



AN TÚDARÁS PÓILÍNEACHTA  
POLICING AUTHORITY

## Minutes of Meeting of the Policing Authority

**Date:** 26 September 2019

**Venue:** Dublin Castle and by Conference Call (CC)

### Part A – Authority Meeting

#### Attendance

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

**Apologies:** Pat Costello, Maureen Lynott

**Secretary:** Aileen Healy

**Staff of the Authority:** Helen Hall (Chief Executive), Margaret Tumelty, Síle Larkin (except for Agenda Item 7).

#### 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 Minister for Justice and Equality ('the Minister') regarding the Authority's mid-year report on the Policing Plan 2019;
- copy of correspondence between the Garda Commissioner and the Department of Public Expenditure and Reform regarding Garda Síochána ('GS') resources;
- from the Garda Inspectorate ('GI') regarding the treatment of persons in the custody of the Garda Síochána as an area for inspection;
- from the Department of Justice and Equality ('the Department') arising from the re-organisation of the Department; and
- from the Department relating to the visit of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Members were briefed on the study visit to Canada undertaken by the Chairperson and Chief Executive earlier in the month.

#### 2. Minutes and Matters Arising

The minutes of the meetings on 24 July and 2 September 2019 were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

Members noted a number of matters arising from these and previous minutes, including:

- An update from the GS in relation to the continuing examination of DNA sample discrepancies. Following discussion a number of matters were identified for clarification with the Commissioner; and
- Garda Síochána resources and the current budget position.

Members welcomed the timely and substantive responses from the GS in relation to a number of matters discussed in July.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_059_01</b>	The Chief Executive to engage with the GS in relation to a number of matters for clarification with regard to the continuing examination of DNA Sample discrepancies.	ASAP	Chief Executive

### **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, including:

- A synopsis of the discussion at the Authority’s public conversation on Community Safety Oversight on 25 July which is being prepared for publication;
- Draft Terms of Reference for a review of Adult Cautions arising from concerns regarding the possibility of there being similar issues to those arising with the Youth Diversion programme;
- Draft letters to the Implementation Group on Policing Reform regarding the Code of Ethics and a Human Rights Advisor;
- Research projects, which are proceeding through different stages of procurement;
- The quarterly governance meeting with the Department;
- Arrangements for the meeting with the Chairs of JPCs on 24 October; and
- The calendar of upcoming events which Members can attend.

Members approved proposals to:

- Outsource a review of Adult Cautions to be undertaken over the coming months with an opportunity for skills transfer for Authority staff; and
- Refer specific items on the monthly correspondence report on an anonymised basis to the Commissioner.

### **4. Committee Updates**

#### **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 had not met since the last Authority meeting.

Members discussed validated data received from the GS in relation to signing the Code of Ethics. It was noted that some matters needed to be followed up further with the GS and that the Executive would put a

mechanism in place to formally engage with the GS in relation to this matter in order to keep the Committee and the Authority up to date with regard to progress.

It was agreed that the Committee would add the following additional matters to the agenda for its next meeting and report to the Authority:

- Briefing from the GS on proposals for promotion processes to the ranks of Sergeant and Inspector; and
- The outcome of the recent Garda recruitment campaign with particular regard to the impact of the campaign and future plans.

Members noted the requirement for improved data on a range of HR matters to be provided by the GS on a routine basis.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_059_02</b>	The Organisation Development Committee to request an exchange of views with the GS in relation to Garda recruitment and promotion arrangements.	ASAP	Committee Chair
<b>A_059_03</b>	The GS to routinely provide data in relation to a range of HR matters including discipline and related matters.	ASAP	GS

#### **4.3. Policing Strategy and Performance Committee**

The Committee Chair updated Members in relation to the recent meeting of the Committee, including in relation to:

- Ongoing concern regarding risk arising from enabling issues impacting on the delivery of the Policing Plan, including analytical capacity, human resources and ICT;
- The Policing Priorities 2020, noting that the Authority’s agreement that these would remain largely unchanged from 2019;
- The Policing Plan 2020;
- A presentation from the GS on the Community Policing Framework noting that the challenges in implementing the framework should not be underestimated; and
- The Homicide Review, noting that the final report wasn’t yet completed. It was agreed that this would be included on the agenda for the Authority’s meeting in public with the Commissioner in November.

Members noted a number of documents including:

- Evidencing work carried out by the Executive since the previous meeting; and
- Overview of the status of the implementation plan following the Crowe Horwath review.

Members asked for an update on the GS Human Rights Policy.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_059_04</b>	The final homicide review report to be included on the agenda for the Authority's meeting with the Commissioner in public in November.	29 Nov 2019	Secretary
<b>A_059_05</b>	The Chief Executive to engage with the GS regarding the review of the Human Rights policy.	ASAP	Chief Executive
<b>A_059_06</b>	The Chief Executive to put a register in place to provide a central repository of the reports and recommendations in relation to policing which the Authority has a role in overseeing.	ASAP	Chief Executive

#### **4.4. Policing Reform Working Group**

The Chairperson updated members on the recent meeting of the group. Members noted the invitation from the Department of the Taoiseach to engage with part of a series of workshops to advise on the development of community safety provisions in the context of drafting new legislation and were updated on and noted documents from the first meeting attended. It was noted that the General scheme of the legislation is not likely to be available until later in the year and Members expressed concern that this will limit the time available for consideration of the draft and consultation with the Authority.

#### **5. Audit, Governance and Risk**

The Committee Chair updated Members in relation to the recent meeting of the Committee, including in relation to:

- The Committee's review of the Audit and Risk Committee Charter and their view that no revisions were required to the Charter at this time. This was agreed by Members.
- The report of the Authority's annual self-evaluation, which had been considered by the Committee. It was noted that this recorded improvements in effectiveness in general and it was agreed that a number of matters would be included in refresher training for the Authority early in 2020.

Members reviewed and discussed the Risk Management report and reflected on significant emerging risks and mitigations.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_059_07</b>	Arrange to include refresher training on a range of governance issues in training for Members in 2020.	Q1 2020	Secretary
<b>A_059_08</b>	The Risk Register to be updated in light of the Authority's review and discussion	ASAP	Chief Risk Officer

## 6. Garda Síochána Appointments

The Secretary briefed members on the outcome of the clearance process in respect of one candidate on the Chief Superintendent and three candidates on the Superintendent panels. Members considered the outcome of the clearance process and appointed the candidates with effect from the date of taking up their position as assigned by the Garda Commissioner.

Members considered requests from the GS for the appointment of 2 Principal Officers in the GS and appointed both candidates.

Members considered requests from the GS to extend temporary acting appointments to two Executive Director positions. Members agreed to approve the extensions, subject to the consent of the Ministers for Justice and Equality and Public Expenditure and Reform and expressed their concern that filling of these key strategic position on a temporary acting basis was not ideal. Members also considered a request from the GS to extend the appointment of an interim Executive Director in light of delays in the permanent appointee taking up the position and, agreed to approve the extension subject to clarification of a number of matters with the Commissioner.

Members noted that the consent of the Minister for Justice and Equality and Public Expenditure and Reform had been received in accordance with the relevant provisions of the Act for the approval of a number of supernumerary Principal Officers with expertise in HR, IR, Finance and ICT into the GS on a two year secondment to lead the transformation in these key enabling functions. Consequent on this, the Authority approved these positions.

Members appointed a technical expert to the panel of interviewers for a specified duration in accordance with Regulations 9(2) and 9(3) of the Garda Síochána (Promotion) Regulations 2006.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_059_09</b>	Further to appointments to the rank of Executive Director, Chief Superintendent, Principal Officer and Superintendent in the GS, the Chief Executive to notify the persons of their appointment.	ASAP	Chief Executive
<b>A_059_10</b>	The approval of the Ministers for Justice and Equality and Public Expenditure and Reform to be sought for the extension of a number of temporary acting and interim positions at Executive Director level in the Garda Síochána.	Immediate	Chief Executive
<b>A_059_11</b>	The Commissioner to be notified of the appointments made by the Authority.	ASAP	Chief Executive
<b>A_059_12</b>	The Chief Executive to inform the GS of the Authority's approval of a number of supernumerary Principal Officer positions to lead transformation in HR, IR, Finance and ICT into the GS on a two year secondment.	ASAP	Chief Executive

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_059_13</b>	The Chief Executive to notify the GS and the appointee of the appointment of a person as a technical expert to the panel of interviewers in accordance with the Garda Síochána (Promotion) Regulations 2006.	ASAP	Chief Executive

#### **7. Proposal to dismiss members of the Garda Síochána in accordance with Regulation 39 and Section 14 of the Garda Síochána Act 2005**

Members considered requests from the Garda Commissioner to dismiss three members of the Garda Síochána and Members agreed to consent to these dismissals.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_059_14</b>	The Authority's consent to the dismissal of three members of the Garda Síochána, in accordance With Garda Síochána (Discipline) Regulations 2007 (as amended) or Section 14 of the Garda Síochána Act 2005, as applicable, to be conveyed to the Commissioner.	ASAP	Chief Executive

#### **8. Policing Priorities and Policing Plan 2020**

Members agreed to finalise the policing Priorities for 2020 in line with the settled approach, subject to consultation with the Garda Commissioner.

Members noted and approved, in accordance with section 27 of the Act, the proposal from the GS to undertake a consultation in relation to the Policing Plan. The approach to the approval of the Policing Plan 2020 was discussed and it was agreed that when a draft is available from the GS it would be beneficial to have a small focused workshop. It was noted that the new GS operating model will form a key aspect of the plan and that it is likely that this would benefit from fewer priorities and more focused deliverability.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
<b>A_059_15</b>	The Policing Priorities for 2020 to be finalised subject to consultation with the Garda Commissioner and submitted to the Minister.	ASAP	Chairperson and Chief Executive
<b>A_059_16</b>	The Authority's approval in accordance with section 27 of the Act, to the GS undertaking a consultation in relation to the Policing Plan to be conveyed to the GS.	ASAP	Chief Executive

## 9. Garda Síochána Annual Report 2018

Members considered the Annual Report of the Garda Síochána for 2018 and welcomed the improvements in the report previously requested by the Authority. It was agreed that the Chairperson would provide the report to the Minister in accordance with section 46 of the Act.

<b>No.</b>	<b>Action point</b>	<b>By Date</b>	<b>By Whom</b>
<b>A_059_17</b>	The Chairperson to provide the 2018 Annual Report of the Garda Síochána to the Minister in accordance with Section 46 of the Act.	ASAP	Chairperson

## 10. 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.

## 11. Documents for Noting by the Authority – September 2019

The following documents were noted by the Authority:

	<b>Document</b>	<b>Action Required</b>
<b>D_059_01</b>	Criminal Justice (International Co-operation ) Act 2019	For noting
<b>D_059_02</b>	Finglas Research Forum Research Report - <i>Perceptions of safety among people living and working in the Finglas Community Safety Forum catchment</i>	For noting

## Part B – Authority Meeting with the Garda Commissioner in private

### Attendance

**Authority and Executive:** Josephine Feehily (Chairperson), Bob Collins, Judith Gillespie, Valerie Judge (CC), Paul Mageean, Moling Ryan.

**Apologies:** Vicky Conway, Pat Costello, Maureen Lynott

**Staff of the Authority:** Helen Hall (Chief Executive), Aileen Healy (Secretary), Síle Larkin

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

### 12. Human Resources Matters

Members raised a number of a number of current HR issues, some arising from recent media reports, with the Commissioner and issues arising relating to recruitment, promotion, supervision, performance management and disciplinary were discussed. The Commissioner agreed to provide further details in relation to certain of the matters discussed. Members indicated that it was intended that, in light of the Authority's mandate to keep matters relating to Garda recruitment and promotion under review, these would be on the agenda for the next Organisation Development Committee.

Clarification was sought regarding the GS request for the extension of an interim position at Executive Director level and the Authority agreed to approve the extension in light of the discussion, subject to the consent of the Ministers for Justice and Equality and Public Expenditure and Reform.

### 13. Other Business

There was a brief discussion in relation to a number of items including:

- Matters raised in the recent Inspector of Prisons report which have been referred to the GS for investigation;
- The Policing Priorities 2020;
- The Policing Plan 2020 and the impact of the new operational model on planning for 2020;
- The update on the disciplinary process arising from the Youth Diversion Programme. Members sought assurances regarding the consistency of disciplinary outcomes across the organisation and discussed with the Commissioner how this was being managed. Members expressed disappointment at the receipt of material on 25 September which left little time to prepare for this agenda item at the meeting in public that afternoon; and
- The update received in relation to the destruction of DNA samples. Clarification was sought in relation to one aspect of this matter and it was agreed that further matters will be followed up by the Chief Executive.

### Actions arising:

No.	Action point	By Date	By Whom
A_059_18	The GS to provide further details in relation to a HR related matter which was recently reported in the media.	ASAP	GS
A_059_19	The Garda Commissioner to revert to the Authority with any further views in relation to the Policing Priorities 2020.	ASAP	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), Michael Finn (Assistant Commissioner), Orla McPartlin (Assistant Commissioner), David Sheahan (Assistant Commissioner), 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
<b>Commissioner's Monthly Report</b>	<ul style="list-style-type: none"> <li>• Garda Síochána successes in protecting local communities;</li> <li>• Measures to achieve gender balance representative of society on recruitment and promotion and assignment to ensure equal opportunities for Garda Members and staff to progress in careers;</li> <li>• Trends in Crime Statistics, specifically the increase in crimes against the person, what is underlying this trend, the initiatives that are being undertaken and what impact they have had;</li> <li>• Difficulty in analysis of domestic violence statistics which are not disaggregated from general assault as identified in the recent Women's Aid report on domestic violence issues;</li> <li>• Data on signing of the Code of Ethics in the GS;</li> <li>• Progress on work to re-open six Garda Stations; and</li> <li>• The current budgetary position, how this is being managed and any consequences of budgetary management on the public.</li> </ul>
<b>Youth Diversion Programme</b>	<ul style="list-style-type: none"> <li>• Engagement with the victims of offences which weren't pursued;</li> <li>• Accountability framework;</li> <li>• Measures to keep the organisation abreast of changes in the law and directives;</li> <li>• Implementation Plan and whether it is achievable given timeframe and resources;</li> <li>• Disciplinary issues, specifically the different rates of progress across Divisions and the risk of inconsistency of outcomes;</li> <li>• Obligations to disclose interests and SIPO requirements</li> </ul>
<b>Garda Síochána Operating Model</b>	<ul style="list-style-type: none"> <li>• Commissioner's presentation of the new Operating Model;</li> <li>• How the role of Superintendents will change;</li> <li>• Rationale for location of Divisional HQs and availability of accommodation;</li> <li>• Level of confidence that the change can be achieved in timeframe set out.</li> </ul>

Agenda Item	Principal matters discussed
<b>Community Policing framework</b>	<ul style="list-style-type: none"> <li>• Challenges in delivery of the programme, particularly cultural challenges;</li> <li>• How to change perceptions about the importance of data;</li> <li>• ICT systems to support the changes;</li> <li>• Mapping resources to match peak demands;</li> <li>• Representation and retention of best talent in the organisation in community policing teams;</li> <li>• Implementation Plan for the introduction of the framework and how success will be measured.</li> </ul>
<b>Other Business</b>	<ul style="list-style-type: none"> <li>• Homicide Review report status;</li> <li>• Authority work in relation to the Adult caution scheme;</li> <li>• Commissioner’s reflection on his first anniversary of meeting with the Authority.</li> </ul>

**Actions arising from the meeting held in public:**

No.	Action point	By Date	By Whom
<b>A_059_20</b>	The GS to share its Assault Reduction Strategy and the analysis being undertaken to identify the drivers of assaults with the Authority.	ASAP	GS
<b>A_059_21</b>	The GS to respond in writing to the Authority regarding the disaggregation of domestic violence from general assault statistics.	ASAP	GS
<b>A_059_22</b>	The GS to provide data on the number of officers by rank included in the disciplinary statistics in the Youth Diversion report.	ASAP	GS