



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 22 March 2018

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

Staff of the Authority: Helen Hall (Chief Executive), Catherine Pierse, Margaret Tumelty

1. Chairpersons 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.

A number of items of correspondence were noted, including:

- With the Oireachtas Justice Committee in relation to their invitation to appear before the Committee on 21 March;
- From the Chief Executive to the Garda Commissioner inviting the GS Analysis Service to meet to discuss the Homicide review;
- With the Minister regarding the approval of the requirements for recruitment of the Garda Commissioner under s 9(3) of the Garda Síochána Act ('the Act'); and
- From the Department of Justice and Equality ('the Department') requesting the Authority to monitor and assess the measures taken by the GS in relation to the Garda Inspectorate ('GI') report 'Responding to Child Sexual Abuse – A Follow-up Review'. In discussion of this matter Members noted that the decision of Government did not include an acceptance of the recommendations but did establish an implementation group to examine and drive forward the detailed recommendations in the report. Members expressed the view that assessment of measures taken by the GS was consequently premature. It was agreed that key issues raised in the report would be a focus of the Authority's oversight work and that engagement with the Implementation Group was welcome and should be progressed by the Chief Executive.

Members requested that suggestions made at the recent Oireachtas committee in relation to how the Authority does its work be examined and a paper prepared for the consideration of the Authority

The Chairperson reminded Members that they had planned an extra day's meeting in July to consider strategy for 2019-21. However, in light of the expected report of the Commission on the Future of Policing ('CFP') in September, it was agreed that such a reflection would seem more appropriate in the Autumn, but in the interim, the Chief Executive would prepare a draft strategy for the Authority on an 'as is' basis to be considered by the Authority in conjunction with the CFP report.

No.	Action point	By Date	By Whom
A_035_01	Convey the Authority's views to the Department further to the request to monitor and oversee the GI report 'Responding to Child Sexual Abuse – A Follow-up Review'.	ASAP	Chief Executive
A_035_02	Arrange a meeting with the Chair of the Implementation Group tasked with examining the detailed recommendations of the GI report 'Responding to Child Sexual Abuse – A Follow-up Review'.	ASAP	Chief Executive
A_035_03	Prepare paper on procedural issues in relation to how the Authority conducts its work for consideration by members.	24 May	Chief Executive
A_035_04	Prepare a draft strategy for the Authority on an 'as is' basis to be considered by the Authority in conjunction with the CFP's report.	September 2018	Chief Executive

2. Minutes and Matters arising

The minutes of the meeting on 22 February were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

The Chairperson updated Members with regard to a proposal to hold a live streamed event in relation to the results of the Culture Audit in the Garda Síochána ('GS) to which the Garda Commissioner has agreed. This will be a facilitated discussion with key stakeholders invited to participate. A briefing on the results will be held for the Authority on 25th April.

No.	Action point	By Date	By Whom
A_035_05	Make arrangements for a live streamed event with key stakeholders in relation to the results of the GS Culture Audit	9 May 2018	Chief Executive

3. Chief Executive's 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:

- More positive engagement with the GS and improved progress in relation to the provision of material requested by the Authority, with a note of caution that focus needed to be retained on the matter for a few more Authority meetings until the matter was resolved;
- Ongoing liaison with the Public Appointments Service ('PAS') in relation to the recruitment process for the Garda Commissioner;

- Discussion with the GS in relation to the Authority's expectations in relation to the content of the GS Learning and Development Strategy;

A proposal from Queen's University Belfast ('QUB') to support a research proposal in relation to policing and diversity in four cities in the UK and Ireland including Belfast and Dublin was discussed and approved subject to the Chief Executive obtaining further clarification in relation to the details of the proposal , including the Dublin link

The monthly correspondence report was noted and there was discussion in relation to the actions to be taken in relation to a number of the items.

No.	Action point	By Date	By Whom
A_035_06	Indicate agreement to QUB to support a research proposal in relation to policing and diversity subject to follow up on clarifications discussed.	ASAP	Chief Executive
A_035_07	Formally refer a correspondence matter to the appropriate authorities and request that the Authority be notified of the outcome of the matter.	ASAP	Chief Executive
A_035_08	Refer the file on a correspondence matter for the information of the Audit and Risk Committee.	ASAP	Chief Executive

4. Committee Updates

4.1. Code of Ethics Committee

The Chair of the Committee gave a progress report on the roll out of the programme to embed the Code of Ethics in the GS by the Garda Commissioner. In particular, he noted that the Committee has been informed that training is well underway, promotional material has been provided to Garda stations and a three year strategic plan is being developed by the GS. Members discussed and emphasised the importance of having the Code embedded in the culture of the GS as soon as possible and ceasing to view it as a special project.

Members expressed disappointment that only approximately 50% of GS staff who have received training in relation to the Code to date have formally committed to it and that this would be discussed this with the Garda Commissioner in the afternoon. The Authority agreed that candidates for its selection competitions for appointment to the senior ranks would be required to confirm their commitment to the Code and that all persons appointed by the Authority to positions in the GS would be required to affirm their commitment to the Code in writing.

The importance of fulsome senior GS leadership support for the Code of Ethics was reiterated as was the role of new recruits in changing the culture of the organisation. It was agreed that the Authority would review its experience in relation to engagement with Phase 3 Garda recruits as part of their training, in particular in relation to the Code of Ethics, with a view to discussing their training with the Garda Commissioner later in the year.

Members agreed that GS policies should reflect the requirements of the Code of Ethics and requested that GS policies, including on hospitality, gifts and staff undertaking external employment should be provided for review by the Committee to give assurance to the Authority in this regard.

No.	Action point	By Date	By Whom
A_035_09	The Authority and the Garda Commissioner to convey to PAS that a provision for a formal commitment to the Code of Ethics be included in the competition documents for selection of Garda recruits	ASAP	Chief Executive and Garda Commissioner
A_035_10	Formal commitment to the Code of Ethics to be included as a requirement for Authority's selection processes and appointments in the GS.	ASAP	Chief Executive
A_035_11	Review Authority's experience of engagement with Phase 3 Garda recruits, in particular in relation to the Code of Ethics, with a view to discussion with the Commissioner.	Dec 2018	Chief Executive
A_034_12	GS to provide its internal policies on hospitality, gifts, staff engaging in external employment and other policies as required for review by the Committee on compliance with the code of Ethics.	ASAP	GS & Code of Ethics Committee

4.2. Garda Appointments Quality Assurance and Selection Governance Committee

This item was taken in conjunction with Item 7.

4.3. Organisational Development Committee

The Chair of the Committee updated Members on the Committee's recent meeting, in particular in relation to the implementation of the MRP and the civilianisation/redeployment programme.

The MRP is being reviewed by the GS in the context of priorities and urgent enablers to facilitate progress on implementation. Further clarity is required on this in advance of the Authority's next quarterly report to the Minister. The lack of a strategic overview across the organisation and, in particular the lack of consideration in the planning of the project and follow through on the provision of resource requirements (e.g. accommodation) to implement the change programme are now resulting in substantial barriers to progress.

Concern was also expressed regarding the progress on civilianisation and redeployment of Garda members to front line duties, noting a disconnect between the two processes in practice. In particular the lack of a coherent Work Force plan to set out how future resource requirements will be put in place and which connects the different strands of resourcing, including Garda recruitment, civilianisation and redeployment, is restricting the ability to progress these strands in parallel. This will have consequences for achieving the targets set out in the Government decision regarding staffing levels by 2021 and needs to be addressed urgently in light of the likelihood that 2018 targets will not be achieved.

4.4. Policing Strategy and Performance Committee

The Chair of the Committee updated members on the recent meeting, noting again frustration with late receipt of papers from the GS and representative who were not in a position to deal with agenda items in an in-depth manner. She noted that items discussed by the Committee with Garda Representatives included:

- A debrief on learning from experience during the recent severe weather;
- Ongoing concerns re failure to improve detection rates;
- Upwards trends in assaults over last year. It was proposed that there would be merit in working with the HSE to build up a pattern of locations of assaults from A&E Departments and ambulances. Members agreed that the Authority should explore what data is available from the HSE to help improve the Authority’s understanding in this regard;
- The RAG status report for the 2017 Policing Plan at end 2017 has now been received and will be reviewed by the Committee;
- How Public Order Units are deployed;
- The structure and content of the bi-annual report on the 2018 policing plan;
- Visits to stations and other locations to educate Authority members and staff and to gather evidence on the ground to inform assessment of bi-annual reports. The Chair of the Committee reported on a recent visit to Store street station, noting positive impressions of good practical police work and of coaching and supervision of less experienced colleagues at an individual level; and
- Commitments made in relation to the Homicide review.

It has been agreed that the May Committee meeting will be rescheduled on a pilot basis in order to fit with the timing of performance reports and their provision in advance of the Committee meeting.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_035_13	Explore what data is available for HSE to inform the Authority’s understanding of the incidence and location of assaults.	ASAP	PS&P Committee

5. Audit, Governance and Risk

The Chair of the Audit and Risk Committee indicated that the committee has not met since the last meeting but was due to meet the following week. He noted receipt of the C&AG audit planning memo for the upcoming audit of the 2017 Appropriation Account.

There was an exchange of views in relation to emerging risks for the Authority. The Chair of the Audit Committee confirmed that the Risk Register is revisited at each meeting by the Committee.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_035_14	The Risk Register to be updated in accordance with the discussion in relation to risk.	ASAP	Secretary

6. Garda Síochána Appointments

6.1. Appointments in the Garda Síochána

The Secretary briefed Members on the outcome of the clearance process in respect of a candidate on the Chief Superintendent panel and five candidates on the Superintendent panel in light of positions to be filled. Members considered the outcome and the candidates were appointed.

The GS request for the appointment of a Principal Officer (PO) in the GS to fill a position which had been approved by the Authority in November 2016 from a PAS competition held for the purpose was considered and the candidate concerned was appointed. A further request for the appointment of a PO to fill a position approved by the Authority in November 2017 from a PAS panel was considered and the candidate concerned appointed.

The Chief Executive updated members regarding the GS plans to fill the position of Chief Data Officer.

The Authority revisited a previous decision not to appoint a candidate to the rank of Superintendent in light of a request and further material submitted on behalf of the candidate. Members reviewed the file relating to their original decision, considered the additional matters and found that those matters did not provide a basis for reconsidering its earlier decision which stands.

The Chief Executive updated Members on progress in relation to the recruitment of a new Garda Commissioner. The Minister has approved the job specification setting out the requirements relating to knowledge, ability and suitability for appointment in accordance with S. 9(3) of the Garda Síochána Act 2005 (as amended) ('the Act') and the Public Appointments Service has advertised the competition, with a closing date of 12 April 2018. The Chief Executive was requested to continue to liaise closely with PAS regarding the selection process and the progress of the competition.

6.2. 2018 Selection Competitions for appointment to the senior ranks in the GS

Members discussed proposals for undertaking competitions for appointment to the senior ranks of the GS in 2018. Given the expected requirements to fill positions in these ranks as indicated by the GS, it was agreed that a competition for the rank of Superintendent would be held commencing in May with a view to establishing a panel by end July and that a Chief Superintendent competition would follow in the Autumn. It was agreed that while preparations for an Assistant Commissioner competition would be progressed, the scheduling of the next competition would be kept under review in the context that Members considered it appropriate for the new Garda Commissioner to be involved in the competition.

Members discussed the recommendations of the Garda Appointments Quality Assurance and Selection Governance Committee for the 2018 competitions. It was agreed that the same overriding principles would apply to the Authority's 2018 Selection competitions as in 2017 but that the selection process should continue to evolve consistent with striving to implement best recruitment practice. In particular it was agreed that the addition of a number of new selection methodologies would enhance the process. A paper setting out the available alternatives and the Committee's recommendations on suitable methodologies was considered and it was agreed that the following selection methodologies would be introduced:

- Video shortlisting whereby candidates record their answers to specified questions using a video tool for assessment by the Selection Board against the criteria to shortlist candidates to progress to the interview stage of the competition. This will be introduced for the Superintendent competition and, subject to satisfactory operation, for the Chief Superintendent competition; and

- Appropriate psychometric or personality questionnaire will be proposed for the next Assistant Commissioner competition

6.3. Syllabus for Qualifying Professional Examination for Inspector

At the request of the GS, and to ensure that there is no avoidable delay in the appointment of Inspectors, which is now urgent, the Authority revisited a previous decision to approve the syllabus for the Professional Qualifying Examination for the rank of Inspector in the Garda Síochána and rescinded their approval of the syllabus.

Members agreed that they are prepared to allow the use of the existing syllabus for the 2018 examinations only and stipulated that preparations for future examinations should not proceed until such time as the revised syllabus is re-submitted for approval. The revised syllabus should address the reservations expressed by the Authority in January 2018 which have been communicated to the Commissioner and should be submitted to the Authority in good time in advance of the commencement of the new academic year in which the syllabus is to apply.

Members expressed deep dissatisfaction at the manner in which this matter had been presented to them by the GS in January for approval, and in March to reverse that approval. Members also expressed concern with the length of time that the existing syllabus has been in place and the consequent gap in the law arising from legislation passed in the intervening years which will not be examinable and agreed to seek information from the Garda Commissioner on how candidates will be brought up to speed with the law concerned.

No.	Action point	By Date	By Whom
A_035_15	Further to appointments to the rank of a Chief Superintendent, 2 Principal Officers and 5 Superintendents in the GS, the Chief Executive to notify the candidates of their appointment.	ASAP	Chief Executive
A_035_16	The Commissioner to be notified of the appointments of a Chief Superintendent, Principal Officer and Superintendents.	ASAP	Chairperson/Chief Executive
A_035_17	The Chief Executive to closely liaise with PAS regarding the selection process for the Garda Commissioner and keep the Authority advised	Ongoing	Chief Executive
A_035_18	The Authority's decision regarding a request to revisit a previous decision not to appoint a candidate to the rank of Superintendent to be communicated to his representatives.	ASAP	Chief Executive
A_035_19	Arrangements to be finalised to undertake selection competitions for the rank of Superintendent commencing in May 2018 and the rank of Chief Superintendent in the Autumn	ASAP	Chief Executive

No.	Action point	By Date	By Whom
A_035_20	Preparations to proceed for an Assistant Commissioner competition pending a decision as to scheduling of the competition, which is not likely to take place until after the appointment of the new Garda Commissioner.	3 May 2018	Chief Executive
A_035_21	Procure a service provider for a video shortlisting tool and finalise the arrangements for operating this tool for the shortlisting stage of the Superintendent selection competition in May 2018.	ASAP	Chief Executive
A_035_22	Propose psychometric/personality tools for use in the next Assistant Commissioner selection process.	31 October 2018	Chief Executive
A_035_23	The Commissioner to be notified of the Authority's decision and concerns regarding the Syllabus for the Professional Qualifying Examination for the rank of Inspector in the Garda Síochána	ASAP	Chief Executive

7. Approach to draft documents from the Garda Síochána.

There was a brief discussion of the approach to be taken by the Authority to draft documents provided by the GS and it was agreed that a set of draft principles would be prepared for the Authority's consideration .

No.	Action point	By Date	By Whom
A_035_24	Prepare draft principles for the approach to dealing with draft GS documents for consideration by the Authority	24 May 2018	Chief Executive

8. Request for consent to dismiss a member of the Garda Síochána in accordance with Regulation 39 of the Garda Síochána Discipline Regulations

This matter was considered by the Members and there was agreement to consent to the request. Members requested that future requests reflect information on the actions taken by the Commissioner in relation to the process of reaching a decision.

No.	Action point	By Date	By Whom
A_035_25	The Executive to convey the consent of the Authority under Regulation 39 of the Garda Síochána Discipline Regulations to the Commissioner.	ASAP	Chief Executive

9. Annual Report of the Authority

The Authority's draft Annual Report for 2017 was discussed and approved subject to finalisation of some outstanding factual data. It was agreed that the annual report would be finalised and submitted to the Minister in accordance with the statutory deadline of 31 March, incorporating any drafting points which should be provided to the Executive by 26th March.

No.	Action point	By Date	By Whom
A_035_26	The Authority's Annual Report for 2017 to be finalised subject to inclusion of agreed material and any further drafting points received by 26th March.	31 March	Chief Executive
A_035_27	The Authority's Annual Report to be submitted to the Minister by the statutory deadline of 31 March.	31 March	Chairperson

10. Roads Policing

Members considered and expressed deep dissatisfaction with the responses received from the GS to written questions submitted by civil society groups in relation to Roads Policing further to the Authority's meeting in public with the GS on this issue in April 2017. It was agreed that:

- The document which sets out the questions and the GS response be finalised, subject to drafting to include the Authority commentary on each matter and approval by the Chairperson and Chair of the Policing Strategy and Performance Committee;
- The document be published as had been indicated by the Authority in April 2017; and
- The Chairperson would consider whether to write to the Minister in relation to any matters arising.

Members discussed the experience of this approach to the Authority's work and identified learning for how to approach similar work in future.

11. Garda Síochána Review of Serious Public Order Incident at An Cosán

The GS report on the public Order incident at An Cosán received on 21 February was noted and it was agreed that, as it had not been possible to discuss this in any depth with the GS at the February meeting in public, the item would be added to the Agenda for the meeting in public in April which would be extended to allow time for engagement on the matter.

12. 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.

13. Documents for noting by the Authority - March 2018

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_035_1	GS update in relation to its review of the GS Protected Disclosures Policy.	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Staff: As above

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

14. Commissioners Monthly Report to the Authority

A number of matters were raised by Members in relation to the Commissioner's report, including;

- The value of periodic inclusion of data in relation to crime trends in graphical form to give a sense of change over time. The GS agreed to examine the feasibility of providing this information;
- The unacceptably slow pace of civilianisation and how it is to be progressed.
- Progress on critical MRP projects, noting that a number of mission critical items have been added to 'red/at risk' categories.
- The type, age, deployment and adequacy of the Garda fleet to meet needs. The Authority indicated that it would be willing to have a more detailed discussion on the fleet when evidence and data regarding dispersal and use of the fleet is available.
- The lack of driver training in the Garda college and throughout the service, and whether consideration has been given to outsourcing this training. It was confirmed that expressions of interest had been sought but no viable providers were identified. Members asked the GS to provide the RFI and a note on the recent work in relation to outsourcing of driver training.
- The GS response to the recent severe weather conditions recognising the good resourceful work done by Gardaí over this period. Members asked if there was any organisational learning from this experience and the GS agreed to update Members when a full multi-agency debrief has been completed.

Progress on the roll out of the Code of Ethics by the Garda Commissioner was discussed and Members expressed disappointment that all Garda staff have not yet signed up to the Code of Ethics. Members reiterated their expectation that arrangements be made by the Commissioner for everyone to whom the Code applies to make a formal commitment to its observance. It was agreed that the Garda Commissioner would include this as a requirement in the future recruitment and promotion of all staff in the GS.

15. Provision of Information to the Authority

Members received an update on material which has been received in recent days and it was agreed that the Chief Executive would continue to engage with the Deputy Commissioner on a weekly basis until there was a significant reduction in outstanding items. Members again noted the late receipt of material in advance of meetings which continues to cause considerable difficulty. It was noted that the next meeting of the Policing Strategy and Performance Committee would be scheduled for a few days later on a trial basis to coincide with the availability of information. The need for GS representatives with the ability to speak to the agenda was again raised.

16. Garda Síochána Strategy Statement 2019 – 2021

The GS Strategy Statement 2019 – 2021 was discussed and it was agreed that it would seem practical to extend the period for submission of the GS Statement of Strategy 2019-21 by six months to allow an opportunity to consider any matters having a bearing on strategy that might emerge from the report of the CFP and to allow the new Commissioner to input to the Strategy. The Chairperson confirmed that from her discussions with Department officials the new Strategy being submitted to the Authority in March 2019 was considered a pragmatic solution and she agreed to write to the Minister in this regard.

17. Organisational Design Overview

The GS presented an overview of this model which is being undertaken to review the current resourcing of the organisation and to identify future deployment of all staff according to need and priority together with related resource requirements e.g. for accommodation and training. This will inform the new strategy and link with other reform work. Members stressed the need for clear terms of reference for this work and clarified that this will result in a versatile deployment model for human resources rather than a wider organisational design. The GS confirmed that this work will inform the ongoing work on the HR Strategy and Work Force Plan.

18. Homicide Review

The Authority received an update on the homicide review and were informed that it is proceeding satisfactorily and that they would be updated by 30 April 2018 including any impediments to its proposed full completion by September 2018.

19. Other Business

The Chairperson confirmed that the Authority had rescinded its approval of the syllabus for the professional examination for the rank of Inspector further to the GS request to allow the pre-existing syllabus to be examinable for the 2018 examinations. The Authority's dissatisfaction with the manner in which this matter was handled was conveyed in addition to expectations regarding the content of the syllabus to be submitted for the Authority's approval in advance of any further examinations. Concerns were also expressed about how newly appointed Inspectors will be brought up to date with the law which is not covered in the examinable syllabus.

The Chairperson confirmed that, as the April meeting in public would focus on a number of issues in relation to children in addition to the Jobstown review, the meeting would commence earlier to allow for an extended discussion.

The GS provided an update on the approach to filling the position of Chief Data Officer.

It was noted that the Public Attitudes Survey for Quarter 4 2017 would be published on 23 March.

The Commissioner drew attention to the resource challenges faced by the organisation and steps that he is taking to quantify the challenge and the impact on delivery of the 2018 Policing Plan.

No.	Action point	By Date	By Whom
A_035_28	Provide evidence and data on composition of the Garda fleet and its dispersal and use to inform a future discussion.	ASAP	GS

No.	Action point	By Date	By Whom
A_035_29	Provide the RFI and a note on the recent work in relation to outsourcing of driver training	ASAP	GS
A_035_30	Provide the assessment in relation to the options of leasing and purchasing of Garda vehicles.	ASAP	GS
A_035_31	Update the Authority on the outcome of the debriefing exercise on the recent severe weather.	ASAP	GS
A_035_32	The Garda Commissioner to include a formal commitment to the Code of Ethics as a requirement in the future recruitment and promotion of all staff in the GS.	ASAP	GS
A_035_33	The Chairperson to write to the Minister proposing extending the GS Statement of Strategy 2016-18 for a period of 6 months.	ASAP	Chairperson
A_035_34	GS to share the specification in relation to request for assistance in relation to organisational design.	ASAP	GS
A_035_35	Provide interim report on homicide review	April 2018	GS
A_035_36	GS to provide a timeline to progress filling of Chief Data Officer position on an interim basis and to pursue a recruitment to permanently fill the position without delay.	ASAP	GS
A_035_37	GS to provide copy of Public Attitudes Survey for Quarter 4 2017 in advance of publication	23 March 2018	GS
A_035_38	GS to provide results from 16-18 year old cohort from the Public Attitudes survey	19 April 2018	GS
A_035_39	The GS to confirm the timeline for submission of a new syllabus for the Inspector's examinations consistent with meeting the Authority's requirements regarding content and the timing of proposed future exams.	ASAP	GS
A_035_40	GS to provide a single comprehensive financial assessment of challenges for delivery of the Policing Plan (including in relation to resources, accommodation, training and other issues).	30 April 2018	GS