



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 19 December 2024

Venue: The Policing Authority, 4th Floor, 90 North King Street, Dublin 7.

Part A – Authority Meeting

Attendance

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

Secretary: Aoife Clabby

Staff of the Authority: Helen Hall (Chief Executive), Margaret Tumelty.

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.

Members noted a number of pieces of correspondence including:

- Correspondence from the Chairperson to the Minister for Justice regarding the delay and the absence of certainty regarding a commencement date for the Policing, Security and Community Safety (PSCS) Act 2024. Members noted that no response had yet been received. The Chairperson reiterated her grave concern, as outlined in the letter, regarding the conclusion of the terms of office of Authority Members on 31 December and the risks for public accountability of Irish policing, given that the Authority would not exist without the membership being in place. While acknowledging that there had been engagement with senior Department officials to consider the most appropriate course of action, there remained no certainty regarding ensuring continuity of independent oversight beyond the 31 December. Consequently, it was noted that the Authority would need to consider some proposals to address any potential lacuna and to enable business continuity, under item 4, Chief Executive’s report.
- Response to the Department of Justice on the revised draft Conduct Regulations and the revised draft Standards of Professional Behaviour Regulations, further to section 257 and section 258 of the PSCS Act 2024. It was acknowledged that there were challenges in

responding appropriately on the revised draft of the Conduct Regulations, in the absence of sight of any revisions to the Performance Regulations, provided for under section 256, given the intersection between these two sets of regulations.

- Legal correspondence received in relation to a selection competition for a senior civilian staff position in the Garda Síochána. The Authority's role in relation to selection competitions for Garda staff at senior ranks, further to section 19 of the 2005 Act was noted.

3. Consent Agenda Items

3.1 Minutes of Meeting and Matters Arising

Members were advised that the draft minutes of the meeting held on 28 November would be tabled for consideration at the 30 January meeting of the Authority.

Members noted that additional information in relation to the clearance of a candidate being considered for promotion to the rank of Chief Superintendent had been received shortly after the 28 November meeting and that the Authority's decision to approve the appointment of the candidate had been recorded by email protocol.

3.2 Policing Authority and Garda Síochána Actions Logs

Members were advised that the Actions Logs would be provided for Members' consideration at the 30 January meeting of the Authority.

Members noted receipt of the Garda Síochána Events, Public Order and Public Safety Command Structure Policy and Procedure.

Members noted receipt of statistics from the Garda Síochána for bullying, harassment, sexual harassment, domestic violence, coercive control and sexual assault of Garda members and staff, including all criminal and discipline investigations for 2023 and 2024. Members discussed the information received, observing that the figures appeared to be quite low, in the context of the size of the Garda Síochána. Members agreed that data provided merited further consideration in the context of future engagement on the matter in public with the Commissioner and his senior team. Members also discussed the potential value of conducting a confidential survey of Garda personnel in order to gain a greater understating of the extent to which these serious matters are experienced by Garda personnel. A survey of this nature was seen as merited particularly in circumstances where it is understood and accepted that such matters are under-reported in wider society as a whole.

4. Chief Executive's Report

The Chief Executive provided Members with a verbal update in relation to a number of matters arising since the report provided at the 26 November meeting of the Authority. Members discussed the implications for business continuity, arising from the forthcoming completion of the terms of office of Authority members on 31 December. In the absence of any proposed extension to Members' terms of office and the probability of a lacuna pending the establishment of the PCSA, the following matters were agreed, in principle, by the Authority:

- A revision to the delegation in respect of non-pay expenditure to the Chief Executive, aligned with thresholds widely used in the civil service.
- To ensure continuity of the Audit and Risk Committee, the appointment of the outgoing Chairperson, Mr Anthony Harbinson as a member of the Committee and for him to remain as its Chairperson until the establishment of the PCSA.

The Chief Executive discussed advanced work to develop a business plan for 2025 with Members. Members discussed in detail the need for contingency planning for Authority meetings in the early months of 2025, should the Authority’s membership be extended beyond 31 December. It was acknowledged that the uncertain circumstances were challenging in the context of the draw on existing Members and Executive resources, while also trying to plan for the transition to the PCSA and commencing work to give effect to new statutory functions. However, it was agreed that the underpinning principle of uninterrupted, sustained oversight of the Garda Síochána would be to the forefront of any matters to be agreed. In that context, Members considered draft contingency proposals for Authority agenda items in the early months of 2025 and agreed a number of areas of focus. It was further agreed that should there be a continuation of the terms of office of the existing Members that the January meeting of the Authority would be held in public and that consideration would be given to holding a meeting of the Policing, Strategy and Performance Committee in March.

5. Regulation 39 Communication from Commissioner

Members considered a request from the Commissioner to dismiss a member of the Garda Síochána, in accordance with Regulation 39 of the Garda Síochána (Discipline) Regulations 2007. Members sought a clarification in respect of the nature of dismissal request. Following discussion, the Authority was satisfied to consent to the request received.

No.	Action point	By Date	By Whom
A_145_01	Notify the Commissioner of the Authority’s consent to the request received to dismiss a member of the Garda Síochána in accordance with Regulation 39 of the Garda Síochána (Discipline) Regulations 2007.	Immediate	Chief Executive

6. Recording of Fraud Incidents

Members considered correspondence from Deputy Commissioner, Operations in relation to the recording of fraud incidents reported to the Garda National Economic Crime Bureau’s Financial Services Liaison Office. Members noted that the issue related to a significant backlog in processing section 19 reports under the Criminal Justice Act 2011. The Chief Executive provided Members with an overview of issues arising that had been discussed at a meeting with the Deputy Commissioner the previous day. The Chief Executive also advised that she had spoken to senior representatives in the Central Statistics Office the previous evening to understand the extent to which the backlog has the capacity to impact on crime statistics, in particular economic cybercrime. Members noted that the matter would be discussed in more detail at an early meeting of the Authority in public.

7. Other Business

Members agreed that the Garda Public Attitudes Survey, which had been recently published and was provided as a document for noting, would be considered by the Authority at the January meeting and engaged upon with the Commissioner, should the Authority Members continue to be in place.

Documents for Noting by the Authority – December 2024

The following documents were noted by the Authority Members:

Document		Action Required
D_145_01	Garda Síochána Inspectorate Post Implementation Review: Crime Investigation Report 2014, Recommendation 8.17- Recording details of children under 12 on PULSE intelligence records	For noting
D_145_02	Garda Public Attitudes Survey 2023	For noting