



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 13 March 2025

Venue: Virtual meeting

Attendance

Authority: Elaine Byrne (Chairperson), Deborah Donnelly, Anthony Harbinson, Paul Mageean, Donal de Buitleir.

Secretary: Margaret Tumelty.

Executive: Helen Hall (Chief Executive), Karen Shelly, Michal Hanley (Item 4).

1. Meeting of Members in Private

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

2. Chairperson's Opening Remarks

The meeting agenda was approved, as drafted. Margaret Tumelty was appointed as Secretary for the meeting.

No conflicts of interest were declared by the Members in relation to any of the items for consideration.

The Chair referenced the imminent publication of the Garda Inspectorate's Report on Domestic Abuse and noted that the Authority may have an initial opportunity to discuss the report, if published, at its meeting on March 27 March.

3. Regulation 39 Communication from Commissioner

The Authority considered a letter and associated documents received from the Garda Commissioner on 28 February requesting the Authority's consent to dismiss a Garda member in accordance with Regulation 39(1) of the Garda Síochána (Discipline) Regulations 2007, as amended. Members discussed the specific functions of the Authority in this matter, the limited circumstances in which the summary dismissal of a member can take place and legal advices received. Members had several legal queries, and it was agreed to defer a decision pending receipt of further advice, for consideration at the Authority meeting on 27 March.

Action Number	Action point	By Date	By Whom
A_149_01	The Chief Executive to seek further legal advice from the Senior Counsel.	Immediate	Chief Executive

4. PSCS Act

Members were provided with a verbal update on the approach to and likely commencement of the Act which it is anticipated will occur in late March.

Members considered the request from the Department of Justice to review and provide observations on the draft regulations from the Office of Parliamentary Counsel (OPC), specifically the PSCS Act 2024 Section 256 (Performance) Regulations 2025, the Section 257 (Conduct) Regulations and the Section 258 (Standards of Professional Behaviour) regulations. Members noted a number of positive changes introduced in the current drafts. However, it was also noted with disappointment what was considered a regression from previous drafts of the regulations. Many suggestions from the Authority’s previous submissions on drafts of the regulations had not been accepted or incorporated into the latest drafts. Four significant points of concern remained:

- The absence of a requirement to consider public confidence as an essential element throughout all the regulations. The Authority remained of the view that a criterion of reputational damage to policing and public confidence in policing when assessing the severity of conduct and the appropriate sanction to be imposed is needed.
- The exclusion of Garda staff from roles identified in previous drafts and the fact that the provisions under the Standards of Professional Behaviour regulations relate almost exclusively to Garda members runs contrary to the spirit and vision of a single organisation – a central tenet of the report on the Commission on the Future of Policing.
- As construed, the need for, and likely impact of, the absence of an evolved and maturing performance management system will mitigate against the meaningful operation of the performance regulations.
- The removal of a failure to comply with the Code of Ethics as a requirement under the member’s duty to uphold and act in accordance with the law.

Members regarded the points of concern as significant deficiencies in the draft regulations in what will be a new and important framework for addressing matters relating to performance, conduct and standards of professional behaviour in the Garda Síochána.

The Authority was cognisant of the impending commencement of the PSCS Act and that the Department’s capacity to incorporate any substantive feedback at this juncture is likely limited. It agreed that in its response to the Department, the Authority would, in addition to making the points discussed, also emphasise the need for an early review of the new suite of regulations and how they are operating and inter-operating, given the substantive changes arising from their introduction. The Authority further agreed that such an early review would ensure that any material issues arising are addressed in a timely manner. Members agreed that the response should be finalised by the Chair and Chief Executive incorporating points discussed.

Action Number	Action point	By Date	By Whom
A_149_02	Finalise the Authority's response to the draft regulations under the PSCS Act and submit same to the Department	Immediate	Chief Executive

5. Procurement: Request for approval

The Authority considered the results of a tender evaluation process undertaken in relation to a request for tender for the provision of meeting management software services. The service will provide a cloud-based software application to facilitate arrangements for meetings, including the electronic distribution of confidential documents in a secure manner for meetings of the Authority, Authority Committees, and Inspection teams.

Members considered the evaluation process undertaken and the outcomes. The Authority was satisfied to approve the award of contract for the provision of meeting management software to the successful tendering company.

Action Number	Action point	By Date	By Whom
A_149_03	Notify the successful tenderer of the award of the award of the contract for the provision of meeting management software services.	Immediate	Chief Executive

6. Other Business

The Chairperson noted that a response had been received regarding firearm storage and property and exhibit management and that this correspondence would be provided to Members as part of the documentation for the 27 March Authority meeting.

In light of recent, associated media reportage and discussions in the Dáil, Members agreed that further interaction with the Commissioner was required. In particular Members expressed the wish to discuss with the Commissioner how the Garda Síochána responds to what it asserted at the February meeting to be inaccurate media reporting. It was further agreed that this will be on the agenda for the 27 March Authority meeting.

Action Number	Action point	By Date	By Whom
A_149_04	Garda Síochána's approach to information reported in the media to be put on the March Authority meeting agenda.	Immediate	Secretary