



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 3 November 2022

Venue: 90 North King Street

Part A – Authority Meeting

Attendance

Authority: Moling Ryan (Acting Chairperson), Donal de Buitléir, Deborah Donnelly, Valerie Judge (items 6-15), Paul Mageean, Elaine Byrne, Shalom Binchy, Moling Ryan.

Apologies Bob Collins

Secretary: Aoife Clabby

Staff of the Authority: Helen Hall (Chief Executive), Cormac Keating, Margaret Tumelty, Sharon O'Brien (item 3-Appointments)

Garda Inspectorate Mark Toland, Chief Inspector (items 2-9)

At the outset of the meeting, the Chief Executive conveyed the Chairperson's apologies, due to illness. In accordance with the Authority's standing orders, the Members elected Dr Moling Ryan to act as Chairperson for the meeting.

1. Meeting of Members in Private

The Authority exercised its option to have a meeting in private, with the Chief Executive in attendance.

2. Chairperson's Opening Remarks

The Acting Chairperson noted the recent death of the wife of former Authority Member, Stephen Martin. The Authority recorded its sincere condolences to Mr. Martin and his family on his sad loss.

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 a number of pieces of correspondence issued and received.

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

Members considered the minutes of the meetings held on 28 July and 28/29 September. Having had regard to discussions at the September meeting and having further considered the matter, the Authority was satisfied that the particular minutes were both accurate and appropriate. Accordingly, both sets of minutes were 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. The Chief Executive advised that the Chairperson was planning to engage with the Commissioner in respect of a number of outstanding actions in advance of the 24 November meeting of the Authority. Members considered the status of a number of older actions on the Garda Síochána log and agreed that the status of a specified number of actions would be raised with the Commissioner in part b of the meeting.

3.3 Garda Síochána Appointments

Members were provided with the outcomes of the clearance process in respect of the appointment of a candidate to the rank of Chief Superintendent in the Garda Síochána. In light of the fact that the candidate is a member of the Police Service of Northern Ireland and Government approval for the appointment must be obtained, the Authority authorised the Secretary to request the Department of Justice to seek Government approval for this appointment.

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

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

Members considered and approved a request received from the Garda Síochána to appoint a candidate to the position of Principal Officer (PO) in the Garda Síochána as Head of Fleet Management.

Members considered and approved, in principle, a request received from the Garda Síochána to appoint a candidate from the Public Appointments Service PO panel, subject to further engagement with the Garda Síochána and the provision of additional information to support the request. Members noted that the appointment would require the sanction of the Departments of Justice and Public Expenditure and Reform. The Chief Executive advised that she would revert to the Authority on the matter on 24 November.

Members considered and approved the award of contract for the development of Competency Frameworks for the senior ranks in the Garda Síochána to the preferred supplier recommended by the procurement process.

No.	Action point	By Date	By Whom
A_113_01	Seek government approval to appoint a member of the PSNI to the rank of Chief Superintendent.	Immediate	Secretary
A_113_02	Notify the Commissioner of the appointment of candidates to the ranks of Chief Superintendent and Superintendent and notify the candidates of their appointment.	Immediate	Chief Executive
A_113_03	Notify the Commissioner of the appointment of a Head of Fleet Management and notify the candidate of their appointment.	Immediate	Chief Executive
A_113_04	Seek additional information from the GS in relation to PO HR&PD position and seek sanction of DoJ and DPER.	24 November	Chief Executive

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
	Revert to the Authority on 24 November in relation to the matter.		

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:

- Members noted the receipt of backdated copies of minutes of meetings of the Garda Síochána Senior Leadership Team. The Chief Executive apprised Members of a range of matters discussed at the meetings.
- Attendance by the Chief Executive and a member of the senior management team as observers at a meeting of the Garda Síochána CAD999 Review Team on 19 October, at which progress made in relation to the implementation of recommendations was discussed. Arising from discussions at the meeting and engagement with the Commissioner in public on the recommendations at 29 September meeting, Members were agreed on the fundamental need to develop a mechanism for independent call listening and incident audits by the Policing Authority, until the creation of the Policing and Community Safety Authority, as outlined in the recommendations. It was noted that this work would form part of the Authority's Business Plan for 2023. The Chief Executive also advised that the importance of the Authority's independent oversight of matters pertaining to the closure (including cancellation) of CAD999 incidents had been highlighted by the Department of Justice at a recent governance meeting. Members were provided with a high-level overview of the number of disciplinary cases arising from the closure (including cancellation) of CAD999 incidents.
- A meeting had been held with the Acting Executive Director, HR&PD and other Garda representatives on 28 October to discuss the status of the report of the Expert Review Group and the related Training, Learning and Development Strategy. The Chief Executive advised that work was ongoing to consider the recommendations made and that, pending further work, a draft of the Training, Learning and Development Strategy would be provided to the Authority by way of reference.
- A member of the senior team had attended remotely a Strategy and Performance meeting of the Association of Police and Crime Chief Executives (APACE). Members noted the changes occurring in relation to new reporting requirements on police productivity and crime reduction that are being introduced for police services in England and Wales.
- Members noted the range of matters that had been discussed at the governance meeting with the Department of Justice on 20 October and sought clarity in relation to the implementation plan for the Garda Inspectorate Custody Report, currently under development between the Department of Justice and the Garda Síochána. The Chief Executive advised that Departmental officials had committed to reverting on the matter and that she had also engaged with the Commissioner with regard to the plan.

Members considered the review undertaken of the Policing Authority Inaugural Research Bursary, as required by the Department of Public Expenditure and Reform, to assess the Bursary's effectiveness and efficiency. Members discussed a range of matters arising from the review and the conclusions drawn. In particular Members considered the scope and mechanisms to build research capacity within the organisation and to attract innovative research proposals. Members also noted the timeliness of the

review and its findings in the context of the development of a joint bursary scheme with the Garda Síochána.

At the conclusion of the agenda item, the Acting Chairperson invited the Chief Inspector to provide Members with an overview of the Inspectorate's current work programme. The Chief Inspector advised Members of the status of inspections ongoing, in addition to work underway to review the status of recommendations arising from previous inspections and plans for the development of a work programme for the organisation for 2023. Members engaged with the Chief Inspector in relation to the approach to the monitoring of the implementation of Inspectorate recommendations and the associated assessment criteria.

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 provided Members with an update in relation to the meeting of the Committee that had been held on 27 November. Members noted that updates had been provided at the meeting in relation to Garda Síochána Diversity Forum, the online reporting of hate crime, suspensions from the Garda Síochána and the Code of Ethics Effectiveness Review. The Committee Chair advised that there had been engagement with the Garda Síochána in relation to Policing Plan performance with a particular focus on the workforce plan and ICT. The Committee Chair also highlighted discussions that had taken place in relation to Garda complaints, highlighting the complexity of the various routes for complaints handling and advising that there was an absence of clarity regarding the extent to which complaints patterns or trends are being monitored by the Garda Síochána. Members noted that there had been engagement with Garda representatives in relation to the findings of the recent Culture Audit, in particular in relation to fatigue among Garda members.

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 18 October. The Committee Chair advised that there had been three key areas of focus at the meeting, in particular:

- Policing performance assessment: The Committee Chair highlighted a number of key achievements by the Garda Síochána in quarter three and discussions that had taken place with Garda representatives in that regard. Members noted that areas such as economic and cybercrime were starting to see the impact of an increase in resources. Member also noted that the Committee had discussed with Garda representatives the impact of the current economic situation on crime and crime trends, in addition to the impact on communities of organised and serious crime. The Committee Chair advised that the continued reliance on the Public Attitudes Survey as a measure of Policing Performance success was highlighted as a matter of concern, but that other measures were being contemplated by the Garda Síochána.
- Policing Plan 2023: Members were advised that Committee had considered the draft Policing Plan for 2023 and was of the view that further work was required on the Policing Plan for 2023, in particular in relation to linkages across strategic priorities, the development of appropriate

milestones, the extent to which the key enablers of the plan have the capacity to support its delivery and accountability for the delivery of the plan, in particular in relation to cross-cutting themes. .

- Garda Síochána Reserves: The Committee Chair advised that there had been constructive engagement on this agenda item with a particular focus on where responsibility and accountability for the delivery of the Garda Reserve Strategy lay within the Garda Síochána. Members noted that the Committee’s concerns in this regard had been conveyed to Garda representatives.

The Committee Chair advised that, arising from the resignation of Authority Members Stephen Martin, consideration had been given to the co-opting of a person with policing expertise to serve as a member of the PSP Committee. The Committee Chair advised that she had spoken with Ms. Gillian Imery, former Chief Inspector of Constabulary in Scotland who had expressed an interest in being considered for membership of the Committee. The Committee Chair expressed her confidence in the valuable addition that Ms. Imery would bring to the Committee and recommended that she be co-opted to the PSP Committee. The Authority was satisfied to approve the recommendation. The Chief Executive advised that a letter of appointment would issue to Ms Imery at an early date.

Members discussed whether there would be merit in co-opting an additional external member to the Organisation Development Committee, following the resignation of Ms Melanie Pine. The OD Committee Chair agreed to reflect further on the matter.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_113_05	Issue a letter of appointment to the Authority’s PSP Committee to Ms. Gillian Imery	ASAP	Chief Executive.

5.4 Audit and Risk Committee

The Committee Chair provided Members with an update in relation to the meeting of the Committee that had been held on 24 October, noting that it was the first meeting involving the two new members of the Committee. Members were apprised of a number of issues addressed including:

- Timelines for the review of Board Effectiveness 2022, as required by the Code of Practice for the Governance of State Bodies. Members noted that the review findings would be presented to the Audit and Risk Committee at its first meeting in 2023
- Presentation by the internal audit provider of the draft report arising from the audit on Authority compliance with the Code of Practice for the Governance of State Bodies. Members were advised that there were a number of minor recommendations in the audit findings.
- Presentation of the Audit Completion Memorandum for the Policing Authority the Senior Audit, Comptroller and Auditor General. The Committee Chair advised that there was no management letter issued in relation to the 2021 appropriation and commended the work of the Executive in this regard.
- An update on financial expenditure in the year to date, in addition to the status of prompt payments.
- A consideration of the risk management report and the Authority’s Risk Register. The Committee Chair advised that no new risks and no changes to risk profiles were proposed, arising from the Committee’s discussions.

The Chief Executive advised that the Health and Safety audit had been undertaken and that the audit was likely to highlight a number of matters requiring prompt attention. A draft is scheduled for consideration by the Audit and Risk Committee at its December meeting.

6. Policing, Security and Community Safety Bill

Members noted correspondence that had issued to the Department of Justice on the 7 October in response to a request for observations on the draft Policing, Security and Community Safety Bill. The Chief Executive advised that a meeting had taken place with Department officials to discuss the Authority’s submission in more detail. Members sought a small number of clarifications in relation to the matters discussed. Members were apprised of Executive participation on a number of various project directed towards the implementation of the Bill and noted the proposed date for the Bill’s publication in November.

7. Policing Plan 2023

The Authority considered a range of documents in support of its consideration of the draft Policing Plan 2023 and had regard to earlier discussions that had taken place in relation to the plan under item 5.3. It was agreed that the plan should act as a critical tool in enabling the Garda Síochána to clearly set out its desired focus to the public, various agencies and stakeholders. However, Members concluded that further work was required to address a number of shortcomings in the plan. Having agreed a range of matters for engagement with the Commissioner, Members discussed the next steps towards the plan’s approval.

8. 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.

9. 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.

Other Business

Members discussed data recently published in the media in relation to levels of recorded crime by Garda station in 2021. The Chief Executive advised that the matter was scheduled for discussion at the PSP Committee meeting in December and that the data published would be drawn upon in support of engagement with Garda representatives. It was agreed that data of this nature would also be instructive in feeding into resource deployment models.

Documents for Noting by the Authority – November 2022

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_113_01	Report to the Minister for Justice on the Examination of the Unwarranted Cancellation or Closure of CAD999 calls.	For noting
D_113_02	Policing Insight: Interview with Deputy Commissioner Shawna Coxon on Police Culture	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), Anne Marie McMahon (Deputy Commissioner), Kate Mulkerrins (Executive Director), Paul Cleary (Assistant Commissioner), Angela Willis (Assistant Commissioner; item 10); Deirdre Morris (Principal Officer; items 11 & 14), Yvonne Cooke (Acting Executive Director; item 11), Denis Ferry (Chief Superintendent, item 11); Jonathan Roberts (Assistant Commissioner; items 11-15); Gráinne Shortall (Assistant Principal).

At the outset of the meeting, the Acting Chairperson acknowledged the significant contribution of Garda members in dealing with the aftermath of the explosion that had taken place in Creeslough Co. Donegal, which had results in the tragic loss of lives. He conveyed the Authority's sincere appreciation and admiration for the dedicated, effective and sensitive service provided by Garda members to that community in extraordinarily difficult circumstances.

The Acting Chairperson updated the Commissioner in relation to a number of appointments that had been made by the Authority and matters arising.

10. Policing Performance

a) Policing Plan 2023

Members engaged with the Commissioner and his senior colleagues on a number of matters relating to the development of the Policing Plan 2023, in particular in relation to the links from the organisation's strategy statement to the targets for 2023; the associated milestones to denote their achievement; and the extent to which the affordability and achievability of the plan had been assessed and tested, with reference to the organisation's enabling functions of HR, ICT and finance. The Commissioner outlined the manner in which the consultation process for the plan's development had engaged the enabling functions to ensure clarity in relation to its deliverability. Members highlighted a number of apparent gaps in the draft plan, having regard to particular areas of work and follow-through from the 2022 Policing Plan. Members discussed with the Commissioner and his colleagues work being undertaken to link the national policing plan to policing plans at divisional level and noted that a number of targets from the draft 2023 plan had been replicated to the divisions. Members briefly discussed the mechanisms for measurement of the plan's success in 2023. At the conclusion of discussions, it was agreed that work to progress the draft plan further would be undertaken at Executive level with Garda representatives.

b) Community safety in large urban settings

Members engaged with the Commissioner in relation to a number of themes relating to community safety in large urban areas including the Garda Síochána's role, sustainability of work undertaken in such settings and associated resourcing requirements and their impact on other areas of policing.

The Commissioner referenced the establishment of Operation Citizen, which commenced in Dublin City Centre in October 2021 and was focussed on providing reassurance in relation to people being in the city, and targeting anti-social behaviour, public order, assaults and high volume crimes. Members were provided with an overview of evaluation that had been undertaken and were advised that, arising from

this, Operation Citizen had been extended for a further year. The Commissioner outlined the extent of resources attached to Operation Citizen, including the establishment of a designated Garda station on O’Connell Street. The Commissioner advised that he would correspond with the Authority in relation to its establishment.

The Commissioner and his senior colleagues emphasised the importance of working with partners, both formally and informally, to address the multifactorial challenges to community safety and referenced the number of agencies with which it was engaged in this regard.

Members noted that Dublin had recently been awarded Purple Flag status, an international accreditation for excellence in the evening and night-time economy.

In concluding discussions on the agenda item, it was agreed that there would be merit in considering the outcomes of the evaluation of Operation Citizen at a meeting in public with the Commissioner.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_113_06	Commissioner to correspond with the Authority in relation to the designation of a Garda station on O’Connell Street, Dublin 1.	ASAP	Garda Síochána
A_113_07	Engage with the Commissioner in relation to the evaluation of Operation Citizen at a future public meeting	ASAP	Chief Executive

11. Workforce planning and resourcing

At the outset of the agenda item, the Acting Chairperson acknowledged receipt of the Workforce Plan Report, noting that the document received represented significant progress towards the development of a strategic workforce plan for the organisation. Members engaged with the Commissioner and his senior colleagues in relation to the development of a strategic, holistic view of the resource demand requirements for the organisation and how they might be addressed. Members were provided with a detailed overview of the next steps in the development of the strategic workforce plan for the organisation, with particular emphasis on long-term scenario planning to inform growth areas in the organisation in the short-medium term and work with senior leaders across the organisation to forecast resource needs. In this regard, the critical importance of a data driven approach was highlighted, in order to develop and submit business cases for additional resources in a considered and cohesive manner.

Members sought an assessment of how soon the likely number of business cases to be submitted to the Authority in 2023 would be known, in addition to an overview of the process for receipt and assessment of business cases across the organisation. Garda representatives highlighted key areas for which business cases were likely to be submitted and how this linked to the draft Policing Plan for 2023. Members discussed with the Commissioner the complex statutory approval process for additional resources. The Commissioner proposed that, in support of the approach being developed, a HR plan would be provided as an appendix to the 2023 Policing Plan. The Authority welcomed the proposal and agreed that it would provide a useful context for the assessment of business cases, once received.

Members discussed current attrition rates and resignation rates with the Commissioner and his senior colleagues, including any assessment of trends or measures being taken to retain and develop Garda personnel. Members were advised that the current attrition rate was reasonably low in comparison to other police services. Members were apprised of a number of measures being introduced to achieve a greater understanding of barriers to effective working in the organisation and how they might be addressed, in addition to understanding reasons why people leave the organisation.

Consideration was also given to the costing model underpinning the workforce plan report and the methodology deployed.

No.	Action point	By Date	By Whom
A_113_08	Policing Plan 2023 to include a HR plan as an appendix, setting out staffing requirements for 2023.	ASAP	Garda Síochána

12. Custody: update on response to the Garda Inspectorate Custody Report and Recommendations

At the outset of the agenda item, Members noted that the Garda Inspectorate Custody Report and recommendation had been the subject of detailed engagement at the meeting in public on 26 May and asked the Commissioner to provide an update in relation to the status of the associated implementation plan. Members expressed some concern in relation to the time that had elapsed since the report's provision to the Garda Síochána and the development of an implementation plan. The Commissioner emphasised the importance of human rights compliance in the provision of custody services and advised that he had directed a review of the initial implementation plan. Consequently, further consideration had been required in relation to the recommendations, including the feasibility of, and timeframe for, their delivery and this had impacted on the timeframe for the plan's finalisation. Consequently, Members were advised that there were some recommendations that might require rejection or partial acceptance. Members were advised that an implementation plan was scheduled for consideration by the Commissioner in the coming weeks and would be provided to the Authority thereafter. The Authority re-iterated its view that what was of primary importance was the implementation of those recommendations that go to the heart of a human rights led approach to custody provision and management.

Members were apprised of progress that had been made in relation to a number of the recommendations, including in relation to cell refurbishment and an overview of the extent of work undertaken to date and work remaining to be done in that regard was provided. Authority Members sought further information in relation to how the standard of safety of custody cells is assessed, having regard to the standards set by the Garda Síochána as part of its cell refurbishment programme. Following engagement on this matter, it was agreed that the Commissioner would revert on the matter. Garda representatives also outlined developments in relation to communications material for people in custody, the management of custody under the new operating model and the consolidation of the organisation's custody policies and procedures, which was highlighted as being of particular importance.

Members engaged with the Commissioner and his colleagues on the extent of the organisation's commitment to the development of custody strategy and sought clarification on how the senior leadership currently assures itself in relation to a consistent approach to custody management. Members noted the view expressed that custody was well managed across the organisation and was subject to constant review. Members discussed with the Commissioner the extent of engagement with GSOC in respect of referrals under section 102 of the Garda Síochána Act, where instances of death or serious harm in custody had occurred and noted that a small number of policy changes had been recommended. The Commissioner noted that correspondence to the Authority responding to a number of information requests in relation to custody was outstanding and would be provided at an early date.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_113_09	Commissioner to revert to the Authority with further information on how the standard of safety of custody cells is assessed.	ASAP	Garda Síochána

13. DNA samples: progress update on the status of recommendations contained in the Garda Síochána Report, September 2020

Members noted that a progress report on the status of recommendations was awaited and that the matter was scheduled for engagement in public on 24 November. The Commissioner confirmed that the progress report would be provided to the Authority in advance of the meeting.

14. Internal and external recommendations for change in the Garda Síochána; assurance mechanisms

Members engaged with the Commissioner and his senior colleagues in relation to assurance mechanisms in place for determining the extent to which recommendations emanating from internal and external reports have been implemented and the validation processes in place to test the accuracy of the reported achievement of such recommendations. Members noted the development of a recommendations tracker by the Garda Síochána as a central repository and provided observations in relation to the nature of information that would be helpful to the Authority from an oversight perspective and in light of the Authority's statutory role. The Authority was advised that while the absence of resources was impacting progress on the tracker's further development and utilisation, additional work was envisaged in the area of aggregating recommendations on a thematic basis and in conducting an analysis of duplicated recommendations or recommendations rendered invalid by the passage of time or by having been superseded. The Commissioner highlighted the primary function of the tracker as a repository, with internal audit, performance assurance and designated business owners providing implementation assurance, acknowledging that this was a long-term goal for the organisation and noting that there was an operational aspect to a number of the recommendations.

15. Other Matters

a) Retention of personal information by the Garda Síochána

Members had a detailed engagement with the Commissioner on the organisation's practice of retaining certain data in relation to individuals. The Commissioner outlined the manner in which information is provided to law enforcement agencies by the National Centre for Missing and Exploited Children, the process for the determination of an offence and the manner in which retained information is managed and stored. The Commissioner clarified that information only transferred to PULSE in the case of a criminal investigation.

Members discussed with the Commissioner the rationale for the retention of data of this nature, from an operational perspective and how this was balanced with the rights of individuals in particular in circumstances where information might not lead to a criminal investigation. The Commissioner advised that external legal advice is being discussed in relation to the matters discussed and subsequent to that, it would be the subject of further review. He agreed that he would revert to the Authority subsequent to this consideration.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_113_10	Commissioner to revert to the Authority in relation to the GS practice of retaining personal information of individuals, following review.	ASAP	Garda Síochána

b) Proposed new licensing laws

The Authority sought the Commissioner’s assessment of the impact of proposed changes to the licensing laws in Ireland. The Commissioner advised that while the organisation was working on the development of a composite response to the proposed changes, there were additional considerations beyond policing, including matters such as transport, emergency and health services. The Commissioner further noted that in formulating its response, consideration would be given to the operation of extended licensing laws in cities comparable to Dublin.

c) Outstanding Garda Action

Members highlighted a number of Garda action that were outstanding for a prolonged period of time and requested that a response to a specified number of actions would be provided at the earliest opportunity.