



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 23 November 2017

Venue: Dublin Castle

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

Executive: Helen Hall (Chief Executive), Catherine Pierse, Margaret Tumelty

Apologies: Noel Brett

1. Chairpersons Opening Remarks

The draft agenda was approved and a schedule of Authority meetings for 2018 was agreed.

The Chairperson briefed Members on her recent meeting with the new Chief Inspector of the Garda Inspectorate.

A number of items of correspondence were noted including:

- From the chair of the Garda Síochána (GS) Audit Committee providing the revised Audit Committee Charter;
- Correspondence regarding the re-opening of Garda stations; and
- From the Chair of GSOC in relation to:
 - , the provision of reasons by the Garda Commissioner when no action is considered appropriate on a disciplinary matter; and
 - investigation of Fixed Charge Notice Cancellations 2009-14 including a copy of this report.

No.	Action point	By Date	By Whom
A_030_01	The Secretary to finalise and circulate the schedule of meetings for 2018 and advise the Garda Commissioner of any changes.	ASAP	Secretary
A_030_02	The Chairperson to respond the Chair of the Audit Committee at their upcoming meeting.	December 2017	Chairperson

2. Minutes and Matters arising

The minutes of the meeting on 26 October were agreed subject to minor drafting changes and cleared for publication. The log of actions was noted and there was agreement to close the items proposed.

3. Chief Executive' 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:

- Preparations for the recruitment of a new Garda Commissioner;
- Ongoing work to identify corporate priorities for 2018 and working arrangements for the Executive in preparation for an Authority discussion of same in December;
- Her correspondence to the Commissioner regarding outstanding information requests; and recent correspondence with the Department regarding a GS request to increase the number of Superintendents from 45 to 52. While positive views were expressed about the need for increased superintendents in roads and operational policing the point was made that there was scope to firstly prioritise re-assigning some of the existing superintendents currently assigned to administrative functions.

4. Committee Updates

4.1. Code of Ethics Committee

The Chair of the Committee updated Members on the progress of work by the GS to embed the code of Ethics and noted commitments to complete training for all GS staff by the end of Q2 2018. The Committee has requested that this will include a commitment that all staff will have signed to indicate their understanding of and commitment to abide by the Code. The Chairperson updated Members on the training provided to the GS Senior management team which she attended and it was noted that all present signed their commitment to the Code, including a poster copy which will be displayed in Garda HQ. The Chief Executive also updated Members on discussions in relation to the Code during training sessions with Phase 3 recruits in Templemore. The importance of case studies and their use in training to demonstrate and provoke discussion of ethical dilemmas in real situations was emphasised, as was the importance of an enthusiastic, committed approach to roll out of the Code across the organisation.

No.	Action point	By Date	By Whom
A_030_03	The Code of Ethics Committee to consider feedback from the Chairperson on the training provided to the GS Senior management team and from the Executive on training sessions where the Code was discussed with Phase 3 recruits in Templemore.	December 2018	Code of Ethics Committee

4.2. Garda Appointments Quality Assurance and Selection Governance Committee

The update from the external Chair of the Committee was noted.

4.3. Organisational Development Committee

The Chair of the Committee reported that HR and ICT was the principal focus of the Committee's work in November, with discussions with the GS in relation to HR Strategy, redeployment of Garda members to frontline duties, ICT strategy, management of resources and the high level of risk associated with ICT projects. The lack of coherent, integrated, strategic thinking to inform the way forward for delivery of services which should be informing HR and ICT strategy was noted. Members expressed disappointment that, in light of the commitment to redeploy 1,500 Garda members to front line duties in the coming years, that there was no evidence of progress to date and no system to manage the practicalities of handover to civilians, to tackle barriers or to monitor progress.

4.4. Policing Strategy and Performance Committee

The Chair of the Committee updated Members on two meetings during the month. The Committee had a productive meeting with the GS on the matter of classification of certain Homicides. The importance of having an element of independent peer review of investigations was discussed and the GS undertook to do this for those cases for which investigations have not yet concluded or reached the courts;. There had also been discussion of recording on Pulse in a timely and accurate manner and of the plan for communication regarding the outcome of the review. Members agreed that the final work to conclude on this issue should be on the agenda for the Authority's meeting in public in February 2018.

The Chair of the Committee updated Members on GS progress implementing the 2017 Policing Plan, noting that there are a significant number of actions which are, or at risk of being, off target as year-end approaches. Concern was expressed that there is no remedial action described and that explanations need to be provided in relation to year-end performance to facilitate assessment by the Authority. Members agreed that the Authority's commentary on 2017 performance would be provided as part of the launch of the 2018 Policing Plan in the New Year.

5. 2018 Policing Plan

The Executive updated Members on the latest changes to the draft plan noting greater specificity in relation to performance targets overall. While Members welcomed some positive developments in the latest draft they expressed concerns in relation to the absence of some outstanding material. In particular there was concern that some activities could not be aligned with strategy as they were predicated on strategies that were not yet in place or finalised, for instance a HR Strategy and a Strategy for Community Policing.

Members also discussed baselines for measuring Performance Indicators and expressed concern in relation to the framing of some Q4 targets. Members emphasised the importance of resources in the context of the plan and reiterated the Authority's emphasis on achieving demonstrable progress on civilianisation in 2018.

No.	Action point	By Date	By Whom
A_030_04	The Executive to continue to liaise with the GS with a view to the Commissioner submitting a finalised Policing Plan for the Authority's approval at its December meeting.	18 December 2017	GS

6. Appointments in the Garda Síochána

6.1. Appointments to senior Garda ranks

The Government decision to approve the decision of the Authority to appoint a PSNI candidate to the rank of Superintendent was noted and the candidate was appointed. It was noted that the candidate would be formally attested and would sign the Code of Ethics at an attestation ceremony in advance of the Authority's meeting in public.

The Chief Executive briefed Members on the outcome of the clearance process in respect of a candidate on the Superintendent panel in light of another position to be filled. Members considered the outcome of the clearance process and the candidate was appointed to the rank of Superintendent.

The Chairperson advised that correspondence had been received in relation to a previous decision by the Authority and that a response is under consideration.

It was noted that there are a number of positions to be filled at the rank of Chief Superintendent and that the clearance process for candidates is continuing.

No.	Action point	By Date	By Whom
A_030_05	Further to appointments to the ranks of Superintendent in the GS, the Chairperson and Chief Executive to notify the candidates of their appointment.	ASAP	Chairperson and Chief Executive
A_030_06	The Commissioner to be notified of the appointment of Superintendents.	ASAP	Chairperson

6.2. Civilian appointments

The Authority considered a number of requests for approval of senior civilian positions in the Garda Síochána as follows:

- A position for a Principal Officer for the role of Data Protection Officer in the GS was approved; and
- In light of the late receipt of a request from the GS for a number of positions at Principal Officer level to support the Modernisation and Renewal Programme, Members agreed that, while positively disposed to the proposal, mindful of management capacity gaps, additional clarity was required regarding apparent duplication, how such resources would be deployed to achieve the required impact and that further consideration of the request was required. The potential for redeployment of Gardaí in the context of the proposal was discussed and the absence of a HR

Strategy to inform the context of the requirement for these senior positions was also noted. It was agreed that Members would further consider the request in light of further clarification with a view to making an early decision.

Members referred to previous recommendations made by the Authority to the Minister regarding the possibility of temporary assignment on loan to the GS of experienced civil and public servants with the required skills to address the urgent capacity gap and it was agreed that this should be pursued further with the Minister.

No.	Action point	By Date	By Whom
A_030_07	The Executive is to seek the consent of the Minister for Justice and Equality and the Minister for Public Expenditure and Reform for its approval of a number of senior civilian positions in the Garda Síochána, subject to the matters discussed.	ASAP	Chief Executive
A_030_08	The Executive is to seek further clarification in regard to a request for senior civilian resources to support the GS MRP and Members to consider the request in detail in light of further information.	ASAP	Executive and Authority Members
A_030_09	The Chairperson to raise again with the Minister the possibility of temporary assignment of experienced civil servants to the GS to bridge the capacity gap.	ASAP	Chairperson

6.3. Appointment of persons to Promotion Boards for promotion competitions to Sergeant in the Garda Síochána

Members considered its role in relation to promotion panels for Sergeant and Inspector in the GS under the Garda Síochána (Promotion) (Amendment) Regulations 2006 (as amended) and it was decided to:

- Appoint named persons from the panel previously approved by Government to be members of a promotion board for the upcoming Sergeant promotion competition in the Garda Síochána;
- Designate named persons selected by the Authority from those appointed in (1) above to Chair the Promotion Boards concerned;
- Delegate the function of making appointments to Sergeant and Inspector promotion boards to the Chief Executive; and
- Authorise the Chief Executive to make appropriate arrangements to identify suitable persons to be members of promotion boards with a view to the Authority establishing a new panel under Regulation 9.

No.	Action point	By Date	By Whom
A_030_10	The Executive to communicate details of appointments to GS Sergeant promotion boards and designated Chairs of those boards to the GS and the individuals concerned.	ASAP	Executive
A_030_11	The Executive to develop and commence the process for identifying suitable persons to be members of promotion boards with a view to establishment of a new panel by the Authority in due course.	ASAP	Executive

6.4. Appointments process for the Garda Commissioner

Members briefly discussed a letter received on 22 November from the Minister responding to some of the questions posed by the Authority in September and seeking the Authority's view on policy matters relating to this appointment. It was agreed that the request needed more consideration than time allowed and Members would consider it in the coming days and convene an extra Authority meeting in the next week to discuss the letter with a view to providing a response to the Minister.

No.	Action point	By Date	By Whom
A_030_12	The Authority to consider the Minister's request for views on policy matters related to the appointment of a new Garda Commissioner and meet again to discuss a response to the Minister's request	30 November 2017	Authority

7. Audit, Governance and Risk

The Chair of the Audit Governance and Risk Committee updated Members on an upcoming meeting of the Criminal Justice meeting of chairs of audit and risk committees and plans to communicate shared risks. The report on the Authority's Risk Register was noted.

8. Garda Síochána readiness for the Criminal Justice (Victims of Crime) Act 2017

Members noted the main obligations on the GS under the new legislation and agreed to discuss GS readiness with the Commissioner at their meeting in public.

9. Preparation for meeting with the Garda Commissioner

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

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: As above

Garda Síochána: Dónall Ó Cualáin (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Pat Leahy (Assistant Commissioner).

10. Commissioners Monthly Report to the Authority and progress on the 2017 Policing Plan

There was a discussion in relation to crime figures and increased trends under various headings, the operations and initiatives to address them and the extent to which data analysis and risk assessments drive GS activity in these areas of crime.

Members noted the absence from the Commissioner's report of data on the number of redeployments of Garda members to the frontline in light of assignments of civilian staff and the GS agreed that this would be included in future. The Commissioner noted that it was planned to publish some of the data sets currently included in the report on its website on a regular basis.

The Chairperson provided high level feedback from the Members to the Commissioner in relation to the draft policing plan and it was agreed that the Executive would continue to liaise with the GS in relation to the details.

11. Progress report on matters related to the Juvenile Diversion Programme

The GS provided the Authority with an update on progress in relation to Juvenile Diversion Programme . Members noted their concern that juveniles who were unsuitable for the diversion programme were being referred back to Divisions for follow-up, with no further action being taken in a number of cases. It was agreed that the GS would provide further information to the Executive on this matter, so that they could monitor progress on behalf of the Authority.

12. Other Business

The Commissioner provided the Authority with his report on the steps taken or which are in course to deal with the issues raised in the Crowe Horwath report on the review of matters related to MIT and FCN and there was a brief discussion of the Commissioner's proposed actions. Members noted the Commissioner's decision with regard to not proceeding with widespread discipline and noted that they understood the approach while they might not fully agree with it. In particular the Authority welcomed the Commissioner's focus on the management ranks, but emphasised that the proposed response towards managers needed to be sharper and more individualised to ensure that it was understood to be personalised and fair and would be on the individuals file.

No.	Action point	By Date	By Whom
A_030_13	The GS to include data on the planned and realised redeployment of Garda members to front line duties in the Commissioner's monthly report to the Authority.	18 December 2017	GS

No.	Action point	By Date	By Whom
A_030_14	The GS to submit the final draft of the 2018 Policing plan to the Authority for approval.	ASAP	GS
A_030_15	The GS to provide further information to the Executive in relation to their examination of issues arising on the Juvenile Diversion Programme to facilitate the Executive monitoring progress on behalf of the Authority.	ASAP	PA & GS
A_030_16	In implementing his response to the recommendations of the Crowe Horwath report, the Commissioner to personalise his engagement with Divisional officers and to write to each senior manager, reflecting their particular role, and place that letter on their file.	ASAP	GS

Part C – Authority Meeting with the Garda Commissioner in public

Attendance

Authority and Executive: As above

Garda Síochána: Dónall Ó Cualáin (Garda Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), John O’Driscoll (Assistant Commissioner), John Barrett (Executive Director - HRPD), Michael Finn (Assistant Commissioner), Patrick Leahy (Assistant Commissioner), Kate Mulkerrins (Executive Director – Legal and Compliance), Andrew McLindon (Director of Communications), Dr. Gurchand Singh (Head of GS Analysis Service), Aidan Glacken (Chief Superintendent), Kieran Downey (Principal Officer), Marie Broderick (Superintendent).

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	The principal matters discussed included:
Garda Commissioner’s response to the Crowe Horwath report on FCN/MIT	<ul style="list-style-type: none"> • Discipline and a performance management response to findings of the report and the need for management of underperformance; • Need for all Garda members to sign up to abiding by Code of Ethics; • Adequacy of disciplinary regulations; • Accurate recording of data and need for recognition of importance of data to the GS; • Internal investigation capacity in the GS in light of a pattern of poor internal investigations; and • Supervision;
3rd Quarterly report on progress by the Garda Síochána in implementing the recommendations of 'Changing Policing in Ireland'	<ul style="list-style-type: none"> • HR Strategy and key role in delivering reform; • Governance of MRP projects and coherent approach to organisational change; • Redeployment of Gardaí to front line duties, the lack of success in effective redeployment and the resistance to redeployment by Gardaí; and • ICT Strategy, capacity and challenges.
Rural Crime	<ul style="list-style-type: none"> • Fear of crime and initiatives to prevent crime under Operation Thor; • Lack of reporting of crime by members of the public; • Community Policing Framework;
Garda Síochána readiness for the Criminal Justice (Victims of Crime) Act 2017	<ul style="list-style-type: none"> • Initiatives underway in GS to plan for implementation of the legislation; • Importance of victims engaging with GS; and • Provision of information for Victims on GS website and Information leaflets.

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_030_17	The GS to implement a performance management system in 2018, which has ethical behaviour at its heart and challenges underperformance at all ranks of the GS.	ASAP	GS
A_030_18	The GS to routinely supply all Professional Standards reports to the Authority once they are finalised.	ASAP	GS
A_030_19	The GS to include the preparation of a HR Strategy, ICT strategy and supervision allocation model in the Policing Plan for 2018.	December 2017	GS
A_030_20	GS to provide a monthly report to the Authority on implementation of the Crowe Horwath recommendations.	December 2017	GS
A_030_21	The GS to finalise its Community Policing framework by year end and roll out as part of the Divisional model in 2018.	December 2017	GS
A_030_22	The GS to update its Information leaflet for victims and public information on its website.	ASAP	GS