



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 28 February 2019

Venue: Dublin Castle

Part A – Authority Meeting

Attendance

Authority: Josephine Feehily (Chairperson), Bob Collins, Vicky Conway, Pat Costello, Judith Gillespie, Valerie Judge, Paul Mageean, Moling Ryan.

Secretary: Aileen Healy

Staff of the Authority: Helen Hall (Chief Executive), Margaret Tumelty, Síle Larkin

Apologies: Maureen Lynott

1. Chairperson's Opening Remarks

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

The Chairperson mentioned that this was the 50th meeting of the Authority in just over three years since its establishment and noted the huge amount of work achieved. Tribute was paid to the work of the Executive in supporting the Authority and Committees in this achievement.

A number of items of correspondence were noted, including:

- From the Minister for Justice and Equality ('the Minister') in relation to the Authority's Statement of Strategy 2019-21;
- From the Minister, giving consent for the extension of the Garda Síochána ('GS') policing Plan 2018 to 31 March 2019;
- The GS Workforce plan (Dec 18 version), which it was agreed be referred to the Organisation Development Committee ('ODC') for consideration, noting that the GS intend to submit another iteration of the plan in April 2019 which will reflect more up to date information on how staff are deployed; and
- Correspondence from the Commissioner, including to inform the Authority:
 - That a nolle prosequi was being entered in the matter of the DPP V Hutch; and
 - On the development of a highly targeted severance package recommended by the Commission on the Future of Policing.

These two matters were discussed and Members agreed that they would be raised with the Commissioner at the meeting with him later.

No.	Action point	By Date	By Whom
A_050_01	The report of the McLochlainn Commission of Investigation to be on the agenda for discussion at a future meeting.	ASAP	Secretary

No.	Action point	By Date	By Whom
A_050_02	The Organisation Development Committee to consider the latest version (Dec 18) of the GS Workforce Plan.	16 April 2019	ODC

2. Minutes and Matters Arising

The minutes of the meeting on 24 January 2019 were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

The following decisions taken under Standing Order 5 since the last meeting were noted:

Date	Decision
22 February 2019	The proposal from the Department of Justice and Equality for amending regulations regarding eligibility for Garda trainee and reserves to include UK nationals in the event of UK leaving the EU was positively endorsed.

The Policing Priorities 2019 were finalised subject to drafting and approved for submission to the Minister.

It was noted that the Authority's seventh report on the implementation of the Garda Inspectorate ('GI') report 'Changing Policing in Ireland' had been submitted to the Minister and a copy provided to the Garda Commissioner ('the Commissioner'), the GI, GSOC and the Implementation Group on Policing Reform (IGPR') and that the report would be published after a short interval.

Members noted the Commissioner's appearance before and the discussion with the Oireachtas Justice and Equality Committee on 13 February in relation to the Youth Diversion Programme.

No.	Action point	By Date	By Whom
A_050_03	The Policing Priorities 2019 to be submitted to the Minister for approval.	ASAP	Chairperson

3. Chief Executive's Report

The Chief Executive's report was taken as read. Further updates were provided to Members on the following matters in the context of the report:

- A meeting with the Chair and some other members of the Implementation Group on Policing Reform on 27 February to provide an overview of the group's work, explore opportunities for synergies and support between the group and the oversight bodies and ongoing liaison. The CEO confirmed that she had conveyed the Authority's willingness to:
 - engage in a more meaningful way with the subgroup dealing with multi-agency co-operation in relation to which the new oversight body would have particular role; and
 - assist the implementation group with evidencing of the implementation of reform initiatives if that would be helpful.

- The final draft of the GI report on the review of public order policing being undertaken at the Authority's request is expected to be received in time for consideration at the March Authority meeting;
- The Joint Working Group on Garda Resources;
- Risks associated with staff turnover due to success by staff members in promotion competitions;
- Work undertaken to prioritise and plan for the achievement of the 2019 Corporate Priorities and noting some minor drafting to the final text of the document which will be published on finalisation;
- A meeting with the Central Statistics Office (CSO), noting discussion in relation to the reservation on the Crime Statistics and the Homicide review; and
- A meeting with the Chair of the Implementation Group on Child Sexual Abuse, noting the possibility of a formal request for the Authority's views on certain aspects of the group's work.

The monthly correspondence report was discussed and it was agreed that members would revisit a discussion of how certain categories of matters should be addressed. In this context, the CEO responded to Members' queries regarding the supports in place for staff who have an ongoing role in dealing with matters which they may find distressing.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_050_04	The Authority to revisit a discussion on how certain correspondence matters should be addressed.	April 2019	Authority

4. Committee Updates

It was noted that the new Policing Reform Working Group met on 26 February and the Chairperson updated Members on the meeting.

4.1. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last Authority meeting.

4.2. Organisational Development Committee

The Committee Chair updated Members on the recent committee meeting, noting in particular, its consideration of the arrangement for overseeing GS progress in embedding the Code of Ethics. It was agreed that there would be monthly engagement with the GS at executive level, which would be attended by a member of the Committee when possible, to monitor progress in embedding the Code.

Mr. Paul Mageean was appointed to be a member of the Organisational Development Committee.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_050_05	The Chief Executive to arrange for monthly engagement with the GS to monitor progress in embedding the Code of Ethics.	ASAP	Chief Executive

4.3. Policing Strategy and Performance Committee

The Committee Chair updated Members on the recent committee meeting, which focused on the draft GS three year Statement of Strategy and Policing Plan 2019.

It was noted that the fourth report of the GS Homicide Review was expected.

5. Audit, Governance and Risk

The Audit and Risk Committee had not met since the last Authority meeting.

Members noted the risks reported in the High Risk Report and reiterated the risks associated with high staff turnover observed earlier by the Chief Executive.

6. Garda Síochána Appointments

The Secretary briefed members on the outcome of the clearance process in respect of two candidates on the Chief Superintendent panel and nine candidates on the Superintendent panel. Members considered the outcomes and appointed the candidates with effect from the date of taking up their assignments by the Garda Commissioner. It was noted that preparations are underway to undertake a Superintendent competition to commence in Quarter 2 and that proposals for changes in the selection process would be considered by the Garda Appointments Quality Assurance and Selection Governance Committee for recommendation to the Authority in due course.

Members considered requests from the GS for the extension of two temporary acting up positions at Executive Director level and approved the appointments subject to the consent of the Ministers for Justice and Equality and Public Expenditure and Reform.

The Chief Executive updated Members in relation to ongoing engagement and recent correspondence with the GS and the Department, including at the recent joint Working Group on Garda Resources with regard to requests for approvals and appointments of Garda staff under s.19 of the Garda Síochána Act 2005. Ongoing deficiencies in relation to the quality of business cases for approval of Garda staff and with the recruitment and assignment of staff in a number of cases without seeking the requisite approval and sanction or, where applicable, appointment by the Authority were discussed. It was noted that concerns regarding compliance with sanction requirements had been drawn to the attention of the Commissioner and the Secretary General of the Department over recent months. Members discussed the risks to the Garda Síochána and to the Authority of GS failure to comply with statutory requirements regarding approval and appointment of Garda staff. The Chief Executive confirmed that a meeting had been arranged with the Chief Administrative Officer to discuss the issues further and Members requested that their continued concerns regarding these matters be conveyed to the GS.

No.	Action point	By Date	By Whom
A_050_06	Further to appointments to the ranks of Chief Superintendent and Superintendent in the GS, and the extension of an acting up appointment to Executive Director, the Chief Executive to notify the persons of their appointment.	ASAP	Chief Executive

No.	Action point	By Date	By Whom
A_050_07	The Commissioner to be notified of the appointments made by the Authority.	ASAP	Chief Executive
A_050_08	The Chairperson to appoint candidates to the positions of Executive Director ICT and HRPD in the GS subject to the consent of the Minister for Justice and Equality for the further extension of these temporary acting positions.	ASAP	Chairperson
A_050_09	The Chief Executive to convey the Authority's concerns to the GS regarding ongoing matters concerning compliance with statutory requirements relating to approval and appointment of Garda staff.	ASAP	Chief Executive

7. Communications Action Plan 2019

Members discussed and endorsed the draft 2019 Communications Plan subject to drafting. The importance of listening to stakeholders to inform the Authority's considerations across all areas of its policing remit was emphasised as was the close link to the Authority's research function to promote thought leadership on policing matters. Options for engaging with young people and the need to further explore social media engagement were noted. The commitment to hold a second conversation event in public under the 2019 Corporate Priorities was discussed and the Chief Executive was requested to make a proposal for the Authority's consideration in this regard.

No.	Action point	By Date	By Whom
A_050_10	The Chief Executive to finalise the 2019 Communications Plan in light of the discussion.	ASAP	Chief Executive
A_050_11	The Chief Executive to consider options for a public conversation event and bring proposals to the Authority.	ASAP	Chief Executive

8. Research Plan 2019

Members discussed the Research Plan with particular emphasis on developing research methodologies and using the Authority's research function to build on existing research and provoke forward looking thought leadership on policing matters and inform future development and oversight of policing performance.

No.	Action point	By Date	By Whom
A_050_12_	The Chief Executive to finalise the 2019 Research Plan in light of the discussion.	ASAP	Chief Executive

9. Draft Policing Authority Annual Report 2018

Members discussed and endorsed the draft annual report of the Authority for 2018. It was agreed that Members would provide drafting suggestions to the Secretary to facilitate finalisation of the report in the coming weeks.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_050_13	The Secretary to complete the draft 2018 Annual Report of the Authority in light of the any further drafting suggestions from Members with a view to finalisation of the report for approval in the coming weeks.	ASAP	Secretary

10. Request for consent to dismiss members of the Garda Síochána in accordance with Regulation 39 of the Garda Síochána (Discipline) Regulations 2007

Members considered two requests from the Commissioner and there was agreement in the first case to consent to the request. It was agreed that second case would be considered at the Authority's March meeting after clarification was provided by the Chief Executive on one aspect of the matter. .

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_050_14	The second request from the Garda Commissioner in relation to an aspect of a request for consent under Regulation 39 of the Garda Síochána (Discipline) Regulations 2007 to be considered by the Authority at its March meeting.	28 March	Authority

11. Garda Síochána Draft Statement of Strategy 2019-21

Members shared their views of the draft document received from the GS, noting matters on which feedback would be provided to the Commissioner. It was agreed that these matters would be discussed by Members with the Commissioner at their meeting. There was a brief discussion in relation to the Policing Plan, specifically to the need for it to be achievable and include performance measures, noting that the measures in the Revised Estimates should also be reflected in the Plan. It was agreed that a revised draft of the Statement of Strategy would be reviewed together with the draft Policing Plan in Committee in March with a view to consideration of both documents by the Authority at its March meeting.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_050_15	The key high level output metrics in the Revised Estimates to be reflected in the Policing Plan	31 March	Authority

12. Year-end Report on Performance against the Policing Plan 2018

Members considered the draft year-end review of performance against the 2018 Policing Plan. It was agreed that the report be finalised, subject to drafting, by the Chairperson and the Committee Chair. It was agreed that the report would be published along with the Seventh report to the Minister on 'Changing Policing in Ireland' and an advance courtesy copy provided to the Minister, the Garda Commissioner and the other key stakeholders.

No.	Action point	By Date	By Whom
A_050_16	The year-end report on policing performance against the 2018 Policing Plan to be finalised subject to drafting and copies to be provided to the Minister and Garda Commissioner in advance of publication in the coming weeks.	ASAP	Chairperson and PS&P Committee Chair

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.

14. Other Business

Members had an initial discussion about concerns in relation to lapsed cases arising in the context of their consideration of the GS review of the Youth Diversion Programme and will revisit this matter at a future meeting.

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: As for Part A

Garda Síochána: Drew Harris (Garda Commissioner)

For Agenda Item 16 John Twomey (Deputy Commissioner), Paul Cleary (Chief Superintendent), Andrew McLindon (Director of Communications), Gráinne Shortall (Assistant Principal).

15. Garda Síochána Severance Package Proposal

The Commissioner briefed the Authority on proposals for a highly targeted severance package as recommended by the Commission on the Future of Policing in the context of the organisation structure to support the reform programme. There was a general discussion with Members on the proposed process, the nature of structural change envisaged, the risks of potential loss of expertise associated with the implementation of such a programme and how these can be mitigated. The possible impact of this proposal on the Authority's appointments functions to the ranks concerned were noted.

16. Update on Youth Diversion programme

The Commissioner confirmed that he has received the report which will be provided to the Authority before its March meeting, noting that the external review by *Crowe* of the data analysis in the review had also been completed satisfactorily. He also provided some detail on work over recent weeks in relation to victims and with regard to disciplinary processes underway. In response to questions from Members regarding whether any explanations were emerging, it was noted that Divisional Officers will be reporting when the process is complete and that this is expected to identify further lessons. However he indicated that this will take a number of months to complete.

17. Other Business

The Chairperson briefed the Commissioner on the Members' discussion in relation to the draft GS Statement of Strategy and the draft 2019 Policing Plan. Members provided feedback to the Commissioner on the draft documents, noting the need for high level performance indicators to assist in assessing achievement of objectives at the end of the 3 year period of the strategy. It was agreed that the documents would be reconsidered and discussed with the Authority' Policing Performance and Strategy Committee in advance of the Authority meeting on March 28.

There was a short discussion in relation to a number of other matters including wellness and the supports available to members and the 'nolle prosequi' entered in the matter of the DPP V Hutch.

Actions arising:

No.	Action point	By Date	By Whom
A_050_17	The final report of the youth Diversion review to be provided to the Authority.	28 March	GS

No.	Action point	By Date	By Whom
A_050_18	The revised draft GS Statement of Strategy 2019-21 to be provided for consideration by the Policing Strategy and Performance Committee.	21 March	GS
A_050_19	The CMO of the GS to meet with the Organisational Development Committee in April in relation to wellness and supports for Garda employees.	ASAP	GS

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Staff: As for Part A above

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), John O’Driscoll (Assistant Commissioner), Michael Finn (Assistant Commissioner), Paul Cleary (Chief Superintendent), Andrew McLindon (Director of Communications), 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:

<http://www.policingauthority.ie/website/PA/PolicingAuthorityWeb.nsf/page/Meetings-en>

The following matters were discussed during the meeting:

Agenda Item	Principal matters discussed
Commissioner’s Monthly Report	<ul style="list-style-type: none"> • Overtime budget; • Systems to ensure that accurate and timely financial information require is available, • Progress on reassignment of Garda members to frontline duties; • Garda Reserve Strategy; • Sick leave; • Due date for ICT Strategy; • Code of Ethics; • Progress in developing a plan to address the Culture Audit recommendations and initiatives to communicate cultural and other change; • Garda estate; • Public Attitudes Survey; • Trends in Crime Statistics.
Expansion of Protective Services Units	<ul style="list-style-type: none"> • Function, make up, hours of operation and level of dispersion of Divisional Protective Services Units (‘DPSU’); • Evaluation of DPSU pilots and how issues arising are being addressed; • Contribution to improved detection rates; • How feeding into crime prevention initiatives in addition to investigative role? • If training is provided nationally and whether this could be provided electronically; • GI recommendation in 2014 re domestic homicide.
Update on Youth Diversion Programme	<ul style="list-style-type: none"> • Impact on wellbeing and reoffending levels of failure to follow-up with the children concerned; • Monitoring and evaluation of the programme; • If there has been an evaluation of the effectiveness of the programme? • Quality of Supervision; • Reasons why approx.. 8,000 referrals were not addressed; • Consequences from victim and suspect perspectives in 55 serious cases; • Causes identified, particularly the recurring themes of recording, culture, governance and evaluation; • Status of JLOs and value assigned to their work; • Risk of referrals and offenses admitted without proof in context of cases not being pursued due to insufficient evidence; • Risk of adverse vetting outcomes in cases where standard of evidence not met.

Agenda Item	Principal matters discussed
Divisional Model	<ul style="list-style-type: none"> • Nature of the Divisional model and its suitability for the organisations future requirements; • Satisfied that the model chosen will work, if there is a risk that it is too structured and if likely to be flexibility in the final model deployed as a result of the pilots; • Evaluation of the pilot, the principal lessons learnt and how reflected in the model; • Concern re Community Engagement hub reverting to the ‘District Officer’ • If sufficient focus on consistence of policing operations across Divisions; • Tenure of Superintendent assignments and high degree of mobility; • Adequacy of resources to make the model work and impact on freeing up resources to front line policing; • Role and empowerment of Garda staff to perform meaningful professional roles; • Approach to roads policing in the context of the Divisional model • Importance of shared learning
Other Business	<ul style="list-style-type: none"> • Homicide review progress and when 4th review report due; • Concerns re level of investigation ability in the organisation generally and how to address, for example for first responders • Reliance being placed on new IT systems and concern that IMS alone not enough to address issues.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_050_20	The following to be included in the Commissioner’s Monthly Report to the Authority: <ul style="list-style-type: none"> • Statistics on training and sign-up to the Code of Ethics; and • Progress in implementing Culture change. 	March 19	GS
A_050_21	Firearms policies and procedures to be put on the agenda of a future Authority meeting.	ASAP	Secretary
A_050_22	The GS to share the evaluation report of the DPSU pilot with the Authority	ASAP	GS
A_050_23	The GS to undertake an evaluation of the effectiveness of the Youth Diversion Programme	ASAP	GS
A_050_24	Further analysis in relation to the data in Tables 19 and 26 of the Interim YDP report to be provided in the final report	31 March	GS
A_050_25	GS to include information on vetting request for the children affected by YDP referral failures in their final report.	31 March	GS