



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 18 December 2017

Venue: 90 North King Street and by Video Conference (VC)

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

Executive: Helen Hall (Chief Executive), Catherine Pierse, Margaret Tumelty

For Item 8: David McGee (PWC), Dr. Gurchand Singh (Head of Analysis Service, Garda Síochána)

1. Closed Session – Authority Members only

The following actions arising from the meeting of the Authority in closed session were noted:

No.	Action point	By Date	By Whom
A_032_01	A comprehensive submission to the Commission on the Future of Policing to be made in a timely manner.	End January 2018	Chairperson and Chief Executive

2. Chairpersons Opening Remarks

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

The Chairperson updated Members on her meeting with the Chief Inspector of the Garda Inspectorate, ('GI') and noted that the GI report on the GS handling of Sexual Crimes had been completed and was due to be submitted shortly to the Minister.

The Chairperson also updated members on her meeting with the Chair of the GS Audit Committee, at which she conveyed Members' feedback on the Audit Committee Charter. The Chair of the Audit Committee indicated that the Committee may seek appointment of an additional member and confirmed that its Annual Report was due to be submitted by the end of March with a proposal that he would formally meet with the Authority in May.

A number of items of correspondence were noted, including from the Minister for Justice and Equality ('the Minister') confirming that the 2018 Policing Priorities had been laid before the Houses of the Oireachtas.

3. Minutes and Matters arising

The minutes of the meetings on 23 and 29 November were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

4. Chief Executive' Report

The Chief Executive's report was taken as read.

The Chief Executive provided further updates to Members on the following matters in the context of her report, including:

- An update on progress on the work commissioned to review certain corporate governance matters in the Garda Síochána (GS);
- An update on actions taken in relation to certain matters arising from the monthly correspondence report;
- Preparations for the recruitment of a new Garda Commissioner; and
- The draft revised Relationship and Support Agreement with the Department of Justice and Equality.

Members discussed a number of matters raised in the context of the correspondence report and the approach to dealing with these matters.

5. Committee Updates

5.1. Code of Ethics Committee

The Chair of the Committee updated Members on the Committee's meeting with the GS and reported that the GS have commenced the training programme to embed the Code of Ethics including the commencement of regional launches. It is planned that training will be rolled out to all staff in February with a view to being completed by end June. The observations and feedback of some Members and senior staff of the Authority were discussed. It was noted that the effectiveness of training and the consistency of its provision across the organisation will need continuous emphasis.

The importance of alignment between parallel pieces of work to support and reinforce the cultural message including the training programme and team building for senior managers and the Culture Audit were noted. It was agreed to emphasise the importance of targeting the training of Garda Members who act as mentors for Garda recruits so as to reinforce the importance of implementing the Code in practice for recruits when they are assigned to stations

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_032_02	The Code of Ethics Committee to confirm the training of Garda Members who act as mentors for Garda recruits.	ASAP	Code of Ethics Committee

5.2. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee has not met since the last Authority meeting.

5.3. Organisational Development Committee

The Chair of the Committee updated Members on the recent Committee meeting with the GS, noting that the GS had acknowledged the need to resolve issues in relation to the submission of business cases for the approval of additional civilian staff. The statutory role of the Authority in approving these cases was emphasised, in particular the need to ensure that approval is based on clear justification. The scale of the shortfall in the numbers of staff expected to be in place by end 2017 and the issues contributing to the delays in recruited staff taking up positions, lack of progress in redeployment of Garda members to front line duties, and the need to make up these shortfalls in 2018 were noted. The real challenges for the GS in realising the Government Decision in terms of putting a total complement of 21,000 staff in place by 2021 and the need for a clear sense of the actions needed to realise that goal were also noted.

5.4. Policing Strategy and Performance Committee

The Chair of the Committee updated Members on the Committee's recent meeting. The theme of that meeting was diversity and inclusion, with items on the homicide report, performance on the Policing Plan and the 2018 draft Policing Plan. Members again expressed frustration at the lack of material provided in advance of the meeting. The need for the GS to develop a definition of hate crime and the lack of a Diversity and Inclusion Strategy were noted.

The Committee Chair updated Members on the GS report on progress with the homicide report follow up which is proving to be labour intensive and it was agreed that the Authority allow sufficient time for this to be undertaken thoroughly. In relation to performance against the policing plan, concern was expressed in relation to the level of victim satisfaction which has fallen to 50%.

6. Corporate Priorities 2018

The Chairperson and Chief Executive outlined the proposed Corporate Priorities for 2018 and Members discussed and agreed the priorities and the proposed focus for 2018. The Corporate Priorities were approved subject to drafting changes. The focus for Committees and their approach to work in 2018 was agreed and the Terms of reference for Committees are to be revised accordingly.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_032_03	The Executive to finalise and publish the Corporate Priorities for 2018.	Immediate	Executive

7. Audit, Governance and Risk

The Chair of the Audit and Risk Committee ('ARC') updated Members on the recent Committee meeting. In particular the ARC had emphasised the need for assurance that risk is treated as a significant item on the Authority's agenda and in this context had noted that risk features highly as an integral part of the discussion of items at Authority meetings where appropriate. In addition a dynamic process of reporting high level risks and mitigating actions to the Authority has been put in place. This report was noted and

Members discussed existing and emerging risks. The Committee are revisiting the format of the Risk Register in light of experience of the first 6 months of its operation and will report any proposed revisions to the Authority in due course. It was noted that a process is also in place to report relevant risks to the Department's Risk Committee to ensure that risks of joint interest are highlighted appropriately.

The ARC have recommended that, in the interest of avoiding duplication, the statutory effectiveness review of the Authority, which is being prepared for submission to the Minister at the end of its first two years from establishment under S.62O(2)(a) of the Act, should also constitute the Authority's annual self-assessment evaluation for 2017 under the requirements of the Code of Practice for the Governance of State Bodies. It was agreed in light of the ARC's recommendation that the annual self-assessment evaluation survey should also be completed by Members for the purpose of collecting comparative data.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_032_04	Authority's Risk Register to be updated in light of discussion.	Immediate	Executive
A_032_05	Self-assessment survey to be updated and circulated to members.	ASAP	Executive

8. Culture Audit

The Authority received a confidential verbal update on the Culture Audit being undertaken in the GS. There was a broad discussion on the methodology, the response rate, the interim findings after the survey stage of the process, the arrangements for focus groups and other next steps, the reporting of the results and the frequency of future surveys to track the progress of cultural change.

9. Appointments in the Garda Síochána

9.1. Appointments to senior Garda ranks

The Executive briefed Members on the outcome of the clearance process in respect of two candidates on the Superintendent panel in light of positions to be filled. Members considered the outcome of the clearance process and two candidates were appointed to the rank of Superintendent.

The Executive briefed Members on the outcome of the clearance process in respect of one candidate on the Chief Superintendent panel for whom the process has been completed. Members considered the outcome of the clearance process and the candidate was appointed to the rank of Chief Superintendent. It was noted that the clearance process is ongoing in respect of two other candidates in light of other Chief Superintendent positions to be filled. Members agreed that, pending supply of the full clearance information required from the GS, the Authority was not in a position to make a decision regarding clearance in accordance with Regulation 12.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_032_06	Further to appointments to the ranks of Chief Superintendent and Superintendent in the GS, the Chief Executive to notify the candidates of their appointment.	ASAP	Chief Executive

9.2. Civilian appointments

The Authority considered a number of requests for approval of two senior civilian positions in the Garda Síochána as follows:

- Principal Officer for the Fleet Management function, to be filled externally; and
- Principal Officer for Community Engagement and Protective Services Unit, to be filled from an internal GS PO panel.

Both of these positions were approved, subject to a number of conditions regarding the finalisation of the job descriptions and the approach to recruitment of candidate with the appropriate skills and experience for these specific roles, which are to be clarified with the GS. The Authority will need to be satisfied as to the suitability of the candidates proposed to fill these roles prior to their appointment by the Authority.

No.	Action point	By Date	By Whom
A_032_07	The Executive to seek the consent of the Minister for Justice and Equality and the Minister for Public Expenditure and Reform for its approval 2 principal officer positions in the GS.	Immediate	Executive

10. Policing Plan 2018

The Executive updated Members on a number of points of feedback from the Authority that the GS committed to at the September workshop and have not yet been reflected in the 2018 Policing Plan and Members expressed disappointment that these items were still outstanding. The need for a named lead to be identified for each item in the plan, which should be included in the PMDS objectives of the individuals concerned, was emphasised to facilitate accountability. In addition the Authority noted the critical importance of including the timely development of a HR Strategy, commitment to rolling out of the Protective Services Units and the need to outline the high level resource parameters for 2018 within which the plan would be implemented. The Plan was approved subject to the inclusion of these outstanding matters.

No.	Action point	By Date	By Whom
A_032_08	The Executive to communicate the Authority's feedback in relation to the draft Policing Plan for 2018 and liaise with the GS to finalise the document.	ASAP	Executive
A_032_09	The Chairperson to submit the finalised plan to the Minister on receipt from the GS	ASAP	Chairperson

11. Quarterly report on the implementation of Changing Policing in Ireland

Members discussed the draft Quarterly Report to the Minister on the implementation of the recommendations of the Garda Inspectorate Report 'Changing Policing in Ireland' with particular reference to the following key issues:

- The key importance of the early preparation of a HR Strategy for the GS;
- Prioritisation of reform projects in the Strategic Transformation Office (STO) and the need for clear communication of the reasons for prioritisation, awareness of the role of the STO and the need for cross-cutting measures;
- Progress on the ICT elements of the reform programme. It was noted that the preparation of a plan to set out the future strategic direction for ICT, including to identify and address risks and resource requirements, was at an advanced stage; and
- The content of reports on implementation of recommendations and the need for reporting to address the benefits and impact of reform rather than just progress against milestones.

The Quarterly report was approved subject to final drafting and clearance by the Chairperson and Chief Executive.

No.	Action point	By Date	By Whom
A_032_10	The Quarterly Report to the Minister on the progress of implementation of the recommendations of 'Changing Policing in Ireland' to be finalised subject to drafting changes and to be submitted to the Minister.	ASAP	Chairperson and Chief Executive

12. Report of Review under Section 62.O

Members discussed the draft S.62.O report to the Minister and it was agreed that it be finalised for submission to the Minister subject to taking account of drafting to reflect the discussion.

No.	Action point	By Date	By Whom
A_032_11	The Section 62.O report to be finalised subject to drafting changes and to be submitted to the Minister.	ASAP	Chairperson and Chief Executive

13. Preparation for meeting with the Garda Commissioner

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

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: As above

Garda Síochána: Dónall Ó Cualáin (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), John Barrett (Executive Director HRPD), Kate Mulkerrins (Executive Director, Legal & Compliance), Marie Broderick (Superintendent), Gráinne Shortall (Assistant Principal).

14. Commissioners Monthly Report to the Authority and progress on the 2017 Policing Plan

The Commissioner's report was noted and it was agreed that the format of the report should be revisited to align it with the 2018 Policing Plan in order to remove duplication and reduce the reporting burden.

15. End of year review of progress on the 2017 Policing Plan

It was agreed that this item would be considered in January 2018.

16. Review of outstanding matters from 2017, including provision of information to the Authority

The Chair conveyed the views of members regarding the timely provision of material requested, which is proving to be an impediment to the Authority's effectiveness. It was noted that some requests have been outstanding for a lengthy period. The Authority's expectations regarding the spontaneous provision of information relevant to the Authority's work and the need for attendance at meetings by appropriate GS representatives was also discussed. It was reiterated that it is not the Authority's intention to create additional work for the GS in preparing material especially for the Authority and that in many cases it is satisfied to receive material that has already been compiled for internal management or other purposes.

The Garda Commissioner agreed the need to respond to requests in more efficient manner. However he was also concerned to provide good quality information to the Authority and he wanted to ensure that outstanding concerns of the GS about privilege and FOI were fully considered. It was agreed that the GS Head of Legal and Compliance would liaise with the PA Head of Legal in relation to GS concerns about privilege, and that the GS may seek an amendment to the Relationship and Support Agreement, to address those concerns. The Authority indicated that although it was open to considering whatever draft additional text the GS may wish to propose, this should be provided without delay.

17. Protected Disclosure Policy and Procedures

The Chairperson sought an update on the GS Protected Disclosures Policy, which had been the subject of a report to the Minister in November 2016. The Authority highlighted the failure on the part of the GS to meet its commitment to conduct a review of this policy in 2017 and the need for urgent action in this regard. The GS provided an update which was noted by the Authority and confirmed that the second phase of the review of the processes, which would include consultation with the Authority and other parties, would be undertaken early in 2018.

18. Progress on Jobstown review

The GS confirmed that this report is not yet complete and expect that this will be available in February. However a high level update was provided, which outlined the broad findings of the report and this was discussed with the GS. Members agreed that the report will be considered when completed and emphasised the importance of identification of learning from the review of these events and communicating this learning throughout the organisation through training and revised processes.

19. Appointments

The Chairperson advised that the Authority had approved two senior civilian positions on foot of business cases received. Clarification was sought and received from the Chief Administrative Officer in relation to the method of recruitment of suitable candidates for these positions and the Authority confirmed that one position should be recruited externally and the other filled with a suitably qualified candidate from an internal promotion panel. The Authority emphasised the need to get assurance regarding the recruitment process for candidates so that it can be satisfied with regard to the suitability of candidates at Principal Officer level who come to be appointed by the Authority. It was agreed that the Chief Executive would contact the Commissioner with an update in relation to appointments to the senior ranks.

20. Other Business

The Chairperson advised the Commissioner that the Authority had approved the Policing Plan 2018 subject to a number of outstanding items which were discussed and agreed by the Commissioner. It was also agreed that the Executive would liaise with the GS to finalise the text of these changes with a view to the early submission of the Policing Plan to the Minister.

The Chairperson sought an update regarding the follow up to the Crowe Horwath report on the MAT/FCN and the GS confirmed that letters had issued to all senior officers as agreed and that individual meetings were scheduled to commence. The Authority reiterated their view that this engagement be personalised in fairness to all the individuals concerned.

No.	Action point	By Date	By Whom
A_032_12	The Executive to liaise with the GS to revise the format of the Commissioner's Monthly Report to the Authority to align it with the 2018 Policing Plan	For February 2018 meeting	Executive and GS
A_032_13	The GS to revert to the Executive in relation to its concerns with any proposed text for inclusion in the Relationship and Support Agreement to address those issues.	ASAP	GS
A_032_14	Chief Executive to brief the Commissioner on appointments to the senior ranks.	ASAP	Chief Executive
A_032_15	The GS to finalise the policing Plan 2018 in light of the Authority's feedback.	ASAP	GS