



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 22/23 February 2023

Venue: Richmond Education and Event Centre Dublin 7

Part A – Authority Meeting

Attendance

Authority: Bob Collins, Elaine Byrne, Donal de Buitleir, Deborah Donnelly, Valerie Judge (items 5-16), Paul Mageean, Shalom Binchy (items 5-16), Moling Ryan.

Secretary: Aoife Clabby

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

Garda Inspectorate Mark Toland (Chief Inspector items 5-10)

1. Meeting of Members in Private

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

2. Chairperson's Opening Remarks

The meeting agenda was approved as drafted. Authority Member Paul Mageean advised Members that he was personally acquainted with the principal of the consultancy firm being proposed for the award of tender for the provision of support to transition to the PCSA. The Authority was satisfied that this did not constitute a conflict of interest but agreed to note the matter for good order. Members noted that correspondence had issued to the Commissioner in relation to the Garda Síochána Performance Report for Quarter 4 and had again been raised with him in a subsequent meeting.

The Chairperson advised that there had been no further developments in relation to the appointment of an Authority member to fill the current vacancy.

The Chairperson recorded his thanks to the Members for their one to one engagements with him in the preceding weeks and advised that he would prepare a summary of the issues raised for consideration at the March meeting of the Authority.

The Chairperson advised that Paul Mageean would be stepping down from his role as Chairperson of the Organisation Development (OD) Committee and would be participating as a member of the Policing Strategy and Performance Committee. The Chairperson recorded his thanks to Paul for chairing the Committee. The Chairperson further advised that Donal de Buitleir had agreed to take on the role of OD Chair and that there would be further engagement with the Executive in relation to the next meeting of the Committee.

No.	Action point	By Date	By Whom
A_118_01	Chairperson to circulate a summary of issues raised by Members during one to one meetings, for consideration at 30 March meeting.	ASAP	Chairperson

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

The minutes of the meeting held on 26 January 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 were advised that an Authority action to address matters relating to media coverage of past policing activities with the Commissioner in public had been closed in error and was now re-opened. It was agreed that the matter would be raised with the Commissioner. Members were further advised that a copy of the internal audit of the Garda Youth Diversion Programme had been uploaded as a document for noting and was being reviewed by the Executive in support of the meetings in public in April and June.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_118_02	Advise the Commissioner that matters relating to media coverage of past policing activity will be tabled for discussion at a meeting in public.	ASAP	Chairperson

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, including in relation to:

- The commencement of a series of meetings with the Chief Superintendents in each of the nineteen Divisions that have not or will not be visited by the full Authority in 2022 or 2023. The Chief Executive advised that there had been very positive engagement to date and it was anticipated that the meetings would conclude by the end of April.
- The ongoing receipt of minutes of meetings of the Garda Senior Leadership Team. The Chief Executive advised that the minutes provided a helpful overview of matters for discussion. Copies of some of the minutes received were provided for Members' information.
- Matters related to CAD999 and the review undertaken by Mr. Derek Penman. Members noted that senior Executive staff had continued to attend the GS implementation group meetings to understand the progress being made in relation to the recommendations contained in Mr. Penman's report. Members agreed that a further review of the implementation of recommendations by Mr Penman, in the course of 2023, would be valuable, in particular having regard to the introduction of Garda SAFE to replace the existing Computer Aided Dispatch system.
- Initial analysis undertaken by the Executive of the data emerging from the second Garda Síochána Culture Audit. A 'heat map', enabling relative comparison between divisions, units and bureaux in relation to perceptions of wellness, organisational tone, supervisory leadership and motivation, values and ethics, was provided for Members' information.
- The proposed publication of the Authority report, 'What We Heard 2022'. Members were advised that a press release would accompany the report's publication.
- The status of recruitment competitions for the senior ranks in the Garda Síochána. Members were apprised of an administrative issue that had arisen in relation to the Chief Superintendent competition and noted the measures taken to resolve the issue efficiently and effectively.

- The statutory approval process for Garda staff members. The Chief Executive advised that a high level meeting between the Garda Síochána and the three approving bodies, the Authority, the Department of Justice and the Department of Public Expenditure and Reform, had taken place on 7 January, with a view to the collective consideration and approval of business cases submitted by the Garda Síochána. While noting potential challenges, the Chief Executive emphasised her continued support for the mechanism being trialled in seeking to enhance the effective working of the approval process.
- The GRECO Fifth Round Evaluation Report of Ireland on 16 February and the recommendations regarding the Garda Síochána. Members noted the recommendation made in relation to the Code of Ethics and agreed that there may be merit in considering whether some preliminary work should be done by the Authority in relation to the Code over the course of 2023, in the context of the organisation's business plan.

Members considered the draft Annual Report of the Policing Authority 2022. It was agreed that any observations would be provided bilaterally to the Executive. Noting the statutory deadline for submission of the Annual Report to the Minister, Members agreed that a final draft of the report would be circulated for consideration and decision by email protocol, in accordance with the Authority's Standing Orders.

Members considered a paper on the Garda Síochána (Recording Devices) Bill 2022, providing an outline of the current version of the Bill, together with key points of note from the second stage debate on the Bill in the Dáil. Members noted that a provision for facial recognition technology (FRT) was not now in the Bill, but that it was intended to bring an amendment in respect of FRT at Committee stage. Members were also advised that a comprehensive report on the use of FRT, prepared in late 2022, was yet to be tabled at Cabinet. Members noted that correspondence had been received from the Department of Justice, advising that the report would be shared, once tabled. Members considered a number of high level observations and key areas of consideration in relation to the Bill. Following discussion a small number of areas were agreed for further consideration.

Members considered a report on the experiences of victims of crime with the Garda Síochána. The Authority noted the process of engagement with the research company commissioned to undertake the research and were apprised of a number of challenges arising. Following discussion, the Authority was not satisfied that the report produced was of a requisite standard to merit publication, having regard to the terms of the contract entered into with the company. Accordingly, the Authority was not satisfied to publish the report, as proposed. It was agreed that the Executive would engage with the research company to apprise them of the Authority's decision and conclude contractual matters, as appropriate.

Members considered and approved a proposal to re-appoint the Chairperson and Members of the Garda Síochána Audit Committee until 31 March 2024 or until the commencement of the Policing, Security and Community Safety Bill, whichever is the earlier.

The Chief Executive apprised Members of a number of matters in relation to aviation security, arising from correspondence received from the Commissioner and site visits by the Executive, and in particular in relation to potential misperceptions among the public regarding the role of Airport Police vis a vis that of the Garda Síochána. It was agreed that the matters described would be the subject of engagement with the Commissioner both in private and public.

Members considered the Authority’s statutory function under section 46(1) of the Garda Síochána Act that it may direct the form of the Garda Síochána Annual Report on policing services, noting previous directions provided and the Authority’s observations to the Minister for Justice in respect of the Annual Report 2021. Following discussion, Although hesitant to be over-prescriptive in respect of the organisation’s Annual Report, the Authority was satisfied that a direction should issue for the Annual Report 2022 analogous to that provided in 2021, specifically urging the provision of more comprehensive financial reporting to reflect the scale of the public moneys provided to the Garda Síochána, aligned to the policing priorities set.

Members considered and approved a proposal for the appointment of Ms. Geraldine Smith to the Authority’s Audit and Risk Committee.

Members considered a response received from the Commissioner in relation to deaths and serious harm in custody and an Authority request for information regarding a number of matters including referrals, reporting mechanisms and existing processes and procedures. Members welcomed the information received and agreed that there would be merit adopting an approach to the publication of analytical data relating to deaths and serious harm in custody, similar to that pertaining to Use of Force statistics. It was agreed that correspondence on the matter would issue to the Commissioner.

Members considered and approved a proposal to hold the October meeting of the Authority in public, with the September meeting to take place in private. Members also approved a proposal to hold the public meetings across the year, in community based venues, subject to their availability and the feasibility of their use.

No.	Action point	By Date	By Whom
A_118_03	Circulate a final draft of the Policing Authority Annual Report 2022 for consideration and decision by email protocol prior to submission to the Minister for Justice on 31 March.	ASAP	Chief Executive
A_118_04	Engage with research company to apprise them of the Authority decision not to publish research report on the experiences of victims of crime and conclude contractual matters, as appropriate.	ASAP	Chief Executive
A_118_05	Notify Chairperson and Members of the Garda Síochána Audit Committee of their re-appointment until 31 March 2024 or the commencement of the PSCS Bill, whichever is the earlier.	ASAP	Chief Executive
A_118_06	Notify Geraldine Smith of her appointment to the Authority Audit and Risk Committee.	ASAP	Secretary
A_118_07	Write to the Commissioner asking that consideration be given to the publication of analytical data on deaths and serious harm in custody.	ASAP	Chief Executive.

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

Members were provided with a verbal update in relation to a meeting of the Committee that had taken place on 8 February, in particular in relation to:

Policing Performance Assessment: The Committee Chair advised that the key issue addressed under this agenda item concerned the assessment of policing performance against the 2023 Policing Plan as provided by the Garda Síochána in the Quarter 4 Performance Report. The Committee engaged with the Garda representatives on the apparent discrepancy between the positive RAG status given relating to the achievement of or progress made against relevant Policing Plan targets and initiatives and the stated resourcing deficit also attributed to these areas of the Plan. The resourcing deficits were in each case identified in the report as significant but yet the assessment of performance appeared to suggest that the deficit had no impact on the achievement of targets, which were in the main given a 'green' status. The Committee requested that the Garda Síochána reflect on the RAG status given in light of the issues with resourcing.

Discipline: The Committee Chair advised that the Authority had been provided with a copy of correspondence sent by the Garda Commissioner to the Minister concerning a number of issues regarding the Garda discipline processes and procedures. These were discussed at Committee with the Garda representatives. The Committee also discussed briefly two steering groups recently established by the Garda Síochána relating to Professional Conduct and Lessons Learned which aimed to highlight and raise awareness of standards of conduct within the organisation. The introduction of random drug testing was also discussed at Committee, specifically the state of readiness within the organisation to implement a testing regime. Garda representatives advised the Committee that work was ongoing on the policy approach and on guidance around the fair and consistent application of testing. It was stated that this policy will be finalised once the necessary regulations are in place. The Committee also engaged with the Garda representatives on the topic of protection and safety orders and the obligation on Gardaí against whom an order had been issued to disclose this to the organisation. The Garda Síochána is currently reviewing the number of such orders that are in place and that have been disclosed.

5.3. Policing Performance and Strategy Committee

Members were provided with a verbal update in relation to a meeting of the Committee that had taken place on 7 February, in particular in relation to:

Policing Performance Assessment: The Committee Chair advised that the Committee had a focused discussion on the approach taken by the Garda Síochána to the assessment of performance in 2022 as it related to matters relevant to the Committee. Similar to the issues raised at the ODC Committee, the PSP Committee had engaged with the Garda representatives on the apparent inconsistencies in the approach taken to assessment as evidenced in the RAG status given to targets in the Plan. The Committee Chair advised that the implication that identified resource deficits had resulted in minimal impact on performance was questioned and discussed with Garda representatives who had agreed to consider the observations made and review the assessment in light of these observations. A number of specific areas

of performance were discussed at the Committee, these included the Community Policing Framework, Cyber crime and Victim call backs.

Economic Crime and Hamilton Recommendations: The Committee Chair advised that there has been a lack of progress in the implementation of the recommendations and the Authority has yet to receive a resourcing plan for consideration and, if appropriate, approval, as required under the recommendations.

Outcomes Project: The Committee Chair advised that the Members had sought feedback on the project, specifically how the outcomes of the pilot might assist in determining future approaches to investigations. The Garda representatives informed the Committee that there are figures available from the work undertaken to date and that these are being considered at the Garda Executive. A key area of focus for the Committee is to obtain an understanding from the Garda Síochána of the impact of the work undertaken and how it will inform future developments in the policing service provided to victims of crime.

5.4. Audit and Risk Committee

Members were provided with a verbal update in relation to a meeting of the Committee that had taken place on 2 February. The Committee Chair advised that the Internal Audit Plan for 2023 was discussed and agreed. The Committee Chair also advised that the internal audit report on the Authority's Appointments Process for senior Garda ranks was received and considered by the Committee noting that the review of the appointments process had received the highest rating of assurance possible from the auditors.

6. Garda Síochána Appointments

Members were provided with the outcomes of the clearance process in respect of the appointment of five 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 positions they are assigned by the Garda Commissioner.

Members discussed the disproportionately low number of women at the rank of Superintendent and the various challenges in relation to attracting women candidates for competitions for this rank.

No.	Action point	By Date	By Whom
A_118_08	Notify the Commissioner of the appointment of five candidates to the rank of Superintendent in the Garda Síochána and notify the candidates of their appointment.	Immediate	Chief Executive
A_118_09	Request information from Executive Director of Human Resources on the assignment of Superintendents and Chief Superintendents.	Immediate	Chief Executive

7. Risk Management

Members considered the monthly risk management report, provided in accordance with the Authority's Risk Management Policy, noting that there had been no significant changes to the Risk Register since the last Authority meeting.

8. Garda Resources

The Chief Executive advised that the Garda Síochána Work Force Plan is expected to be received in time for the March Authority meeting. The Authority discussed the impact of the internal capacity within the Garda Síochána to service the recruitment demands of the organisations and noted the intention to use an external agency to provide additional capacity. The Authority discussed its preference that the statutory letter to the Minister on the adequacy of Garda resources would issue earlier this year, preferably in April to ensure its contribution to the estimates process for 2024. Members noted the presentation slides received as a late paper relating to the HR Appendix to the 2023 Policing Plan and that the acting Executive Director of HRPD would talk through them during the meeting in the afternoon.

9. Policing, Security and Community Safety Bill-Implementation Update

Members noted the recent publication and Dáil debate relating to the draft bill. A number of areas were briefly discussed and it was agreed that following further review a submission setting out a number of further observations would be submitted to the Department of Justice.

In terms of the transition to the PCSA, following a competitive tender process, PA Consulting was proposed and approved as the consultancy company chosen to support the Authority and Garda Síochána Inspectorate in effecting the transition.

No.	Action Point	By date	By whom
A_118_10	Submission setting out any further observations on the draft bill to be made to the Department of Justice	Immediate	Chief Executive

10. 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.

Documents for Noting by the Authority – February 2023

The following documents were noted by the Authority.

<i>Document</i>		<i>Action Required</i>
D_118_01	An Garda Síochána Driving Official Vehicles Strategy 2022-2025	For noting
D_118_02	Northern Ireland Policing Board Human Rights Annual Report 2021/2022	For noting
D_118_03	Garda Internal Audit report: Divisional Approval of Youth Referrals	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: Bob Collins (Chairperson), Moling Ryan, Shalom Binchy, Donal de Buitléir, Valerie Judge, Paul Mageean, Margaret Tumelty, Cormac Keating, Aoife Clabby (Secretary).

Apologies: Elaine Byrne, Helen Hall (Chief Executive),

Garda Síochána: Drew Harris (Garda Commissioner), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), Yvonne Cooke (Acting Executive Director), Gráinne Shortall (Assistant Principal).

At the outset of the meeting, the Chairperson expressed the Authority's horror at the events that had taken place in Omagh on the previous evening, involving the callous shooting and serious injury of Detective Chief Inspector John Caldwell of the Police Service of Northern Ireland (PSNI).

The Commissioner outlined the nature of the support provided by the Garda Síochána to the PSNI since the incident had occurred.

11. Disciplinary Matters

Members engaged with the Commissioner on a number of matters relating to discipline within the Garda Síochána. The Commissioner outlined the organisation's approach to the introduction of drug testing, referencing the extensive consultation undertaken. In response to Members' questions, the Commissioner clarified that work is ongoing on policy and guidance in terms of the roll out of the testing regime. These documents will be finalised once the relevant regulations are provided by the Department of Justice. The challenge of ensuring consistency in approach and implementation was discussed and the Garda representatives highlighted the intention that education on the policy and guidance would be undertaken before the end of the year. However this timeframe is premised on the issuance of the regulations from the Department of Justice.

The Chairperson acknowledged receipt of the Commissioner's correspondence to the Department relating to challenges arising within the current disciplinary process and there was a brief discussion on a number of the key issues arising.

12. Garda Resource

Members engaged with the Commissioner in relation to Garda resources in terms of the numbers of personnel and funding. The Garda representatives referred to the upcoming recruitment campaign and the numbers of students expected to enter the college in 2023. In the context of public commentary on the numbers of Gardaí entering and resigning from the service, the impact of the pandemic on the pace of recruitment over that time, and the resulting shortfall in attestations relative to what had been intended, in addition to delays in launching a Garda Trainee competition and time required to get this process up and running was discussed. With regard to the number of Gardaí leaving the service, it was noted that the levels of attrition are lower than in other policing services, however Exit Interviews and a Retention Strategy will be implemented. In light of the Authority's statutory function to provide advice to the

Minister on the adequacy of Garda resources, the Commissioner was asked to provide information on the priority areas for investment to inform the Authority's consideration.

No.	Action Point	By date	By whom
A_118_11	Commissioner to reflect and revert to Authority on the resourcing priorities for 2023	ASAP	Secretary

Other Business

There was a brief discussion regarding the use of drones at the airport and the policing response.

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

Attendance

Authority and Executive: Bob Collins (Chairperson), Helen Hall (Chief Executive), Elaine Byrne, Deborah Donnelly, Moling Ryan, Valerie Judge, Paul Mageean, Donal de Buitleur, Shalom Binchy.

Garda Síochána: Drew Harris (Garda Commissioner), Anne Marie McMahon (Deputy Commissioner), Shawna Coxon (Deputy Commissioner), Paula Hilman (Assistant Commissioner), Justin Kelly (Assistant Commissioner), Angela Willis (Assistant Commissioner), Eimear Bourke (Executive Director), Andrew McLindon (Director), Gráinne Shortall (Assistant Principal).

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>

At the outset of the meeting, the Chairperson reiterated his condemnation of the serious attack on DCI Caldwell and invited the Commissioner to make a number of opening remarks in relation to recent incidents including the shooting of Detective Chief Inspector John Caldwell and a number of assaults on Gardaí.

The following matters were then discussed during the meeting:

Item Number	Agenda Item	Principal matters discussed
13	Quality of serious crime investigation)	<p>a. Resources, capacity and capability</p> <ul style="list-style-type: none"> • Engagement on changes in the type and prevalence of crime. • Discussion in relation to the significant changes in fraud and cyber enabled crime. • Consideration of the contribution of the Operating Model to the standardisation of approach to the investigation of crime. <p>b. DNA and Homicide Reviews-status of implementation of recommendations</p> <ul style="list-style-type: none"> • Engagement on the progress made in the implementation of recommendations relating to DNA and the systems now in place to mitigate the risks previously identified in relation to the taking, storage and onward transmission of DNA samples. • Confirmation that dip sampling processes are in place to give assurance as to the robustness of the governance processes now in place around DNA samples. • Discussion in relation to the progress made in implementing the recommendations of the Homicide Review • Discussion on the role of the Investigation Management System (IMS) in improving supervision, investigative quality and consistency and the pace of its roll out across the country.

Item Number	Agenda Item	Principal matters discussed
		<ul style="list-style-type: none"> Engagement on the review of serious crime including the use of Peer Review and confirmation that guidance is being developed around how to do reviews, including peer reviews.
14	Policing Performance 2022	<p>a. Highlights and challenges</p> <ul style="list-style-type: none"> Engagement with Commissioner on policing in 2022 Discussion on the re-emergence of particular crime types post pandemic Discussion on the resourcing challenges that exist in light of the competitive employment market and the need to deal with the impact of the pandemic on the ability of the organisation to recruit and train during that period. <p>b. What We Heard in 2022</p> <ul style="list-style-type: none"> Engagement with the Commissioner on the outcomes of the Authority's engagement with communities and groups Commissioner welcomed the work undertaken to produce the report which he stated is useful feedback which the organisation will analyse. Discussion with the Commissioner on the importance of community policing and interagency working The role of the operating model in driving out inconsistencies in the service provided to communities
15	Policing Performance 2023	<ul style="list-style-type: none"> Engagement on the potential for confusion for the public as between the role of the Airport Police and the Garda Síochána in terms of the reporting of crime at airports Discussion on drone usage at Dublin Airport and the policing response Brief discussion on the policing approach to, and prevalence of, protests in 2023
16	Policing Plan 2023: Commitments to the Public	<ul style="list-style-type: none"> Discussion of the priority commitments made within the Policing Plan 2023, which included the roll out of the Community Policing Framework, a review of the demand and consistency of service provided by the Divisional Protective Services Units, a review of the Domestic Abuse Risk Assessment Tool and an emphasis on increasing the diversity of the workforce.

In concluding the meeting, the Chairperson conveyed the Authority's good wishes to Ms. Gráinne Shortall Assistant Principal with the Garda Síochána, on her transfer to the Department of Children.