



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 28 July 2016

Venue: 90 North King Street

PART A – AUTHORITY MEETING

Attendance

Authority: Josephine Feehily (Chairperson), Noel Brett, Bob Collins, Vicky Conway, Pat Costello, Judith Gillespie, Maureen Lynott, Moling Ryan.

Secretary: Catherine Pierse

Executive: Helen Hall (Chief Executive), Aileen Healy

Apologies: Valerie Judge

1. Chairpersons opening remarks

The agenda was approved and no conflicts of interest were declared in relation to any of the matters for discussion.

2. Correspondence

The Chairperson referred to the letter received from the Assistant Secretary of the Department of Justice and Equality enclosing a government decision in relation to the five year reform and High-Level Workforce Plan for the Garda Síochána. Authority members (“Members”) welcomed the decision as setting the strategic direction for reform of the Garda Síochána. Members appreciated the clear role for the Policing Authority in overseeing the reform programme by monitoring the implementation of Garda Inspectorate’s recommendations in accordance with section 117A (2) of the Act and in relation to a 5 year workforce plan for redeployment and civilian appointments.

Authority members discussed the challenges facing Garda senior management as they increase the number of personnel to 21,000. They underlined the importance of establishing baselines in order for the Policing Authority to be able to assess the benefits of this increase. Baselines should include a current staff deployment model.

No.	Action point	By Date	By Whom
A_09_01	Executive to liaise with Garda management and develop tracking system to monitor the implementation of Garda Inspectorate’s recommendations in accordance with section 117A (2),	Q3	The Executive

3. Chief Executive Report

The Chief Executive report was taken as read. The dates for a minimum of 5 meetings in public next year and meeting dates for 2018 were agreed.

Authority members welcomed the recent meeting with JPC representatives and discussed the need to build on that engagement into the future.

It was noted that the Department is proposing to the Tánaiste that she consent to the approval of the Garda Síochána Strategy Statement, subject to a small number of amendments. The Authority expressed the hope that this would be finalised quickly and published.

The Chief Executive briefed on final changes to the Relationship and Support Agreement with Department of Justice and Equality and she was authorised to sign it.

The Chief Executive referred to the Garda Síochána Annual Report for 2015, which has been provided to the Tánaiste in accordance with the Garda Síochána Act 2005. The Performance and Strategy Committee is to consider in Q4 the format for the 2016 Report.

The Chief Executive provided an overview of the themes that arise in the correspondence sent to the Authority, containing complaints about Garda members, about the Policing Authority, GSOC, the courts and other institutions as well as suggestions for improving policing services.

No.	Action point	By Date	By Whom
A_009_02	The Executive is to convey the agreed dates for 2017 and 2018 Authority meetings to the Garda Síochána.	Immediate	The Executive
A_009_03	As part of the Executive's business planning for 2017, it is to consider the future engagement with JPCs.	Q4	The Executive
A_009_04	The Performance and Strategy Committee to consider the format for the Garda Síochána's 2016 Annual Report	Q4	The Performance and Strategy committee

4. Committee updates

Audit and Risk Committee

The Chairperson of the Audit and Risk Committee explained that the Committee had recently met for the first time and had identified areas of focus for the coming year. In addition, the Audit Committee intends to design a process for assessing the Authority's performance, similar to the concept of a board effectiveness review (to take place possibly in January 2017). The Committee will hold a session on risk management on a date to be confirmed in October, which will be open to all Members to attend.

Appointments Committee

On behalf of the Appointments Committee, the Executive provided an overview of a draft Code of Practice for Senior Appointments, a draft selection process, draft competencies and a draft sample Chief Superintendent Information booklet, prepared in accordance with the latest version of the draft regulations. It was emphasised that further engagement was needed with the Garda Síochána in relation to various matters such as the job descriptions and competencies. The Authority approved the general approach and agreed that the Executive continue its work in this regard. To minimise delay, it was agreed that the draft Code should issue for consultation at this stage in parallel to the Department's work on the regulations. It was noted that the Executive has recently engaged with PAS to request assistance in relation to the undertaking of selection competitions and is now awaiting a response.

No.	Action point	By Date	By Whom
A_009_05	The Executive to commence consultation on the draft Code of Practice notwithstanding that the regulations are still in draft form.	Immediate	The Executive

Ethics Committee

The Chairperson of the Ethics Committee introduced the further revised version of the draft Code of Ethics. The Authority agreed that the document should be issued for public consultation, subject to a number of minor amendments.

An update was provided regarding the consultation event on 8 September on the draft Code of Ethics .

No.	Action point	By Date	By Whom
A_009_06	Subject to a number of minor amendments, the draft Code of Ethics is to be issued for public consultation.	Immediate	The Executive

Performance and Strategy Committee

The Chair of the Performance and Strategy Committee introduced the draft policing priorities and explained that they had been amended to reflect certain feedback from the July meeting with representatives from JPCs. The Authority agreed that the updated version of the draft policing priorities should be discussed at the consultation event on 8 September.

It was noted that there will be a workshop with the Garda Síochána on 13 September to discuss and progress the Policing Plan for 2017. Following a discussion regarding the role of the Garda Síochána Performance and Accountability Framework (PAF), it was agreed that the Executive should request further information, including about the bi-annual meetings of Superintendents and Chief Superintendents.

Following feedback from the JPC consultation event, where CCTV was suggested as a Policing Plan Priority, Members agreed that the Authority would need to understand more about the governance of current CCTV systems before considering the matter further.

No.	Action point	By Date	By Whom
A_009_07	The Executive to request further information regarding PAF, including the bi-annual meetings of Superintendents and Chief Superintendents.	Q3	The Executive
A_009_08	The Executive to prepare a paper in relation to the installation and operation of CCTV security in public places	Q4	The Executive

5. Update on review of Garda Síochána Protected Disclosure Policy and procedures

The Authority discussed the Chief Executive's update on the ongoing review of the Garda Protected Disclosures Procedures policy and concurred with the approach being taken.

6. Approach to review of boundaries of Garda Districts and Dispersement of Garda Stations.

The Authority discussed the Chief Executive's update on the Tánaiste's requested review of boundaries of Garda Districts and Dispersement of Garda Stations. It was agreed that the Executive should hold further discussions with the Garda Inspectorate in relation to the development of draft Terms of Reference, which will be considered by the Authority at its September meeting. The Chief Executive noted that from her early discussions with the Garda Inspectorate, they held the view was that the project could not be undertaken within the desired 12 month time frame.

7. The approach to Policing Authority complaints and enquiries

The general approach proposed in the paper to the Authority was agreed.

8. Preparation for meeting with the Garda Commissioner

In addition to the matters scheduled for discussion in the draft agenda sent to the Garda Commissioner, Members indicated that they wanted to ask again about the report being prepared into the NCT fixed penalty charge issue and about the work being done in relation to the design of the Garda Síochána staff Culture Audit.

PART B – AUTHORITY MEETING WITH THE GARDA SÍOCHÁNA

Attendance

Authority and Executive

As above

Garda Síochána

Nóirín O' Sullivan (Garda Commissioner), John Twomey (Deputy Commissioner Operations), Jack Nolan (Assistant Commissioner), John O Driscoll (Assistant Commissioner), Anne Marie McMahon (Assistant Commissioner), Michael O Sullivan (Assistant Commissioner), Gurchand Singh (Head of Garda Analysis Service), Mark Curran (Chief Superintendent) John Keegan (Superintendent).

1. Preliminary Exchange of Views on the approach to the review of the boundaries of Garda districts and dispersement of Garda Stations

There was a preliminary exchange of views with the Garda Commissioner in relation to this work, with a view to informing the drafting of the Terms of Reference for the project and identifying a data set from the pilot which would inform the process. Assistant Commissioner Nolan provided an outline of the approach taken to identify the 139 stations that were closed during the recession and outlined some of the issues to be considered. The Garda Commissioner emphasised the need to create an effective structure for the delivery of policing services into the future and referred to recent correspondence with the Minister of which the Authority was unaware. She agreed to share the correspondence referred to and the discussion was adjourned to enable the correspondence to be considered. The Garda Commissioner indicated a preference for a jointly agreed approach to this project. The Chairperson accepted the spirit of the Commissioner's point but said that the Authority would need to reserve its position, given that the Authority had been tasked with "overseeing" the review. She agreed with the Garda Commissioner that this was a significant project that would take some time.

2. Discussion of Sexual offences

There was a discussion on Sexual offences in the context of the recent public attitudes survey and CSO crime statistics. In response to a query about whether there was any analysis available in relation to the increase of 8.2% in the reporting of sexual offences i.e. to explain whether this is most likely due to an increased reporting, increased incidence or improved recording of sexual crime, the Head of the Garda Analysis Service said that a further in depth study would be needed to better understand this increase.

Garda representatives confirmed that in every rape case a Senior Investigating Officer at Detective Inspector rank specifically trained in serious crime, is assigned.

In response to a question about the low conviction rates for rape, the Garda Commissioner explained the various reasons why prosecutions fail or why the DPP does not proceed to prosecution. In response to questioning about how learning takes place, the Garda Commissioner said that feedback is frequently provided by the DPP's office and all court judgements are examined for learning which is then fed back into training and mentoring programmes.

3. Other business

3.1 Fixed Penalty Notices issued in error for not having NCT

Deputy Commissioner Twomey elaborated on the note received from the Garda Síochána regarding the review of prosecutions taking place in relation to all fixed charge offences. The Garda Commissioner confirmed that if it was established that a citizen had suffered detriment as a result of a wrongful prosecution then this would be dealt with by the State Claims Agency. In light of the matter of possible loss to the Exchequer raised in the Garda note, the Chairperson asked if it would be necessary to advise the C&AG. The Authority wishes to be kept updated on this matter and to have sight of the audit referred to at previous meetings as soon as possible.

3.2 Public Attitudes Survey Q2 2016

The recently published Public Attitudes Survey for Q2 2016, for the second consecutive quarter was discussed. In response to a question about publication, the Head of Garda Analysis said that his preference would be to publish the results of the 2016 surveys on an annual basis as there will be sufficient data available at that point to be able to draw more reliable conclusions. However in subsequent years he would wish to move to quarterly reporting so that trends can be quickly identified.

3.3 Recent Government decision in relation to the Garda Síochána

The Chairperson outlined the role of the Authority in oversight of the implementation of the Garda Inspectorate report “Changing Policing in Ireland”. It was agreed that the Executive would liaise with Garda representatives in relation to the creation of a tracking system around implementation of the Garda Inspectorate recommendations.

The Chairperson emphasised the urgent need to establish a workforce plan to facilitate implementing Governments commitments in relation to increasing the overall Garda workforce and increasing the ratio of civilians. The Garda Commissioner agreed that the preparation of the workforce plan was crucial and would require a resource with the skills to prepare this plan and to work with the Authority on this. There was also some discussion around the current draft organisational structure and the Garda Commissioner offered to provide the Authority with a presentation on the Garda Síochána organisational structure and governance. The Chairperson explained that Member’s time was limited. They would read the document which had been supplied the day before the meeting then consider what other briefing might be helpful.

3.4 Design of the staff culture audit.

Draft terms of reference for the staff culture audit had been recently provided to the Authority and were discussed. Members sought reassurance that the design of the cultural audit was sufficiently independent. The Garda Commissioner said that it was intended that

the culture audit be independent and in line with best practice. It was agreed that the Chief Executive would liaise with Garda representatives regarding the further development of the terms of reference.

3.5 Authority consultation event and 2017 Policing plan workshop

The Authority's consultation event on 8 September and the Garda 2017 Policing plan workshop on 13 September were briefly discussed. It was agreed that the Executive will be in contact with the Garda representatives in relation to preparations for the meetings.

No.	Action point	By Date	By Whom
A_009_09	The Garda Síochána to provide the Policing Authority with a copy of the correspondence between it and the Tánaiste in relation to the review of boundaries of Garda districts and dispersment of Garda Stations.	Immediate	The Garda Síochána
A_009_10	The Executive, in conjunction with Garda Síochána, to consider what steps will be necessary to meet the terms of the Government decision regarding a workforce plan, including redeployment.	Immediate	The Executive and the Garda Síochána
A_009_11	The Executive to liaise with the Garda Representatives regarding the further development of the terms of reference for the culture audit.	Q3	The Executive
A_009_12	The Executive will be in contact with Garda representatives in relation to preparations for the meetings on the 8 September (i.e. consultation event re. Code of Ethics and Policing Priorities) and 13 September (workshop re. Policing plan 2017)	Immediate	The Executive
A_009_13	A Garda Síochána liaison to be nominated to deal with the Authority in relation to civilian appointments.	Q3	Garda Síochána
A_009_14	Executive to liaise with Garda representatives in early September to discuss the development of a template for monitoring the implementation of Garda Inspectorate recommendations.	Q3	The Executive