



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 27 April 2017

Venue: Dublin Castle

Part A – Authority Meeting

Attendance

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

Secretary: Aileen Healy

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

1. Chairpersons Opening Remarks

It was agreed that the draft annual report of the Garda Síochána (GS) would not be discussed as the late receipt of the document did not allow time for Members consideration. The draft agenda was amended accordingly and approved.

The Chairperson noted that the Tánaiste and Minister for Justice and Equality ('the Tánaiste') had decided to bring the Authority's Annual Report to Government for noting and that it would be laid before the Houses of the Oireachtas that morning and that the Chairperson would launch the Annual Report at a short Press Conference later in the day.

No conflicts of interest were declared in relation to any of the matters for discussion.

2. Correspondence

A number of items of correspondence were noted including a letter from the Tánaiste acknowledging the Authority's Annual Report and the significant impact the Authority is making in the relatively short time since its establishment.

3. Minutes and Matters arising

The minutes of the meetings on 23 March, 27 March and 6 April 2017 were agreed and cleared for publication.

The log of actions was noted and there was agreement to close completed items.

The appointment of a member to the GS Audit Committee was noted in accordance with the Authority's previous decision. The Chairperson noted that subsequent to a meeting with the outgoing and incoming Chairs of the Committee, she had written requesting the Commissioner to consider additional resources for the Internal Audit function and it was agreed that the Authority would support a business case for these staff.

4. Committee Updates - Policing Strategy and Performance Committee

This update was taken together with Item 7.

5. Data Quality in the Garda Síochána (including recent issues relating to MAT and FCN)

Members discussed material received from the GS on 31 March regarding MAT and FCN, including in excess of 300 pages of documents. The divisional breakdown on the MAT issue which showed a stark difference between the lowest incidence of over-reporting of MAT data at 5% and others which showed divergence of over 400% was noted with particular concern. The interim report of Assistant Commissioner O’Sullivan’s examination was also considered and some concern expressed in relation to its focus on the activity being undertaken rather than addressing findings. Members expressed the view that it was important that in the first instance the focus be on determining what happened so as to prevent future recurrence rather than to assign blame. There was discussion about factors which might inappropriately influence behaviours including key performance indicators (KPIs).

Members discussed correspondence received the previous evening from Assistant Commissioner Corcoran enclosing a document on homicide data. Members were very disappointed at the late arrival of the material on the evening preceding their meeting with the Commissioner in public and expressed concern with the tone, content and accuracy of the correspondence. A key concern of members in this regard was the absence of information about the purpose and methodology of the review, the reason for the period reviewed, the import of the findings and evidence of assurance in relation to investigations.

The sequence of events relating to the provision of the report were noted and Members directed the Chief Executive to write to the Commissioner to communicate their concerns and, amongst other matters, to:

- clarify events relating to the provision of the reports, in particular the fact that the GS had proactively offered, without reservation, to provide the reports to the Authority and that the Chief Executive had made it clear that personal details would not be expected or required;
- clarify the clear understanding between the Authority and GS representatives, that these matters would be included for discussion under the agenda item ‘Data Quality in the Garda Síochána’; and
- outline the Authority’s specific requirements for a report in relation to these matters.

There was also a short discussion about the report received in relation to a review of domestic violence data and Members noted that they looked forward to receiving the final report on completion of this and associated reviews.

In the context of previous assurances given to the Authority in relation to issues regarding crime recording Members decided to raise a number of matters with the Commissioner at the meeting in public, and to seek assurances about any other reviews relating to data quality about which the Authority has not been advised.

No.	Action point	By Date	By Whom
A_021_01	The Chief Executive to write to the Commissioner to communicate the Authority’s concerns in relation to correspondence relating to a report in relation to a review of homicide data.	ASAP	Chief Executive

6. Report of the Fennelly Commission of Investigation

Members discussed the report and noted that the report has been referred to the Authority by the Tánaiste to follow up on the recommendations.

No.	Action point	By Date	By Whom
A_021_02	The Executive to examine the recommendations in the Report of the Fennelly Commission of Investigation in accordance with the referral from the Tánaiste and seek further information from the Garda Síochána	ASAP	The Executive

7. Preparation for meeting with the Garda Commissioner

It was noted that the original intention in holding a themed meeting on the issue of roads policing was to examine a range of matters relating to this topic and that input had been received from a number of civil society groups who had raised significant concerns. Despite being somewhat overtaken by events relating to Mandatory Alcohol Testing (MAT), data quality and Fixed Charge Penalty Notice (FCPN) issues, these should not distract from important questions including distribution of resources, supervision and road safety education.

It was agreed that, given that it was unlikely that all of the Members' prepared questions would be covered in the timeframe available, the Commissioner would be requested to respond to key outstanding questions in writing.

The Commissioner's monthly report was discussed and it was agreed that the Commissioner should be requested to include in all future reports an update on progress on Civilianisation and on her plan to embed the Code of Ethics. Members agreed to provide further ideas for inclusion in the Commissioner's report, if any, to the Chief Executive or Secretary.

No.	Action point	By Date	By Whom
A_021_03	Members to indicate their requirements for the future content of the Commissioner's monthly report and Executive to discuss revised content with GS.	ASAP	The Executive
A_21_04	The Commissioner to include an update on progress on Civilianisation and on her plan to embed the Code of Ethics and on her plan to embed the Code of Ethics in all future monthly reports to the Authority.	Immediate	GS

Part B – Authority Meeting with the Garda Síochána in public

Attendance

Authority and Executive: As above

Garda Síochána: Nóirín O’Sullivan (Garda Commissioner), Dónall Ó Cualáin (Deputy Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), Michael Finn (Assistant Commissioner), Michael O’Sullivan (Assistant Commissioner), Eugene Corcoran (Assistant Commissioner), Dr. Gurchand Singh (Head of Analyst Service), Aidan Reid (Chief Superintendent), John Keegan (Superintendent), Marie Broderick (Superintendent).

This meeting with the Garda Commissioner and her team was held in public and the recording is available to view at:

<http://www.policingauthority.ie/website/PA/PolicingAuthorityWeb.nsf/page/Meetings-en>

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_021_05	Confirmation that breath tests have been undertaken in 100% of road traffic accidents.	ASAP	GS
A_021_06	The Authority would like to learn more about Garda Driver training (perhaps beginning with the Training Plan for Garda driver certification).	ASAP	GS
A_021_07	Timeline for work being undertaken by GSAS in relation to location of checkpoints based on statistics on incidents.	ASAP	GS
A_021_08	Details of numbers of summonses served in person in follow-up after unsuccessful attempts by registered post.	ASAP	GS
A_021_09	Formal report of the review of classification of homicide data.	ASAP	GS
A_021_10	The Commissioner’s Monthly Report to the Authority to include an update on the status of civilianisation and redeployment.	May 2017	GS
A_021_11	The Executive to review the questions which were prepared in relation to a range of Roads Policing issues and identify key outstanding questions to put in writing to the Commissioner.	Immediate	The Executive
A_021_12	GS to provide written responses to key outstanding questions relating to roads policing which were not raised at the meeting due to time constraints.	ASAP	GS
A_021_13	The Authority to publish the GS written response to the key outstanding questions relating to roads policing.	ASAP	The Executive

Part C – Authority Meeting

The Authority meeting resumed after adjournment of the meeting with the Garda Commissioner in public, with attendance as at Part A above.

8. Chief Executive' Report

The Chief Executive's report was taken as read.

The appointment of an Assistant Commissioner on 21 April was noted along with a request for one further appointment subsequent to sanction from the Department of Public Expenditure and Reform to temporarily increase the ECF by one to allow for a handover period in respect of the next upcoming vacancy in June. It was noted that a request for a permanent increase of the ECF for this rank is also under consideration by the Department of Justice and Equality ('the Department').

Members welcomed the Government announcement of an additional Executive Director post with responsibility for data in the GS. The Chief Executive confirmed that an initial meeting had been held with the Chief Administrative Officer of the GS to discuss the job specification, however no request for approval of this post had yet been received for consideration by the Authority. It was noted that selection processes are underway for two Executive Director level positions approved by the Authority in November 2016 with another due to commence in the coming weeks.

Members discussed the Correspondence Report for Quarter 1 2017 and it was agreed that issues arising would be revisited in conjunction with a future discussion in relation to the Authority's Customer Service Charter and updating of its complaints policy and procedures. It was agreed that in the short term, any significant themes arising from correspondence could be referred to Committee Chairs where it is relevant to their TORs.

9. Audit, Governance and Risk

The Audit Committee will meet on 9 May and will consider the draft Risk Register with a view to bringing the document for discussion to the next Authority meeting.

Members noted the draft report of the self-evaluation undertaken in March and the Chair of the Audit and Risk Committee indicated that the Committee will consider the draft report and review progress on implementing the recommendations later in the year. Members expressed satisfaction with the self-evaluation process and agreed that it should be repeated annually and progress tracked year on year. The unresolved issue which arose during the self-evaluation as to the need to balance getting policing experience/expertise into the Authority without compromising independence was discussed and it was agreed that some further research should be done on the matter before the Authority considers this further.

No.	Action point	By Date	By Whom
A_021_14	Audit and Risk Committee to consider report and monitor progress on commitments arising from the Authority self-evaluation process.	Dec 2017	Audit and Risk Committee

No.	Action point	By Date	By Whom
A_021_15	The Executive to prepare a briefing note for the Authority on the practice in policing oversight bodies in other jurisdictions in sourcing policing expertise.	ASAP	Executive

10. Committee updates

Ethics Committee

The Chair updated Members on a recent meeting with GS representatives who indicated commitment to embedding the Code of Ethics and plans to roll-out training to all staff by year end. A detailed plan was to be provided by the previous day and is awaited. The Authority emphasised the need to get this work underway.

Garda Appointments Quality Assurance and Selection Governance Committee

The written update from the external chair was noted. The Committee will meet on 5 May to consider the selection competition for the rank of Superintendent. It was noted that the GS Promotions Advisory Council, on which the Authority has two nominees, will meet in May.

No.	Action point	By Date	By Whom
A_021_16	The Executive to seek information on the status of and processes for promotion competitions for Sergeant and Inspector ranks.	ASAP	Executive

Garda Organisation Development Committee

The main topic for consideration by this Committee since the last Authority meeting was the draft Quarterly report on progress in implementation of the Garda Inspectorate report 'Changing Policing in Ireland' ('CPI') which was addressed under agenda Item 11.

There was a brief discussion on the commitment in the Authority's Strategy Statement to undertake a review of an element of governance in the GS and it was agreed that this should be progressed.

The Chairperson noted that the high level Resources Group comprising the Authority, the GS and the Department held its first meeting, at which there was endorsement of linking the GS Vote provision more closely with the Policing Plan. Membership of this group will assist the Authority in gaining understanding of the allocation and use of resources in the GS and in forming a view on the adequacy of resources in line with the Authority's statutory function.

11. Quarterly Report to the Tánaiste – Progress of implementation of the Garda Inspectorate Report “Changing Policing in Ireland”.

The Chair of the Organisation Development Committee updated Members in relation to the latest draft Quarterly report on progress in implementation of the Garda Inspectorate report ‘Changing Policing in Ireland’ (‘CPI’) outlined three significant issues contained in the report, namely:

- The mapping of the recommendations of CPI against the Modernisation and Review Programme (‘MRP’) raises some questions as to whether the MRP is the vehicle for the implementation of the recommendations. In particular it is noted that while 115 recommendations are contained within the MRP and the STO process, a considerable proportion of recommendations (86)have been assigned elsewhere in the organisation. This has implications for the monitoring of the implementation of the recommendations and raises questions in relation to the governance structure and accountability for ensuring the oversight and delivery for those projects.
- Progress on civilianisation has been disappointing with little progress made with regard to the key tasks of developing a workforce plan and identifying a significant number of posts where it will be possible to redeploy Garda members engaged in administrative and other non-policing duties to front line policing duties and their replacement with civilian staff. Initial results from the country-wide census indicated only 161 posts that could be civilianised. This was felt to be strategically and tactically short-sighted and calls into question the level of engagement with civilianisation within the Garda Síochána and commitment to its achievement.
- Progress is being made on the functional policing model it was noted that, while it offers significant opportunities for the redeployment of sworn Members to operational policing, the pace of this project is dependent on the ability to provide civilian staff as the opportunities arise .

The Chairperson noted that the Department is considering publication of the Authority’s first quarterly report to the Tánaiste and there was discussion and agreement about the Authority publishing these reports routinely after allowing a reasonable period for consideration by the Tánaiste.

No.	Action point	By Date	By Whom
A_021_17	The Quarterly report on progress on implementing the CPI recommendations to be finalised by the Chairperson and the Committee Chair subject to drafting points discussed. This would be then submitted to the Tánaiste and copied to the GS.	30 April	Chairperson and Committee Chair
A_021_18	Further consideration to be given to scoping a review of an element of governance in the GS.	ASAP	Chairperson /Executive

12. Annual Report of the Professional Standards Unit of the Garda Síochána.

The Authority considered the Annual Report of the Professional Standards Unit (‘PSU’), which is required to be submitted to the Authority under the Garda Síochána Act 2005. The breadth of issues examined by the Professional Standards Unit (PSU) over 2016 were noted, but the Authority was disappointed that despite

being given indications in advance of the Authority's expectations, no information on findings or issues arising from individual PSU inspections even on a thematic or high-level was contained in the report. Questions also arose as to how the detailed individual recommendations of the PSU are being communicated internally and how these are fed into policy and training. It is understood that the PSU intends to engage with the Garda Síochána Risk Management Office with a view to identifying key themes for investigation in 2017 and the Authority endorses such a thematic approach. In the context of its consideration of the Annual Report, it was agreed that the Authority would request further information from the Garda Síochána on key findings in 2016, which should be included in future annual reports and the PSU work plan for 2017.

No.	Action point	By Date	By Whom
A_021_19	<p>The Executive to write to the GS to request that:</p> <ul style="list-style-type: none"> • the PSU provide the Authority with a high-level report of key findings during 2016 to supplement the 2016 Annual Report; • future PSU annual reports contain information relating to key thematic findings • each report of the PSU be sent to the Authority as soon as it is completed; and • the PSU work plan for 2017 to be provided to the Authority 	Immediate	The Executive

13. Other Business

There was a brief discussion on the interim report of the GS Internal Audit of the Garda College in Templemore and it was noted that the Public Accounts Committee would be examining this matter in the coming week. It was agreed that the Chairperson will monitor developments in this regard and update members if considered necessary.

It was agreed that the date which had been reserved on 8 May for an additional unscheduled meeting was not now necessary and that unscheduled meetings should be reserved for exceptional matters arising which require the immediate consideration of the Authority.

There was discussion of the agenda and schedule for the May Authority meeting which is planned to be held in the Garda College in Templemore. It was agreed that this meeting would focus on training in the GS including the approach to training of new recruits, Strategic Leadership training and Continuing Professional Development (CPD) in order to get a flavour of the end-to-end training support provided. It was also noted that the Authority has sought a commitment from the GS allocate a place to the Authority in the Foundation Training programme for new recruits.