



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 24/25 July 2024

Venue: The Richmond Education and Event Centre, Dublin 7.

Part A – Authority Meeting

Attendance

Authority: Elaine Byrne (Chairperson), Anthony Harbinson, Donal de Buitleir, Jane Mulcahy, Deborah Donnelly, Paul Mageean (items 4, 8, 9, 11-20)

Secretary: Aoife Clabby

Staff of the Authority: Helen Hall (Chief Executive, items 1-14, 16-20), Margaret Tumelty, John Gallagher, Karen Shelly (items 4, 8 & 15) Michal Hanley (items 9, 10 & 13), Cian Finn (item 10)

Garda Inspectorate: Mark Toland (Chief Inspector) (items 10-14), Kayleigh Canning (item 10)

1. Authority Members – private session

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. No conflicts of interest were declared by the Members in relation to any of the items for consideration. A number of pieces of correspondence received were noted including:

- A letter from the Director of the Irish Human Rights and Equality Commission regarding the policing of disturbances at a site in Coolock. It was agreed that the matters raised would be considered under item 15, preparation for the meeting with the Commissioner.
- Copies of correspondence from the Commissioner to the Ethics Registrar of Dublin City Council and correspondence from the Commissioner to the Department of Justice in relation to the draft conduct regulations under the Policing, Security and Community Safety Act. The Chairperson advised Members that matters outlined in the correspondences had been discussed with the Commissioner.

The Chairperson advised Members that she had been briefed by the Commissioner in the wake of violence and disturbances in the vicinity of the former Crown Paint factory site in Coolock. The Chairperson provided Members with an overview of the matters discussed. It was noted that while the situation in Coolock was a live policing matter, the Authority's decision to live-stream its meeting with the Commissioner to discuss issues of public order policing was important in the public interest.

3. Consent Agenda Items

3.1 Minutes of Meeting and Matters Arising

The minutes of the meeting held on 30 May 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 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:

- The launch of a selection competition for the rank of Deputy Commissioner in the Garda Síochána. Members noted the timelines associated with the competition and the Chief Executive highlighted the request to nominate a Member as the Authority's representative on the competition selection board.
- A recent meeting held with the Garda Síochána Strategic Transformation Office in relation to the requirement to provide the Authority with a Policing Plan for 2025, under the provisions of the 2005 Act.

Members considered a revised summary of agenda items discussed at Authority and Committee meetings in the year to date, in addition to a rolling agenda of proposed items for engagement with the Commissioner to the end of 2024. In light of continuing uncertainty regarding the date of dissolution of the Authority, it was agreed that the proposed agendas would continue to be reviewed on a monthly basis.

Members considered a request received from the Office of the Director Public Prosecutions (DPP) seeking input into the development of its strategy statement for the period 2025-2027. It was agreed that a response would issue from the Chief Executive to the DPP and Members discussed a number of suggestions in the areas of engagement, research, support and raising public awareness.

Members considered correspondence received on behalf of the current GREVIO President, responding to inaccuracies contained in the GREVIO baseline Evaluation Report for Ireland which had been highlighted by the Authority in its correspondence of 26 January 2024. Members noted the response that GREVIO's Rules of Procedures did not permit the amendment of a final report, once published. It was agreed that correspondence would issue to the GREVIO President, expressing disappointment that the factual inaccuracies would stand uncorrected, acknowledging the stated position in respect of procedures and looking forward to future engagement, via the Department of Justice, in 2026.

It was further agreed that a copy of the correspondence would be provided to the Department of Justice.

Members considered the draft letter to the Minister for Justice on the adequacy of Garda Síochána resources. Members noted that a number of matters highlighted in the draft letter had been the subject of discussion at the Organisation Development Committee, in addition to the prevalence of issues relating to resources, arising from the Authority’s review of public order. Following discussion, the Authority was satisfied to approve the letter, as drafted.

Members considered and discussed a document setting out the Authority’s approach to date on making public statements or issuing commentary via its social media accounts. The Chief Executive outlined the context and rationale for the approach adopted and the emerging principles underpinning any decision to comment publicly. Members’ input was sought regarding the continuing relevance of the approach, as articulated. Members had a wide-ranging discussion on the approach adopted by the Authority to date and considered a number of matters in this regard including consistency of approach, practice among comparator bodies, the role of the Authority’s official spokespersons and related decision making protocols, and the appropriateness, or otherwise, of public commentary in certain situations. The importance of protecting the Authority’s reputation as an independent oversight body was also emphasised. While noting that the matters discussed would be a question for wider consideration by the new Policing and Community Safety Authority under the PSCS Act, Members were satisfied to support the retention of the current approach to public statements and social media commentary, as set out.

Number	Action point	By Date	By Whom
A_139_01	Rolling calendar of agenda items of Authority and its Committees to be considered on an on-going basis	On-going	Chief Executive
A_139_02	Respond to the Office of the Director of Public Prosecution’s consultation on the development of its Strategy Statement 2025-2027.	ASAP	Chief Executive
A_139_03	Issue correspondence to GREVIO President regarding report inaccuracies and copy the Department of Justice.	ASAP	Chief Executive
A_139_04	Submit Authority advice on the adequacy of Garda Síochána resources to the Minister for Justice.	ASAP	Chief Executive

5. Committee Updates

5.1 Garda Organisation Development Committee

The Committee Chairperson provided Members with an update in relation to the meeting that had taken place on 12 July, including in relation to work to progress a headcount plan for the organisation, the status of the transformation programmes in finance and procurement and in human resources. Members noted that the meeting had been very constructive and had focussed on a number of key challenges, in particular the rate and pace of Garda member recruitment; reliance on overtime for service delivery and associated impacts; and the financial position of the

organisation. Members were advised that a financial forecast was expected at an early date and it had been agreed that once received, it would be discussed at a subsequent Authority meeting.

5.2 Garda Appointments Quality Assurance and Selection Governance Committee

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

5.3 Policing Performance and Strategy Committee

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

5.4 Audit and Risk Committee

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

6. Risk management report

The Authority considered the monthly risk report, provided in accordance with its Risk Management Policy. It was noted that there had been two changes to the risk register, which were minor changes to risk mitigations. Members did not identify any further risks to those identified by management in the register.

7. Appointments

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

Members considered and approved a proposal received from the Garda Síochána to appoint a temporary Acting Head of Employment Law, at Principal Officer grade until 7 October, following the completion of an internal Expressions of Interest process. Members also noted the commitment given by the Garda Síochána to revert to the Authority with proposals in respect of the establishment of a substantive post for this role.

No.	Action point	By Date	By Whom
A_139_05	Notify the Commissioner of the appointment of a candidate to the rank of Superintendent in the Garda Síochána and notify the candidate of their appointment.	Immediate	Chief Executive
A_139_06	Notify the A Executive Director HR&PD of the appointment of a temporary Acting Head of Employment Law and notify the candidate.	Immediate	Chief Executive

8. Approach to half-year Policing Performance Assessment

Members considered and approved the proposed approach to the half year assessment of Policing Performance 2024, agreeing the thematic focus on technology and policing in the Garda Síochána, both generally and with specific reference to each policing priority. Members were satisfied that the proposed approach would also enable a consideration of technology through the lenses of human rights and ethics. It was agreed that the draft half-year report would be tabled for initial consideration at the September meeting of the Authority.

No.	Action point	By Date	By Whom
A_139_07	Table half-year assessment of Policing Performance 2024 for consideration at September Authority meeting.	September	Secretary

9. Commissioned research on experience of policing by minority communities - Draft Final Report

Members were presented with the proposed final draft report of commissioned research on the experience of policing by minority communities. Members were apprised of a number of challenges encountered in relation to engagement with the researchers and the effort involved in bringing the draft research to this point.

Members were satisfied with the underlying methodology and concluded that the data gathered and associated findings merited publication. However, it was agreed that the draft, as submitted, was not ready for publication and would require substantial editing.

Following discussion, it was agreed that the Executive would revert to the researchers to convey the Authority's requirement that, in order to publish the report, substantial copy editing would be undertaken in addition to further critical analysis of the recommendations arising from the research. It was further agreed that once this process had been concluded, consideration would be given to the timeframe for the report's presentation and provision to the Commissioner for fact checking, prior to publication and engagement on its findings at a subsequent Authority meeting in public.

Number	Action point	By Date	By Whom
A_139_08	Revert to external researchers regarding arrangements to finalise report on the experience of policing by minority communities and consider timeframes for provision to Commissioner, publication and engagement in public.	ASAP	Chief Executive

10. Human Rights Oversight Framework

At the outset of the agenda item, the Chairperson welcomed Ms Jane Gordon, Human Rights Advisor, to the meeting and noted that a number of documents had previously been provided to the Authority in support of its consideration of this agenda item. The Chairperson then invited Ms

Gordon to present the work she had undertaken to date on the development of a National Human Rights Framework for Oversight and Inspection of Policing Services in Ireland.

The Authority was provided with a detailed presentation encompassing an overview of the methodology and principles to inform the development of the framework; summary details in relation to stakeholder meetings conducted; the development of standards against which the Garda Síochána will be measured; and a baseline assessment of the Garda Síochána's current approach to human rights. Members noted that engagement with Garda personnel had been very constructive and responsive throughout the process.

Members were then presented with the proposed National Human Rights Framework for their consideration, noting the proposed elements and associated indicators at structural and operational level in the Garda Síochána, in addition to criteria to support thematic inspection and review of compliance with human rights standards. In concluding her presentation, Ms Gordon provided Members with a high-level assessment of the status of the delivery of the Garda Síochána's current Human Rights Strategy. She also provided an appraisal of the extent to which the policing service delivered is human rights centred, having regard to policy, training, operations, and the Garda Síochána's response to external scrutiny and oversight.

Members had a detailed discussion in relation to the presentation and sought a small number of clarifications in relation to the proposed framework and its application to different aspects of policing by the Garda Síochána. Members also considered the proposed framework in the context of the establishment of the Policing and Community Safety Authority and the implications for oversight and engagement with the Commissioner in the future. Members then discussed the next steps in relation to the framework's further refinement and establishment, noting that a further meeting with the Executive was scheduled for 23 September in this regard.

11. Public Order Review

Members considered the final draft of the review of public order policing, as requested by the Minister for Justice on 29 November 2023, following the violent disturbances that had occurred in Dublin city on 23 November. The Chief Executive advised that feedback on the factual accuracy of the draft report was awaited from the Commissioner, but was expected at an early date.

Members were satisfied that observations provided at the June meeting had been fully incorporated into the revised draft. Members made a small number of further proposals for change in relation to the report's structure. Members were satisfied to approve the report, subject to the changes proposed. They agreed to discuss with the Commissioner in part b of the meeting whether he had identified any factual inaccuracies in the draft report provided to him.

In submitting the report to the Minister, Members requested that the letter to her from the Chairperson would highlight a number of matters of primary importance to the Authority, including the challenge and risk involved in the policing of public disorder and recognition of the courage and dedication of Garda members; the pressure on service delivery posed by questions of resource adequacy; and the requirement for sustained oversight of public order policing into the future. In concluding the discussions, Members commended the Executive on the work undertaken on the review.

Number	Action point	By Date	By Whom
A_139_08	Finalise the review of public order policing and submit to the Minister for Justice.	Immediate	Chief Executive

12. Policing, Security & Community Safety Act - Implementation Update

Members noted the paper providing a comprehensive update on the status of the implementation of the Policing Security and Community Safety (PSCS) Act.

Members enquired as to the extent of clarity on the part of the Department of Justice regarding how the Authority's statutory functions in relation to community safety will operate and intersect with the role and functions of the National Office for Community Safety. The Chief Executive advised that while she had raised the operation of the new oversight framework under the PSCS Act on a consistent basis with Department officials over the past few years, to date there had been little engagement on the matter with the relevant agencies. Members expressed concern in this regard, highlighting the potential for a siloed approach to the operation of the new statutory oversight framework and the risks that this posed. The importance of effective governance arrangements across the range of agencies from the outset of the Act's commencement was emphasised as a key facet of the successful operation of its provisions, as they relate both to community safety and oversight of the Garda Síochána generally.

13. Policing, Security & Community Safety Act -Draft Regulations

Members considered a working draft of the new Garda Síochána (Performance) Regulations, provided for under the PSCS Act 2024 and circulated by the Department of Justice for consultation. Members noted that the draft regulations were designed to work in conjunction with two other sets of regulations under the new Act, as part of a revised framework for performance management and discipline in the Garda Síochána. The Chief Executive advised that the draft performance regulations had been reviewed in detail and provided an overview of initial observations.

Members agreed that the draft regulations, as proposed, would not support a culture of effective performance management in the Garda Síochána. Members also discussed whether the draft provisions relating to underperformance would have the effect of adding further confusion and complexity, when considered alongside the draft Conduct Regulations.

Following discussion, it was agreed that feedback on the draft Garda Síochána (Performance) Regulations would be provided to the Department of Justice, reflecting the Authority's discussions.

No.	Action point	By Date	By Whom
A_139_09	Respond to the Department of Justice consultation on draft Garda Síochána (Performance) Regulations.	9 August	Chief Executive

14. Policing priorities 2025

Members considered and approved the proposed amendments to the measures of success for the Policing Priorities 2025. It was noted that a consultation response was still awaited from the Commissioner and that the matter was scheduled for discussion with him in part b of the meeting.

15. Preparation for meeting with Garda Commissioner

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

Other Business

Members sought an update in relation to the gap in published data on use of force by the Garda Síochána. It was agreed that the matter would be raised with the Commissioner in part b of the meeting and further, would be tabled for discussion at the PSP Committee meeting on 16 September.

Documents for Noting by the Authority-July 2024

The following document was noted by the Authority:

	Document	Action Required
D_139_01	Post Implementation Review, Crime Investigation Report 2014, Recommendation 9.16, Property and Exhibit Management. Garda Síochána Inspectorate, July 2024.	For Noting

Part B – Authority Meeting with the Garda Commissioner in private

Attendance:

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

Garda Síochána: Drew Harris (Commissioner), Shawna Coxon (Deputy Commissioner), Siobhan Toale (Chief Corporate Officer), Eimear Bourke (Executive Director).

16. Policing Priorities 2025

Members discussed the Authority’s proposed approach to the Policing Priorities in 2025 with the Commissioner. The Commissioner acknowledged receipt of the Authority’s correspondence of 13 July to consult on the proposed measures of success, noting that a number of measures would require removal or update, due to the passage of time. The Commissioner also expressed concern in relation to the impact of resources and other matters on the ability to deliver the proposed measures of success, noting the changed policing landscape and associated demands on service delivery, since the priorities were initially determined and agreed for 2022-2024.

Following discussion, it was agreed that the Commissioner would revert to the Authority with any proposals for further amendment to the measures of success, prior to the finalisation of the Policing Priorities 2025 and their submission to the Minister for Justice.

No.	Action point	By Date	By Whom
A_139_10	Respond to the Policing Authority consultation on the Policing Priorities 2025, prior to their submission to the Minister for Justice.	ASAP	Garda Síochána

17. Approach to oversight and reporting mechanisms 2025

Arising from discussions that had taken place at the June Authority meeting, Members discussed the arrangements for the development of a Policing Plan for 2025 and a Strategy Statement for the next strategic period with the Commissioner and senior Garda representatives. The merits of extending the existing Plan and Strategy for a defined period into 2025 were explored with the Commissioner, in light of a number of factors. These included the Authority’s decision to update and extend the current Policing Priorities to the end of 2025; the requirement to adhere to the reporting mechanisms contained in the current Act and the absence of clarity in relation to a commencement date for the PSCS Act; the capacity for the transition provisions in the PSCS Act to account for any existing Policing Plan and Strategy Statement; and the desirability of providing the new Board of the Garda Síochána, once established, to determine its Strategy Statement under the new Act.

The Commissioner acknowledged and agreed with the requirement to adhere to the current statutory provisions and associated reporting mechanisms. However, it was noted that the Garda Síochána did not have the capacity to ensure readiness for existing and future statutory reporting mechanisms in parallel. Following discussion, it was agreed that the matter would be raised with the Department at the meeting of the PSCS Implementation Programme Board scheduled for the following day. It was further agreed that the matter would again be discussed at the September Authority meeting.

No.	Action point	By Date	By Whom
A_139_11	Raise the approach to oversight and reporting mechanisms 2025 at the DoJ's PSCS Implementation Programme Board meeting.	26 July	Garda Síochána/Chief Executive
A_139_12	Table GS Strategy Statement and Policing Plan 2025 for discussion with the Commissioner at September Authority meeting.	September	Secretary

Other Business

The Commissioner advised Members that he had considered the Public Order Review report and had a number of minor observations in respect of factual accuracy which would be provided at an early date. He also advised Members that an internal debrief process had commenced and emphasised the importance of considering and addressing the lessons learned, arising from the review's findings.

Members discussed the draft regulations provided for under Part 8 of the PSCS Act with the Commissioner and senior Garda representatives, in particular those relating to performance and conduct. Members noted the Commissioner's assessment of the scale of work that would be involved in giving effect to the regulations, once they are agreed, in particular the development of policy and processes and the delivery of training.

Members discussed the publication of the use of force statistics and the change in reporting methodology which had given rise to a gap in reporting from November to April. Senior Garda colleagues advised that the statistics for the period were now available. It was agreed that a presentation on the changed methodology would be provided at the 16 September meeting of the PSP Committee.

Part C– Meeting with the Garda Commissioner (in public) 15.00-17.00

Attendance

Authority and Executive: Elaine Byrne (Chairperson), Helen Hall (Chief Executive), Donal de Buitleir, Anthony Harbinson, Jane Mulcahy, Paul Mageean, Deborah Donnelly.

Garda Síochána: Drew Harris (Commissioner), Shawna Coxon (Deputy Commissioner), Siobhan Toale (Chief Corporate Officer), Paula Hilman (Assistant Commissioner), Cliona Richardson (Assistant Commissioner), Angela Willis (Assistant Commissioner), Catharina Gunne (Chief Superintendent).

This meeting with the Garda Commissioner and his team was live streamed. In accordance with the Authority’s Standing Orders, the official record of the meeting is the recording which is available to view at <https://www.policingauthority.ie/en/authority-meetings> .

At the outset of the meeting, the Authority discussed with the Commissioner the recent convictions of individuals for sexual and gender-based violence. Supports for victims throughout their engagement with the criminal justice system were outlined by the Commissioner and it was noted that crimes of this nature were significantly under-reported. The Commissioner appealed to victims of such crimes to seek help and assistance. The Commissioner emphasised that the Garda Síochána adopted a zero tolerance approach to behaviours of this nature among its own personnel and that suspensions of personnel and prosecutions in some cases attested to that fact.

The following matters were then discussed during the meeting:

Item Number	Agenda Item	Principal matters discussed
18	Public Order Policing	<ul style="list-style-type: none"> Update provided on the number and extent of injuries sustained by Garda members during the protests and public order incidents in Coolock. Discussion on the presence of newly attested members at Coolock protests and extent of support offered to these members in the days after experiencing such an incident. Engagement on the timeline of events as they occurred across the incident site and surrounding area, with particular focus on when the Public Order Units were deployed and a consideration of the situation faced by uniform members until Public Order mobilisation. Overview provided of the number of investigations, arrests, charges and cautions made on foot of the events in Coolock. Discussion on the use of body worn cameras(BWC) by Garda members responding to the public order incident in Coolock and whether footage gathered would assist in the arrest and prosecution of offenders.

Item Number	Agenda Item	Principal matters discussed
		<p>The requirement for underpinning legislation to give full effect to the distillation of information gathered from BWCs highlighted.</p> <ul style="list-style-type: none"> • Consideration of the volume of CCTV requiring review and the associated impacted on garda resources. • Engagement on the Public Order Command Model, its activation and associated advantages. • Engagement on a range of matters relating to equipment including what was available to uniformed members and reportage in relation to the deployment of pepper spray by Public Order members. • Discussion in relation to tactics deployed at the incident site and the underpinning rationale and explanation of the graduated policing response model. • Engagement in relation to the nature of protests and facilitation of the right to legitimate protest. • Discussion in relation to adequacy of resources to deal with such events. • Engagement on the notification process and communication with the Garda Síochána on a variety of decisions relating to potential sites to accommodate people seeking asylum, including in relation to site access. • Consideration of the impact on the relationship between the Garda Síochána and the local communities on foot of the policing such public disorder, and what efforts can be made to restore those relationships. • Discussion in relation to lessons learned by the Garda Síochána in the wake of policing events in Coolock in the preceding weeks.
19	Young people and alternatives to coercive sanctions for drug possession	<ul style="list-style-type: none"> • Discussion on progress to develop a Children’s Plan, with reference to work carried out in conjunction with youth diversion projects and other specialised areas. The anticipated benefits of a dedicated plan for children were considered. • Engagement on the large number of young people who were involved in the November riots and the events in Coolock, and whether the learning from these incidents would feed into the development and implementation of the Children’s Plan. • Engagement on the Garda Juvenile Diversion Programme. • Consideration given to the input of young people themselves in the development of the Children’s Plan and their experiences of being policed. • Discussion in relation to Department of Justice data on the number of cautions issued for personal possession of cannabis, and whether the Adult Caution programme was being used consistently.
20	Conduct and Discipline	<ul style="list-style-type: none"> • Engagement in relation to a report being prepared for the Minister for Justice on the approach taken within the Garda Síochána in cases

Item Number	Agenda Item	Principal matters discussed
		<p>of alleged sexual abuse and domestic violence involving serving members.</p> <ul style="list-style-type: none"> • Discussion regarding the under-reporting of sexual crime and sexual violence, and engagement on the apparent low level of complaints made by female members between 2010 and 2022. A commitment was provided to clarify the matter and submit any available supplementary data. • Outline provided on the measures taken to encourage members to come forward to make a complaint if they have been the victim of an abuse, as well as the supports available to an individual once a complaint has been made. • Consideration of the reported figures of bullying and harassment, and sexual harassment within the Garda Síochána. • Discussion in relation to suspension cases and the length of time between the complaint being received and an outcome being reached, and measures are being taken in order to speed up the process.

No.	Action point	By Date	By Whom
A_139_13	Provide the Policing Authority with further data in relation to complaints within the Garda Síochána regarding sexual crime and sexual violence.	ASAP	Garda Síochána

In concluding the discussion on the scheduled agenda items, the Authority engaged with the Commissioner and members of the senior leadership team on the extent to which overtime is relied upon to deliver day to day, operational policing. Members sought the Commissioner's views on what measures can be taken in order to accelerate recruitment and to address the matters highlighted.