the Department of Justice in relation to the review of discipline regulations in the Garda Síochána and requesting a meeting to outline the Authority’s deep concerns in respect of several aspects of the current arrangements.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_110_10	Write to the Department of Justice, outlining Authority concerns regarding the GS discipline regulations and requesting an early meeting on the matter.	ASAP	Chief Executive

Documents for Noting by the Authority – May 2022

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_110_01	Garda Síochána Published Use of Force Statistics June 2022	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), Shawna Coxon (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Yvonne Cooke (Acting Executive Director), Paula Hilman (Assistant Commissioner), Patrick Clavin (Assistant Commissioner), Justin Kelly (Assistant Commissioner), Deirdre Morris (Principal Officer), Gráinne Shortall (Assistant Principal).

At the outset of the meeting, the Chairperson welcomed Assistant Commissioner Justin Kelly and conveyed the Authority's best wishes for success in his new role.

13. Recent conviction of a Garda member for coercive control

Arising from the recent conviction of a Garda member for coercive control, the Authority had a detailed, comprehensive and wide-ranging discussion with the Commissioner and his senior colleagues in relation to a number of general themes including:

- Clarification in respect of a number of matters that were the subject of media coverage.
- Plans in contemplation by the Commissioner to undertake a 'lessons learned' review; the range of matters that might come within its scope; and the potential impact of the review on processes, procedures and governance arrangements within the organisation.
- Current statutory and regulatory arrangements in place in relation to the discipline and dismissal of Garda members and the practical outworking, impacts and challenges of these arrangements.
- Current arrangements in relation to the self-reporting of protection orders by Garda members, the mechanisms for monitoring such reporting and for appropriate sharing of information with frontline supervisors, in addition to the experience in other jurisdictions.
- The impact, since its establishment, of the Anti-Corruption Unit on the culture of speaking out in the Garda Síochána.
- In-service vetting and related matters, including the appropriate allocation of Garda members to particular roles in the organisation and the Garda Síochána's human rights obligations to victims.

Following lengthy discussion, the Chairperson advised the Commissioner that the Authority would be writing to the Department of Justice expressing its deep concern in relation to the current Garda Síochána Discipline Regulations and requesting an early meeting on the matter.

It was also agreed that a number of the matters discussed would be progressed at the Authority meeting in public on 29 September.

14. Expressions of dissatisfaction in the Garda Síochána

As a number of matters pertaining to this agenda item had been discussed under item 13, there were no further matters for discussion.

15. Policing Plan 2022-Assessment of Performance at the half-year stage

Authority Members engaged with the Commissioner on his assessment of performance against the Policing Plan 2022. The Commissioner provided his assessment of key policing achievements in the year to date including in the areas of organised crime, human rights and anti-corruption and highlighted the extent of the roll-out of the Operating Model to date. Members were provided with an overview of key challenges to the organisation in the delivery of the plan, in particular in relation to the recruitment and retention of Garda personnel. Uncertainty in relation to a range of external economic and political factors including the war on Ukraine, the potential for economic crisis, societal behaviours post-COVID and the required policing response were also highlighted. From the perspective of organisational development, the Commissioner advised that the findings of the cultural audit had been given preliminary consideration by senior leadership and would need to be addressed.

Members sought the Commissioner's views in relation to the extent of public confidence and trust in the Garda Síochána, in particular in the context of the current absence of the Public Attitudes Survey results and having regard to the Authority's own outreach work. The Commissioner outlined a number of fora in this regard.

Members noted plans for publication, by the Garda Síochána, of its thematic report on Sexual, Domestic and Gender-based violence and requested a prior briefing.

16. Policing and Community presence post-COVID

Members engaged with the Commissioner on Garda presence in the community post-Covid and in particular in relation to engagement with children and young people in a range of settings and circumstances. In particular, the Authority sought the Commissioner's views on the extent of trust between children and young people and Garda members and the potential merit of developing an organisational strategy based on children and young people, in support of a cohesive organisational approach to policing this cohort.

While acknowledging the Authority's observations, the Commissioner outlined a number of measures and initiatives currently in place to provide an appropriate policing response and to ensure a multi-agency approach to children and young people. In particular the Commissioner highlighted the existence of the Criminal Justice Youth Strategy, work with TUSLA, continuing work with schools and awards programmes and the work of the Youth Diversion Bureau. Members were also apprised of consideration being given to enhancing the training to Garda recruits on children and young people and the most appropriate policing response. Members discussed with the Commissioner and his senior colleagues a range of other considerations in relation to children and young people, in particular in the context of human rights. It was agreed that it would be useful to provide Garda colleagues with an overview of themes arising from the Authority's recent series of stakeholder engagements.

No.	Action point	By Date	By Whom
A_110_11	Meet with Garda Síochána to provide an overview of themes emerging from recent stakeholder engagements.	ASAP	Chief Executive

17. Garda Síochána workforce planning

The Chairperson expressed the Authority's appreciation for the presentation by the Acting Executive Director HR&PD and the Chief Superintendent HR on 27 July and acknowledged the work undertaken in relation to the development of a workforce plan. The Chairperson highlighted a number of areas where further development of the workforce plan would be anticipated by the Authority, noting that a first iteration of the plan was scheduled for submission to the Authority in September.

The Commissioner was advised that on the basis of the information received, the Authority was satisfied for the Executive to re-engage with those priority business cases identified by the Garda Síochána.

18. Other Business

Members sought clarification from the Chief Administrative Officer in relation to correspondence received on the Garda Internal Audit Service audit of Travel and Subsistence Payments, Garda College. Members noted a number of matters requiring further consideration and assurance.

The Chairperson conveyed the Authority's best wishes to Assistant Commissioner David Sheahan on the occasion of his forthcoming retirement from the Garda Síochána.