



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 25 October 2018

Venue: 90 King Street North and by Conference Call (CC)

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

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

Visitors Mark Toland (Chief Inspector), Hugh Hume (Inspector), Garda Inspectorate (for Agenda Item 8)

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. In regard to Agenda Item 10 it was noted that a Member had been a witness at the Disclosures Tribunal.

A number of items of correspondence were noted and discussed, including:

- from the Garda Commissioner advising of assignments of recently appointed Superintendents appointed by the Authority which, it was agreed, would be discussed further with the Commissioner; and
- a media query in relation to matters and events arising from the Disclosures Tribunal and in 2017.

The Chairperson advised Members that StateBoards.ie, on behalf of the Minister for Justice and Equality, has invited expressions of interest from applicants who would like to be considered to join the Policing Authority. The closing date for this process is 7 November. The Chief Executive was asked to liaise with the Public Appointments Service to ensure that the Chairperson's views regarding the expertise needed to meet the requirements of the Act were understood

No.	Action point	By Date	By Whom
A_044_01	Raise the requirement to reflect the Chairperson's view on the required skills mix of prospective members in the Stateboards.ie process for new members with PAS.	ASAP	Chief Executive

2. Minutes and Matters Arising

The minutes of the meetings on 26-27 September and 11 October were agreed and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

3. Chief Executive's Report

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

- Attendance at the European Partners Against Corruption ('EPAC') conference, which is an independent, informal network bringing together more than 70 anti-corruption authorities and police oversight bodies from Council of Europe Member Countries and the Authority's acceptance to membership of this network;
- A meeting with the Chairperson of the Implementation Group on tackling child sexual abuse following the Garda Inspectorate ('GI') report;
- The Authority's research bursary scheme including themes for research and participation in the bursary evaluation group; and
- The approach to undertaking a judicial survey.

Members noted the monthly financial and correspondence reports.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_02	Members to provide feedback on the themes for research that might be invited under the Research bursary and if interested to contact the Chairperson to volunteer to be a member of the bursary evaluation group.	ASAP	Authority
A_044_03	The Chief Executive to bring the proposed questions for the judicial survey for members consideration.	ASAP	Chief Executive

4. Committee Updates

4.1. Code of Ethics Committee

The Committee had not met since the last Authority meeting. The Committee Chair noted the positive comments by the Commissioner in relation to the Code of Ethics at his appearance before the Oireachtas Justice and Equality Committee meeting.

4.2. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last Authority meeting.

4.3. Organisational Development Committee

The revised Terms of Reference for the Organisational Development Committee were agreed.

The Committee Chair updated members on the discussion at the recent meeting, including:

- How to move forward to ensure the momentum for change is maintained and internalised, noting that the CFP report had reflected the Authority's considerations regarding the importance of enablers for change; and
- The Garda Síochána ('GS') view that the District model recommended in the CFP report was not significantly different from the GS Division model and that adaptations could be made.

It was agreed that, while the seventh report to the Minister on 'Changing Policing in Ireland' would likely be the final such report, the Committee would continue to develop the Authority's own focus on those aspects of reform that are considered to require attention.

4.4. Policing Strategy and Performance Committee

While the Committee had not met since the last Authority meeting, there is an ongoing focus on monthly progress reports on the Policing Plan.

Members were informed that the report expected on the Juvenile Diversion Programme from the GS, which is on the agenda for discussion at the meeting with the Commissioner in public in November, had not yet been received and may not be finalised in time for the members' detailed consideration in advance of that meeting. It was agreed to discuss the timing of the report with the Commissioner with a view to examining the report in Committee or the GS providing a briefing for Members on the report in advance of the November meeting.

5. Audit, Governance and Risk

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

5.1. Risk Management

Members noted the risks reported in the High Risk Report and considered any further changes required to the Risk Register in light of emerging risk. It was noted that risk is a standing item on Committee agendas.

Members considered the draft Risk Management Policy and welcomed the comprehensive approach to risk and the recording of risk in the Risk Register which allows for risks to be tracked. Members also discussed and approved the Authority's Risk Appetite Statement, noting that risk appetite is contextual and changes over time. It was agreed that the Audit and Risk Committee would review the Risk Management Policy, including the Risk Appetite Statement, on a regular basis with a view to ensuring that both evolve with the Authority's environment. A Chief Risk Officer was appointed to co-ordinate the management of risk in and report to the Authority. The work of the Executive and the assistance of the Audit and Risk Committee members in developing the risk management system was acknowledged.

5.2. Review of Correspondence

Members considered the report of the review of correspondence and approved revised guidelines for staff for dealing with correspondence. It was agreed that:

- Items in the summary monthly correspondence report, relevant to the GS, would be shared with the Commissioner on an anonymised basis to give a flavour of the themes and issues arising; and
- Where major issues of risk or particular concern or allegations of criminal behaviour are raised the Authority has a responsibility to refer such matters to the appropriate Authority. The Chief Executive is to bring these matters to the Authority's attention with a view to consideration being given to sharing key correspondence with the Commissioner or formally referring the matters concerned to other agencies as appropriate on a case by case basis, after contact with the person from whom the correspondence is received to inform them of the action proposed.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_04	The revised Guidelines for staff on handling correspondence and telephone calls to be finalised and circulated to staff.	ASAP	Chief Executive
A_044_05	An extract from the summary monthly correspondence report to be shared with the Garda Commissioner.	Nov 2018	Chief Executive

6. Garda Síochána Appointments

Members noted the appointment of a candidate to the position of Head of Fleet Management at Principal Officer level in the GS following clarification of the outstanding matters considered by the Authority at its meeting on 27 September last.

7. Meeting with Chief Inspector, Garda Inspectorate

The Garda Inspectorate attended to discuss the draft Terms of Reference for the review of Public Order Policing which the Authority has requested the GI to undertake under s 117(2) of the Garda Síochána Act. Members emphasised the need for a timely review which will add value to policing, with particular regard to testing readiness for dealing with unexpected events and the application of organisation learning in responding to issues through revision of procedures and training. It was agreed that the review would be completed by March 2019.

The Authority approved the Terms of Reference subject to drafting and agreed that they be provided to the Minister and the Commissioner.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_06	The Terms of Reference for the review of Public Order Policing by the Garda Inspectorate to be finalised subject to drafting.	ASAP	Chief Executive
A_044_07	The Terms of Reference for the GI review of Public Order Policing to be communicated to the Minister and the Commissioner.	ASAP	Chairperson and Chief Executive

8. Response to Department's request for consultation on the report of the CFP

The Chairperson and Chair of the Audit and Risk Committee updated members on their meeting, , with the Secretary General of the Department of Justice and Equality, further to his invitation in the context of the Authority's submission on the report of the Commission on the Future of Policing ('CFP'). The Authority's questions regarding the rationale for a number of recommendations in the CFP report were raised at that meeting and it was emphasised that the Authority is concerned only with the best outcome for policing supported by an appropriate oversight architecture. It was noted that the SG confirmed his expectation that the Authority will continue to exercise all its statutory functions including oversight of Garda reform. It was however expected that the statutory request to provide quarterly reports to the Minister on the implementation of 'Changing Policing in Ireland' would be likely to be rescinded.

Members discussed the draft submission to the Department, again noting their welcome for many of the recommendations and their belief that many of the recommendations could proceed quickly on an administrative basis, yielding positive outcomes for policing and police governance. A number of questions and risks regarding the proposed governance and accountability architecture were discussed, as was how the findings and recommendations in the 3rd report of the Disclosures Tribunal would be addressed. The finalisation of the submission by the Chairperson and Chief Executive was approved subject to drafting to reflect the detail of the matters discussed.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_08	The Chairperson and Chief Executive to finalise the submission to the Department on the CFP report and submit it to the Secretary General of the Department.	ASAP	Chairperson and Chief Executive

9. Third Interim Report of the Tribunal of Inquiry into Protected Disclosures

The report of the Disclosures Tribunal was considered and it was agreed that it will be discussed further with the Garda Commissioner, including that appropriate matters would be on the agenda for the meeting in public in November.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_09	The third interim report of the Disclosures Tribunal to be placed on the agenda for the meeting with the Commissioner in public in November.	Immediate	Secretary

10. Draft Policing Authority Statement of Strategy 2019-21

Members considered the draft Statement of Strategy for the Authority and it was agreed that a finalised draft be prepared subject to the matters discussed and any further feedback from members prior to putting this out for public consultation. The Chairperson's Foreword and Environmental analysis will be finalised in light of submissions received and reflect further context at the time of finalisation.

<i>No.</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_044_10	The Chief Executive to finalise a consultation draft of the Authority's Statement of Strategy 2019-21, subject to further feedback from Members, and put the draft out for public consultation.	9 November	Chief Executive

11. Information Paper on feedback from the Authority's training sessions with Phase III recruits

The document was taken as read and Members had a brief discussion on the Executive's experience in engaging with Garda probationers at these sessions. It was noted that the Authority has been invited to and will make presentations to newly promoted Sergeants and Superintendents.

12. Information Paper for the Authority concerning the Garda Síochána Internal Discipline Process

Members noted the information paper which was prepared to provide an overview of the current Garda disciplinary and complaints process.

13. Preparation for meeting with the Garda Commissioner

Members discussed the agenda for the meeting and agreed the matters to be discussed with the Garda Commissioner and his team.

14. Documents for noting by the Authority - October 2018

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_044_1	2019 Budget Estimate for Vote 41 – Policing Authority	For noting
D_044_2	StateBoards.ie Candidate Information Booklet for positions to be filled on the Policing Authority	For noting
D_044_3	Second Report of the Effectiveness and Review Group for the Department of Justice and Equality	For noting
D_044_4	Presentation slides on Major Event Management	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

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

Secretary: Aileen Healy

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

Garda Síochána: Drew Harris (Garda Commissioner), Joseph Nugent (Chief Administrative Officer), Pat Leahy (Assistant Commissioner), Brian Sutton (Chief Superintendent), Con O'Donohue (Superintendent), Marie Broderick (Superintendent), Gráinne Shortall (Assistant Principal).

15. Commissioners Monthly Report to the Authority

There was a general discussion regarding the format of the Commissioner's report and the Commissioner suggested some ideas for its future evolution to provide a more informative basis for discussion and for public information including in relation to reporting crime trends, progress against objectives and good work undertaken by the Garda Síochána, noting that it was intended to publish some of the data currently included in the report on the Garda website and this would reduce the size of the report. Members discussed a range of matters arising from the report including:

- The approach to embedding the Code of Ethics and achieving the target to train and get sign up from all staff. The Commissioner confirmed that signing up to the code is a pre-requisite to promotion.
- Financial position, in particular measures to curtail the scale of the overtime spend and financial planning, systems and controls to ensure efficiency and effectiveness of future expenditure. Members emphasised the importance of managers being responsible and accountable for budgets and the consequences of not managing budgets. The Commissioner stressed his expectation regarding proper budget management including planning for contingency and the need to spend public money wisely.
- The success of the Quest team. The Commissioner undertook to provide additional information with regard to processes to implement new legislation;
- Redeployment of Gardaí. The GS confirmed that they are on target to meet their 2018 commitment and that more work, which is underway, is required to prepare the ground for making further progress in 2019. The overall strategy and funding is to increase front line deployment in line with the requirement for visibility and there is a strong corporate message that those with warranted powers should be allocated to warranted duties.
- The role of data in driving good policing, in particular in crimes which affect the most vulnerable in society. The Commissioner updated Members on measures being undertaken to improve data recording and quality including ongoing engagement with the CSO, using data as a building block in identifying trends in demand and resource allocation and the use of data as a competency in managing performance. It was noted that incremental interventions are driving systemic change and improving awareness of the importance of getting data right and why.
- Garda recruitment and the impact of steps to improve diversity. The Commissioner agreed that there is work to be done in this area, including to promote the work of Garda members and staff and of the Garda Síochána as a career opportunity.

16. Third Interim Report of the Tribunal of Inquiry into Protected Disclosures

Members discussed the report of the Disclosures Tribunal with the Commissioner with regard to the steps to be taken to address the significant behavioural issues and other themes arising. It was noted that many of the findings of the Morris Tribunal were similar and there was a need to convince the public that the findings will be addressed this time around and to give confidence that similar issues could not arise again. Concern was also expressed that the totality of these issues had not been captured by internal reviews and stressed the importance of processes for self-review. It was also noted that the report highlighted positives including high quality investigations.

The Commissioner noted a number of important steps to be taken including in relation to promoting adherence to the Code of Ethics, learning and development, improved disciplinary processes and performance management and stressed his determination that the seven obligations of Gardaí outlined in the report will be complied with. The Chairperson advised the Commissioner that there would be an opportunity to discuss the report in greater detail at the Authority's meeting in public in November.

17. Garda Síochána Appointments

The Chairperson outlined the Authority's statutory functions with regard to appointments to the senior Garda ranks and of senior Garda staff and in relation to a range of approvals with regard to other ranks and grades. Members brought a number of issues arising from the process to the Commissioner's attention. It was noted that work was ongoing at Executive level to resolve some process issues.

The assignment of newly promoted female officers to non-operational roles was discussed briefly. The Commissioner confirmed that no Gardaí should be assigned to roles where a warrant is not required. The GS undertook to examine the participation rate by females in competitions at more senior ranks and advised Members of some actions that are being taken to support female staff in the organisation.

No.	Action point	By Date	By Whom
A_044_11	GS to provide the outcome of their examination of the participation rate by females in competitions at more senior ranks.	ASAP	GS

18. Other Business

The GS confirmed that work is at an advanced stage in respect of the third set of cases in the Homicide review. Issues identified related to data quality and how these are being addressed were discussed.

It was noted that the plan for implementation of the Crowe Horwath recommendations was outstanding and the GS undertook that this would be provided in advance of the Policing Strategy and Performance Committee meeting on 20 November.

The Chairperson advised the Commissioner that the Youth Diversion Programme would be on the agenda for the November meeting. The Commissioner noted that the detail of the review report would not be finalised due to the need to have data externally validated, however the meeting in November would be an opportunity to discuss the report without a focus on detail. It was agreed that the members would receive

a briefing from the GS in advance of the November meeting so as to inform a meaningful discussion in the absence of the availability of the report.

The Chairperson advised the Commissioner on changes in the Authority's committee structures for 2019 and that a process to seek expressions of interest for new members for the Authority was underway. Members expressed their regret to the Commissioner that they will not be in a position to attend the Annual Mass for deceased members of the Garda Síochána which coincides with the next Authority meeting but indicated that the Authority would be represented.

No.	Action point	By Date	By Whom
A_044_12	A briefing to be arranged for Authority members from the GS on the Youth Diversion Programme.	20 November	GS
A_044_13	Arrange for Authority representation at the Annual Mass for deceased members of the Garda Síochána and convey members' regrets.	ASAP	Secretary