



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 28 March 2024

Venue: 90 North King Street, Dublin 7

Part A – Authority Meeting

Attendance

Authority: Elaine Byrne (Chairperson), Anthony Harbinson, Paul Mageean, Donal de Buitléir, Jane Mulcahy.

Secretary: Aoife Clabby.

Staff of the Authority: Helen Hall (Chief Executive), John Gallagher, Sophia Carey (item 8) Mark Nother (items 9-12).

Garda Inspectorate: Mark Toland (Chief Inspector) (items 1-12)

Apologies Deborah Donnelly, Margaret Tumelty.

1. Meeting of Members in Private

The Authority did not exercise its option to have a meeting in private.

2. Chairperson's Opening Remarks

At the outset of the meeting, the Chairperson conveyed the Authority's congratulations to the Chief Executive on her nomination as Chief Executive Designate of the Policing and Community Safety Authority.

The Chairperson provided Members with an update in relation to a meeting that both she and the Chief Executive had attended with GSOC. The Chairperson also updated Members in relation to a meeting that had taken place with the Commissioner, providing an overview of matters discussed, including recent media coverage of the handling of discipline in the Garda Síochána. Members discussed a number of issues arising including the timelines for handling discipline cases and the Garda organisation's public communications in the area of conduct and discipline. Members noted that conduct and discipline would be discussed with the Commissioner at the April meeting in public.

The meeting agenda was approved, as drafted. No conflicts of interest were declared by the Members in relation to any of the items for consideration. Members noted a number of pieces of correspondence received.

3. Consent Agenda Items

3.1. Minutes of Meeting and Matters Arising

The minutes of the meeting held on 29 February were approved and cleared for publication.

3.2. Policing Authority and Garda Síochána Actions Logs

The Log of Actions was noted and proposals to close a number of actions were approved.

4. Chief Executive's Report

The Chief Executive's report was taken as read and further updates were provided to Members on a number of matters in the context of the report, including in relation to:

- A meeting with the Chief Executive of the Health Service Executive, in the context of the Policing, Security and Community Safety Act. The Chief Executive advised that the meeting had been productive and discussion had included the statutory basis for cooperation between state agencies in the area of community safety. In this regard, the Chief Executive highlighted the importance of appropriate representation on the National Community Safety Steering Group, in order to deliver the functions, as provided for in the Act.
- A recent governance meeting with the Department of Justice. Members were provided with an overview of matters discussed, including transition to the Policing and Community Safety Authority.
- Joint work with the Garda Inspectorate. The Chief Executive advised that the focus of the joint work would be a short post-implementation review on a specific recommendation arising from the Inspectorate's Crime Investigation Report on the recording and management of drugs exhibits/evidence. Members noted the intention to have a draft report completed by the end of May.
- Attendance at a briefing on 'virtual volunteers for policing', an initiative emanating from the University of South Wales and the South Wales Police and involving engagement with university students to solve policing problems. The Chief Executive advised that she had attended the briefing with representatives from the Garda Síochána. Members considered the benefit of a similar such initiative for the Garda Síochána.

Members considered and approved the updated recommendation of the Audit and Risk Committee, arising from its meeting of 5 March 2024 to reimburse the over-deduction of PRSI from certain Authority Members.

Members noted that there had been one data protection breach in the year to date. The Chief Executive advised on the nature of the breach, which had been minor, and outlined the process for handling the breach in accordance with the organisation's policy.

The Chief Executive advised Members that she had accepted the role of Chairperson of the Revenue Commissioner's Audit and Risk Committee, having served as a member of the Committee for the past number of years.

<i>Action Number</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_135_01	Reimburse affected Authority members the over-deduction of PRSI payments.	ASAP	Chief Executive

5. Committee Updates

5.1. Garda Appointments Quality Assurance and Selection Governance Committee

The Committee had not met since the last meeting of the Authority.

5.2. Garda Organisation Development Committee

The Committee had not met since the last meeting of the Authority. The Committee Chairperson expressed on-going concern in relation to the quality of the nature of information provided to the Authority in relation to Garda Síochána financial expenditure, noting that the information received was through the Department of Justice's Financial Shared Services. It was agreed that a short, single item meeting of the Garda Organisation Development Committee would be convened to engage with Garda representatives on the matter of financial reporting.

The Authority approved the appointment of Anthony Harbinson to the Committee.

<i>Action Number</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_135_02	Convene a meeting of the Garda Organisation Development Committee to discussion Garda Síochána financial reporting.	ASAP	Chief Executive

5.3. Policing Strategy and Performance Committee

The Acting Committee Chairperson provided Members with an update in relation to the meeting that had taken place on 13 March, including in relation to engagement on policing performance in the areas of organised crime, drugs intimidation and community policing. The Acting Committee Chair conveyed the Committee's disappointment in relation to engagement with Garda representatives on the status of the provision, to the Authority, of a resourcing plan for the long-term needs of the Garda National Economic Crime Bureau. Members noted that this was an action contained in the cross-governmental implementation plan for the Hamilton Review on Economic Crime and Corruption.

Members were advised that a detailed presentation on roads policing had also been provided by Garda representatives, addressing a number of themes including resourcing, data and technology, strategy, planning and communications.

Arising from the update provided, Members discussed the capacity for inter-bureau collaboration in the Garda Síochána, in particular in the areas of drugs and community policing, having regard to engagement with children and young people and associated complexities. Members noted existing mechanisms for sharing good practice in the organisation, including the Chief Superintendents' conference.

The Authority considered and approved a request to appoint former Authority Member, Dr Moling Ryan, as an external member of the Policing Strategy and Performance Committee. It was agreed that a notification of appointment would issue to Dr Ryan.

Action Number	Action point	By Date	By Whom
A_135_03	Notify Dr Moling Ryan of his appointment as an external member of the Policing, Strategy and Performance Committee.	ASAP	Chief Executive

6. Audit and Risk Management

The new Committee Chairperson, Anthony Harbinson, provided Members with an update in relation to the meeting that had taken place on 5 March, noting that many of the items considered had been tabled for Authority consideration and approval. Noting that it was his first meeting, the Committee Chair commended the extent of oversight by the Audit and Risk Committee (ARC) and the calibre of its external members.

He advised that there had been some discussion at the meeting in relation to the transition to the Policing and Community Safety Authority, including risk management, membership of the ARC and processes relating to handover, where relevant.

6.1 Risk Management Report

The Authority considered the Risk management report, provided in accordance with the Risk Management Policy. It was proposed and agreed that the Risk Management Report would revert to being considered as an item requiring Authority consideration at all future meetings.

6.2 Audit and Risk Committee Annual Report

Members noted the Annual Report of the Audit and Risk Committee 2023, prepared in accordance with the Audit and Risk Committee Charter and the requirements of the Code of Practice for the Governance of State Bodies (the Code). The Authority noted that the Committee was satisfied with:

- the assurance provided by internal and external audit;
- the Committee's own work in the oversight and review of financial, control, risk and governance matters;
- engagement with management during 2023; and

- the assurance provided in relation to the internal control systems in place in other organisations which provide financial, payroll, HR and ICT services on behalf of the Authority, including where available, independent internal audit reports.

Accordingly, the ARC was satisfied that the controls in place address the range of financial, operational, reputational and strategic risks facing the Authority; that the controls are both adequate and operating satisfactorily in 2023 and can therefore be relied on to give assurance to the Authority and the Accounting Officer.

6.3 Annual Effectiveness Review-Authority and Committees

Members considered an overview provided of the outcomes of the annual self-assessment undertaken by members of the Authority and of its Committees for the period 2023. Members discussed a number of matters in relation to the survey results including perceptions of interactions with Garda representatives. It was agreed that it would be useful to discuss further the assessment outcomes in this area, in the context of the externally facilitated communications workshop planned for early May. Members also discussed the outcomes relating to the diversity of membership of the Authority, having regard to the statutory provisions for appointment of members.

7. Appointments

Members considered and approved a request for an additional Principal Officer position in the civil legal section of the Garda Síochána. Members further authorised the Chief Executive to seek the consent of the Minister for Justice and the Minister for Public Expenditure, National Development Plan Delivery and Reform, to the approval by the Authority of the position.

Members considered and approved a request for an additional Director and two Principal Officer positions in the Strategy and Transformation section of the Garda Síochána. Members further authorised the Chief Executive to seek the consent of the Minister for Justice and the Minister for Public Expenditure, National Development Plan Delivery and Reform, to the approval by the Authority of the positions.

Members were provided with the outcomes of the clearance process in respect of the appointment of a candidate to the rank of Chief Superintendent in the Garda Síochána. The Authority was satisfied to appoint the candidate to the rank of Chief Superintendent, with effect from the date on which the candidates take up the position they are assigned by the Garda Commissioner.

Members were provided with the outcomes of the clearance process in respect of the appointment of three candidates to the rank of Superintendent in the Garda Síochána. The Authority was satisfied to appoint the candidates to the rank of Superintendent, with effect from the date on which the candidates take up the position they are assigned by the Garda Commissioner.

The Chief Executive advised Members of the ongoing engagements with the Department of Justice, the Public Appointments Service and the Garda Síochána to fill the vacancy at the rank of Deputy Commissioner, following the retirement of the incumbent on 13 March.

Action Number	Action point	By Date	By Whom
A_135_04	Seek the consent of the Minister for Justice and the Minister for Public Expenditure, National Development Plan Delivery and Reform, to the approval by the Authority of a Principal Officer, Civil Legal, in the Garda Síochána.	ASAP	Chief Executive
A_135_05	Seek the consent of the Minister for Justice and the Minister for Public Expenditure, National Development Plan Delivery and Reform, to the approval by the Authority of a Director and two Principal Officers, Strategy and Transformation, in the Garda Síochána.	ASAP	Chief Executive
A_135_06	Notify the Commissioner of the appointment of a candidate to the rank of Chief Superintendent and notify the candidate of their appointment.	Immediate	Chief Executive
A_135_07	Notify the Commissioner of the appointment of three candidates to the rank of Superintendent and notify the candidates of their appointment.	Immediate	Chief Executive

8. Report on Child Sexual Abuse

Members considered a draft report to the Minister on the implementation, by the Garda Síochána, of the recommendations contained in the Garda Inspectorate Report 'Responding to Child Sexual Abuse'. Members were advised that a meeting had taken place with Detective Chief Superintendent, Garda National Protective Services Bureau on 27 March and that a small number of amendments would be made to the document, arising from the meeting.

Members were agreed that the report to the Minister demonstrated the importance of continuing to oversee the implementation of recommendations and to demonstrate the impact on service delivery to victims of child sexual abuse. Following discussion, the Authority was satisfied to approve the report, subject to a small number of drafting amendments. Members noted that, as agreed at the 25 January meeting, the draft report would form the basis of the Authority's response to the Minister, in continuing fulfilment of the Ministerial request to the Authority under section 117(a)(2) of the Garda Síochána Act. The Authority further agreed that the substance of the draft report to the Minister would also form the basis of a publication of the Authority's oversight in this area in 2023. It was agreed that the report for publication would be sent to the Commissioner and the Garda Inspectorate for fact-checking and would be tabled for engagement in public at the April Authority meeting.

Action Number	Action point	By Date	By Whom
A_135_08	Submit a report to the Minister on the implementation of recommendations contained in ' <i>Responding to Child Sexual Abuse</i> ', further to section 117(a)(2) of the Garda Síochána Act.	ASAP	Chief Executive
A_135_09	Send the draft report for publication on oversight in the area of child sexual abuse in 2023 to the Commissioner and the Garda Inspectorate for fact checking.	ASAP	Chief Executive
A_135_10	Table oversight of how the Garda Síochána respond to the crime of child sexual abuse for the Authority meeting in public, 25 April.	ASAP	Chief Executive

9. Annual Assessment of Policing Performance

Members considered and approved the draft Annual Assessment of Policing Performance 2023, subject to minor drafting amendments. It was agreed that the Assessment report would be finalised by the Chief Executive, in consultation with the Chairperson and published.

Action Number	Action point	By Date	By Whom
A_135_11	Finalise the Annual Assessment of Policing Performance 2023, in consultation with the Chairperson and publish.	ASAP	Chief Executive.

10. Policing, Security & Community Safety Bill-Implementation Update

Members were provided with a brief update in relation to the implementation of the Policing, Security and Community Safety Act, including in relation to the proposed public facing name for the Policing and Community Safety Authority. Members noted that there had been considerable engagement on the matter over the preceding months and that correspondence had now issued to the Department of Justice in relation to the final proposed name. Members also noted that the draft Conduct Regulations and draft Standards of Professional Behaviour Regulations would be circulated by the Department of Justice for consultation with relevant parties, including the Authority, at an early date.

11. Update on Public Order Review

Members were provided with an update on progress to date on the public order review, in particular the receipt of the operational debrief report on serious public disorder in Dublin city centre on 23 November 2023. Members discussed a number of key thematic issues emerging from the report

and considered the extent of the links between the report findings and the recommendations arising. Members also discussed the Garda Síochána's current governance, accountability and assurance framework for public order and its efficacy and impact at all levels in the organisation.

12. Preparation for meeting with Commissioner

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

Other Business

The Chief Executive advised that Correspondence and associated documents had been received from the Garda Síochána in relation to the draft Code of Practice for the use of Body Worn Cameras, in the context of the Authority being one of the prescribed bodies for the purposes of consultation. Members noted that a draft response to consultation would be prepared for Members' consideration at the 25 April meeting of the Authority.

Members agreed a date of 8 May for a half-day workshop with an external communications provider.

Documents for Noting by the Authority –

The following documents were noted by the Authority:

<i>Document</i>		<i>Action Required</i>
D_135_01	Criminal Justice Strategic Committee-December meeting note	For noting
D_135_02	Garda Síochána Equality Data Toolkit	For noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance

Authority and Executive: Elaine Byrne (Chairperson), Anthony Harbinson, Paul Mageean, Jane Mulcahy, Donal de Buitleir, Aoife Clabby (Secretary), Helen Hall (Chief Executive), John Gallagher.

Garda Síochána: Drew Harris (Commissioner), Shawna Coxon (Deputy Commissioner), Siobhan Toale (CAO), Paula Hilman (Assistant Commissioner), Jonathon Roberts (Assistant Commissioner), Yvonne Cooke (Acting Executive Director), Alice Donovan (Principal Officer) Niamh O’Hara (Assistant Principal).

The Commissioner met with Authority Members in private, with senior Authority staff in attendance, to discuss a question arising on appointments and a small number of conduct and disciplinary matters. Senior Garda representatives then joined the meeting. The Chairperson welcomed Siobhán Toale, Chief Corporate Officer to the meeting and wished her well in her new role.

13. PSCS Act implementation update

Members discussed a number of matters with the Commissioner and senior Garda representatives relating to the organisation’s state of readiness for the commencement of the Policing, Security and Community Safety Act, in particular the proposed consultation process on the draft regulations, provided for under part 8 of the PSCS Act. The Commissioner advised the Authority of the significant concerns that he had, on which he had corresponded with the Department of Justice and that a copy of the correspondence would be provided to the Authority for information. Members were provided with a high-level overview of the extent of engagement on the development of the draft regulations to date, together with an overview of the work envisaged to finalise the draft regulations and to develop policies and procedures and deliver training for their deployment across the organisation.

Action Number	Action point	By Date	By Whom
A_135_12	Provide the Policing Authority with a copy of correspondence issued to the Department of Justice regarding consultation process on part 8 Regulations.	ASAP	Garda Síochána

14. Conduct and discipline

Members engaged with the Commissioner and his senior colleagues in relation to a number of matters regarding conduct and discipline including recent revisions to the organisation’s suspension policy and the capacity of any changes made to positively impact prolonged timelines associated with suspensions. Members were advised that the revised policy was aligned to the current conduct regulations and that a process of consultation in relation to proposed revisions was ongoing and

scheduled to conclude in the coming weeks. Members were further advised of the range of factors impacting delays in suspension processes including, but not limited to, investigative processes, garda members seeking extensions of time, impending trials and their intersection with ongoing disciplinary proceedings and challenges in relation to court dates.

Members sought the Commissioner’s assessment of the effectiveness of the current system of reviewing suspensions on a quarterly basis, noting the extent of scrutiny undertaken as part of the review process. Members also engaged with the Commissioner and senior Garda colleagues in relation to recent training provided to members of Appeals Boards. The Commissioner highlighted the importance of the independence of the Appeals Board processes and the particular considerations involved in ensuring procedural fairness for members’ subject to disciplinary processes while concurrently safeguarding the rights of the public. The Commissioner also highlighted the importance of the introduction of in-career vetting and being alive to patterns of behaviour or incidents occurring that might indicate unethical or criminal behaviour on the part of Garda members.

Members discussed with the Commissioner the documenting of lessons learned, arising from the conviction of a former Garda member for coercive control in July 2022 and the robustness of the current systems in place for reporting poor behaviour. Members noted that the next iteration of the organisation’s ‘lessons learned’ bulletin for dissemination to Garda personnel would be focused on domestic violence and sexual abuse.

Members discussed the introduction of GardaSAFE into regional control rooms and enquired whether, arising from the CAD999 review, there was now a reluctance to legitimately cancel calls, arising from a fear of being disciplined and further, whether this was putting pressure on responding to calls for service. Members were advised that policy in this area had been reviewed and revised through a working group involving regional Assistant Commissioners and that it was in the process of being operationalised in the regional control rooms. It was agreed that the relevant aspects of the policy document would be provided to the Authority.

In concluding the discussions, the Chairperson welcomed the review that had been undertaken of the suspension policy. She also expressed the Authority’s strong desire to see more information being communicated and made publicly available by the Garda Síochána in relation to types of issues that Garda members are suspended for, in order to enhance public awareness and understanding of the types of behaviours that are not acceptable in the organisation and that will be subject to discipline. The Commissioner agreed to include thematic categories regarding reasons for suspension in future monthly reports to the Authority.

<i>Action Number</i>	<i>Action point</i>	<i>By Date</i>	<i>By Whom</i>
A_135_13	Provide the Authority with a copy of the relevant aspect of the regional control room policy addressing call cancellation.	ASAP	Garda Síochána.
A_135_14	Include thematic categories regarding reasons for suspension in future monthly reports to the Authority.	April	Garda Síochána.

15. Voluntary disclosure to Revenue

Members sought and were provided with an update on the Garda Síochána's engagement with the Revenue Commissioners on the unprompted voluntary qualifying tax disclosure made by the organisation at the end of tax year 2023, noting that a response was awaited from Revenue to the submission made. Members were also apprised of engagements with the representative associations, in the context of a number of related travel and subsistence entitlements.

16. Quarterly update on Garda Síochána Workforce Plan

Members engaged with the Commissioner and senior Garda colleagues on the quarterly update provided on the Garda Síochána workforce plan. While noting that resources would probably increase in 2024, the Commissioner advised that the rate of growth in personnel would not be sufficient to address the demands for policing service delivery, in all its complexity. Members noted a number of positive developments in the organisation's capacity to improve day to day deployment, including the completion of the roll-out of the Roster and Duty Management System, progress in various recruitment processes for Garda members and staff and work in the area of roster reform.

A number of challenges were also highlighted, including in relation to the roll-out of the Operating Model. It was acknowledged that the baseline resourcing model applied at the commencement of roll-out needed further refinement at this juncture. Members were advised that HR&PD would be engaging in detail with the regional Assistant Commissioners in this regard. The Commissioner also highlighted the need for, and the challenge to ensure that the Operating Model is capable of being responsive to different types of policing needs in urban and rural settings, in addition to variations in policing demand and calls for service across divisions and regions.

In response to a request for clarification, Members were advised that decisions in relation to the prioritisation of positions for recruitment were made at the resources demand group, which is chaired by the Commissioner. Members discussed the current process for approval of business cases for new positions and noted that the process of collective, initial consideration of business cases by representatives of the Authority, and the Departments of Justice, Public Expenditure NDP Delivery and Reform was beneficial, but that a key area of focus for Garda HR&PD currently was in providing internal support to improve the quality of business cases being made.

Members discussed with the Commissioner the current levels of staff attrition and the extent to which this was impacting on sworn members being required to backfill administrative roles.

Members requested and were provided with an overview of the main elements of the Garda Síochána policies in respect of recruitment and retention, including the provision to Members of a thematic overview of the drivers for personnel departures, and a consideration of measures to enhance the attractiveness of a career with the Garda Síochána. It was agreed that the policies relating to recruitment and retention would be provided to the Authority, as part of the suite of documents emanating from the organisation's People Strategy. In concluding discussion on this agenda item, the importance of effective, targeted and appropriate communication on this and other areas of the organisation's work, was emphasised by the Chairperson.

17. Operational Debrief Report-Serious Public Disorder in Dublin City Centre on 23 November

Members engaged with the Commissioner in relation to a number of matters arising from the operational debrief report, including the practical application of public order command structures; the degree of preparedness for, and responsiveness to, an incident of this nature with reference to the recommendations arising from the 2019 Garda Inspectorate report on public order; consideration of the use of force; social media as a driver for the public order incident and the capacity to obtain intelligence from those sources; and the extent to which issues identified with equipment had been remedied.

Members enquired as to the status of various policies associated with public order policing and were provided with an overview of the various stages of development of each policy and the timeframe for their finalisation and approval by the senior leadership team.