



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 26 June 2019

Venue: Collins Barracks and by Conference Call (CC)

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

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

Apologies: Vicky Conway

1. Chairperson's Opening Remarks

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

A number of items of correspondence were noted, including from the Garda Inspectorate in relation to a review of anti-corruption practices.

2. Minutes and Matters Arising

The minutes of the meetings on 23 May and 6 June 2019 were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

It was noted that a response had been received regarding the Authority's referral of a matter to GSOC to the effect that a GSOC investigation into the matter has been opened and the Chairperson of GSOC would provide an update to the Authority once the matter was concluded.

3. 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:

- Draft Terms of Reference for a review of matters arising from the review of the Youth Diversion Programme as they might relate to adult cases. It was noted that this had been discussed with the Garda Inspectorate and required further consideration;
- Establishment of progress by the GS in implementation of the recommendations of the Garda Inspectorate Report on Crime Investigation. Members discussed the relevance of some recommendations to other areas of concern and agreed that the Chief Executive would complete a

high level review based on the information currently available to the Authority with a view to informing further discussion on the Authority's approach to this matter in July;

- Driver training. Members noted the update on the work being undertaken by the Garda Síochána in relation to driver training and agreed that this matter should be revisited at its meeting with the Commissioner in September;
- Members noted the update in relation to the report on the McLochlainn Commission of Investigation and agreed that they would engage with the Commissioner in relation to a number of key issues at their July meeting. It was noted that there were still outstanding issues in relation to the Fennelly Commission report and that this should also be raised with the Commissioner in July.
- Arrangements for the planned public conversation event on the oversight of Community Safety on 25 July in the context of the proposals of the Government's Policing Reform Programme; and
- A recent meeting of the oversight bodies with representatives of the Government Policing Reform Implementation Group.

Members discussed and approved the referral of specific items on the monthly correspondence report on an anonymised basis to the Commissioner.

No.	Action point	By Date	By Whom
A_056_01	The Chief Executive to seek clarification in relation to the terms of reference for an inspection of the progression of cases to conclusion by the GS in relation to persons over 18 years of age and to propose any necessary changes to the proposed Authority terms of reference for a review.	July 2019	Chief Executive
A_056_02	The Chief Executive to complete a high level review of the progress by the GS in implementing the recommendations of the GS Crime Investigation report to inform the Authority's consideration of next steps in its oversight of performance.	July 2019	Chief Executive
A_056_03	The agenda for the Authority's meeting in July to include a discussion with the Commissioner in relation to the McLochlainn and Fennelly Commission of Investigation reports.	July 2019	Secretary
A_056_04	The agenda for the Authority's meeting in September to include a discussion on driver training with the Commissioner.	September 2019	Secretary

4. Committee Updates

4.1. Garda Appointments Quality Assurance and Selection Governance Committee

This Committee had not met since the last Authority meeting.

4.2. Organisational Development Committee

This Committee had not met since the last Authority meeting.

4.3. Policing Strategy and Performance Committee

This update was taken in conjunction with Agenda item 9.

4.4. Policing Reform Working Group

This group had not met since the last Authority meeting.

5. Audit, Governance and Risk

The Committee Chair updated Members on the recent Audit and Risk Committee meeting, including in relation to:

- An internal audit report on systems and processes for compliance with Freedom of Information and Protected Disclosures legislation. Members noted that there were no high or medium rated issues arising. The recommendation regarding charging for FOI requests was discussed and Members emphasised their continued orientation towards transparency and not charging fees, agreeing that this decision should be made on a case by case basis;
- A recommendation that the current contract for outsourcing the Internal Audit function, which is due to expire at year end be extended for one year. Members agreed that the Authority should seek to avail of the contractual provision to extend the contract for one year in light of the expected establishment of a new oversight body in 2021.

The Chairperson proposed and members agreed that the external members of the Audit and Risk Committee be reappointed to the Committee in light of the proposed establishment of a new oversight body in 2021. The Chairperson thanked the Committee Chair and members for their substantial and quality engagement.

Members discussed the Risk Management report and emerging risks. The Risk Register was circulated and it was agreed that this would be discussed in detail at the July meeting.

No.	Action point	By Date	By Whom
A_056_05	The Chief Executive to seek to avail of the provision to extend the contract for the provision of Internal Audit services for a period of one year.	ASAP	Chief Executive
A_056_06	The Chief Executive to confirm their re-appointment with the external members of the Audit and Risk Committee	ASAP	Chief Executive
A_056_07	The Authority to undertake a detailed discussion of the Risk Register at the July meeting.	July 2019	Authority

6. Garda Síochána Appointments

The Authority noted the Government decision approving the Authority's request to invite the Public Appointments Service to undertake a selection competition for the purpose of nominating a person to Government for appointment as Deputy Commissioner in the Garda Síochána. Members considered and

approved the proposed process and timeline for the selection competition and the draft requirements relating to knowledge, ability and suitability for appointment to the rank of Deputy Commissioner which had been prepared in consultation with the Garda Commissioner. It was agreed that, in accordance with section 10 of the Garda Síochána Act 2005 (as amended), the Authority would proceed to:

- Formally invite the Public Appointments Service (PAS) to undertake the selection competition; and
- Consult with the Department of Justice and Equality and PAS with regard to the requirements relating to knowledge, ability and suitability for the rank with a view to finalising the Candidate Information Booklet for the Authority's consideration at its meeting on 26 July, in advance of formally seeking the Minister's approval under section 10.(3) and the advertisement by PAS of the position as soon as possible thereafter.

The Secretary briefed members on the outcome of the clearance process in respect of two candidates on the Chief Superintendent panel. Members considered the outcome of the clearance processes and appointed the candidates with effect from the date of taking up their positions as assigned by the Garda Commissioner.

Members considered a request from the GS for approval to extend a temporary acting and an interim appointment to the grade of Executive Director and, subject to obtaining the consent of the Ministers for Justice and Equality and Public Expenditure and Reform, approved the extensions of these positions and appointment of the candidates concerned by the Chairperson.

Members considered a request from the GS for the appointment of a Principal Officer in the Garda Síochána and appointed the candidate.

No.	Action point	By Date	By Whom
A_056_08	The Chief Executive to formally invite PAS to undertake a selection competition for the rank of Deputy Commissioner in the Garda Síochána	Immediate	Chief Executive
A_056_09	The Chief Executive to consult with the Department of Justice and Equality and PAS with regard to the requirements relating to knowledge, ability and suitability for the rank of Deputy Commissioner with a view to finalising the Candidate Information Booklet for the Authority's consideration at its July meeting.	July	Chief Executive
A_056_10	The approval of the Ministers for Justice and Equality and Public Expenditure and Reform to be sought for the extension of a temporary acting and an interim position at Executive Director level in the Garda Síochána.	Immediate	Chief Executive
A_056_11	Further to appointments to the rank of Chief Superintendent and Principal Officer in the GS, the Chief Executive to notify the persons of their appointment.	ASAP	Chief Executive
A_056_12	The Commissioner to be notified of the appointments made by the Authority.	ASAP	Chief Executive

7. Proposal to dismiss members of the Garda Síochána in accordance with Section 14 of the Garda Síochána Act 2005

Members considered a request from the Garda Commissioner to dismiss a member of the Garda Síochána and there was agreement to consent to the request.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_056_13	The Authority's consent to the dismissal of a member of the Garda Síochána, in accordance with Section 14 of the Garda Síochána Act 2005, to be conveyed to the Commissioner.	ASAP	Chief Executive

8. Policing Plan Mid-year Performance Report

Members discussed the draft Policing Plan Mid-year Performance report. It was agreed that work should progress on the draft report for consideration and input at the Policing Strategy and Performance and Organisation Development Committees in July and finalisation by the Chairperson and Committee Chairs for sign-off by the Authority at its July meeting.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_056_14	The Chief Executive to progress drafting of the mid-year Policing Plan Performance Report for consideration and input at the Policing Strategy and Performance and Organisation Development Committees in July and finalisation by the Chairperson and Committee Chairs for sign-off by the Authority at its July meeting.	July 19	Chief Executive, Chairperson and PSP & ODC Committee Chairs

9. 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.

10. Documents for Noting by the Authority – June 2019

The following documents were noted by the Authority:

	<i>Document</i>	<i>Action Required</i>
D_056_01	CSO Crime Statistics Quarter 1 2019	For noting
D_056_02	Garda Síochána Public Attitudes Survey Quarterly Bulletin Q1 2019	For noting
D_056_03	Garda Inspectorate Workplan 2019-21	For noting
D_056_04	ICCL Preliminary Report on National Consultation on the right to protest in Ireland.	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

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

Executive: As for Part A

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey, (Deputy Commissioner) Joe Nugent (Chief Administrative Officer), John O’Driscoll (Assistant Commissioner), Andrew McLindon (Director of Communications), Gráinne Shortall (Assistant Principal).

11. Organised Crime

The Commissioner and his team briefed the Authority and answered questions in relation to Garda activities in combatting organised crime.

12. Other Business

Members flagged some residual concerns, which may be of a drafting nature, arising from the Homicide Review reports with the Commissioner, emphasising that clarity was required in drawing conclusions in order to have assurance with regard to the quality of the investigations and to identify learning. It was agreed that the GS would engage with the Chief Executive to address these concerns.

Members briefly discussed concerns with the Commissioner that issues similar to those reported in the media in recent weeks could reoccur.

Members welcomed the Commissioner’s articulation of his vision for the culture of the Garda Síochána as set out in his monthly report and recommended strong communication of this vision.

Actions arising:

No.	Action point	By Date	By Whom
A_056_15	The Chief Executive to engage with the GS with regard to residual concerns arising in the reports of the Homicide Review	ASAP	Chief Executive and GS

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Executive: As for Part B

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joe Nugent (Chief Administrative Officer), David Sheahan (Assistant Commissioner), Alan Mulligan (Acting Executive Director HRPD), Anthony O'Donnell (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
Public Order Policing	<ul style="list-style-type: none"> • Garda Inspectorate presentation on their Review of Public Order Policing • Strategic Threat and Risk Assessment • Enhanced governance of Public order incidents • Implementation plan and how risks are addressed • Use of force • Decision making model • Diversity • Plans to embed the Code of Ethics and Human Rights in Public Order Policing Policy • Application of organisational learning including from incidents at An Cosán • GPSU report on policies and procedures re the conduct of a criminal trial and whether the issues surrounding the gathering and presentation of evidence have been reviewed.
Commissioner's Monthly Report	<ul style="list-style-type: none"> • Cultural change and need to communicate the Commissioner's vision for culture • Plan to implement cultural change including employee engagement and to measure cultural change • Statistics on signing of the Code of Ethics and validation of this data • Garda Síochána financial position, budgetary pressures and actions to manage budgets • Status of civilianisation and redeployment of Gardaí • New uniforms
Garda Anti-Corruption Proposals	<ul style="list-style-type: none"> • Commissioner's presentation on his proposals for counter corruption • Obligations to disclose interests and SIPO requirements
Homicide Review	<ul style="list-style-type: none"> • Clarification that review was of process as well as investigation into individual cases • Confidence that the issues that occurred didn't reoccur
Other Business	<ul style="list-style-type: none"> • Plans to connect the decision-making model with performance management and supervision.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_056_16	The GS to share the Public Order STRA with the Authority along with other policies, implementation plan and supporting documentation when finalised	ASAP	GS
A_056_17	The GS to share their action plan for employee engagement in relation to cultural change with the Authority	ASAP	GS
A_056_18	The GS to forward their final verified statistics on signing the Code of Ethics	ASAP	GS