



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 26 September (Strategy Day) and 27 September 2018

Venue: Kings Inns and Dublin Castle

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

Staff of the Authority: Helen Hall, Margaret Tumelty, Síle Larkin

Visitors John O’Callaghan, Assistant Secretary General, Department of Justice and Equality (for part of Item 11)

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 fifth and sixth reports on the implementation of ‘Changing Policing in Ireland’, noting in particular shared concerns regarding the effective implementation of the Divisional model of policing.

The Chairperson updated members on a number of meetings including with the CSO and the WRC.

It was agreed that the Authority meeting scheduled for 29 November would take place on 22 November, subject to confirming the availability of the Garda Commissioner.

No.	Action point	By Date	By Whom
A_042_01	Make arrangements to reschedule the Authority meeting in November to 22 November.	ASAP	Secretary
A_042_02	Publish 2019 schedule of Authority meetings.	Immediate	Secretary

2. Minutes and Matters Arising

The minutes of the meeting on 26 July 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 since the last meeting were noted:

Date	Procedure	Decision
9 August 2018	Written Procedure	Five candidates were appointed to the rank of Superintendent in the Garda Síochána from the Panel of Candidates following the 2018 Selection competition and consideration of the outcome of the clearance process for the candidates.
15 September 2018	Standing Order 5	A candidate was appointed to the position of Interim Chief Data Officer in the Garda Síochána at the grade of Executive Director for a period of 9 months.

3. Chief Executive's Report

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

- Progress by the Garda Síochána ('GS') in preparation of a report on the Youth Diversion Scheme, noting that the report was expected in October and would be on the agenda for the Authority's November meeting with the Garda Commissioner;
- A meeting with the GS Homicide Review team, noting that a third report on a further group of cases is expected to be completed by year end. It was agreed that the Commissioner be asked for his initial views on the issues raised in the second report which would be examined further in Committee;
- A meeting with a representative selection of Garda Reserves with a second such meeting scheduled in October. A number of themes arising from the meeting were noted and it was agreed that an information paper would be prepared for the Authority to inform its engagement on the reserve strategy being prepared by the GS. It was agreed that the strategy, if ready, would be included in the agenda for meeting with the Garda Commissioner in November; and
- The approach to the Research Bursary, which was endorsed subject to receiving DPER sanction. It was agreed that further consideration will be given to preferred research themes and Members were invited to communicate any further suggestions to the Executive.

There was a brief initial discussion on the possibility of the Authority organising a conference on community policing in 2019 and the Executive was asked to explore the idea further.

There was a discussion in relation to the monthly correspondence report, noting a number of trends in matters that have been raised by the public. It was agreed that these matters should be addressed in the preparation of the Authority's 2019 Work Plan.

No.	Action point	By Date	By Whom
A_042_03	An information paper to be prepared for the Authority on the themes arising from meeting with Garda Reserves and providing international comparisons.	ASAP	Chief Executive

No.	Action point	By Date	By Whom
A_042_04	The Executive to explore the possibility of the Authority holding a national conference on Community Policing in 2019.	ASAP	Chief Executive
A_042_05	Further consideration of procedures for dealing with matters arising from correspondence reports to be discussed on completion of a review.	25 October	Authority
A_042_06	Thematic matters arising from correspondence to be addressed in 2019 Work Plan	ASAP	Chief Executive

4. Report of the Commission on the Future of Policing in Ireland

Members considered the report 'The Future of Policing in Ireland' in detail and Members reiterated their welcome for the publication of the Report, noting that it is a comprehensive document which needs to be read in detail to appreciate the richness of its contents. It was further noted that the report reflects several recommendations of the Authority, the Garda Inspectorate and others and the strong implementation focus in the Report and in the statement by Minister for Justice and in the report was welcomed.

Members welcomed the emphasis on human rights and the new definition of policing being more holistic, community focussed, with a strong emphasis on community safety and not just crime. Members considered that the Report sets out innovative thinking in relation to national security, which has the potential to alter the balance in a positive way, and would appreciate having some further information in due course.

Members were of the view that a number of recommendations have the potential to be transformative, In particular:

- Education and Training which should be high on the list of priorities to be advanced while the Garda Síochána organisation is growing and which would not appear to have to await legislation;
- Legislation to codify police powers of arrest, search and detention, with accompanying codes of practice would be enormously beneficial to Gardaí on the front line and to the community;
- The removal of all prosecution decisions from the police, as previously identified by the Garda Inspectorate, from the point of view of community confidence, integrity and efficient use of Garda time; and
- The full Implementation of the 2014 Garda Inspectorate 'Crime Investigation' Report.

Members expressed the view that the service provided by the Garda Síochána is very different from other public services in the extent of its coercive and intrusive powers, its potential impact on the rights and liberties of the individual and its responsibility to protect the community. With that in mind, Members expressed the need to better understand where the recommendations relating to oversight and accountability will take policing and public confidence, bearing in mind the origins and policy underpinning for the establishment of the Authority.

Members emphasised that the Authority's focus has always been on enhancing public confidence by placing transparency at the heart of its oversight activity, noting that it had itself identified several areas where it considered that change would be beneficial. Members questioned the lack of clarity regarding how

the public interest and the current level of transparency can be maintained, let alone enhanced, through the architecture of the proposed internal board, given the usual fiduciary duties that attach to the board of a public body. In addition, Members expressed surprise that, despite a view that it would be worthwhile to consider ensuring a “single pair of eyes” on Garda performance for the avoidance of oversight gaps, the Commission proposes adding two further layers and will be interested in hearing the detail of how this might work.

Members approved the issue of a statement and, in light of the intention of the Minister for Justice and Equality to undertake a consultation process in relation to the Commission’s report, agreed that the Authority would develop a substantial response setting out its statutory advice to the Minister, noting that an additional meeting may be required for this purpose. Members agreed that there was a value that the Authority could provide to the Implementation group arising from its experience and knowledge of the Garda Síochána and this was conveyed to the Department who agreed to take this suggestion on board.

Members noted that the recommendations, once accepted by Government, will take some time to implement and were strongly of the view that in the meantime, the Authority will continue with its work programme and the exercise of all its statutory functions.

No.	Action point	By Date	By Whom
A_042_07	The Authority to issue a statement reflecting its discussion of the report of the Commission on the Future of Policing.	ASAP	Authority
A_042_08	The Authority to develop a substantial response to the report of the Commission on the Future of Policing setting out its statutory advice to the Minister.	31 October	Authority

5. Committee Updates

There was a brief discussion about Committee membership and it was agreed that this would be considered and revisited in the coming weeks.

5.1. Code of Ethics Committee

The Committee Chair updated members on the recent Committee meeting, welcoming the discussion with the Garda Commissioner, who attended at the outset of the meeting, in relation to training, sign up to the Code and the need for leadership to embed the Code. The Committee received an update from the GS representatives on progress with training, also noting other initiatives to promote the Code. Statistics on the numbers who had signed the code were discussed. While Members took note of an overall increase in the numbers who had signed it was agreed that more detailed statistics were required to identify underlying issues.

No.	Action point	By Date	By Whom
A_042_09	The GS to provide more detailed statistics on sign-up to the Code of Ethics including analysis by rank/grade and location.	ASAP	GS

5.2. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last Authority meeting.

5.3. Organisational Development Committee

The Committee had not met since the last Authority meeting.

5.4. Policing Strategy and Performance Committee

The Committee Chair updated members on the recent Committee meeting, welcoming the discussion with the Garda Commissioner, who attended at the outset of the meeting, including in relation to embedding of the Policing Plan as a key performance document with measures which provide value to the organisation. The second report of the homicide review and the Authority's mid-year report on policing performance was discussed with the GS representatives.

Members discussed the latest progress on performance against the Policing Plan, noting positive progress on child exploitation, Protective Services Units and around victim satisfaction driven by the results of the Public Attitudes Survey but continuing poor performance across a range of metrics in particular in relation to HR matters in relation to recruitment and civilianisation.

6. Audit, Governance and Risk

The Chair of the Audit and Risk Committee ('ARC') updated members on the recent Committee meeting, including in relation to:

- Internal Audit reports on Complaints Management and Procurement and Purchase to Pay processes;
- The revised Risk Register and draft Risk Management Policy which the Committee have reviewed and recommended to the Authority;
- A review by the Committee of its Charter which gave rise to no requirements for revisions; and
- The self-assessment undertaken by Members following a survey carried out earlier in the year, the results of which were considered by the ARC at its recent meeting. It was agreed that Members would discuss the results when they next meet in private and that any matters arising, including any additional issues to be addressed in future evaluations, would be conveyed to the ARC to inform recommendations for any improvements.

Members reviewed the Risk Register in conjunction with a discussion about risk and the register was approved subject to being updated to reflect and the Authority's discussion of emerging risks. The draft Statement of Risk Appetite was discussed and members agreed to give this further consideration at a future meeting.

No.	Action point	By Date	By Whom
A_042_10	The Risk Register to be updated in light of the discussion on risk.	ASAP	Secretary
A_042_11	Audit and Risk Committee to consider any recommendations for improvements and further areas for consideration in future years arising from the self-assessment survey.	Dec 18	ARC
A_042_12	The Authority to revisit the draft Risk Appetite Statement.	October 18	Authority

7. Garda Síochána Appointments

The Secretary briefed Members on the outcome of the clearance process in respect of a number of candidates on the Superintendent panel. Members considered the outcome and appointed six candidates.

Members discussed the competition for appointment for the rank of Chief Superintendent which is currently underway, noting that the Commissioner has briefed the Selection Board on the requirements for the rank. Members considered the number candidates likely to be required on the panel, based on current information available from the GS on positions to be filled over the life of the panel available from the GS and asked for further information from the Commissioner.

A request for appointment of a candidate to the position of Principal Officer in the GS was considered and the appointment was approved subject to the Executive obtaining further details from the Public Appointment Service requested by Members in relation to the recruitment process for the position. Members reiterated the necessity for a report to be provided in advance of all appointments to be made by the Authority to give assurance regarding the selection process.

Members noted an issue regarding failure to comply with the process for requests for the approval and recruitment of Garda staff and the Chief Executive was requested to raise this matter with the GS as a matter of urgency.

No.	Action point	By Date	By Whom
A_042_13	Further to appointments to the rank of Superintendent in the GS, the Chief Executive to notify the candidates of their appointment.	ASAP	Chief Executive
A_042_14	The Commissioner to be notified of the appointments made by the Authority.	ASAP	Chairperson /Chief Executive
A_042_15	Confirm the appointment of a candidate to the grade of Principal Officer in the GS subject to clarification of details of the selection process by PAS.	ASAP	Chief Executive
A_042_16	Communicate matter relating to the timing of approval and recruitment of Garda Staff to the GS.	8 August	Chief Executive

No.	Action point	By Date	By Whom
A_042_17	Communicate indicative panel size for the Chief Superintendent competition to the Selection Board.	ASAP	Secretary

8. Policing Priorities 2019

Members noted the outcome of the public consultation on the draft 2019 Policing Priorities, welcoming the positive engagement with and rich responses to the consultation. The proposed text was agreed subject to drafting and presentation as discussed.

No.	Action point	By Date	By Whom
A_042_18	The Chief Executive to engage with the Garda Commissioner regarding consultation in relation to the draft 2019 Policing Priorities.	ASAP	Chairperson and Chief Executive

9. Terms of Reference for Inspections

The draft terms of reference agreed with the Garda Inspectorate ('GI') for an inspection of public order policing were discussed and approved subject to drafting as discussed and Members requested that a draft report be completed for consideration at the Authority's meeting in January. Members noted that this inspection was timely in light of the report on the incident at An Cosán and the recent public order incident in North Frederick Street. and agreed that the Garda Commissioner would be informed of the review in the context the discussion on 'An Cosán' at the meeting in public.

No.	Action point	By Date	By Whom
A_042_19	The Chief Executive to finalise the Terms of Reference and formally request an Inspection of Public Order Policing by the Garda Inspectorate under section 117.(2)(a)(i) of the Garda Síochána Act 2005 (as amended).	ASAP	Chief Executive
A_042_20	The Chief Executive to monitor progress on the conduct of an Inspection of Public Order policing by the Garda Inspectorate with a view to a draft report being provided to the Authority for consideration.	January 2019	Chief Executive

10. Information Paper for the Authority concerning Driver Training in the Garda Síochána

The information paper and related matters to be raised with the Garda Commissioner were noted.

11. Strategy Day

The Chairperson and the Assistant Secretary Policing Division, Department of Justice and Equality presented perspectives on the environment for 2018, followed by a general discussion. In particular the report of the Commission on the Future of Policing, as a key element of the environment over the coming years, was discussed in detail.

The Authority discussed the environmental issues and their impact on the Authority's overall approach to its work and identified the key objectives, strategies, priorities and risks for inclusion in the drafting of the new Statement of Strategy.

In light of indications from the Department of a two year timeframe for the implementation of recommendations in the report 'The Future of Policing in Ireland' relating to the establishment of a new oversight body to incorporate the Authority and the Garda Inspectorate, it was agreed that a Statement of Strategy for a period of two years would be appropriate and that this would be proposed to the Minister. The Chief Executive was requested to proceed on this basis to prepare a draft Statement of Strategy on the basis of the matters discussed for the Authority's consideration prior to proceeding to public consultation.

No.	Action point	By Date	By Whom
A_042_21	To advise the Minister regarding a timeframe of two years for the Authority's next Statement of Strategy in light of the indicative timeframe for establishment of a new oversight body to incorporate the Authority and the Garda Inspectorate.	ASAP	Chairperson
A_042_22	The Chief Executive to prepare a draft Statement of Strategy for the Authority's consideration in line with the matters discussed.	25 October	Chief Executive

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 - September 2018

The following documents were noted by the Authority:

	Document	Action Required
D_042_1	Garda Síochána Public Attitudes Survey Bulletin Q2 2018	For noting
D_042_2	Irish Council for Civil Liberties Report 'Human Rights in Policing'	For noting
D_043_3	Minister's replies to recent Parliamentary Questions regarding the report of the Commission on the Future of Policing.	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Staff: As above

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), David Gilbride (Executive Director), Andrew McLindon (Director of Communications), Marie Broderick (Superintendent).

14. Introductory Remarks

Members welcomed the Commissioner to his first meeting with the Authority. The Chairperson invited the Commissioner to raise any matters for discussion in private in advance of the meeting in public. The Commissioner thanked the Authority for their welcome and acknowledged the warm welcome and support that he had received from the Garda organisation and colleagues since taking up the position. He noted in particular the strong connections between the GS and the community which provide a strong bedrock for community relations, trust and support and the need to develop the high quality people who work for the organisation to unlock the talent and creativity that they can bring. While recognising the recent report of the Commission on the Future of policing, he noted that new mechanisms will take time to implement and his commitment in the meantime to the relationship with the Authority and other oversight bodies which provide an important mechanism for openness and accountability.

The Commissioner outlined his operating model of a Divisional policing structure which is currently being piloted. He informed the Authority that he is currently undertaking a piece of work to redefine the vision of the organisation which will inform strategy and the Policing Plan. He requested that the timeframe for submission of the Statement of Strategy and 2019 Policing Plan be extended to 1 April 2019. Members expressed their support for the extension requested and undertook to communicate the proposal to the Minister. The Chairperson notified the Commissioner that in the meantime the Executive would be consulting with the GS in relation to the 2019 Policing Priorities which would feed into the planning process. Members welcomed and endorsed the Commissioner's approach to demand led strategic planning, based on proactive, reactive and internal demands faced by the GS and the consideration of refreshed tactics to address these demands which would shape the structure and growth of the organisation and the development of its human resources.

The Commissioner updated Members on a number of matters including some recent incidents and successes, promotions to Sergeant and the second report of the Homicide review. The importance of learning from experience to inform risk management, organisational learning and training was emphasised.

15. Garda Síochána Appointments

There was a brief discussion about Garda appointments which will be revisited at the next meeting. The Commissioner was asked for his perspective on requirements regarding the size of the Chief Superintendent panel in light of the likely number of positions to be filled over the life of the panel.

16. Other Business

The GS confirmed that the review of the Juvenile Diversion Programme was on target.

No.	Action point	By Date	By Whom
A_042_23	GS to provide views on the required size of the Chief Superintendent panel.	ASAP	GS
A_042_24	The Authority to inform the Minister of the proposed extension of the time period and process for the development and submission of the GS Statement of Strategy and Policing Plan.	ASAP	Chairperson

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Staff: As above

Garda Síochána: Drew Harris (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Pat Leahy, (Assistant Commissioner), Finbarr O’Brien (Assistant Commissioner), David Sheahan (Assistant Commissioner), John Barrett (Executive Director), Sarah Meyler (Superintendent), Andrew McLindon (Director of Communications).

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
Exchange of views between the Authority and the Commissioner:	<p><u>Garda Síochána Resources</u></p> <ul style="list-style-type: none"> • Adequacy of information available to facilitate prioritisation of resource allocation; • Progress on preparation of a Work Force Plan; • Impact of resources on frontline Garda in terms of the equipment, accommodation, etc. needed to do their job; • Costing of the Policing Plan. <p><u>The Garda Síochána Culture Audit</u></p> <ul style="list-style-type: none"> • Commissioner’s views on the Culture Audit and his vision for the culture of the Garda Síochána; • Challenges in instilling culture and measures of progress; • Speaking up; • Numbers signing up to the Code of Ethics and what that says about culture; • Garda Reserve Strategy; • Promotions systems. <p><u>Driver Training</u></p> <ul style="list-style-type: none"> • Number trained vis a vis trained drivers required; • Plans to train drivers and timelines for delivery; • Outsourcing of driver training.
Commissioners Monthly Report to the Authority	<ul style="list-style-type: none"> • HR Strategy; • Civilianisation and redeployment; • Suspensions from duty; • Fitness for purpose of Garda disciplinary processes; • Commissioner’s expectations of performance of frontline supervisors, senior managers and other leaders in the organisation regarding leadership and management processes; • IT projects – progress on investigation management system.

Agenda Item	Principal matters discussed
Other Business - Updates on progress on:	<p data-bbox="432 219 1011 253"><u>Implementation Plan for Crowe Horwath Report</u></p> <ul data-bbox="448 264 1469 495" style="list-style-type: none"> • Provision of an implementation plan and general comments on the report; • Understanding and value of data requirements in the organisation; • Pace of process review in relation to MIT checkpoints; • Confidence that Issues won't re-occur in time before mobility systems are in place; • Progress in improving the communication of changes to legislation and procedures to make more user friendly. <p data-bbox="432 539 639 573"><u>Homicide Review</u></p> <ul data-bbox="448 584 1342 775" style="list-style-type: none"> • Commissioner's observations on the Homicide review and process; • Capturing and communication of learning coming from the review; • Fast tracking and ownership of actions to implement recommendations; • Communication with families affected; • Plan to update PULSE records arising from the review. <p data-bbox="432 819 1469 853"><u>Reports relating to Public Order incidents - An Cosán and Protest at North Frederick St.</u></p> <ul data-bbox="448 864 1485 1211" style="list-style-type: none"> • Outstanding Term of Reference in relation to review of incident at An Cosán presentation of evidence in court; • Report from AC DMR in relation to An Cosán report and plans for implementation of recommendations including in relation to command and control, communication and pre-event planning and whether all of the recommendations have been accepted; • Policing of protest at North Frederick Street; • Authority request to Garda Inspectorate to undertake inspection of public order policing.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_042_25	Reflect costs in the Policing Plan in 2019	1 April 2019	GS
A_042_26	Provide demonstration of changes to PULSE that address data quality issues highlighted in the Crowe Horwath report.	ASAP	GS
A_042_27	Provide a report to communicate the work done by Roads Policing to address data quality issues on PULSE	ASAP	GS
A_042_28	Provide a report on the policing of the protest at North Frederick St. to include clarification on issues of command and control, the entire Garda presence and decision making and a determination of what caused the gap in practice, lessons learnt and training.	ASAP	GS