

# DÁIL ÉIREANN

---

## AN COISTE UM CHUNTAIS PHOIBLÍ

## COMMITTEE OF PUBLIC ACCOUNTS

---

*Déardaoin, 9 Bealtaine 2019*

*Thursday, 9 May 2019*

---

The Committee met at 9 a.m.

---

### MEMBERS PRESENT:

Deputy Bobby Aylward,	Deputy Alan Farrell,
Deputy Peter Burke,	Deputy Alan Kelly,
Deputy Shane Cassells,	Deputy Catherine Murphy,
Deputy Catherine Connolly,	Deputy Jonathan O'Brien.
Deputy David Cullinane,	

DEPUTY SEAN FLEMING IN THE CHAIR

**Mr. Seamus McCarthy** (*An tArd Reachtaire Cuntas agus Ciste*) called and examined.

### **Business of Committee**

**Chairman:** We are joined by the Comptroller and Auditor General, Mr. Seamus McCarthy, who is a permanent witness at the committee. He is joined by Ms Maureen Mulligan, deputy director of audit.

Apologies have been received from Deputy Deering.

The minutes of the meeting of 18 April have been circulated. Are they agreed? Agreed. No matters arise that will not come up under correspondence.

We will proceed to correspondence. There are three categories. Category A is correspondence relating to the briefing document and opening statements. Nos. 2149A and 2150A from the Office of the Garda Commissioner, dated 3 May and 7 May 2019, are the briefing document and opening statement for today's meeting. Is it agreed to note and publish these? Agreed.

Category B is correspondence from Accounting Officers and-or Ministers, follow-up to meetings of the Committee of Public Accounts and other items for publishing.

No. 2121B is from Mr. Seán Ó Foghlú, Secretary General of the Department of Education and Skills. It is dated 16 April 2019 and provides information on the arrangements for the internal audit for education and training boards, ETBs, and the steps taken by the Department to resolve any issue. Mr. Ó Foghlú provides an update on the internal audit arrangements of the City of Dublin ETB and the ETB internal audit unit. We note this and will publish it. We know there have been difficulties and we are pleased the Department is starting to give this matter greater priority, attention and resources. We will take this into consideration as part of our periodic report. Mr. Ó Foghlú advises there is an increased budget, as I have mentioned, and that the Department is jointly commissioning a wider review of internal audit in the sector to ascertain the longer-term support required to deliver an ongoing and appropriate internal audit function. We have mentioned this. One unit is based in Cavan and there are difficulties recruiting people to travel throughout the country. The Department is examining this issue, which we welcome, but we will consider this as part of our periodic report because, as I have stated, we have not been happy with the internal audit function in the ETB sector and it is good that it is now being addressed.

No. 2122B is from Mr. John McCarthy, the Secretary General of the Department of Housing, Planning and Local Government. It provides a detailed response requested by the committee to a number of matters raised at our meeting with him on 28 February 2019. We will note and publish this. Any member who wants to comment on it is welcome to do so. We will take the contents into consideration when finalising our report on housing issues. A lot of information has to be incorporated in the report.

Deputies Catherine Murphy and Cassells wish to speak.

**Deputy Catherine Murphy:** I was going to make exactly that point. There is some information that would be useful for the report. In recent weeks, an issue with regard to the cost of turnkey as opposed to direct build was revealed and we should include it. It is something that was raised here and we got an undertaking that the categories would be published separately.

On average, it costs about one third more to buy turnkey as opposed to a direct build. Given the scale of the housing crisis, direct build would certainly be a big part of the solution.

How do we intend to go about publishing the report? It was to be a dual report on the national broadband plan and the work we have done on housing. We have had hearings on both. I realise an announcement was made. We had a meeting scheduled yesterday to look at the draft report but a majority of the committee decided not to go ahead with it. What way will we proceed? There is a valuable contribution to be made in the work we have done on broadband, particularly on the forerunner to the national broadband plan, which was the metropolitan area networks. The draft report is a start but there are significant gaps that we need to address. We will have to meet and go through the gaps. Is it intended to publish the housing report separately? Is it intended to have a dual report? What will we decide to do? What is the plan of action?

**Chairman:** For the public record, we had a private meeting scheduled for yesterday to discuss documents produced by the secretariat as a result of the various meetings we have held in recent months. One of these documents is on broadband and the metropolitan area networks and the other is on housing. The timescale would have been quite tight with regard to discussing it yesterday and finalising it today - after our meeting with the Garda Síochána - with a view to getting absolute clearance for publication next week.

I always took the view that we could not publish it within 48 hours of the local and European elections. It was always going to be a tight squeeze to get it out eight days in advance of the elections, which is the middle of next week. When the Government announced its intention to appoint a preferred bidder for the national broadband plan, and we can now see there is a highly charged political debate between the Government and the Opposition, I felt that for the Committee of Public Accounts to wade in to discuss and finalise a report on broadband might be perceived as the committee wading into a current political controversy. I took the view that I do not want the committee to be accused of this. We might not have had agreement in any event because different views are held by Government members and Opposition members. I felt the most prudent thing to do was to hold it over. We will certainly complete our work but I felt that in the politically charged debate during these days I did not want to involve the committee at this time. We will certainly complete our work as soon as is practical. As Chairman I felt it was better not to proceed. The secretariat phoned around and two thirds of the committee agreed to postpone. We will come back to it.

I also felt that a lot of the information that came out on Tuesday may have been relevant to incorporate in our report, which we would not have been able to sign off within 24 or 48 hours of the documentation becoming available. I felt the prudent thing to do was to let the political side of it get out of the way and then the Committee of Public Accounts would do its work, as it always does, outside of the current political controversy.

I acknowledge publicly that Deputy Catherine Murphy was keen that the meeting should have proceeded as scheduled and I accept this. The majority took the opposite view. I accept that a significant part of the work prepared by the secretariat was on the metropolitan area networks but because it was connected to broadband in the same report I felt we could not go into it in this political climate. The idea was, subject to agreement of the committee, that we would publish two reports simultaneously on the same day.

**Deputy Catherine Murphy:** When are we talking about doing the housing report?

**Chairman:** As soon as is practical. We have information here today that is relevant.

**Deputy Catherine Murphy:** What timeline do we have on it?

**Chairman:** That is up to the members but I do not think we can produce and publish it before the local and European elections. To publish a report next week we would have to have absolute sign-off today and that time is very tight. As Chairman, I would not recommend publishing a report of the Committee of Public Accounts on housing and broadband in the week of the elections. It was a tight and ambitious timescale.

**Deputy Catherine Murphy:** I am sure the Government would appreciate the timing. It did not have a problem with it.

**Chairman:** We will be coming back to it. I just felt it was prudent for the committee to maintain its political independence at this time and not wade into the debate.

**Deputy Shane Cassells:** I want to focus on the correspondence from Mr. McCarthy. It highlights the frustration because there is as much in the follow-up note that could spark a fresh debate as there was in the original debate. In fact, there is even more than in the original documentation. I appreciate the Chairman has said a report will be issued but there is as much that would feed into a fresh debate, in particular the graphs on the local property tax take feeding into housing. It is a point that-----

**Chairman:** Is Deputy Cassells referring to a particular page?

**Deputy Shane Cassells:** I am referring to a chart on the local property tax take of local authorities. Deputy Catherine Murphy and I have consistently made the point on the contribution towards other housing aspects. My county is mentioned with regard to the failure of the mortgage to rent scheme. Traveller accommodation is also mentioned. There is a plethora of issues that could be examined.

At our meeting with the Secretary General, I raised points in respect of the local property tax take. The Taoiseach has made a particular pledge that all property tax will be retained locally so that local authorities running a surplus will no longer have to contribute to the equalisation fund. When I asked the Secretary General about this he had no idea how it would be achieved. In that respect, we are talking about a serious amount of money. It is a serious matter for the holder of the most prominent office in the country to say that and it is an issue that has not been addressed. Political promises have since been made in local election manifestos that all councils under Fine Gael will cut local property tax. When we examine the documents that have been brought forward, we see the strain certain Departments and councils are operating under and their failure to achieve what they should be achieving. I am telling members of the committee that the documents raise even more questions. One could have a fresh debate on them. I look forward to using them in the compilation of the committee's report.

**Chairman:** I thank the Deputy and invite Deputy Cullinane to comment on the general issue.

**Deputy David Cullinane:** I will cover the two issues. On the housing report, I do not think we should be too precious about the timing of elections because our report was not planned in that way. Having said that, the timing is coincidental; we are not ready to publish it. Will we have one more sitting to clear the report?

**Chairman:** We have had no discussion on it. We have not even had a preliminary discussion.

**Deputy David Cullinane:** We need a timeline for when we will discuss it. Most likely the discussion will take place after the local elections simply because we have not done any work on it.

On the broadband report, for a number of reasons it was correct not to proceed with the meeting yesterday. Obviously, we have the letter from Mr. Robert Watt, that is, the memo that was published yesterday. Given that we now have that letter, how do we intend to deal with it in the context of our broadband report which essentially is unfinished business? I know that it will deal with a lot of other issues also. We have a number of options, including that we proceed with our report as is and deal with the letter separately or we deal with it and the questions it raises as part of an ongoing process and perhaps incorporate our examination of Mr. Watt's concerns into the report. I am looking for the guidance of the Chairman on the best way to proceed.

**Chairman:** My view is we had Mr. Watt before the committee a number of weeks ago to talk about capital projects. We listed all of the projects, starting with the national children's hospital and on through ten major projects. We had a discussion with Mr. Watt on the national broadband plan. A member of the committee - perhaps it was the Deputy - asked him whether he thought it should go ahead. He said it was more than his job was worth to answer that question in public. Clearly, he has now indicated publicly. As a result of the discussion we had on capital projects, we are writing to him for an unredacted version of all correspondence because we have previously discussed the particular matter. I think the Committee of Public Accounts will today formally request an unredacted version. When we receive it, we can decide on the next step to be taken. Obviously, there is information he did not want to share on the day and there might now be an opportunity to have a full discussion on that information now that it has been published in the meantime. That is what I suggest.

**Deputy David Cullinane:** Let me add one point to what the Chairman said because it is very rare for memos and reports of these types to be published. It is good that there is robust engagement between that Department and others. Then there is the response of the Secretary General of the Department of Communications, Climate Action and Environment, which is a welcome development. The Comptroller and Auditor General had, in fact, called for that type of reporting and such issues to be published in advance of major projects being completed because the Government decides based on all of the information it has received what is the best course of action. This is the first time I have seen a letter that is so stark in its critique of a project which at that point had not been signed off on. As this is new, how do we as a committee examine it? It is a political decision that was made at Cabinet level, but at the same time fundamental questions were raised about value for money. Value for money is exactly what we consider which normally involves a look-back. Obviously, the Comptroller and Auditor General also engages in a look-back, but now that the issue is live and given that the letter was so stark and Mr. Watt was so clear in his concerns about the project, we need to look at it in a way we have not done before. We have not seen such a robust letter from a Secretary General before.

**Chairman:** I concur with Deputy Cullinane's views. It is good to see this happen and nice to know that not everybody sings from the one hymn sheet. It is also good to see one line Department challenging another. That is useful and it is good that this information has been published. The correspondence is very important and if there is further correspondence from the Department of Communications, Climate Action and the Environment that was not issued, we will want to see it as it will help to inform our consideration.

In case people ask why is the committee which normally looks back looking for a contract, the reason is that significant expenditure has been incurred on this project in recent years.

Therefore, the national broadband plan, the cost of tendering, the cost of consultants, the cost benefit analysis, the first draft of the plan and the revised draft when the European Union forced the Government to remove the 300,000 houses Eir stated it would cover have had implications in terms of further expenditure. We are looking at the expenditure that has been incurred to date and want to see whether what has been done to date will result in the achievement of value for money. Obviously, that will have implications for future expenditure. We are absolutely acting within our remit in looking at all expenditure incurred in previous years lest anybody doubts why we are doing so.

**Deputy Catherine Connolly:** I was one of the members who agreed that the meeting should be deferred, partly for personal reasons in that I was attending a funeral, but I did not agree to it being deferred for political reasons. That would have been wrong. I think the Chairman is doing himself an injustice in that regard. It would have been the wrong precedent to set. The meeting was scheduled to take place yesterday and I agreed that it should be deferred for two reasons, the other being - it is also important - that we did not have enough information and that information was coming out. I also felt we would not be able to complete the reports yesterday as they were unfinished. There are many aspects involved, particularly the national broadband plan, at which we need to look. The wrong message would have been sent.

**Chairman:** I take that point.

**Deputy Catherine Connolly:** In fairness to the Chairman, we should never ever cancel a meeting for political reasons. Quite the contrary, it is the very day we should go ahead with it. We need more information. Broadband provision is an extremely serious matter. In fairness to Deputy Catherine Murphy who asked for it to be placed on the agenda, we learned an enormous amount which is not reflected in the report which is a working document that needs to be changed.

**Chairman:** I take the Deputy's point. Clearly, the meeting was not cancelled for political reasons but because of the volume of information that had come out in the previous 24 hours. To enable us to produce a report, I thought we needed to assess the information that had only become available before we would sign off on it. The Deputy is correct. The meeting was not cancelled for political reasons-----

**Deputy Catherine Connolly:** It certainly was not.

**Chairman:** I take the Deputy's point completely.

**Deputy Catherine Murphy:** The sitting of the Dáil had to be suspended for a time because the data only came out at 2 p.m. I do not want to labour the point. The aspects related to the metropolitan area networks, MANs, are very important because they give some insight into the cost of broadband provision. The Analysys Mason report was very helpful from that point of view in terms of the lack of transparency. There is a range of issues that are really important in informing how one should proceed in the future. That involves a look-back. In competing the report there will obviously be a debate. There will be a debate over a considerable period of time on the contract. On the Committee of Public Accounts being helpful, the meeting with the Secretary General should predate publication of the report. We are likely to have something additional to be included in the report which will be both important and useful. I think we might revisit the capital projects because the Secretary General does refer to the national children's hospital and there are some insights in the documentation that has been published that may well be helpful in terms of other advices that might have been given in that regard, or perhaps other

contracts.

**Deputy David Cullinane:** Or not.

**Deputy Catherine Murphy:** Exactly. Roads are more predictable, and local authorities, which very often lead the development of roads, have fine-tuned the work on those.

Regarding the point that Deputy Cassells made about the local property tax, the more complicated one makes something, the more one gets away with it. Local government funding is just so confusing. The Government in the last general election talked about not introducing any new taxes. No new income taxes were introduced, but there are things in this that really should be a cause of concern. I do not think that when local property tax was introduced there was an expectation that it would fund housing or roads. It was not sold as such. The point has been made that it is a local property tax, is wholly retained in one particular area and is not a replacement for subvention for projects that comes from central Government. We now have a Committee on Budgetary Oversight. We were told that the purpose of that committee was that if the Opposition makes demands for things to be done, and Deputy Cassell's party has been criticised by Fine Gael quite heavily on this, the committee would have a responsibility to look at them to see if they are possible. Why do we not ask the Committee on Budgetary Oversight to have a look at what the cost would be of making this a wholly local property tax, as opposed to a replacement for the grants that come from various Departments? That would be a valuable and ongoing piece of work for that committee. I know we are supposed to leave our politics outside the door when we come in here, but we in the Social Democrats did our own budget, as other parties do, in advance of the budget being announced. We included in our budget an amount for the cost of precisely such a proposal. However, it is only when one goes looking at this that one realises how costly it is, so we should do that. We should ask the Committee on Budgetary Oversight to look specifically at the local property tax. If it were to be made wholly local and were not to have an equalisation fund, what would that cost be? We should look at the self-fund aspect, which is about councils funding roads and housing, which was not what the public expected of local property tax. We could ask the committee to look at that aspect and ask them what the dynamic would be if it were taken out.

**Deputy Shane Cassells:** The Taoiseach has promised that already so he must have answer.

**Chairman:** Can the committee agree to make that request of the Committee on Budgetary Oversight, that it examine this matter?

**Deputy David Cullinane:** Yes.

**Chairman:** Can we all agree?

**Deputy Shane Cassells:** On that, because this-----

**Deputy Catherine Murphy:** I wish to make one further point.

**Chairman:** Let Deputy Catherine Murphy finish.

**Deputy Shane Cassells:** Sorry. Go on.

**Deputy Catherine Murphy:** I think we should plough ahead with the housing report-----

**Deputy David Cullinane:** Yes.

**Chairman:** Yes.

**Deputy Catherine Murphy:** -----and get it finished as soon as possible in order that we have one thing cleared.

**Deputy Shane Cassells:** I will make just a quick point. This topic frustrates me. We should spend a month on it because we deal with it maybe once a year. The Comptroller and Auditor General in his report always refers to the myriad funding going into local government, but the matter comes in and out of here in half a day. We should spend a whole month on it because it has the biggest impact on local people's lives bar none. That self-funding aspect for housing and roads was a huge sleight of hand that the ordinary person would not have understood in the context of aspects of local government that were previously funded through a central fund from the Custom House. Counties such as Meath, Kildare and Dublin were now having to fund this themselves out of people's local property tax, as opposed to the funding coming from a central fund. That was a huge issue, and the impact is of course that there is less money to spend on some other aspect of local services. People ask where their local property tax is going, but suddenly these moneys are being used to fund what had previously been funded through a central Government fund. That is the sleight of hand. These are the kinds of things that need to come out into the public domain in order that people can understand the significance of what is being done in the Department of Housing, Planning and Local Government and the impact it is having on local services. It is a question of how one squares the circle of promising people there will be no increase in their property tax, that the Government is actually going to reduce it, and that counties such as Dublin and Meath can retain all their property tax but the Government will somehow find the money to fund services in Leitrim and Longford as well. It is voodoo mathematics.

**Chairman:** We will ask the secretariat to put a letter together to the Committee on Budgetary Oversight covering the points that have been raised asking the committee to examine them.

**Deputy Shane Cassells:** Can we ask the Taoiseach to come in as well? That would be fun.

**Chairman:** That will be a budget day matter. We will note and publish this documentation and incorporate it into our report on housing.

The next item is No. 2123B, from Mr. Martin Fraser, Secretary General at the Department of the Taoiseach, dated 17 April, regarding our request for details on the whole-of-government approach to risk assessment. We will note and publish this document.

**Deputy Shane Cassells:** We have published all our promises for the local-----

**Chairman:** Very good. I hope they are all costed.

**Deputy David Cullinane:** Are you going on a picket now or later?

**Chairman:** Give it half an hour.

The next item is No. 2124B, from Mr. Denis Breen of the Department of the Taoiseach, pointing out what the Department sees as an inaccuracy in periodic report No. 5 regarding the filing date for the Appropriation Account 2016 for the President's Establishment. Our report states that we drew attention to the fact that the Appropriation Accounts were filed in September 2017. I have Vote No. 1 of 2016 in front of me here, and the issue was that the statement of internal financial control was signed on 14 September but that the actual Appropriation Account



had been submitted to the Comptroller and Auditor General-----

**Mr. Seamus McCarthy:** It had been submitted. That is correct.

**Chairman:** -----by the end of March, within the time. We are happy to note that and put it on the record. When we get a report back from the Department of Public Expenditure and Reform regarding our periodic report, we will reconfirm the matter at that stage and discuss it again. I am delighted to see every line we write is scrutinised so closely. I am impressed. It is good. We will come back to this as part of our assessment of the response from the Department of Public Expenditure and Reform.

There are three items related to our inquiries regarding the ongoing review of matters in Waterford Institute of Technology. No. 2125B, from Mr. William Beausang of the Department of Education and Skills, gives an update requested by the committee on the next steps regarding the independent review of the spin-out and sale of companies from telecommunications software systems group at Waterford IT, which was not completed for legal reasons relating to the remit of the Higher Education Authority. The Department is prepared to examine issues by the contributors to the HEA report if contributors give their permission to forward their information to the Department. In parallel, the Department is continuing to examine matters in the Comptroller and Auditor General's special report on the development and disposal of intellectual property in FeedHenry in Waterford IT and has raised a number of questions about WIT's governing body. Mr. Beausang advises that the Department will keep the committee updated when there are further developments.

Correspondence No. 2140B - as I said, there are three items related to this topic - is from Ms Stephanie Goode of the Department of Education and Skills, confirming that the Department has received responses mentioned in the last item from the governing body of Waterford Institute of Technology to the questions posed by the Department. Ms Goode advises that the responses are currently under active consideration by officials in the Department. It is agreed that we will note and publish this.

Also related to this matter is No. 2136B from Mr. Paul O'Toole, chief executive officer of the Higher Education Authority, regarding the authority's draft report on WIT regarding the development and disposal of intellectual property in FeedHenry. The HEA previously advised the committee that it was unable to complete the review as it did not have the legal powers to do so. Separately, the HEA did not agree to release the draft report to the Right to Know group following an FOI request. Mr. O'Toole advises that this decision was partially overturned by the Information Commissioner on appeal. That is good. Somebody was doing their job. The Information Commissioner determined that chapters 1 to 4 of the draft report should be released. Mr. O'Toole enclosed a copy of this document for the information of the committee. He does draw our attention to possible legal difficulties if the Right to Know group or others, such as this committee, publish this item. I propose that we publish Mr. O'Toole's letter but that we do not publish the related document at this time. We might get agreement to that. There is a lot there.

**Deputy David Cullinane:** I agree with that recommendation. I welcome that Mr. Beausang's letter responds to the concerns in our letter. We ended up in a situation where we had the draft report, which was redacted with all the conclusions left out. Essentially, all we got was the context, the terms of reference and so on. We did not get any of the conclusions or recommendations that would have formed part of that report. Mr. Beausang's letter indicates that the Department may follow through with some form of examination of this issue themselves. Mr. Beausang sets out the powers that the Department of Education and Skills and the Minister

have. My reading of what Mr. Beausang has said is that the Department has not concluded yet and that it has not settled on what the course of action will be, but that it will make some recommendation to the Minister, which may be to appoint under the Act a special investigator to investigate the claims.

There is a bit of a worry, however, in the reference going back to the whistleblowers and those people who came forward and made protected disclosures, which is fair enough. The Department indicates that the advice is to go through the normal procedures in Waterford Institute of Technology, WIT, to make protected disclosures. I believe that the horse has bolted pretty much on that. I have no difficulty with this being set out as an option, but the people involved have already made protected disclosures to the Higher Education Authority, HEA, and we have to protect the integrity of the process. There would be a concern if people came forward, made protected disclosures to a State body and then were told to go back to the institute. This, however, is set out as an option. The correspondence states also that the individuals can resubmit their disclosures to the Department, which would in turn inform whether or not the Department advises the Minister to appoint a special investigator. It seems that an awful lot of responsibility is being put back onto the whistleblowers and onto those people who made disclosures. I assume these are all busy people and are concerned that they were left hanging. The committee will be aware that some of them have been in contact with me. They may decide that they will not follow through on this. We do not know. It is a little bit unsettling that the correspondence seems to be putting a lot of onus on what the whistleblowers and those who made disclosures should do rather than on the Department following through. I suggest that this committee recommends to the Department that it proceeds with appointing an investigator. We wanted a report. The issue of concern for us was that the HEA did a report that was outside the scope of its powers. That is acknowledged. The Attorney General has acknowledged this. The Department, however, has set out that it has the power under the Act. None of this has ever examined the details of the private company and what it did. It was at all times the activities of the institute and the interactions between the institute and the private company. This is what Mr. McCloone had looked at, what the Comptroller and Auditor General had looked at and what this committee looked at in our hearings on the matter. I would suggest that we strongly recommend that the Department does this. I am aware the Department is awaiting responses from WIT but that is in response to-----

**Mr. Seamus McCarthy:** I have received it and they are considering the-----

**Deputy David Cullinane:** That was in response to the Comptroller and Auditor General's report.

**Mr. Seamus McCarthy:** They were questions that arose-----

**Deputy David Cullinane:** From your report.

**Mr. Seamus McCarthy:** From my report, yes.

**Deputy David Cullinane:** They separate them out. In fairness to Mr. Beausang's letter, the Department accepts that the Comptroller and Auditor General's report was a very narrow focus and that the McCloone report was a much wider review. Notwithstanding whatever response the Department gets back in response to the Comptroller and Auditor General's report the other issues stand.

One of the last things that Dr. Graham Love told this committee when he was here was that

the facts were not in question. In Dr. Love's view, Mr. McCloone had established facts but the problem was the HEA could not publish the report because it was outside its scope and powers. The facts have not changed and some mechanism is needed to ensure those facts are put on the public record. At this point, appointing an investigator is probably the only way to do that.

**Deputy Catherine Murphy:** I agree with that. We all say that whistleblowers are valuable and important, which I completely accept. They have to see, however, that there is follow through and that it does not fall back on them. We cannot be in a situation where they do something and then ask "What was the point?". I believe the same is probably felt in Limerick. I understand it is a separate issue but there is the whole area of the HEA and its powers, to which we have drawn attention. Was the Department of Education and Skills to come back to the committee on that aspect or have I a flawed memory of that?

**Chairman:** Is the Deputy referring to the Limerick or Waterford institute?

**Deputy Catherine Murphy:** I refer to the powers of the HEA.

**Chairman:** They are looking at that. On Deputy Cullinane's suggestion, I would say that we have so much going on here even if we go through the whole process the only possible good outcome at the end is that the Department or the Minister appoints an inspector, so why not do it now? We can go around in circles. They have come to the conclusion that the HEA did not have the authority to commission the report. As the Deputy said, the people who made the disclosures are swinging in the wind, and at some stage somebody hopes that either this will go away or that the Minister will appoint somebody to investigate. Will the committee recommend this to the Department?

**Deputy David Cullinane:** I am recommending it. This benefits everybody. It will benefit the research institutes, the governing body, the president of the institute and all those people who came forward. I stress again that 50 people engaged in that report but different opinions were expressed as part of that engagement. There were different views on what was happening within the institute so for everybody's benefit, it would be good to get the facts out there in order that this matter is not left hanging. I would strongly recommend that we push the Department on this appointment.

**Chairman:** Can we get agreement just so everyone understands? The HEA commissioned a report into the Waterford Institute of Technology. The report was completed but there was an issue because at the end of the day it transpired that the HEA may not have had the legal authority to commission that particular investigation. The authority to carry out such an investigation is only vested in the Minister and the Department. In the meantime, all those who contributed to the report and who had given information, which is out there, are swinging in the wind because they have no recourse as a result of everything they said. They are still employed in the organisation. The Department has confirmed that the only people who absolutely have the power to commission the investigation are the Minister and the Department. Can we agree that the committee should write to the Department at this point asking it to move to appoint an investigator under the relevant section of the legislation? We can have the technical matter clarified around the relevant section under which the inspector can be appointed. Is it an inspector or investigator?

**Deputy David Cullinane:** An investigator.

**Chairman:** An investigator. This has been going on for a couple of years at this stage and

it will continue. They can wrap up those other things as they go along. What has already been done may or may not be able to feed into this new situation, but at this stage it is the only way of bringing the matter to a conclusion.

**Deputy David Cullinane:** Yes.

**Chairman:** Is that agreed? Agreed. I remind members that earlier we had said that the committee would not publish that report, which was received, in case it prejudices anything or in case we attach parliamentary privilege to a particular document. That attached correspondence will not be published.

No. 2128B from Mr. Martin O'Brien, the chief executive of the Louth Meath Education and Training Board, ETB, provides an update on the invoice redirection fraud, which we had been monitoring. Mr. O'Brien advises that the ETB's insurers, Irish Public Bodies, are covering the loss in full and that no loss is therefore incurred by the ETB. I put it to the committee that ultimately the ETB would receive its funding from the local authorities. All the funds paid out by the ETBs in such cases come from premiums paid to Irish Public Bodies, which is fully funded by the Irish taxpayer. It is coming out through that bank account rather than the Louth Meath ETB. I wanted to make the point that Irish Public Bodies is not a private insurance company coughing up. It is a mutual company. Mr. O'Brien has asked for the committee's patience until the matter is brought to a conclusion. We will note and publish this correspondence in the meantime.

No. 2129B from Mr. Mark Griffin, Secretary General of the Department of Communications, Climate Action and Environment, provides follow-up information requested in relation to the metropolitan area networks and the national broadband plan. The committee has discussed this and will incorporate all this information into our report as soon as possible when we come back to dealing with our report on broadband, which also specifically deals with the metropolitan area networks. Is it agreed that we will note and publish this correspondence? Agreed.

No. 2130B is correspondence from the director-general of RTÉ, Ms Dee Forbes, providing an update regarding the review of the 157 contracts highlighted as at high or medium risk of having attributes akin to employment. This was a recommendation in the Eversheds Sutherland report. Ms Forbes expects the review to be completed in the second half of this year and advises that RTÉ has developed a revised policy guideline regarding the engagement of contractors. The director-general gives an undertaking to keep the committee updated on the matter. Is it agreed to note and publish the correspondence?

**Deputy David Cullinane:** The review arose out of our deliberations on this issue. The Eversheds Sutherland report states that there may be issues of bogus self-employment and that RTÉ must engage with the individuals involved. It is only last week that the process of meeting some of those staff members began, which is frustrating for the people involved. There are issues still to be resolved in this matter. We had several Secretaries General discuss those issues with us at the committee. As I recall, it was the Secretary General at the Department of Communications, Climate Action and Environment who acknowledged that the practice of bogus self-employment is illegal. There are also taxation issues that have not been addressed. The facts surrounding this issue must be established in a public way. RTÉ management is meeting the staff and making arrangements to put them on the appropriate contracts. However, if it is the case that RTÉ was intentionally putting people on contracts in such a way as to engage in the process of bogus self-employment, that is very serious for the organisation.

Given that we commenced this process, we must follow through on it. I propose that we go back to RTÉ management to establish whether or not it accepts there were people on bogus self-employment contracts and, second, whether there are taxation issues arising from that and, if so, whether RTÉ has been in contact with Revenue or intends to make such contact. I would like an assurance that there will be full disclosure following all the meetings with the individuals concerned as to whether or not such practices were happening in RTÉ and to what extent. It is an ongoing issue in several sectors and a growing problem. If illegal practice did take place, we must respond to that and any taxation issues must be dealt with. None of that is established in the letter.

**Chairman:** I propose that we write back to the director-general acknowledging her correspondence. She has indicated that the original timeline of the end of June for completion of the review will not be met until the second half of the year. I agree that the issues Deputy Cullinane has raised should be incorporated into the review. There is no point in doing a review without dealing with those issues. That is all we can suggest.

**Deputy David Cullinane:** My concern is that RTÉ could accept on a non-prejudice basis that there was an issue and simply move people onto new contracts, sidestepping the fact this was potentially done intentionally and there was a practice within the organisation to have people on bogus self-employment contracts. If that was the case, it was an illegal practice and, second, there are taxation and Revenue issues. We should be alerting RTÉ to its responsibilities, as outlined by the Secretary General at the Department of Communications, Climate Action and Environment, that there may be both legal and taxation issues. We need to know whether the director-general is aware of them and what she is doing to address them.

**Chairman:** The Deputy has made his point well. We will include a transcript of his comments with our letter. That will ensure Ms Forbes knows precisely the issues he has covered, rather than just incorporating them into the letter.

**Deputy Catherine Murphy:** We must keep this issue under review. We should ask the director-general to keep us updated on progress in the context of the new timeline of the second half of the year for publication of the review. Another issue that strikes me is that I would have expected this matter to be picked up by the auditors. We should not have to do it for them. Do we know which auditors were employed by RTÉ?

**Chairman:** The organisation's annual financial statements were presented to the committee as part of the meeting. I am sure it is one of the major companies.

**Deputy Catherine Murphy:** Is this something that should be identified in the course of an audit?

**Mr. Seamus McCarthy:** Not really. The audit is focused on the correctness of the financial statements in terms of how they represent the charges on income and so on. It would not be usual to do an in-depth taxation review of an individual employee's contract.

**Deputy David Cullinane:** However, I understand Revenue undertook a review into the tax affairs of certain consultants.

**Mr. Seamus McCarthy:** There is an obligation on organisations to ensure they are compliant with tax law, so there should be systems in place in a large organisation to ensure those questions are asked and payments are tested.

**Deputy David Cullinane:** To protect the committee, I wish to clarify that we are not saying there was such practice taking place in RTÉ, but there are allegations from several staff members that there was and that it was done deliberately, which is what led to this examination. We want the facts to be established. If it is established that there was intentional practice to that effect, there are consequences for RTÉ. We are not saying there was, but there needs to be a process to get to the truth of the matter.

**Chairman:** I assure the Deputy we will be asking that question. As I must leave the meeting for 20 minutes, I ask an Acting Chairman to deputise. Is that agreed? Agreed.

*Deputy Catherine Connolly took the Chair.*

**Acting Chairman (Deputy Catherine Connolly):** We move on to correspondence No. 2131B from Dr. Donal McManus, chief executive officer of the Irish Council for Social Housing, dated 15 April, providing a breakdown requested by the committee of all tenancies. The information provided refers to 29,803 housing units offered by approved housing bodies, including a clarification of the length of the tenancies, the number of tenants with tenancy for life status, and those on four-year, six-year and ten-year tenancies and so on. This information will inform our consideration in regard to housing. I would like time to digest this very interesting information and therefore propose that we hold it over for discussion. Is that agreed? Agreed.

No. 2137B is correspondence from Mr. Aidan O'Driscoll, Secretary General of the Department of Justice and Equality, dated 25 April, providing information requested by the committee following our recent meeting. It is a long and detailed letter. Is it agreed to note and publish it? Agreed.

No. 2138B is correspondence from Ms Rachel Downes, CEO of the Residential Institutional Statutory Fund, Caranua, dated 25 April, providing an update requested by the committee on the current financial position of that organisation. I have not had time to read the update, so I propose that we hold it over and come back to it. Is that agreed? Agreed.

No. 2142B, dated 30 April, is correspondence from Mr. Niall Cody, chairman of the Revenue Commissioners, responding to a request from the committee for information on final agreements regarding cases that were appealed and now closed. Mr. Cody states that Revenue cannot provide the level of detail we requested. Is it agreed to note and publish the correspondence? Agreed.

No. 2144B, dated 26 April, is correspondence from Chief Superintendent Dermot Mahon of An Garda Síochána, responding to a request from the committee for information in regard to financial matters in Templemore, the tax treatment of the living allowances for students at the Garda College and an update on moneys owed from the neighbouring golf club in Templemore. I propose that we note and publish the correspondence. Is that agreed? Agreed.

No. 2145B is correspondence, dated 1 May, from Mr. Robert Watt, Secretary General of the Department of Public Expenditure and Reform, providing a response to the committee in regard to the Department's guidance on business cases for capital expenditure projects, a note regarding a public sector efficiency recommendation on the property revaluation programme ICT system, and an update on the evaluation of the National Shared Services Office. Is it agreed that we note and publish the correspondence? Agreed.

Moving on to category C, correspondence from and relating to private individuals and any other correspondence, No. 2119C, dated 27 February, is from the Louth Environmental

Group asking the committee to make inquiries into a public infrastructure project at Bellurgan, Dundalk, County Louth. The group believes the works undertaken were not fit for purpose and involved excessive costs. I propose to request an information note from the Office of Public Works on the project. Is that agreed? Agreed.

The second item in this category is No. 2120C, a letter from Deputy Mattie McGrath, dated 16 April 2019, requesting the committee to meet a lecturer from Maynooth University regarding the proposed new Court of Appeal. This matter is a policy issue and not within the remit of the committee. I propose to forward it to the Joint Committee on Justice and Equality for any action it may deem appropriate. Is that agreed? Agreed.

**Mr. Seamus McCarthy:** The Court of Appeal is already in place; it is not a proposed court.

**Acting Chairman (Deputy Catherine Connolly):** I thank Mr. McCarthy for the clarification but I was simply relaying the content of the letter.

Correspondence No. 2126C is from a medical doctor, dated 18 April 2019, with questions for the committee regarding the national children's hospital. We will be meeting members of the hospital board next week. We will note this item and raise it next week, as appropriate. Is that agreed? Agreed.

Correspondence No. 2127C is from Deputy Mattie McGrath, dated 19 April 2019, requesting the committee to arrange a meeting with the HSE in relation to fees paid to private and voluntary nursing homes. The Comptroller and Auditor General is working on a related report which is expected later this year. I propose we await the report before taking any further action. Is that agreed? Agreed.

**Mr. Seamus McCarthy:** I will be dealing with the matter raised by Deputy Mattie McGrath in that report.

**Acting Chairman (Deputy Catherine Connolly):** Is it agreed to hold this over until the report is published? Agreed. We will not take any further action at this point.

No. 2132C is a copy of an email sent to a number of people from an individual, dated 24 April 2019, expressing concern regarding the enrolment policy of a school in Navan, County Meath. This matter is not within our remit. We will note the item.

No. 2133C is correspondence from Ms Clare Rice, dated 22 April 2019, regarding the publication of her research paper on public accounts committees. While the focus of the paper is on the committee in Northern Ireland, Ms Rice obtained information from the previous Committee on Public Accounts here which fed into her research. I propose we thank Ms Rice for sharing her research with us. I encourage members to read it and learn lessons from it.

No. 2134C is from an individual, dated 29 May 2018, requesting the committee to investigate any public interest issue arising from a decision of the Information Commissioner regarding a freedom of information request. It is not our role to adjudicate on decisions of the Information Commissioner. There is an appeals mechanism inherent in this process and I propose to advise the correspondent accordingly. Is that agreed? Agreed.

No. 2139C is correspondence from an individual, dated 26 April 2019, requesting the committee to inquire about the payment of a severance package by Wexford Local Development Limited, as recommended by the Labour Court. The correspondent states that exhaustive ef-

forts have been made to resolve this. This matter is not within the remit of the committee and I propose we inform the correspondent accordingly. Is that agreed? Agreed.

I will deal with the final two items and then ask Deputy Kelly to take the Chair.

**Deputy Alan Kelly:** I am the first speaker so cannot do so.

**Acting Chairman (Deputy Catherine Connolly):** Okay, I will continue.

No. 2141C is from an individual, dated 29 April 2019, regarding recent commentary in the media on the rural Ireland action plan. Again, this matter is not within the remit of the committee and I propose we note the correspondence. Finally, No. 2143C is from an individual, dated 30 April 2019, regarding contractual arrangements relating to a tourism start-up project in Cork involving Cork City Council. I propose to advise the correspondent that city and county councils are not within the remit of this committee and he may wish to pursue the matter through the Local Authority Audit Service. Is that agreed? Agreed.

Moving on to statements and accounts received since the last meeting, there are four for review this week. The first is from the Irish Museum of Modern Art, IMMA, which received a clear audit opinion. We will note that. The second is from An Garda Síochána Ombudsman Commission, which also received a clear audit opinion, which we will note. The third is from the Heritage Council, with a clear audit opinion, apart from non-compliant procurement of €690,000.

**Deputy Catherine Murphy:** Do we know what was involved there?

**Mr. Seamus McCarthy:** There is more detail given in the financial statement but I do not have that to hand right now.

**Acting Chairman (Deputy Catherine Connolly):** We will circulate it to members.

**Deputy Catherine Murphy:** That is fine.

**Acting Chairman (Deputy Catherine Connolly):** The final set of accounts came from the Property Services Regulatory Authority, which also received a clear audit opinion. We will note that.

On the work programme, there is one key change since Easter. The Department of Agriculture, Food and the Marine has been added to the schedule for 20 June 2019. There may be some changes to the final three scheduled meetings but we expect all three to proceed.

We will now suspend to allow the witnesses to take their seats.

*Sitting suspended at 10.07 a.m. and resumed at 10.15 a.m.*

*Deputy Alan Kelly took the Chair.*



**2017 Annual Report of the Comptroller and Auditor General and Appropriation Accounts**

**Vote 20 - An Garda Síochána**

**Chapter 7 - Management of Overtime Expenditure in An Garda Síochána**

**Mr. Drew Harris** (*Garda Commissioner, An Garda Síochána*) called and examined.

**Acting Chairman (Deputy Alan Kelly):** This morning we are meeting An Garda Síochána regarding the 2017 appropriation accounts, Vote 20 - An Garda Síochána, and Report on the Accounts of the Public Service 2017, chapter 7 - management of overtime expenditure in An Garda Síochána.

We are joined by the Commissioner, Mr. Drew Harris; Mr. John Twomey, deputy commissioner, policing and security; Mr. Joseph Nugent, chief administrative officer; and Mr. Rory McGinley, professional accountant, finance section. Seated behind are Mr. Andrew McLindon, director of communications and Ms Anne Marie Staunton, professional accountant, finance section. The representative from the Department of Public Expenditure and Reform is Mr. John Burke, principal officer. The representative from the Department of Justice and Equality is Ms Nuala Ní Mhuircheartaigh, principal officer, policing division. Ms Iqra Zainul Abedin is also from the Department.

As it is the Commissioner's first time in front of this committee, I wish him the best in his role on behalf of the committee. I gesticulate when I say that if one is not here that often, that is good.

I remind members, witnesses and those in the Public Gallery that all mobile phones must now be completely switched off.

I advise the witnesses that by virtue of section 17(2)(l) of the Defamation Act 2009, they are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded of the provisions of Standing Order 186 that the committee should refrain from inquiring into the merits of a policy or policies of the Government, a Minister of the Government or the merits of the objectives of such policies. While we expect witnesses to answer questions asked by the committee clearly and with candour, they can and should expect to be treated fairly and with respect and consideration at all times in accordance with the witness protocol.

I ask Mr. McCarthy, Comptroller and Auditor General, to make his opening statement.

**Mr. Seamus McCarthy:** As members will be aware, the 2017 appropriation accounts for

the Vote for An Garda Síochána recorded gross expenditure of €1.67 billion. As indicated in the diagram, which can be now brought on screen, almost two thirds of the expenditure was related to payment of salaries, wages and allowances, which totalled €1.076 billion in 2017. An Garda Síochána spent €327 million on pension and gratuity payments to retired gardaí.

Apart from standard administration costs, expenditure was incurred on operational inputs, including transport, communications and other operational equipment, and building, maintenance and servicing of stations and other buildings. Unlike other large Votes, the account does not analyse spending in terms of output programmes such as traffic policing, fraud investigation or other specialist functions.

At the end of 2017, approximately 16,200 whole-time equivalent staff were employed, of which just under 14,000 were gardaí or trainees, and 2,200 were civilian employees with An Garda Síochána.

The Vote for An Garda Síochána is one of the few Votes that routinely receives a Supplementary Estimate towards the end of the year. A Supplementary Estimate of a little over €44 million was voted for An Garda Síochána in 2017. At the end of the year, the amount remaining unspent was €14.2 million. Of this, €8.9 million in unspent capital funding was carried over to 2018, with the remaining €5.3 million liable for surrender.

The statement of the Accounting Officer on internal financial control discloses non-competitive procurement by An Garda Síochána of €28.5 million worth of goods and services in 2017, included a significant level of procurement that was not compliant with public procurement rules. This is a recurrent issue in An Garda Síochána. The statement on internal financial control also discloses significant financial and other risks faced by An Garda Síochána as well as the steps taken to address those risks.

Chapter 7 examined the systems in place to manage overtime spending in An Garda Síochána. In 2017, overtime payments totalled €132 million or 12% of the overall Garda pay bill. This level of spending was up to three times the level of spending on overtime in other police forces and three and a half times the overtime cost of €38 million incurred by An Garda Síochána in 2014. In addition, actual expenditure exceeded the Estimate provision for overtime in each of the five years to 2017. Excess spending on overtime was the main reason for the Supplementary Estimate in 2017.

Our review found that the management practices in An Garda Síochána to control the overtime budget were ineffective. We concluded that the data recording and collation systems in use were deficient. While they record the basic information needed to authorise and support the correctness of the overtime payments, they failed to provide the basis for the analysis required to effectively deploy staff resources, monitor use and identify potential economies and efficiencies. We also found that, while some measures had been introduced to curb overtime costs in the first half of 2018, there was no detailed plan for how the overtime bill could be substantially reduced and sustained. When the report was being finalised, the Accounting Officer stated in response to this finding that several initiatives were currently being piloted that had the potential to achieve better control of overtime use. The Accounting Officer will be able to update the committee in this regard.

**Acting Chairman (Deputy Alan Kelly):** Commissioner Harris, can we have your opening statement, please?

**Mr. Drew Harris:** I take my statutory function of Accounting Officer of An Garda Síochána seriously. I am strongly focused on ensuring that the public money invested in us is spent efficiently, effectively and appropriately. As an organisation with a €1.7 billion annual budget, it is vital that we collectively demonstrate that we are providing value for money. For me, that means maximising our policing impact for the benefit of the public within the budget given to us by Government. It is also critical that we spend public money in line with accounting and governance best practice.

I am strongly of the view that our budget is our budget. Since I became Commissioner in September of last year I have continually stressed to managers at all levels of the organisation the need for us to stay within our budget. This can best be seen in the reduction in discretionary and administrative overtime spend in last three months of 2018, a move which achieved substantial savings for the Exchequer. The savings achieved by these measures have carried forward into 2019 as the actual spend for the first quarter of €21.7 million is some €6 million less than the corresponding quarter in 2018. While we are largely on target for overtime spend, it requires constant monitoring and vigilance to ensure there is no slippage. I met senior managers last week to stress this point to them again. Even yesterday, I discussed budget matters with the Association of Garda Superintendents and Inspectors at length. While these controls have had an impact on the delivery of policing, overtime is still available, especially for specific policing and security operations around organised crime and violent dissident republicans.

The introduction of mandatory 15 minute parading time is a significant proportion of the Garda overtime budget and is a fixed cost that I have no influence over at the moment. For example, in 2019 approximately €22 million of our overtime budget of €95 million will be spent on the 15 minute parading time. This effectively means that our real operational budget is only €73 million. There is also overtime associated with Garda members securing and attending courts, securing prisoners and escorting people from the country. Again, these are regarded as non-discretionary activities.

In any event, for the proportion under our control we must ensure we stay within budget. This means making hard choices and decisions. For the 2017 accounts, and specifically the significant overspend on overtime in that year, there are several factors that contributed to this, such as the aforementioned mandatory 15 minute parading time as well as the major 24-7 policing resources required to protect lives and communities as a result of the outbreak of the vicious and ongoing gangland feuds.

I fully accept the findings of the Comptroller and Auditor General and the Department of Public Expenditure and Reform to the effect that the 2017 overspend on overtime is not sustainable and demonstrated the need for stronger controls and governance as well as the requirement for modern systems to monitor same. In addition to the controls we have already put in place we will address these issues through a number of additional measures. The introduction of a roster and duty management system, which is being piloted in a Dublin division and will start rolling out across the organisation later this year, will improve our ability to plan, control and manage the deployment of personnel and consequently the expenditure on overtime. This should result in savings in overtime through more effective and efficient resource allocation. The full roll-out of this programme will not occur until the end of 2020. Our new divisional policing model, which is currently being piloted in four divisions, includes a greater investment in Garda staff with financial expertise who can provide local management with better information and data on their overtime and other expenditure. Our workforce plan will advance workforce modernisation and see us deploy our personnel where they are needed most, again leading to

operational efficiencies.

Information and communications technology initiatives such as our investigation management system, which has started to roll-out, and our mobility project, which this year will enable approximately 2,000 gardaí to access Garda systems remotely, will reduce the time gardaí have to spend on paperwork and focus their times on policing activity. The mobility project, in particular, can allow network connection to systems and, therefore, decrease the time spend in stations. We have also committed in our 2019 policing plan to establishing a framework to provide for multi-annual budgeting and delegated sanctions. Again, this will make it easier for local management to plan resource deployment based on the budgets available to them.

We have been provided with a large amount of taxpayers' money. All of us in An Garda Síochána have a duty to ensure this is spent wisely for the benefit of the public. We are a public service and our spending should be focused on the public good in keeping people safe.

*Deputy Sean Fleming resumed the Chair.*

**Chairman:** Thank you, Commissioner Harris. My apologies for not being here for the opening statement, which you read. I thank the members who chaired the meeting in my absence. At this stage, we will go back to the original sequence of opening speakers. Deputy Alan Kelly will have 20 minutes, followed by Deputy Peter Burke, who will have 15 minutes. The following members have indicated in the following sequence: Deputy Catherine Murphy, Deputy Cullinane and Deputy Connolly.

**Deputy Alan Kelly:** Thank you, Chairman. You made a timely reappearance. I welcome all the witnesses.

I will start of by focusing on overtime and then will put some questions at the end with regard to the appropriation side of things.

There seems to have been a serious spike in overtime in 2017 by comparison with 2014. Obviously, that was the year there was a pay deal for An Garda Síochána. It was understandable. However, the 2014 figure increased by three times in three years. I understand 100% the position on the fixed costs of the Garda in respect of parading. Will the Commissioner explain what that is? Many people do not understand why that is necessary for every garda. There are other fixed costs, which we understand the need for as well. We often deal with accounts from different organisations, but to have a trebling in the space of three years is highly unusual. Is there something specific to 2017 regarding the management of the agreed pay deal? There was controversy at the time, references to blue flu and so forth. Is there something specific that caused this?

**Mr. Drew Harris:** I may need to defer to Mr. Twomey and Mr. Nugent on this.

**Deputy Alan Kelly:** Of course.

**Mr. Drew Harris:** As the Deputy knows, 2017 saw the introduction of the mandatory 15-minute briefing time. In some ways, that is a fixed cost. It will cost us around €22 million this year. As the number of members of An Garda Síochána grows, that cost will continue to increase if the agreement on the 15 minutes stays in place. That was a considerable cost in that year. In addition, a rent allowance was built into salary in that year and also became pensionable. That was added to the hourly rate so actual overtime became more expensive, in and of itself. A one-time allowance became pay and that increased the hourly rate. Those two factors

contributed and also, as I said in my opening remarks, a vicious drugs feud which required an extraordinary response from the organisation was ongoing that year. I will now ask Mr. Twomey to outline some of the operational impacts of that during the year in question.

**Mr. John Twomey:** The operational element of it involved the armed support unit in the Dublin Metropolitan Region, DMR. At that particular time, the unit was based in each of the Garda regions outside of the DMR but, in response to the feud, we had to temporarily transfer people up from the country and into the city while we engaged in a process of recruiting, training and establishing a unit in the DMR. That has since been established and there is now a permanent armed support unit in the DMR. The feud was an emerging issue at that time and we took the decision to respond immediately. That meant redeploying resources into the DMR on a temporary basis and this led to increased operational demand. In addition, we had only begun the process of backfilling our national units and there was a shortage of staff in particular areas. We had to supplement those staff because they were the ones who were actually investigating these serious crimes. We also put additional resources into our drugs and organised crime bureau in the form of a special crime task force. This also resulted in the need to temporarily transfer people from other areas. They were the main operational issues that contributed to the spike in that year.

**Deputy Alan Kelly:** I understand that there were specific issues relating to the year in question. We all remember what was happening in the context of the drug-related feud at the time. There was a request made to the Department of Justice and Equality for an additional €44.2 million. There was a great deal going on at that time and serious issues had arisen. There is not one member of this committee who does not have friends or know people who are members of An Garda Síochána. In the main, they are great, hardworking people and there were serious concerns around pay and conditions at that time. Those issues were dealt with and that is not the point I am making. We had an issue that was building from 2014 to 2017 and the overtime bill trebled in 2017. In fairness, the Garda Commissioner has made comments on overtime in the past six months and has referred to the need to manage the budget. The committee obviously respects that but the process by which we manage operational areas that are demand-led is important. There are issues arising in Drogheda at the moment and Brexit has the potential to give rise to increases in demand. This committee looks at expenditure retrospectively but we also look at processes. How do we ensure that there will not be elasticity *vis-à-vis* the Department, with An Garda Síochána submitting repeated requests for additional funding based on demand requirements? Can we actually do that? An Garda Síochána cannot predict what is going to happen next and neither can I. How do we ensure that there are processes in place to ensure that additional expenditure is justifiable? Overtime is necessary but there must be processes in place to prove that.

The information pack provided to us today shows that one garda earned €76,000 in overtime. Obviously, that is extraordinary and we understand that. Once we know that the processes are in place to allow for elasticity, with the Department seeking supplementary budgets and so on, that is the key issue. To see a trebling in three years is alarming although I respect what Mr. Twomey said by way of explanation. There are issues arising in Drogheda at the moment but how do we ensure that there are processes in place to justify additional spending?

**Mr. Drew Harris:** It falls squarely on my shoulders, as Accounting Officer, to determine how we manage the overtime. We are a growing organisation. The budget is growing, as is the size of the organisation. In overall numbers, our previous high point was in 2009. When one adds Garda staff to the number of members of the force, we are now in excess of that high

point. We are as large as we have ever been and more expansion is planned. It is for me to direct the priorities in terms of how we spend our money. A lot of the overtime budget seems to get caught up in practices over which we have no discretion and that takes money away from the operational drive that I want from the overtime. The 15-minute briefing time payment drains money from the overtime budget and effectively leaves us with between €72 million and €73 million for overtime. That is considerably less flexibility than we had in 2017 in respect of budgets.

A lot of the documentation compares us with other jurisdictions but with respect, in other jurisdictions the police services no longer take on some of the duties which still fall very squarely on An Garda Síochána and take up our overtime budget. I refer to things like gardaí escorting prisoners to and from courts, a practice which has been largely eradicated in other jurisdictions. We are facing enormous pressures in terms of serious criminality and are having to supplement our policing effort to prevent serious crime. At the moment, we obviously have a very difficult issue in terms of ongoing, vicious drug feuds. In that context, it is up to me and members of my senior team to review how we are spending our money and determine whether it could be better spent. We need to decide if things could be done differently or in a way which would not actually cost as much or consume as much overtime. That is not just about things that we think we could divest ourselves of responsibility for but also the manner in which we take on other operations and adopting a different profile in respect of those. There is a hierarchy of priorities in terms of how we spend our money. We have to focus on serious criminality, particularly where lives are in danger and there is serious risk of harm.

The deputy Garda commissioner is engaged in a project at the moment involving a deep analysis of where our overtime budget is going. In some divisions-----

**Deputy Alan Kelly:** Is Mr. Harris talking about the overtime since last September?

**Mr. Drew Harris:** We are under severe pressure with regard to our overtime budget. We have done well since last September but-----

**Deputy Alan Kelly:** I ask Mr. Harris to clarify. The figures we saw were for September to September. Is that the period being used?

**Mr. Drew Harris:** No, we are using the annual period. I refer to last September because that is when I arrived. July and August were good months in terms of the expenditure and bringing it under control. We have managed on our rosters from September onwards to hit €6.5 million to €6.7 million, which gives us an outturn of approximately €90 million. That is our target. However, that is very tight, given the pressures that we face. It is a matter of where we are spending our money, whether we have to spend it there, what our deployment profile should be where we have to go, and how can we redress that?

There are other factors. I have talked about the RDMS and how it can give us information. Since the current process is very much paper based, it is very retrospective, so I do not have a daily or weekly view of the overtime expenditure for last week or-----

**Deputy Alan Kelly:** So Mr. Harris has no management information.

**Mr. Drew Harris:** The management information is slow.

**Deputy Alan Kelly:** It looks backwards.

**Mr. Drew Harris:** It is looking backwards. One is depending on anecdotes about where pressure is as opposed to the hard facts the RDMS will give us further down the line. Realistically, it will be the end of 2020 before it will make an impact.

**Chairman:** Mr. Harris mentioned a system. Could he explain it to viewers?

**Mr. Drew Harris:** RDMS is the resource deployment management system. In effect, members are detailed on it, and it is used when they come on and off duty. It records their overtime and allowances, and it should manage their pay. It will take quite a bit of paper out of the system and give us a daily view on where the expenditure is at any one time. It will also indicate where money is being spent. It will provide a good deal more information than we have at this moment.

**Deputy Alan Kelly:** I presume multi-annual budgets would result in a better process for the organisation. That comes jumping out of this analysis. We would highly recommend them. Just dropping the hammer on a budget in a system that is so demand led seems to be a real issue.

There are a couple of other related points. Having looked through this, I believe no public representative could fail to justify overtime that is necessary to protect people. It is demand led. We cannot sit here and say otherwise. On the other side of the fence, we would say, "Lads, why are ye not doing something about all this?" This is about the process of accountability. I refer to the management information system Mr. Harris mentioned. Divestment, civilianisation of certain components, and IT also jump out very much. There seems to be a great deficiency in IT. This is a message to go back to the Department. We have seen this previously. Capital investment in IT will result in multiple efficiencies and savings down the road and result in greater outcomes. Take, for instance, the normal Garda sergeant or inspector affected by this. At the end of a long day, he or she has to go back to a station in many cases to input data or do paperwork. This is crazy in 2019. I am trying to help the organisation here. We all know gardaí. A garda doing a long shift, including community activities, might be late for training the lads because he or she has to go back to the station to do this, that and the other. Surely in a couple of years, we will have to have a system whereby there will be handheld devices through which information can be dropped into the system. They would have to be secure.

I come from an IT background. Is there a plan? First, the gardaí have lives to live. Second, bearing in mind the demand-led aspect in relation to what we just spoke about and the fact that hours change, there has to be some degree of certainty. Circumstances are not being helped by the way gardaí must do their duties at the end or beginning of a day or the way the handover between sergeants is carried out. Is there a plan in place in this regard? The need for a plan is glaringly obvious.

**Mr. Drew Harris:** In respect of that, I would point to the mobility project, in particular. This year, 2,000 handheld devices or smartphones will be issued. They will allow fast retrieval of information from our systems. This will develop further in terms of being able to input information to resolve calls on the PULSE systems. We want to get to a point where members are allowed to stay on the ground. In this regard, we must consider our Garda information service. We want a member of Garda staff to be able to take details from a member who phones in and do inputting as well.

**Deputy Alan Kelly:** To be fair to gardaí, they are using their private phones all the time. Without them, they would be lost.

**Mr. Drew Harris:** By the end of 2020, we are going to have about 10,000 of these smart-phones issued. Gardaí, particularly those engaged in uniformed, high-visibility duties, should all have connectivity across the network. That will be secure connectivity into the systems. They will have the ability to ring in on an official phone and provide information. In effect, we need the service centres to be able to take those calls. It will keep gardaí out on the ground as opposed to requiring them to come back to the station to fill out forms. This is a laborious process.

I look to other initiatives we have. We have the investigation management system. The roll-out in this regard has started. It will also take until the end of 2020. In the next two years, the gardaí on the ground will see good investment to make their lives easier and work more efficient in terms of connectivity and their ability to input data once instead of filling out several forms, etc.

**Deputy Alan Kelly:** I have one more question on overtime. When it is dealt with, I will move on to a couple of questions on appropriation. The questions jump around a little.

Garda sergeants and inspectors are covered. What was the position *pro rata* in 2017, in particular? At higher ranks, there were serious scheduled workloads because of the year that was in it. *Pro rata*, how was this dealt with as regards remuneration for the additional workload for the individuals concerned? They deserved remuneration as well. Were there additional costs pertaining to those above the rank of inspector?

**Mr. John Twomey:** No.

**Deputy Alan Kelly:** It is fixed.

**Mr. John Twomey:** That is a fixed cost.

**Deputy Alan Kelly:** One has to remember that while we are talking, the public is watching. Above the rank of inspector, there is no overtime and there are no extra costs.

**Mr. John Twomey:** No.

**Deputy Alan Kelly:** Perfect. It was a very simple question. To refresh, multi-annual budgets, IT and civilianisation are critical to the issues we just spoke about.

Let me deal with a few other issues. In the appropriation accounts, there are capital commitments issues concerning Galway and Kevin Street. There seems to be a pattern as regards what happened in respect of both. Could that be explained? What has been learned? Could the Commissioner state whether there are learnings from this regarding other stations the Garda might wish to open in the future? The nature of policing is such that it will go a bit half-circular again as regards the need for community policing. Are there any learnings from those two specific projects? Mr. Nugent will probably answer that question.

**Mr. Joseph Nugent:** On the first part, the management of the building programme is led for us by the OPW. It is the agent that engaged directly on the design and with the contractor on the build. We have the money. It is a strange sort of relationship but it is a matter that we have raised with the Department of Public Expenditure and Reform.

**Deputy Alan Kelly:** Does Mr. Nugent believe it should be different?

**Mr. Joseph Nugent:** I do, and I have expressed that.



**Deputy Alan Kelly:** Mr. Nugent might remind people of his view.

**Mr. Joseph Nugent:** The Commission on the Future of Policing referred to the Commissioner accounting for all the resources. In this example, one arm is removed from the-----

**Deputy Alan Kelly:** The organisation is dependent on the OPW.

**Mr. Joseph Nugent:** We are. In fairness to the OPW, it has done a good job for us. I do not want to be overly critical of it but, ultimately, we are the paymaster for the works done, over which we have limited control. There is a broader system-based weakness in that area

Regarding the specific stations, if we take Kevin Street as an example, when one starts digging into the ground and one starts finding all sorts of matter that one has not prepared for as a contractor, in fairness, problems emerge around that and claims are made associated with that build. That primarily relates to those issues. As the Deputy said, there are some outstanding claims, unsettled at this point, and the subject of discussions between the OPW and the contractor regarding a couple of the sites around the country.

**Deputy Alan Kelly:** I ask the Commissioner to comment.

**Mr. Drew Harris:** It must be recognised that between 2014 and 2022 we will increase as an organisation in personnel terms by about 35%, so there are stresses on our estate. We are working closely with the OPW to resolve those. We have specifically three projects around new builds that we wish to advance as well. That will ease some of the pressures around our older buildings. We have also engaged with the OPW on further accommodation issues because we are under a lot of accommodation pressure going forward.

**Deputy Alan Kelly:** I presume the Commissioner agrees with Mr. Nugent that the he is half in charge of this but not in charge of it. Would he prefer if he were doing everything?

**Mr. Drew Harris:** We get a high-quality building - in fact probably some of the best police-type buildings I have ever seen. Wexford, Galway and Kevin Street are exceptional public buildings and will serve for a long time as well. The quality and the utility of those buildings are very good. It is hard to walk away from that. I would always say that we would have an engagement with OPW about this because it has a lot of that expertise in the delivery of such big projects.

There is probably another part for us around the maintenance and smaller works within the estate as opposed to those big capital rebuild-type projects. That is where I would see the difference.

**Deputy Alan Kelly:** I have a few short questions. On risk management, since coming to office has the Commissioner updated the risk register?

**Mr. Drew Harris:** I have increased the emphasis and the focus on the register. It is subject of examination each week. One area is examined at our senior leadership team meetings as well. It gets focus and examination.

**Deputy Alan Kelly:** Has the Commissioner dialled up certain aspects?

**Mr. Drew Harris:** Sorry.

**Deputy Alan Kelly:** Has the Commissioner dialled up certain themes or aspects of it?

**Mr. Drew Harris:** Yes, we have. A lot of that is in respect just of the delivery of the organisational change project and in effect the HR, ICT and financial stresses and pressures there are around that, including some of these estate pressures.

**Deputy Alan Kelly:** We have been around the houses with internal audit. Our Chairman is qualified in this area as the Commissioner will probably find out later. Has the internal audit function been resourced up? This committee made a strong recommendation for the appointment of appropriately qualified people.

**Mr. Drew Harris:** Yes.

**Deputy Alan Kelly:** I want to tick that box now. A number of years ago we had to go through this in great detail.

**Mr. Drew Harris:** I attend the internal audit committee, representing the management side to show the importance I give to internal audit. It is one of the crucial controls for me, as the Accounting Officer.

**Deputy Alan Kelly:** That is good to hear.

Given the area I represent, people would expect me to raise the issue of Templemore. I see the Chairman smiling again. We know the recommendations have been largely implemented. Two have been partially implemented. Nineteen recommendations were made. One is the recommendation to implement all recommendations. We can park that; it is a rather unusual one. Is the Commissioner satisfied that 14 recommendations have been implemented in full?

**Mr. Drew Harris:** Yes. We have been reporting this to the Policing Authority as recommended.

**Deputy Alan Kelly:** I understand. Two recommendations are partially concluded. Let us call a spade a spade. These relate to land and community issues, including sport facilities. Templemore and the Garda College are synonymous. It is the centre of activity there and it is critical. I am a major supporter of it. I know it is taking time to deal with these issues, but I appreciate they have to be dealt with. I drive into Templemore every week and the car parking is insane. It is bananas. It is absolutely crazy. I feel sorry for those living there.

It was decided to take in 600 trainees this year instead of 800. Was that an issue of capacity? Was it a national issue? Was it a training issue? I am paraphrasing now, but I believe the Commissioner said the organisation was full to the boards and could not take much more until it improves its system. What is-----

**Mr. Drew Harris:** In 2018, we brought in 800. In 2019, I wanted to concentrate more on the civilianisation, in effect displacing 500 experienced gardaí back on to the front line, whatever that might be, be it uniform or detective duties.

**Deputy Alan Kelly:** It is 1,100 between-----

**Mr. Drew Harris:** Yes, but minus the cessations there will be in the year, obviously, around 300. Concentrating in effect just on probationer gardaí coming out of Templemore does have an operational impact because they need to be mentored. They need a lot of supervision and support in their first six months, then for the next two years and in subsequent years as well. It takes time. I felt we were reaching a point of saturation and so easing back to 600 this year, which is still a considerable number, but concentrating on the displacement of experienced

gardaí from tasks that Garda staff can take on, was the priority for this year. In effect it was also required to meet the Government targets for the make-up of the organisation.

**Deputy Alan Kelly:** In effect Templemore is being used for the 600 but it is also being used for other aspects, including retraining.

**Mr. Drew Harris:** Yes. It does take pressure off Templemore and allows other training that was being displaced to happen.

**Deputy Alan Kelly:** I say this as a local public representative. There is goodwill from the community. There are issues that need to be resolved. Obviously there are issues with the OPW. I have spoken to the Minister and he is looking at possible solutions which are hopefully close.

**Mr. Drew Harris:** Yes, those will-----

**Deputy Alan Kelly:** I understand that. I wish to emphasise that they have to be solutions that will work for the community. Social contracts have been made with the people there regarding facilities. Given the kinds of facilities in the Garda College, there needs to be goodwill towards the community. There needs to be some give and take with where the training college is. Even if it takes a bit more time, I would rather get it right.

**Mr. Drew Harris:** Okay.

**Deputy Alan Kelly:** Does Mr. Nugent have an update?

**Mr. Joseph Nugent:** I fully agree with what the Deputy has said. The approach we have taken to date has focused and prioritised on that way. The first piece of work that we do was around ensuring that the members of the community had access to the playing fields and the swimming pool area of the college.

**Deputy Alan Kelly:** I remember.

**Mr. Joseph Nugent:** Since then we have been working on the transfer of the title of the playing fields lands - the football and hurling pitches, etc. Contracts have been signed so we are days away from title being vested back in the OPW.

The remaining issue, as the Deputy said, is that broader amenity in the community. We have deliberately not gone into that in order to resolve the other issues, to be respectful exactly as the Deputy has said. I hear what he is saying on engagement with the community. We wanted to deal with the other issues first and at that point in time we will have a respectful peace, making sure that the interests of the State are protected while, at the same time, making sure that social contract with Templemore is not completely ignored.

**Deputy Alan Kelly:** The elephant in the room is the golf course, which is part of the community there. It was very hard not to keep there.

This is my final question. When I was Minister for the Environment, Community and Local Government a number of years ago, I carried out a pilot programme to provide funding for CCTV infrastructure in a number of locations. It took a long time for that to be done. I am a strong supporter of such measures, particularly in the case of high-powered vehicles travelling on motorways. The media highlighted the need for such infrastructure in Littleton, County Tipperary, which was experiencing particular difficulties due to its location. CCTV cameras were

also installed in Birdhill and Burgess. There have always been issues in respect of data management. The public does not understand why it takes so long. I encourage the Commissioner to work with local authorities. There should be some give and take regarding data management because what it would give to the Garda and the peace of mind it would give to communities is worth vastly more than the time it has taken to resolve the matter. I am not apportioning blame, there are probably issues on both sides. We need to ensure that there is a process in place, that we stick to it and that it is used throughout the country.

**Mr. Drew Harris:** We are in agreement with the Deputy. We would like there to be more CCTV in some very difficult areas. We look forward to making submissions regarding legislation to enable further use of static CCTV - particularly that which allows for automatic number plate recognition - and using it to prevent and detect crime. There is a lot of other technology that can be brought to bear. Average speed cameras that record a vehicle's speed over a distance rather than at one point would be an effective response in the context of road safety, particularly on major roads - other than motorways - that are blighted by serious road traffic collisions.

**Deputy Alan Kelly:** Such cameras are in place in Dublin Port tunnel.

**Deputy Peter Burke:** I welcome the Garda Commissioner and his team. There is a significant amount of which to be proud in the context of An Garda Síochána. Many members are currently canvassing on doorsteps. I have seen at first hand the significant work being done in community policing in order to gain the trust of communities and work with them, especially in my town of Mullingar. All members agree that we need more bodies on the ground. It is amazing to see the great work that is being done. It shows the spirit of An Garda Síochána. Last week, I encountered a very sick child on my travels. A community officer, Garda Blake, was calling to see him on his way home from his shift because the boy is fascinated by the Garda Síochána. That brings home the significant work being done in fostering communities and community spirit. Community gardaí cannot be supported enough in the good work they do. I wish the Commissioner well in his role and I wish all his team continued success.

On the number of drivers who have been disqualified on foot of court orders or through the Courts Service compared with the number of licences that have been surrendered, does the Commissioner have confidence in how the process is working? Is it operating as prescribed?

**Mr. Drew Harris:** My understanding is that it is not working as we would wish. The majority of disqualified drivers are retaining their licences and that is not good. It is a road safety issue. In effect, people are evading the justice meted out to them. We need systems to deal with this issue. One such system is the active mobility project to which I referred. If a driver produces his or her licence to a garda who has this device and the garda takes a picture of it, the device will immediately tell the garda whether the driver is allowed on the road or is disqualified. Part of the solution is the application of modern technology and the transmission of information onto our PULSE system in order to ensure that it is up to date such that members on the ground can have access to accurate information and be able to follow through on enforcement.

**Deputy Peter Burke:** In light of the pace at which new legislation relating to additional controls on drink-driving, drivers being obliged to carry their licences at all times and additional restrictions on speeding, etc. is being placed on the Statute Book, it is very difficult to have confidence in how the system is currently operating. That is alarming. The response to a parliamentary question I tabled indicates that only 6% of disqualified drivers surrendered their licences over the eight-year period from 2011. The rate was 7% in 2012 and 9% in 2013. During the eight-year period in question, only 11% of 83,000 disqualified drivers surrendered

their licences, which implies that the remainder are still driving on our roads. Some 7% of fatal accidents are caused by disqualified drivers and, over the period, a number of fatalities have occurred. What is the process under which a person who commits a crime and goes to court or is otherwise disqualified from driving is allowed to retain his or her licence?

**Mr. John Twomey:** The Deputy is correct in stating that this has been the subject of considerable discussion. Several prosecutions were taken in this regard and certain difficulties and challenges arose. Work has been done in the past couple of years to streamline and improve the process. We are hopeful and confident that we will see improvements in this area. The most important aspect from our perspective is that members of An Garda Síochána who encounter these people at the side of the road have access to the relevant information at that time in order to enable them to take the appropriate action. The Commissioner has outlined how that issue will be addressed.

**Deputy Peter Burke:** In 2015, An Garda Síochána was given additional powers to go directly to the courts rather than be obliged to serve summonses on individuals who are caught on the roadside, who have been disqualified and who are still driving. Do our guests agree that the situation has reached crisis point? If 89% of disqualified drivers are still driving and carrying their licences, that is a crisis for the administration of justice.

**Mr. John Twomey:** It is not acceptable that only 11% of disqualified drivers have surrendered their licences. This matter needs to be addressed as a matter of urgency. There are two processes to deal with it. The first is ensuring that members of An Garda Síochána at the side of the road have access to the appropriate information at that time. In all of these issues, there are processes that take time to implement. We outlined earlier how that matter is being addressed through the issuing of 2,000 mobile phones this year.

**Deputy Peter Burke:** In theory, how does a person who exceeds 12 penalty points surrender his or her licence? Is it up to the individual to do so or does he or she have to go to court?

**Mr. John Twomey:** The person receives a letter from the Road Safety Authority instructing him or her to send the licence to the driver licensing authority. The latter retains it until after the period of disqualification and it is then returned to the person.

**Deputy Peter Burke:** It is almost like self-assessment; it is up to the individual to send in the licence.

**Mr. John Twomey:** Yes.

**Deputy Peter Burke:** What is the process for a person prosecuted in court by a garda in front of a judge handing in his or her licence?

**Mr. John Twomey:** There is a requirement under section 20 of the relevant legislation that he or she must produce the licence in court.

**Deputy Peter Burke:** What happens if a person claims not to have the licence?

**Mr. John Twomey:** Very often, the case is put back to a later date in order to allow the person to produce the licence. We previously reported to the committee that we took several prosecutions in respect of that issue. As part of that process, we identified some of the areas that have since been addressed in terms of process and by the provision of an offence code by the Director of Public Prosecutions to An Garda Síochána. All of those issues have been addressed.

The process of a licence being surrendered to the licensing authority and An Garda Síochána then being notified, or it being brought to court and surrendered there, is very complicated.

**Deputy Peter Burke:** If the court process is as strict as Mr. Twomey is outlining, how do people avoid surrendering their licences through the Courts Service?

**Mr. John Twomey:** The process is strict in the sense that the licence is meant to be brought to the court. In practice, that may not always happen and there may not always be follow-through on it. The court may impose fines, etc, and these matters are pursued. The difficulty is with the process after that. This is where complications have arisen, particularly regarding identification and whether the right individual is before the court if there are multiple names involved. All of these create complications in terms of bringing a swift prosecution in these areas.

**Deputy Peter Burke:** Does the Garda have all the legislation necessary to allow it to do this? This does not relate to a gap in legislation, it is about implementing the provisions of the relevant Act and seizing someone's licence.

**Mr. John Twomey:** It is more of a process issue than an issue with legislation.

**Deputy Peter Burke:** I am of the view that there is a crisis, particularly when one looks at the figures for those who handed in their licences between 2011 and 2018. The number has hovered between 6% and 19%. It seems to have decreased again because the figure for 2018 was 13%. Even if we allow for an appeals process whereby someone wins an appeal and is taken off the disqualified list, the figures are still very high. They are drastic in the context of what they say about the administration of justice through our Road Traffic Acts and how they are enforced by An Garda Síochána. The Garda must be hugely concerned.

**Mr. Drew Harris:** It is an area of concern. Our assistant commissioner for roads policing, Mr. David Sheahan, is putting together specific action points on this. I ask that we be permitted to write to the committee to explain the position further. Part of it is about public information and another part relates to further enforcement. We mentioned mobile devices, smartphones and their scanning ability, and this year we are concentrating them on roads policing. Road policing members who are most likely to encounter individuals breaking the road traffic laws will be those with the appropriate equipment. We are aiming at having 2,000 by the end of the year. This means that dozens of them are going out every week. This will make a difference in terms of enforcement. Mr. Sheahan has other thoughts about what we should do, particularly in the context of how we might present these matters in court. I ask that we be permitted to come back with more detail. We regard this as an area of concern and people are flouting and abusing the criminal process.

**Chairman:** Is it acceptable to Deputy Burke that the committee will receive a formal note?

**Deputy Peter Burke:** Yes, I would welcome it. I have several more brief questions in respect of other areas. Do we have any idea how much the voluntary disclosure to the Revenue Commissioners on value added tax was?

**Mr. Joseph Nugent:** The process has not been concluded. I hope it will be resolved in the next month or so and I ask that we could come back and report formally to the committee when it is finalised. I understand that it is very close to finalisation. It will feature in the audit the Comptroller and Auditor General will do on our accounts for 2019.

**Deputy Peter Burke:** At that stage, five tax numbers were in operation and one was at is-

sue. Is this correct?

**Mr. Joseph Nugent:** I believe we now have two. There is the main Garda tax number and entity that is the Sportsfield Company has its own tax number. The main issue in the context of tax compliance related to the operation of the restaurant and associated facilities within the college and not by Sportsfield. The main Garda tax number applied in this regard. As stated, we are very close, I hope, to finalising the issue. I would be more than happy to provide a detailed report to the committee within weeks in which I will update it on what is happening in respect of the matter.

**Deputy Peter Burke:** Obviously, Mr. Nugent will be able to produce a tax clearance certificate.

**Mr. Joseph Nugent:** We have a tax clearance certificate. Revenue has been very happy with our engagement on the tax clearance issue. I do not think that issue is a factor for us.

**Deputy Peter Burke:** The level of non-compliance in the context of procurement and competitive tenders seems to be increasing. I accept that there are not many companies that supply certain services the Garda procures. However, there were 128 contracts in play in 2017. There seems to be a significant increase in the number of contracts and they were worth €28,478,271.

**Mr. Joseph Nugent:** Close to half of that spend related to IT contracts, with regard to which either new contracts are now in place or we are waiting for the Office of Government Procurement to sign off on contracts. This will take out half of the spend. The major areas of difficulty we continue to have are in the provision of towing services, where there have been legal challenges in the past which have delayed us putting in place procurement although we still have a requirement to deliver services, and medical services where, in parts of the country, there are GPs who do not want to enter any contractual arrangement with us. Unfortunately, we will continue with reasonably large numbers of contracts. Our job is to try to reduce the monetary value of these contracts to the greatest extent possible. As stated, I believe the IT issues will be resolved this year so I do not see it as being an issue in 2019. This will take €11 million or €12 million from the figure referenced by the Deputy.

**Deputy Catherine Murphy:** I welcome our guests. In the opinion of the Commissioner, should the overtime for parading or briefing before the day starts be more properly a fixed charge?

**Mr. Drew Harris:** I have a query about that 15-minute briefing time in the first instance. We work a five-unit, five-shift system that allows for overlaps. Part of this is so briefing and debriefing can take place during a normal tour of duty and there is no requirement for overtime. The Commission on the Future of Policing in Ireland requires us to look at rosters and at some of the allowance and pay issues. Once this area of work is opened up we can look at what we have in terms of these residual issues. The roster itself is pretty inflexible and costs money. I require a roster that is operationally effective and gives us greater numbers. At times, it might create demand but it should also have some flexibility, within reasonable parameters, for management to direct members.

**Deputy Catherine Murphy:** At some point, when that work has been done, the Commissioner will be able to address the issue.

**Mr. Drew Harris:** Yes, that is the intention. The €22 million drain on our overtime is not sustainable and we want to move quickly on it. We also want to move quickly on having a fur-

ther look at the rosters that apply in the organisation and address them. This will address some of our overtime issues. I can ask for a roster that delivers operationally against the demands we have from the public for our services.

**Deputy Catherine Murphy:** With regard to overtime and where it originates, as anyone coming into a job does, the Commissioner inherited a situation he might not have designed himself. A few years ago, I compiled information because I wanted to get an overview of the spread of the force because I felt my area was not doing particularly well. The replies to many parliamentary questions showed that areas that had grown in population are at the low end of the ratio of police to population, with Meath being the worst since the previous census of population and Kildare is next. The areas we tend to see are Wexford, Laois, Offaly and areas with substantial population growth over a period of time where the resources do not keep pace. Is there any evidence the overtime budget in these areas is higher than it is in areas with a better ratio of gardaí to population?

**Mr. Drew Harris:** That question opens up a number of facets, one of which is our ability to recognise demand and how demand is changing. I point to the new computer-aided dispatch programme and process we are putting in place which will give us a far greater handle on from where calls are coming and what the demand is. Sometimes population growth does not mean that demand will increase in proportion with it. Populations can be quite settled and law abiding. It does not necessarily flow that we need to provide resources.

The Deputy raised a point about overtime. Much of it is concentrated in critical areas. Inevitably, it has meant a greater concentration in the city, but we have had to readdress it because of the feuds in counties Meath and Louth.

**Deputy Catherine Murphy:** We get a good idea of what is on people's minds when we knock on doors.

**Mr. Drew Harris:** Yes.

**Deputy Catherine Murphy:** We are getting a decent overview at doors. I have never experienced the number of people who are raising concerns about burglaries and things like that in my area. I am not complaining about gardaí but, rather, their numbers.

**Mr. Drew Harris:** Yes.

**Deputy Catherine Murphy:** They handle the matter as well it can be handled. If the ratio of population to gardaí was the same around the country as it is in, say, County Meath and County Kildare, there could be 4,500 fewer. I say that with tongue in cheek, but that is the magnitude of the disparity. It is a very low ratio. The last Commissioner acknowledged that that was the case and gave an assurance that it would be rectified following the reopening of the Garda College in Templemore for recruitment and that there would be a higher proportion of gardaí allocated to areas with that profile. There must be a balance struck with experience, as I appreciate.

**Mr. Drew Harris:** Yes.

**Deputy Catherine Murphy:** There is a limit on the number going into the Garda College in Templemore, which means those areas could fall back further. If there is a dependence on overtime to fill a need, it is a more expensive and reactive solution. Is that how the Commissioner sees the distribution of gardaí from the Garda College in Templemore?



**Mr. Drew Harris:** We are focusing on distributing gardaí to where the emerging pressures are. Until now, the distribution has been pretty even. We built up numbers in the northern region, the Border region, more than in other areas. In the future we will see a concentration on the northern region, plus the Dublin metropolitan region, because numbers in these regions have fallen behind. At the same time, ours is an expanding organisation; therefore, there should be more gardaí everywhere.

We are going through process of the civilianisation and modernisation of our workforce which will see the displacement of a further 500 gardaí. The actual increase in the size of the operational footprint this year is in the order of 800 members, which is significant. We should see the impact of this everywhere. We are more than happy to provide Garda staff in County Meath and other areas and displace Garda members from roles within stations into operational duties, where possible.

The importance of visibility has been made clear to me on a number of occasions because people want to see gardaí. As we build our new divisional policing model, an important and central aspect of it will be community policing, of which a local connection and visibility are important parts.

**Deputy Catherine Murphy:** I hope Kildare is included. The aim is to grow the force to 15,000 members by 2021. There are retirements, as well as the intake, to take into account. It is easy to see the intake, but from the outside it is not as easy to evaluate the level of retirements. Is the 15,000 figure achievable? Is the overtime bill likely to go down if the numbers come up?

**Mr. Drew Harris:** It is achievable. Logic suggests the overtime bill should come down, but practice has shown that members create overtime because they detect offences and go to court. We have briefing time built in, something about which we have talked. Inevitably, operational members create overtime. It is the frictional overtime needed to operate as a business. I need to look at where else we can cut overtime, where people can be redeployed and how we can change our operational profile. That is a task for me in how I prioritise expenditure.

I have just been provided with figures for Kildare. There has been an increase of 63 members between 2010 and 2019.

**Deputy Catherine Murphy:** I am aware of that, but those figures are from a low base. I have the figures for nearly every year. It is much appreciated that we end up with additional gardaí. I do not want to be overly parochial, but Kildare is significantly behind other areas with similar populations. County Meath lags even further behind and the numbers are moving backwards as the population is growing. It is noticed and appreciated when additional gardaí are provided because we appreciate how stretched the organisation is.

I will move on to something in the appropriation account because our time is limited. Can the Commissioner take us through how the voluntary disclosure to the Revenue Commissions occurred and the extent of it?

**Mr. Drew Harris:** I will ask Mr. Nugent to answer that question.

**Mr. Joseph Nugent:** A very small amount was related to salary issues. The largest portion was related to VAT on products and services provided in the college for non-students. In essence, VAT was not being charged on products and services in the college. There was an acceptance that a VAT exemption seemed to be appropriate for students, but there had been a process whereby VAT was not being collected.

**Deputy Catherine Murphy:** What was the extent of the settlement?

**Mr. Joseph Nugent:** I do not want to get into negotiations with the Revenue Commissioners in public.

**Deputy Catherine Murphy:** They have not concluded.

**Mr. Joseph Nugent:** They have not. We expect them to conclude relatively shortly.

**Deputy Catherine Murphy:** It will presumably then appear in-----

**Mr. Joseph Nugent:** I will be happy to write to the committee when we have reached a conclusion.

**Deputy Catherine Murphy:** There is a new electronic tracking system for the storage of property taken into the possession of the Garda, which is very good. Are there liabilities as a consequence of what happened prior to the introduction of the new tracking system?

**Mr. Joseph Nugent:** I am not aware of any such liability.

**Deputy Catherine Murphy:** Was there-----

**Mr. Joseph Nugent:** It was about improved processes and rectifying processes. At one stage Deputy Kelly presented a photograph from ten years ago when the formalities surrounding the recording of property and exhibits were not what they should have been. The process needed to be centralised at divisional level and a more sophisticated tracking system for the individual elements introduced.

**Deputy Catherine Murphy:** Mr. Harris has the unique experience of having been a police officer in the PSNI and now being Commissioner of An Garda Síochána. Is there anything that has surprised him? Does anything jump out at him on which he can bring his experience to bear?

**Mr. Drew Harris:** Digitisation is essential, so that we move to far more efficient processes and with greater access to the technology which makes life simpler for all our staff. We are far too paper-based and therefore the management information that I and other senior leaders require is difficult to extract. The second point is that our lines of communication are too long. We want to flatten the superstructure of the organisation, including the chief superintendent and higher management ranks, so that we will have a flatter organisation which communicates internally more effectively.

A positive thing to note is that we have a strong local basis, strong community support, and an ongoing ethos and commitment to community policing. When I go around the organisation, I am always very pleased to meet good people who are completely committed to their work, who want to do their best, and it is my obligation and duty to give them the best tools I can. It is my responsibility to make sure they are able to provide a policing service which is well-equipped and eases out a lot of the burdens that are placed on them at the moment.

**Deputy Catherine Murphy:** Are we very considerably further back in relation to the investment in digitisation?

**Mr. Drew Harris:** Serious investment in IT is under way. I have outlined a number of important projects, and in this year, going into the tail-end of next year, our members will see a big

difference. The next bit of that project will be joining it up so that it is seamless in terms of the organisation and when we deal with something, it will start to automatically populate PULSE and the investigation management system with information, which will cut out the double key-in. There are other systems we have to look to as well, around custody management and other critical areas such as our fingerprint systems. We are doing a lot. We are probably at capacity in what we are doing in terms of ICT at the moment, but there are still a good solid five years of work and investment ahead of us.

**Deputy Catherine Murphy:** I thank Mr. Harris.

**Chairman:** The next speaker is Deputy Cullinane.

**Deputy David Cullinane:** Go raibh maith agat. I welcome Mr. Harris and wish him well in his role. Unfortunately, we have had a high turnover of Garda Commissioners and Ministers for Justice and Equality, and much of that was down to cultural and organisational issues we had in an Garda Síochána, as I am sure Mr. Harris is aware. We are hoping the changes that were promised are being delivered, and some of my questions will be in that vein.

I want to start by picking up on the last point Mr. Harris raised in relation to ICT and the investment over the last five years. Mr. Harris said he wants a far more efficient process and that there may be an over-reliance on paperwork at times. Broadband is a big topical issue, as I am sure Mr. Harris is aware, and as late as 2017, 111 out of the 563 operational Garda stations did not have access to broadband. Has that improved, and do the witnesses have an up-to-date figure on how many, at this point in time, do not have access to broadband?

**Mr. Joseph Nugent:** I believe the figure is something in the order of 50 at this point. We are talking here primarily about stations that have very short opening hours, so first getting broadband into those stations, and second leaving equipment of a secure nature resident in them has been a challenge. We have worked with our colleagues in the Office of the Government Chief Information Officer to bring out different solutions and we have put something new in place which will allow us to move faster in addressing those issues. The Commissioner talked about the mobility project, which for a garda is about having a phone with the power of a very fast PC and being able to dock that in a station using a keyboard, mouse, and screen as if he or she were working on a PC. It has proved very successful in the pilot we have up and running and we expect to have another 20 or so of those dealt with very shortly.

**Deputy David Cullinane:** I thank Mr. Nugent for that.

**Mr. Drew Harris:** In effect, we are using the 4G network to provide connectivity to those stations. Mostly, we are exchanging data, not downloading box sets.

**Deputy David Cullinane:** We hope not.

**Mr. Drew Harris:** We hope not. As we are exchanging data the speeds of the 4G network, some of which we have upgraded, can deal with our information requirements.

**Deputy David Cullinane:** I welcome that Mr. Harris put a heavy emphasis in his opening statement on his responsibility as the Accounting Officer in relation to financial governance. That would be warmly welcomed by this committee because it is our core function, but I imagine he would also put the same emphasis on his responsibility in relation to transparency, good governance and accountability. In that vein, GSOC raised concerns in relation to its authority yesterday or the day before. I am assuming that Mr. Harris understands why GSOC was estab-

lished in the first instance and what its role is. It is independent. It said it was unable to ensure there was proper oversight of An Garda Síochána. In fact, it said it was impossible for a number of reasons. One reason was that it finds out about issues from the media, and not directly from the appropriate channels, and the other was that the supposed lines of communication and reporting within An Garda Síochána itself was problematic. Given that Mr. Harris takes his responsibility seriously, I assume he is concerned that that is GSOC's impression and view of its ability to do its job independently. Can Mr. Harris respond to that?

**Mr. Drew Harris:** I will be meeting with GSOC in the next couple of weeks to discuss this further. For my part, if there is wrongdoing within the organisation, there is a strong tactical and operational reason to share that with GSOC because it may too have information about an individual member which is of importance. Collectively, we need to pool our resources to make sure we are rooting out wrongdoing, inappropriate behaviour, criminality. There is a way of working through this, and I do not think in any shape or form we are at opposite ends of the argument about this.

**Deputy David Cullinane:** Mr. Harris obviously is on the opposite end of the argument if GSOC is saying that it finds it impossible to do its job, which is to hold An Garda Síochána accountable, and there is a difficulty from its perspective. Mr. Harris might have a different perspective, but GSOC is the independent body and it took a lot for it to come out and say in the very clear, stark terms it did that proper oversight of An Garda Síochána is impossible because of An Garda Síochána itself. I am assuming that would be concerning to Mr. Harris and if he does not agree with it, that he would want to establish why it has that view of An Garda Síochána.

**Mr. Drew Harris:** I am not taking issue with what was said, but the manner in which is delivered. As Commissioner, I too have a heavy responsibility for the conduct and behaviour of the organisation, up to and including criminality that members may engage in. I have a duty and responsibility to root that out as well, and I want to work with the oversight and investigations body, which is GSOC, in doing that. There is no argument on my part. I know that we have informed GSOC of major investigations that we are engaged in, and it has written to us about streamlining other processes and we can do that in the form of a regular case conference about serious matters that are progressing. All these things are achievable within the present legislative framework, because it is just a matter of sharing information.

**Deputy David Cullinane:** I accept Mr. Harris's response, but while he may see those things as achievable, GSOC obviously has a concern that they are not being achieved or delivered.

I would like to move on to the related issue of accountability. Yesterday, Mr. Harris made reference to the setting up of an anti-corruption unit, which on the face of it looks like the Garda investigating the Garda. Did Mr. Harris have any engagement with GSOC in relation to the establishment of that unit? Has he formally met with GSOC and sought its views, and if so, what were its views in relation to the powers and responsibilities that unit would have? As we have seen from the Morris tribunal report and other stories of cultural difficulties within An Garda Síochána, independent oversight is the most valuable tool we have. Is the anti-corruption unit a case of gardaí investigating gardaí?

**Mr. Drew Harris:** It is about seeking information.

**Deputy David Cullinane:** Is it about gardaí investigating gardaí?

**Mr. Drew Harris:** It depends on the matter under investigation. It misses the point of having the unit to say it is about gardaí investigating gardaí. It is about seeking out corruption within the organisation.

**Deputy David Cullinane:** It is not missing the point to say that in seeking out corruption it is international best practice for the work not to be done by people within the force but by an independent body. As GSOC is the independent body, why did the Garda not use its remit? Why did it set up an internal structure in which gardaí would investigate gardaí?

**Mr. Drew Harris:** International best practice is adopting a partnership approach. I have a responsibility. I am proactively asking the organisation what is going on, or if people have issues with individuals with whom they work. It involves drug testing where there is a suspicion surrounding individuals and in the case of persons in high risk positions such as those who carry firearms or are in charge of high speed pursuit vehicles. These are common practices in other police services and we want to introduce them as a way of ensuring there is integrity within the organisation. In the course of doing this we may come across information or intelligence which suggests-----

**Deputy David Cullinane:** Mr. Harris is talking about a co-operative approach.

**Mr. Drew Harris:** Absolutely.

**Deputy David Cullinane:** Did it consult GSOC in advance of making the statement on the anti-corruption unit? What was the force's level of engagement with GSOC, given that it is the independent body that oversees An Garda Síochána and deals with wrongdoing?

**Mr. Drew Harris:** GSOC is the independent body for investigating public complaints. I still have the responsibility for investigating crime. That includes crime committed-----

**Deputy David Cullinane:** I understand that, but I am asking if the force consulted GSOC on the establishment of the unit.

**Mr. Drew Harris:** No, because it is an important element of securing the integrity of the organisation.

**Deputy David Cullinane:** That is a mistake. Consulting GSOC was something the Garda should have done before establishing the unit. The serious issues GSOC has raised in recent days add to my belief.

I spoke to the Chairman about a particular case in advance of the meeting. I do not want to name an individual, even though it is a case that was in the public domain and before the courts before being dropped. A young woman, a civilian who worked in An Garda Síochána, was arrested in connection with an alleged fraud related to sick leave. I am sure the Commissioner is aware of the case.

**Mr. Drew Harris:** I am.

**Deputy David Cullinane:** How many cases have there been in recent years of civilians or members of An Garda Síochána being arrested for suspected fraud related to sick notes? I believe a small number of sick notes were involved in this case. Is it normal practice or do HR issues come into play?

**Mr. Drew Harris:** I have seen the reports on the case and have to report further to the Polic-

ing Authority on it. The investigation was well founded and reported to the Office of the Director of Public Prosecutions which examined the matter and found the case fit for prosecution. It went through an investigative process and an external examination by the prosecution authority which found the facts to be sufficient to state there was a criminal case to be answered.

**Deputy David Cullinane:** I am asking if it is peculiar to arrest someone on the basis of sick notes, rather than go through HR mechanisms. Michael Clifford covered the story in the the *Irish Examiner* and wrote that disturbing questions arose in the case. The individual in question had made a complaint of bullying within Store Street Garda station and, within three weeks of making the complaint, was arrested because of her sick leave. Notwithstanding what Mr. Harris said about how the case was investigated, the charges were dropped in court. As the case fell apart, it raises questions. A lot of people would ask how an individual could be arrested before going through normal HR processes. It is all the more peculiar that the individual in question had made a complaint of bullying. The gardaí who arrested her were known to her, which is not in line with international practice. Is the Commissioner of a mind to personally examine the elements of the case that are in the public domain?

**Mr. Drew Harris:** There are, undoubtedly, learning points in the investigation, as is apparent from the fact that the matter was discharged before being heard by a jury. There are learning points on points of law and about the manner in which evidence was obtained, but there is no record of a complaint of bullying or harassment having been made. None can be found.

**Deputy David Cullinane:** Does that mean the Garda has conducted an examination of the case? Has Mr. Harris examined the claims made by the individual in question?

**Mr. Drew Harris:** That is also the subject of a public complaint to GSOC. The material we are putting together is for its information and I have to wait for it to make its recommendations. There are learning points about the process, but there were reasonable grounds on which to pursue the investigation.

**Deputy David Cullinane:** What is an exit survey? It is something I have heard mentioned a couple of times.

**Mr. Joseph Nugent:** An exit survey is normal practice in the Civil Service. When individuals leave the organisation, there is a conversation with them on their reasons for leaving to see if any organisational or system-based issue will be brought to light.

**Deputy David Cullinane:** If the witnesses do not have the information to hand on exit surveys by civilians who worked in Store Street Garda station, can it be forwarded to the committee? Can they forward to us the number of cases which involved bullying issues?

**Mr. Joseph Nugent:** There are also privacy issues. A survey is particular to an individual and not generic. I will have to take the Deputy's request away and assess whether it is possible to accede to it.

**Deputy David Cullinane:** I imagine the whole point of conducting exit surveys is to establish patterns. I am not looking for the names of individuals.

**Mr. Joseph Nugent:** I am trying to see how we can provide the information for which the Deputy is looking. We can see whether there are patterns related to bullying and harassment.

**Deputy David Cullinane:** I am not saying there are. I am just saying it was reported and

I am asking the question.

**Mr. Joseph Nugent:** We will come back to the committee one way or another.

**Deputy David Cullinane:** The number of new recruits this year has been reduced from 800 to 600. There are competing demands for resources and very clear challenges such as shootings and robberies in Drogheda. Our periodic report mentioned the fact that senior gardaí were concerned about the reopening of Stepside Garda station, but it still seems to be going ahead, despite the fact that there is a demand for more resources in Drogheda and other parts of the country. How did we go from 800 to 600, given the demand for increased capacity where very serious crimes are taking place?

**Mr. Drew Harris:** The concentration this year was on workforce modernisation which involved displacing 500 experienced gardaí to front-line duties, be they detective or uniform duties. An additional 600 probationary gardaí were employed, but there will be approximately 300 cessations this year. There will be a net increase this year.

**Deputy David Cullinane:** Why reduce the number from 800 to 600?

**Mr. Drew Harris:** That was also in respect of affordability issues, to live within our budget of €1.76 billion.

**Deputy David Cullinane:** So would the Commissioner prefer to have the 800 staff? Is it that the Garda did not have the resources?

**Mr. Drew Harris:** I was given a budget and I have planned our recruitment to stay within that.

**Deputy David Cullinane:** So An Garda Síochána has had to reduce the 800 to 600 recruits because it did not have the budget to recruit the 800.

**Mr. Drew Harris:** There were choices I had to make in terms of recruitment and they are driven by budgetary factors, yes.

**Deputy David Cullinane:** I thank Mr. Harris.

**Chairman:** I wish to clarify a point that came up with regard to the issue of complaints to the Garda Síochána Ombudsman Commission, GSOC. Does this process cover civilian employees of An Garda Síochána also?

**Mr. Drew Harris:** No it does not. GSOC is for sworn members.

**Chairman:** That is for sworn members. Is it relevant to the issue about that person's case referred to earlier?

**Deputy David Cullinane:** No, that did not go through GSOC.

**Mr. Drew Harris:** I believe that a public complaint has now been made to GSOC about the actions in respect of the investigation.

**Chairman:** That is of an attested officer.

**Deputy David Cullinane:** I believe it was a third party.

**Mr. Drew Harris:** It may be, yes.

**Chairman:** So civilian employees cannot be reported to GSOC, it is only the officers.

**Mr. Drew Harris:** They are not investigated by GSOC.

**Chairman:** I thank Mr. Harris. I just wanted to clarify that.

**Deputy Catherine Connolly:** Cuirim fáilte roimh na finnétithe go léir, agus an Coimisinéir nua ach go háirithe. Guím gach rath air ina ról. Tá muidne, An Garda Síochána, agus, níos tábhachtaí, muintir na tíre ag brath air chun bealach nua a thaispeáint. I wish Mr. Harris the best in his new role. The gardaí are dependent on him, but more importantly the people are dependent on him. We are here to look at the Garda accounts. There are many other issues that are for the Oireachtas Joint Committee on Justice and Equality and not for this committee, so I will just stick with the accounts. Is this called a clear audit with significant risks?

**Mr. Seamus McCarthy:** It is a clear audited opinion on the accounts. The matters I am raising are other matters. The accounts are clear.

**Deputy Catherine Connolly:** The accounts are clear but within the accounts the Commissioner himself has raised the issue of significant financial risks, which are outlined.

**Mr. Drew Harris:** Yes.

**Deputy Catherine Connolly:** With regard to trust and accountability this committee has been here with the issues around Templemore Garda college - which I will not go back on - we have had the Morris tribunal and the €70 million, we have had the Charleton tribunal and the O'Higgins commission of investigation. My three years in the Dáil have been bookended by two reports. It began with the O'Higgins report, which I read in detail, and the Charleton report. There have been serious issues with accountability. These accounts are being considered within this background. There are significant financial risks.

My first question relates to the audit process. We are aware that the internal process prior to this was not really allowed to do its functions, certainly in respect of Templemore and issues emerged. As the Accounting Officer, can Mr. Harris tell the committee that the internal audit function and the audit committee is functioning, is meeting regularly and that everything is in order?

**Mr. Drew Harris:** Yes. We meet regularly. It is my view that it is working correctly. I take a close interest in that and I attend the meetings as the Commissioner, in effect representing the management side through the membership of the audit committee.

**Deputy Catherine Connolly:** So factually the audit committee is meeting and the reporting structures are working.

**Mr. Drew Harris:** Yes.

**Deputy Catherine Connolly:** Is Mr. Harris happy and satisfied with that?

**Mr. Drew Harris:** Yes.

**Deputy Catherine Connolly:** Reference on page 5 to significant risks indicates property and evidence management. I do not believe he intended to be flippant but Mr. Nugent mentioned a property difficulty that arose ten years ago. It has serious reputational risk for the Garda if a proper system is not in place. I am thinking of the Maurice McCabe case and the



O'Higgins report and a computer going missing. This is just one example. There is a new system in place now.

**Mr. Drew Harris:** Yes. I can offer some reassurance to the Deputy. That system went live in the third quarter of 2017.

**Deputy Catherine Connolly:** I understand that.

**Mr. Drew Harris:** It is rolled out entirely across the organisation and that is our management system.

**Deputy Catherine Connolly:** Lovely. Is that in place now everywhere?

**Mr. Drew Harris:** Yes.

**Deputy Catherine Connolly:** Has a review taken place of that to see how effectively it is working?

**Mr. Joseph Nugent:** Yes. The head of internal audit would look at property as part of his audits as he visits districts, divisions and stations.

**Deputy Catherine Connolly:** One second now, is it coming under audit?

**Mr. Joseph Nugent:** Audit would carry it out and give a further reconfirmation that everything is working properly.

**Deputy Catherine Connolly:** I will go back to Mr. Harris on this new system. Obviously it is fundamental that a proper system is in place for property that is going to be used in evidence or not. Is Mr. Harris satisfied that the system is now working? If so, how is Mr. Harris satisfied? Has there been a look-back? The system has been there since 2017 and we are now in 2019. Over the past two years, has there been a review or assessment of how that is working to see if it is working properly?

**Mr. Drew Harris:** I cannot answer that question directly. I can only inform the Deputy that I know the internal examinations conducted by internal audit on its divisional visits. I do not know the actual evaluation that a project of this sort would entail but I can find that out for the Deputy.

**Deputy Catherine Connolly:** It would be helpful. I am ignorant in relation to this but am delighted a new system is in place. The next questions are if it is working and how do we know it is working?

**Mr. Drew Harris:** I presume, but I will find out, that the system will have been subject to a post-implementation review. That would be part of the project management. We can supply that.

**Deputy Catherine Connolly:** That is what I would love to hear. At this point we do not know it that has happened but Mr. Harris will come back to the committee on that.

On page 21 there is reference to Garda masts, which is an income receipt that has jumped significantly. Presumably it is an income for the Garda, but what is it? It has gone from €523,000 to €1.5 million. Someone might come back to me with that clarification and I will continue on if the committee does not mind.

I will now turn to the Galway station, in which I would have a particular interest, and the Kevin Street Garda station, where we have a very new and welcome Garda station. I will not go in a parochial direction on this but there were significant changes and significant costs. As with the national children's hospital and lots of other projects, why was this not foreseen? Page 15 informs us that amendments were made to the original design that required structural works and in addition, there were other design changes to meet requirements of the Garda and so on. Could somebody come back with a note on this? Was there a competitive procurement process in the beginning? What happened after that and what was the cost increase? I am thinking of the children's hospital situation where a price was given and then changed. It appears that some issues can arise in a project but it depends on what the changes are, why they were not foreseen and why elements were not included in the original design. A passing comment on this is that I have no idea why the Galway station came out so close to the road. I could not let this pass without making a comment on it. There is absolutely no room for a bus route. It is a terrible pinch point. That is just a practical matter.

The witnesses will come back to the committee with two notes on my points.

**Mr. Joseph Nugent:** Part of the overrun related to the environment in which the contractors found themselves. On the Kevin Street Garda station, for example - which I am particularly familiar with - they had difficulties in delivering on the contract where works went beyond what was originally envisaged.

**Deputy Catherine Connolly:** I put it to Mr. Nugent that I can read that from the little note. I want to know why it was not envisaged and how much did it cost? Mr. Nugent is saying that it arises-----

**Mr. Joseph Nugent:** The control of it is managed on our behalf by the Office of Public Works.

**Deputy Catherine Connolly:** Okay. I see.

**Mr. Joseph Nugent:** Our responsibility is purely around the payment of this. We do not have the detail around the specifics.

**Deputy Catherine Connolly:** Okay. I will follow that up.

**Mr. Joseph Nugent:** On the Deputy's query about the masts, we will have to come back to the committee on that. I assume that it is more revenue coming in from the various mobile phone providers who are using services. I will revert with more detail on it.

**Deputy Catherine Connolly:** I thank Mr. Nugent. I will follow up with the Office of Public Works about the other matter.

Going back to reputation and the lovely word "learnings" - a word I detest because I do not know what it means - I want to discuss fixed penalty charges and the breath tests. It is in the Garda report as a significant risk to reputation and a significant risk financially. Where are we with that? The notes tell us that so many cases were taken. On page 5 there is the reference to fixed charge notices. There was an examination of the summonses and 146,865 cases were found to have committed offences and this was incorrect. Before I move on to the update on appeals, will the witnesses remind us again what was incorrect about the summonses?

**Mr. Drew Harris:** In this matter we identified between 2006 and-----

**Deputy Catherine Connolly:** It is all laid out there. My question is about the 146,865 cases that were incorrectly taken. I have actually forgotten the point on why they were taken inaccurately.

**Mr. Drew Harris:** They were issued without the opportunity to pay a fixed charge notice.

**Deputy Catherine Connolly:** What was incorrect about it? They were all incorrect.

**Mr. Drew Harris:** They went straight to summons as opposed to having the opportunity to avail of the fixed charge notice.

**Deputy Catherine Connolly:** I had forgotten that. When they went to court, a penalty was imposed in 14,700 cases. Were the others all discharged or what happened?

**Mr. John Twomey:** They are at various stages. Some of them were discharged.

**Deputy Catherine Connolly:** No. Some 14,700 were left. However, with regard to the big number, were they just discharged?

**Mr. John Twomey:** There were different issues with them. Some of them did not make it to court, in some cases the summons was not served and some cases were still pending and before the courts at that time. There was a variety of responses accounting for those. What we know is that 14,000 were concluded in the courts. They were the ones that had been dealt with incorrectly and the ones we had to deal with. We were able to put a stop on others.

**Deputy Catherine Connolly:** I understand. Some 14,000 ended up in court. The Garda is working its way through those now and is appealing them with the consent of the person, and over 2,000 have already been sorted out.

**Mr. John Twomey:** Yes, that is correct. I think 2,200 have been done to date. We have issued letters to all those people and a number of them have been returned unserved because people have moved from those addresses. What we have done with those letters is issued them to the local district officer, who has to make inquiries as to where people have moved in order to try to pursue them through that process.

**Deputy Catherine Connolly:** Of the 14,700, 2,274 have been dealt with and the Garda is working through the rest.

**Mr. John Twomey:** Yes.

**Chairman:** That information is from 29 March 2018, or 26 September 2018. That report was signed off a year ago. What is the current position? We are reading figures that are a year old. Where is the Garda on the 14,700 cases now? That is year old information.

**Mr. John Twomey:** Another 2,000 cases are currently before the courts and we are waiting on court dates. There is a further meeting on 20 May. We are working with the courts system.

**Chairman:** Is Mr. Twomey saying that since this figure was produced 12 months ago - the 2,274 - another 2,000 have been dealt with in the last 12 months?

**Mr. John Twomey:** I will have to go back behind that and say a further 3,500 letters were issued.

**Chairman:** How many have been appealed or are before the courts out of the 14,000?

**Mr. John Twomey:** At the moment, we have issued 2,000 letters and we are currently awaiting appeal on those. We are working with the Courts Service. Because of the volumes, they have to be scheduled for a particular court date.

**Chairman:** I understand that. On 29 March, this document was signed off by the Accounting Officer to say that, at that date, one year ago, 2,274 cases had been successfully appealed. That information is 13 or 14 months old. What is the position today? Out of the 14,000, how many have been successfully appealed?

**Mr. John Twomey:** We have issued a further 3,500 letters. We have succeeded in processing them through the courts and getting them to a scheduling stage in the courts. To go back to the position before that, when we issued the 12,000 letters, almost 5,000 letters were returned unserved. It is was quite an intensive process.

**Chairman:** What does that mean?

**Mr. John Twomey:** It means that when we sent the letter out to the house where the registered owner resided, they were no longer there and had moved house. Somebody may have lived on Main Street, Templemore, but when we sent the letter back out to them post conviction, they were no longer at that address.

**Chairman:** Was it not possible to get their address from the licensing authority?

**Mr. John Twomey:** That is the process we have to go through. We then had to go and check the driver file to see whether there were updates. In some cases, the original cars were no longer their property. It is quite a detailed process and is not as simple as getting the address back in 2010.

**Chairman:** I know that. All I am saying is this note says that three years ago, in May 2016, these issues came to light in regard to 14,000 cases and only 2,000 of them been successfully appealed. At this rate, it will take a decade. How many people have lost their jobs in the meantime as a result of this?

**Mr. John Twomey:** There is no evidence that anybody has lost their job.

**Chairman:** They could have.

**Mr. John Twomey:** There is no evidence that anybody has lost their job. What we have found is that, in many cases where we have written to people, we have got no response. We then have to go to the next step, which is a personal call to these people. Where others come back unserved, we have another process. It is quite time-consuming. We are talking about large numbers. I mentioned that 4,843 letters were returned by An Post as unserved. They were all then sent out to local district officers to begin that individual process. In other cases, there was a considerable number of people who did not respond at all to the letter they got as to whether they wanted to appeal or not. Separate to that again, we have brought the 2,200 through the courts and we have another 2,000 scheduled to go through the courts.

**Chairman:** Does Mr. Twomey know how many people lost their licences as a result of this? The penalty points were imposed. Obviously, on average, a significant percentage would be put over the 12 points. A number of people must have lost their licence. Does the Garda have that information?

**Mr. John Twomey:** I do not have it with me but we would have it.

**Chairman:** The Garda would know the driver record. How many fines shoved people over the 12 points?

**Mr. John Twomey:** We can provide that information for the committee. What we need to recall is that quite a number of the offences we are dealing with here were not penalty point offences; they were revenue offences. While there are large numbers involved, a number of the offences were not penalty point offences.

**Chairman:** They were fines.

**Mr. John Twomey:** Yes.

**Deputy Catherine Connolly:** It would be very helpful to get a full note.

**Chairman:** We need a detailed report on this. This is an issue that came to light three years ago. We have information signed off over a year ago. However, I do not get much sense of an update in the last 12 months. I am concerned and I do not know why it has taken so long. I understand the difficulty of letters coming back but, in fairness to the people, the Garda has to make an extra effort. I know there is a question of resources.

**Mr. John Twomey:** Everybody got a letter and everybody was written to. It is about the next stage in that people either did not respond or we were not able to reach them.

**Chairman:** It is three years on. It seems very slow. I ask the Garda to give us an update in writing on this topic. I can say no more today except to send us on a report.

**Deputy Catherine Connolly:** An update would be very helpful. The mistake was made by gardaí and the people were innocent in regard to this matter. That is important. The next point for this committee is the cost implications of the process. The Garda has taken over 2,000 people to the appeal court. What are the legal costs to date or are there legal costs?

**Mr. John Twomey:** I will have to provide that information to the Deputy. As I said, there is a further meeting on 20 May, when the results of those will be made available.

**Chairman:** Are there any requests for compensation as result of this?

**Mr. John Twomey:** No.

**Deputy Catherine Connolly:** It should not have happened but it did happen and the Garda is dealing with it. However, there has to be an end to it and there has to be an update. What is it costing in terms of manpower and womanpower and in terms of the cost of the legal eagles? Let us have an update on that.

On the breath tests and the hugely significant discrepancy, which I will not go back over as that is a matter of record, where are we in that regard? What improvements have been made? Has the Garda reconciled its data with the data recorded on the machines?

**Mr. Drew Harris:** Yes. We regularly brief the Policing Authority and, at the last public meeting, the assistant commissioner for roads policing updated the authority on that matter.

**Deputy Catherine Connolly:** The Policing Authority.

**Mr. Drew Harris:** Yes. We have made the necessary changes to ensure that does not happen again. We have far tighter record control around our systems and how we record breath

tests. This is all part of ongoing examination of all records to improve the accuracy of data. We had a specific examination of the recommendations and those recommendations have been actioned and continue to be actioned in terms of process improvement and making sure that, in effect, the cracks in the system which allowed this to happen on such a large scale are not there now.

**Deputy Catherine Connolly:** My final question relates to my personal interest in the protection units relating to domestic and gender-based violence. These are being rolled out and I welcome that. Where are the cost implications? Where can I see that in the accounts? It is accounted for separately. Are there sufficient funds to fulfil the objectives of the Commissioner regarding the protection units?

**Mr. Drew Harris:** Obviously, we must staff that and that comes with-----

**Deputy Catherine Connolly:** I understand all that but where would it be reflected? It would not be-----

**Mr. Drew Harris:** We could draw up the specific costs but we see specific costs in respect of vehicles. There have been some estate issues as well along with ICT issues in terms of support for them. We would need to provide a specific figure for that.

**Mr. Joseph Nugent:** Our accounts are not broken down to that level in terms of the sort of material that is there. That is one area in respect of which the Department of Public Expenditure and Reform has been pushing us to provide some of that granular detail. The accounts as they appear do not get down to that but as the Commissioner said, we can take that off line if that is a particular issue.

**Deputy Bobby Aylward:** Like my colleagues, I wish the Commissioner all the best. We have had a lot of interaction with Garda Commissioners in recent years. We all need a strong, fair, trustworthy and efficient force. It is part of everyone's daily lives so I wish the Commissioner and the force all the best in the years ahead. Many of the controversies that occurred are behind us and we can move on to having a better force.

I will start with a few sundry items on probation aid. I would like to ask about the Garda Training College receipts, which were €700,608 in 2018 and €300,000 in 2019. What are the Garda Training College receipts?

**Mr. Joseph Nugent:** They are primarily restaurant-related receipts. This is money taken from the shop, restaurant and use of services in the college.

**Deputy Bobby Aylward:** That money is put into general-----

**Mr. Joseph Nugent:** It comes back into standard appropriation-----

**Deputy Bobby Aylward:** So it is money earned from the shop, etc.

**Mr. Joseph Nugent:** That is correct.

**Deputy Bobby Aylward:** There was an awful controversy about shops there. I will not revisit the matter. My next question concerns firearms fees, which went from being very low to €400,000. Can our guests explain that?

**Mr. John Twomey:** The firearms fee is not an annual cost. It is a cost that arises every

couple of years so it would not be flat.

**Deputy Bobby Aylward:** It increased a great deal between 2017 to 2019. Why has there been such an increase? It is a major jump - four or five times what it would cost in every other year. What did it cost so much in 2019?

**Mr. Rory McGinley:** The firearms fees run on a three-year cycle. There is a book year. There is one year every three years during which we get a lot of fees in, which is why it is reflected. It goes back to when we started issuing the-----

**Deputy Bobby Aylward:** Can Mr. McGinley explain what a firearms fee is? Is it what it costs to buy a firearm?

**Mr. John Twomey:** No, it relates to a licence. There is an annual cost. A person has a licence for a firearm-----

**Deputy Bobby Aylward:** Is Mr. Twomey talking about the general public?

**Mr. John Twomey:** Yes.

**Deputy Bobby Aylward:** I understand that. I am a farmer and I know about shotguns and things of that nature.

**Mr. John Twomey:** That is what the cost is about.

**Deputy Bobby Aylward:** Sorry, I thought it related to firearms in the police force.

**Mr. John Twomey:** No. Originally, that was renewable every year. When the licensing regime changed, it became renewable every three years. Not all of them are renewed every three years. If someone buys one this year, it must be renewed in three years' time and next year's will be three years from that.

**Deputy Bobby Aylward:** The only reason I asked is because the sum has increased so much over four or five years.

**Mr. John Twomey:** It relates to when the-----

**Deputy Bobby Aylward:** Okay. I have two questions about safety cameras, which have already been mentioned. There was talk about body cameras for each Garda. Is that a policy for the future or is it something at which An Garda Síochána is looking? What kind of costs would be involved? We see reports about it in the newspapers. Body cameras are used by other police forces, particularly those in England. The Garda Representative Association would be very anxious that this would come on stream for many reasons, including those relating to safety, proof and witnesses. What is the policy on body cameras?

**Mr. Drew Harris:** Our policy would be to introduce them. We need legislation to do that. That legislation is being worked through and is one of the recommendations of the Commission on the Future of Policing in Ireland. When we look to purchase equipment, one of the issues for us that we will be issuing smartphones, which have a video facility. Rather than buy another camera, we may use the existing mobile phones we have issued. Regarding the costs, we must decide what way we are going to go with these but we have some time in that the legislation must be passed as well. If we are doing an out-run of 10,000-odd smartphones on which people can record video, that may be an alternative rather than buying a bespoke camera. I want that

examined. Up to-----

**Deputy Bobby Aylward:** What would it cost to roll it out? What would it cost to distribute 10,000 smartphones?

**Mr. Drew Harris:** The cameras themselves are going to be in the mid-hundreds but the aspect beyond that is storage and how long material is stored for. That is where some of the costs arise. That depends on whether it is 30 days or a year. One really starts to rack up costs there. Another issue is instruction on when they are being used to record and-----

**Deputy Bobby Aylward:** Would problems arise if the mobile phones were stolen?

**Mr. Drew Harris:** The issue then is about secure download and the security of that as an evidential package that we produce to a criminal inquiry.

**Deputy Bobby Aylward:** Would that mean that if there was a fracas to which a Garda was sent, this camera would be on the entire time?

**Mr. Drew Harris:** Yes.

**Deputy Bobby Aylward:** An Garda Síochána would get a feel for what was happening on the ground and whoever was watching the footage would know exactly what was taking place. It would be for use in court in the future.

**Mr. Drew Harris:** It provides another record of an event. This can be not only some form of confrontation but, more importantly, it can also be a first report of domestic abuse and a serious sexual assault. In addition, in contentious situations, it can provide GSOC with an independent eyewitness to the whole event. It has been very useful in vindicating police officers in other jurisdictions regarding the manner in which they have behaved. I know the Garda Representative Association is attracted to it for that reason. It has been spoken about formally by neighbouring associations. It does ease the pressure on individual members whenever they are complained about because they know that a record of the event exists. Beyond that, there are very strong protection reasons. It can make a real difference in policing sensitive areas.

**Deputy Bobby Aylward:** Are police cars fitted with those cameras?

**Mr. Drew Harris:** Some cars are fitted with automatic number plate recognition, ANPR.

**Deputy Bobby Aylward:** Not every squad car is-----

**Mr. Drew Harris:** No, not every vehicle is fitted with it. That is more to do with roads policing vehicles. That alerts gardaí to vehicles that are on our PULSE system for various reasons.

**Deputy Bobby Aylward:** Is it policy to roll that out to every squad car in the future or is the cost prohibitive?

**Mr. Drew Harris:** As time goes on and the technology becomes more commonplace, it does become more cost-effective. It is then that we must be sure that our database behind that is accurate as well. There are other issues around the data and data transmission. The technology keeps moving on. Things that were expensive and prohibitive five years ago are becoming more and more affordable and doable in terms of preventing and detecting crime. Even at the moment, if we have an incident, we try our best to flood that area with ANPR vehicles to Hoover up and identify any vehicles in the area.



**Deputy Bobby Aylward:** Deputy Kelly referred to CCTV. A commitment was provided under the programme for Government to introduce CCTV, particularly on motorways. I am speaking in particular about Kilkenny because two motorways go through Kilkenny and Carlow and there are many robberies that I would call fly-by-night robberies. They come from Dublin or Limerick. It is obvious they have some knowledge. They come off the motorways and it takes 20 to 30 minutes. They have done it in Urlingford and north Kilkenny several times. They go on to the motorway and are back before the gardaí even know they are back in Dublin or some big city where they can hide. I have asked the Minister for Justice and Equality several times about CCTV. What is the Commissioner's opinion on using CCTV on junctions off motorways? Will it be provided in the future?

**Mr. Drew Harris:** I think the route for this is also ANPR and static cameras, which will provide a constant read of vehicles exiting and entering a motorway. I can give examples by taking information from other jurisdictions on cases involving suspicious vehicles. There is a need to have the correct software and for an office that can analyse the data. It is not always possible to know the plate number. All that might be known is a description of the vehicle, such as the car being a black Ford Focus. The system needs to be able to look for a black Ford Focus moving on the motorway at the time.

**Deputy Bobby Aylward:** There will not, therefore, be CCTV cameras at every junction in coming off a major motorway either in the short term or the long term.

**Mr. Drew Harris:** There may be a legislative problem that we will also need to address. Such technology would, however, make a significant contribution to crime prevention and detection. There is a pattern of crime gangs obtaining vehicles and not moving them for some months. They reappear some time later. The ANPR system can be programmed to identify those patterns also; therefore, it has significant benefits. It has to be targeted at where we think the most benefits will be reaped in crime prevention and detection.

**Deputy Bobby Aylward:** When representatives from the Office of Public Works appeared before the committee some months ago, we had questions for them concerning the PULSE system and its use by An Garda Síochána. We know what happened in breath testing and the penalty points system. Is the PULSE system used by An Garda Síochána up to scratch? Is it an efficient and modern computer system? We have received many complaints about it. Is it the system that is lacking or is there a deficiency in the expertise and human resources available? Are there problems and, if so, where do they lie?

**Mr. Drew Harris:** The PULSE system about which people talk goes back a long time. It has had release after release and addition after addition during the years. We had to do a major rebuild of it, even during preparations for the Schengen process. Our ICT people believe we may have to migrate to some other system in time.

**Deputy Bobby Aylward:** Is the Garda investigation management system different from the PULSE system? Is it a new system?

**Mr. Drew Harris:** The Garda investigation management system is a specific system onto which statements can be loaded and on which actions taken can be recorded and information stored on all of the various inquiries made in the course of an investigation. It allows for oversight and is a framework a garda can use in conducting his or her investigation against specific crime types. It will also allow us more information on who is offending and where the offences are happening. That will be good in our analytical work. We can also see and inspect problems

such as car insurance fraud and set-up accidents. The Garda investigation management system will be a national system once it is fully rolled out. It will identify people who are very unlucky in their driving and have 20 accidents a year. It will also identify cars which are very unlucky and involved in a dozen accidents a year. That will be a real-----

**Deputy Bobby Aylward:** The system is completely separate from the PULSE system.

**Mr. Drew Harris:** It is.

**Deputy Bobby Aylward:** Is the investigation management system also based in Garda headquarters in the Phoenix Park?

**Mr. Drew Harris:** Yes, it is. It is linked because information on the investigation management system which is relevant to the PULSE system should cross in the case of an individual under investigation for a serious offence, for example.

**Deputy Bobby Aylward:** It sounds like an efficient system. How long will it take to roll it out fully?

**Mr. Drew Harris:** The Garda investigation management system will be fully rolled out by the end of 2020.

**Mr. John Twomey:** The Garda investigation management system is already in use in Waterford and being rolled out in the south eastern region, including Deputy Aylward's area of Kilkenny and Carlow. That is the next phase of the project and its scheduled rolling out is under way.

**Deputy Bobby Aylward:** I am also only a few miles from Waterford, even though I am not a Waterford man. I am a Kilkenny man and only a few miles from the county border.

**Mr. John Twomey:** It has been implemented in Waterford and is being rolled out in the wider area. It is intended that vast majority of the country will be covered between now and the end of 2020. Some national units have been trained to use the system which has been rolled out to them.

**Deputy Bobby Aylward:** On the Garda Reserve, I did not hear anyone mention it today or numbers or figures. Is Mr. Harris supportive of the Garda Reserve? Does he think it plays an important part in the system? Should its numbers be increased or kept at the current level? Is it being used as a stepping stone into An Garda Síochána?

**Mr. Drew Harris:** Yes, that is correct. Serving in the Garda Reserve provides a good opportunity for those considering a career in An Garda Síochána to be exposed to what police work is like to see whether they might like it. However, beyond that we are committed to the Garda Reserve. We are committed to expanding its size and finishing work on a future strategy.

**Deputy Bobby Aylward:** How many members are in the Garda Reserve?

**Mr. Drew Harris:** There are 500 members, but we have recently recruited a further 100. Experience in other jurisdictions shows that serving in such a reserve force is a good route into policing for those who are less well represented in the main force. It allows a chance to see what the organisation is like and a route to joining it.

**Deputy Bobby Aylward:** Does Mr. Harris have any statistic for the percentage of members

who go on to join An Garda Síochána from the Garda Reserve? It is a general question.

**Mr. Drew Harris:** I am not sure. Whenever I attend one of the passing out parades, a few of the new recruits have been in the Garda Reserve.

**Deputy Bobby Aylward:** What is the target size of the Garda Reserve?

**Mr. Drew Harris:** The target is to have 2,000 members. We have 500 now. We have a major recruitment plan. We see the Garda Reserve as being important in terms of visibility, especially at crucial times. That is what we want to reflect in our strategy. We can then give people certainty about when they will be required, what duties they will be required to perform and the hours we will expect them to serve in return for the training received.

**Deputy Bobby Aylward:** Members of the Garda Reserve are mostly involved in community policing.

**Mr. Drew Harris:** We envisage the Garda Reserve being very much aligned with community policing and high profile events such as sports events and concerts. It will also help in dealing with the night-time economy and community policing.

**Deputy Bobby Aylward:** An Garda Síochána has 14,000 members.

**Mr. Drew Harris:** The figure is a little over 14,000.

**Deputy Bobby Aylward:** Is it envisaged that it will go up to 16,000?

**Mr. Drew Harris:** To 15,000.

**Deputy Bobby Aylward:** How long will that take?

**Mr. Drew Harris:** We are aiming to have 15,000 gardaí by 2021.

**Deputy Bobby Aylward:** Will 15,000 members be sufficient to police the country? I refer to forthcoming issues such as Brexit. There may be problems along the Border as a result. Will 15,000 members be sufficient for An Garda Síochána to deal with them? I mention Brexit only because it is on the horizon.

**Mr. Drew Harris:** We are under stress. However, ours is a can-do organisation and we have to deal with these matters. An Garda Síochána will be at its strongest ever when we reach a figure of 15,000 members. It must be borne in mind that we will also have 4,000 Garda staff. Part of that deployment, 1,500, will be to allow experienced gardaí to be displaced to the front line. We will then have a very strong contingent on the front line, whatever it might be. I say that because our work involves detective duties, as well as policing by uniformed gardaí. We will be in a strong position at that stage, but there are pressures on us. We want to grow the armed support unit and some of our national units, as well as community policing activities.

**Deputy Bobby Aylward:** Is there enough recruitment? We have mentioned the recruitment of between 600 and 800 members this year. I refer to the impact of retirements and people leaving An Garda Síochána. Is the recruitment of 600 new gardaí allowing us just to stand still? Should the figure be increased to 800 or more? I know that there are budget constraints which Mr. Harris has mentioned. Ideally, should we be looking at recruiting 800 to 1,000 new gardaí each year to increase the total?

**Mr. Drew Harris:** Training 1,000 new recruits would stretch us. We need to have a good

sense of how quickly we can expand. We can manage 800 recruits, but there are pressures in doing so. I am content that we are following the right course. The budget constraints stem from my responsibility, as Accounting Office, to stay within the figure of €1.76 billion. That is the way that I cut up the pie. It is also viable tactically in concentrating this year on the Garda staff who will allow the displacement of experienced gardaí to work on the ground.

**Deputy Bobby Aylward:** I have one more question. As this matter has been referred to, I will not go over it in great detail. I refer to the relationship between the Garda Síochána Ombudsman Commission and An Garda Síochána. We have all read about the complaints from GSOC in the stories which have appeared in the newspapers this week. What is the relationship like? Is it good? Is there good interaction? The ombudsman is supposed to look at what is happening in An Garda Síochána, but the reports in the newspapers did not sound good. They made for very bad reading.

**Mr. Drew Harris:** Yes. We have a very good relationship with GSOC. For my part, and that of my senior team, we very much want to work hand-in-hand with GSOC. None of us wants to see any member of An Garda Síochána engaged in any form of wrongdoing. We want to see public complaints properly investigated and brought to conclusion as expeditiously as possible. We are determined to ensure that those who engage in criminality, inappropriate associations, the use of drugs and so on are proactively investigated and combated. I want to play my part in that as well.

**Deputy Bobby Aylward:** There was reference in the newspapers to superintendents investigating Garda personnel, which is probably not an ideal situation. It is alleged that GSOC was not made aware of some of the investigations yet it is the body tasked with address of wrongdoing within An Garda Síochána. There is wrongdoing in every force and walk of life that needs to be weeded out. Does Mr. Harris accept that An Garda Síochána should not be investigating gardaí and that GSOC has a role to play in disciplinary matters within An Garda Síochána?

**Mr. Drew Harris:** GSOC has a role in that it investigates complaints.

**Deputy Bobby Aylward:** According to the report, GSOC was not aware of some of the complaints.

**Mr. Drew Harris:** These are matters that An Garda Síochána has uncovered, probably through intelligence or reporting from within the organisation. We follow through and investigate all matters. All investigations are conducted to a very high standard. Many of the investigations that are taken forward are successful and they are brought to a proper conclusion in terms of bringing matters before the courts. That work continues. I know that GSOC has been informed of that work and work that is ongoing as well.

**Deputy Alan Farrell:** I welcome the Garda Commissioner. My first question follows on from Deputy Aylward's remarks in regard to deployment. I read much of the Commissioner's commentary regarding his plans to redeploy individuals from desk duties to front-line positions. What percentage of gardaí have been and are yet to be redeployed?

**Mr. Drew Harris:** The target for this year is 500. We completed 250 last year. By the end of this year, we will be half way through that process.

**Deputy Alan Farrell:** In regard to civilianisation, which Mr. Harris's predecessor referenced as professionalisation, is that process ongoing and is there an upper limit to the professionals he plans to bring into An Garda Síochána in terms of civilians?

**Mr. Drew Harris:** We refer to them as Garda staff. The upper limit which has been set for me is 4,000. When we reach a strength of 15,000 garda, 4,000 staff and 2,000 garda reserves, we will need to take stock and recalibrate because there may be more that can be done. My responsibility in terms of budget is to maximise the policing impact such that when we reach a strength of 15,000 garda plus 4,000 staff that proportion may have to change further.

**Deputy Alan Farrell:** I am trying not to stray into policy as I appreciate that is the job of the Joint Committee on Justice and Equality, of which I was a member for six years. In regard to forensics, as far as I am aware, this work is carried out by sworn members. Will the Commissioner clarify what roles do not necessarily require sworn members such that there is a saving to the taxpayer and an increase in public confidence because the sworn member is more appropriately engaged in Garda duties?

**Mr. Drew Harris:** Forensics is one area but it is probably one of the most difficult areas because crime scene investigation requires experience and an ability to deal repeatedly with very difficult scenes in a professional and objective manner to ensure the best evidence is obtained. It is difficult work. It is an area that could be subject to workforce modernisation but we will need to think that through very carefully, in particular because it can take up to three years for an individual to be sufficiently proficient in that area. It is possible but only if we carefully think through how it might be done.

**Deputy Alan Farrell:** Is there a legislative requirement to facilitate it or are there any impediments to it?

**Mr. Drew Harris:** I do not believe there are any impediments but some clarity is needed in respect of the ability of my employees, be they Garda members or Garda staff, to retain a firearm, ammunition, explosives and so on, in legal possession on my behalf so that they can properly transmit exhibits, etc.

**Deputy Alan Farrell:** I thank Mr. Harris for that clarification. I will now make some general observations in regard to the financial information provided in appendix A. On the basis of the 2017 and 2018 budgets provided for the maintenance of Garda premises, the 2019 budget has been reduced significantly. Is there a particular reason for that?

**Mr. Joseph Nugent:** We would like more money in that space. It is an issue on which we are working with the Department as part of the Estimates campaign. In the context of the 500 plus premises around the country, the amount of money available to us is insufficient.

**Deputy Alan Farrell:** It is approximately €600,000. I think I am right in saying that the OPW covers the cost of some of the works. A budget of €642,000 for maintenance is a drop in the ocean in the context of the 500 premises to be maintained. What percentage does that €642,000 represent in terms of the overall spend?

**Mr. Joseph Nugent:** I do not have the Office of Public Works figure.

**Deputy Alan Farrell:** Does Mr. Nugent have a notice of the figure?

**Mr. Joseph Nugent:** We do not have enough.

**Deputy Alan Farrell:** What is the reason for the decrease from €4.5 million in 2018 to €642,000 in 2019?

**Mr. Joseph Nugent:** I do not know exact reason but I will revert to the committee on the

matter.

**Deputy Alan Farrell:** What is station services?

**Mr. Joseph Nugent:** Cleaning and so on.

**Deputy Alan Farrell:** On capital build referenced at A.12, am I correct that that relates to divisional headquarters only?

**Mr. Joseph Nugent:** That is correct.

**Deputy Alan Farrell:** The issue of firearm fees was covered in the responses to Deputy Aylward's questions. On appropriations-in-aid, Garda College receipts, the issues of the Sportsfield, shops, boat clubs and so on were the subject of previous discussions but there are a few outstanding issues on which I would like clarification. There were European funds in a bank account, which I understand were for training purposes. If I am not mistaken, these funds may not have been appropriately accounted for at the time of our review approximately two years ago. I welcome that the recommendations following on from that review were taken on board and are being worked through. Is the Commissioner, as Accounting Officer, satisfied that the aforementioned funds have been accounted for appropriately? I appreciate the Commissioner does not represent OPW but to the best of his knowledge, what is the reason for the delay in the transfer of lands from Sportsfield to OPW?

In regard to the internal audit, I am not an accountant but during the six years I was a member of the Joint Committee on Justice and Equality and during my time as a member of this committee, I have observed a lot of indecision and uncertainty around this area. I get the distinct impression that the resources provided at that time to internal audit by An Garda Síochána was not sufficient to meet the task at hand, primarily because it was such a mountain to climb. In his role as the new Garda Commissioner since last year, is Mr. Harris satisfied that internal audit and the oversight function within An Garda Síochána is sufficiently robust to ensure the issues highlighted to this committee and others over recent years will not reoccur? Perhaps we will start with the two questions I asked of Mr. Nugent regarding the European funds.

**Mr. Joseph Nugent:** The matter regarding the European funds was reported to the European auditors by the head of internal audit. The issue was subsequently overtaken by a public interest investigation carried out by GSOC. I do not know the outcome of that investigation at the moment; the process is continuing.

**Deputy Alan Farrell:** It is still ongoing.

**Mr. Joseph Nugent:** We have not yet heard back regarding the finalisation of that report. On the Deputy's question on the transfer of lands, since we started on this discussion two years ago my focus has been on resolving some of the other matters, including the broader governance and financial issues in the college, before getting into the trickier areas of land transfer. With regard to the transfer of the playing fields - which, to remind members, refers to the football and hurling pitches - the contracts for the transfers-----

**Deputy Alan Farrell:** The farmland is also involved.

**Mr. Joseph Nugent:** At the moment I am talking purely about the hurling and football pitches element. The contracts for these transfers have been signed by both parties. We are waiting for the title to be vested, which I understand is only days away.

**Deputy Alan Farrell:** That is good to hear. Part of the external affair Mr. Nugent mentioned with regard to the European funds involved transfers from either the shop or the sports field to the boat club. Is that matter subject to the same-----

**Mr. Joseph Nugent:** It is my understanding that GSOC carried out its inquiry in the broader public interest and looked into the entirety of the issues that were raised, which included those matters.

**Deputy Alan Farrell:** I suggest we ask the clerk to the committee to write to GSOC regarding that matter in order to inquire as to status of its inquiry. That would be interesting.

**Chairman:** Is it appropriate for An Garda Síochána to ask GSOC in order that we can get the information through it? GSOC is not before the committee. We will send a letter; I just wonder what is the right sequence.

**Deputy Alan Farrell:** I understand.

**Chairman:** We will do it in the correct sequence.

**Deputy Alan Farrell:** We will do it in whichever way is more appropriate.

**Chairman:** We will get an update, whether it comes from An Garda Síochána or GSOC. We will work out to whom to write.

**Deputy Alan Farrell:** I thank the Chair. That is helpful.

**Mr. Drew Harris:** It should be borne in mind that GSOC is entirely independent and will conduct this investigation independently. I do not feel able to ask it for the information.

**Chairman:** The committee can ask.

**Deputy Alan Farrell:** Will the Commissioner comment on internal audit resources and the robustness of oversight?

**Mr. Drew Harris:** Internal audit has received additional resources and the training that goes with it. I have taken a particular interest in internal audit. It is essential to me in carrying out my responsibilities as Accounting Officer. I would like a greater emphasis on thematic work. We are working through what that might look like. We pick an area of policing business and look at the risks in that area and how they are being addressed. We are not just dealing with financial matters, but with operational risks. An Garda Síochána is a policing body and policing is a risk business. Identify those risks and dealing with them is a very important part of risk management and internal audit. The two things are on the same continuum. There is more to be done and more I would like to see done but, as I have said, I have made sure that the committee knows it has my full support. I attend its meetings to answer for the management side. I hope the committee sees that attendance as me emphasising that this should be done properly.

**Deputy Alan Farrell:** I thank the Commissioner for that. Can he tell us the cost of establishing the cybercrime unit, which I know is under way?

**Mr. Drew Harris:** Costs can be drawn up for staffing and equipment. That can be provided.

**Deputy Alan Farrell:** Will the Commissioner give us an approximate cost for the establishment of the - for want of a better description - internal affairs unit which he proposes to establish by the end of the year?

**Mr. Drew Harris:** Yes. It will again be primarily a staffing cost.

**Deputy Alan Farrell:** I would appreciate it if the Commissioner comes back to us on those issues. I have a question for deputy Commissioner Twomey. Does the rota system which is on trial in Dublin represent a remarkable improvement on the rigid existing system? How long has it been on trial? Does he see it being rolled out to additional areas of the country or will the existing trial be enough to determine whether it is an effective change to the existing rota system?

**Mr. John Twomey:** We are happy that the trial fulfils the role we want it to. It is intended to roll out the new system to every other Garda division. It serves two primary functions and relates to the effective deployment of our resources. It allows us have full line of sight on our existing resources at any one time but is also a very important planning tool. There are many events coming up and there are many peaks and troughs in demand. This system gives us the ability to plan more efficiently and effectively for those.

**Deputy Alan Farrell:** Is this an initiative of Commissioner Harris or was it planned prior to his appointment?

**Mr. John Twomey:** It has been planned for a number of years.

**Deputy Alan Farrell:** Is there an additional cost? We are talking about totally new software.

**Mr. John Twomey:** Yes, there is a cost involved.

**Deputy Alan Farrell:** That cost will be recorded in the accounts for 2017 to 2018.

**Mr. John Twomey:** Yes.

**Deputy Alan Farrell:** That is fine.

**Chairman:** We will try to finish by lunchtime.

**Deputy Alan Farrell:** The Commissioner had an interesting exchange with Deputy Aylward on automatic number plate recognition. I was going to ask whether existing vehicles would be retrofitted but the Commissioner has answered that question in referencing the reduction in cost relating to new vehicles coming in. To touch upon the CCTV element of what Deputy Aylward referred to in respect of motorways and general streetscapes, would ANPR technology which is not vehicle-mounted be cost-effective or beneficial to An Garda Síochána? Can it be retrofitted to existing traffic cameras across the road network? Does the Commissioner believe it would be beneficial to An Garda Síochána in carrying out its duties?

**Mr. Drew Harris:** ANPR requires a specific camera; it cannot be operated through a standard CCTV system. It requires a camera to be connected to the appropriate software. If we look at the amount of gangland violence that involves people driving backwards and forwards when perpetrating serious crime, it is clear that the technology would be useful. It would also be significant with regard to the considerable effort we put into the prevention and detection of burglary through Operation Thor. It can be of great assistance in any circumstances in which criminals are using vehicles. It does not always have to involve a permanent fixture. Temporary cameras can be put in place from which information can be drawn via the 4G network. There are many things we can do but the legal position is a little unclear. We must be very careful that any ANPR camera does not inadvertently take images of drivers or passengers.



**Deputy Alan Farrell:** I referred earlier to professionalisation - getting officers out from behind desks and onto front-line duties - and to the ongoing recruitment to get us to a workforce of 15,000. Diversification of the force is a very important part of the Commissioner's new role. I do not refer to gender alone, but also to race and background. My constituency is in Dublin metropolitan region north for Garda purposes. A few years back 105 nations were represented in my local authority area. Is that something about which the Commissioner thinks in the recruitment process? Is diversity in this area something he actively seeks to achieve?

**Mr. Drew Harris:** Absolutely. That has been illustrated in part by the uniform changes we have introduced in respect of hijab and the turban. That is illustrative of how welcoming we want to be to the diversification of the organisation. It is important to us because our society is becoming increasingly diverse. It is critical for us to reflect that diversity in order to continue to enjoy the level of community support and confidence we enjoy at present. This can be done in a number of ways. This relates to sworn officers and all other Garda staff, including the members of the Garda Reserve.

**Deputy Alan Farrell:** Of course.

**Mr. Drew Harris:** We need to consider how we can extend ourselves by employing interns for a year as part of further education-type courses. There are many things that can be done. All of this is being done with the aim of opening up the organisation to the knowledge of more and more people. When those who know nothing about An Garda Síochána look into the force, it can seem a very mysterious place. This makes people unsure. We need to be mindful that we are competing to employ talent. We need to do all we can to promote ourselves.

**Deputy Alan Farrell:** When the Commissioner is providing various written responses to the committee at a later stage, he might indicate to us how much money the Garda has spent on the diversification of the force. It would be interesting to see what sort of money it is spending.

**Mr. Drew Harris:** Yes.

**Deputy Alan Farrell:** I am conscious of time. In asking my final question, which relates to the Garda Commissioner's transfer in a vehicle from Northern Ireland to Garda headquarters, I am by no means criticising the circumstances - I am just seeking information. I understand that the Commissioner was in a PSNI vehicle.

**Mr. Drew Harris:** That is correct.

**Deputy Alan Farrell:** I would like to ask a genuine question about the frequency of such transfers. Why did the Commissioner not transfer into a Garda vehicle? Were there firearms on board the PSNI vehicle? I presume this was a close protection vehicle and, therefore, it is likely that there were firearms on board. Is that par for the course in the interaction we have with the PSNI? I ask the Commissioner to clarify these matters for me.

**Mr. Drew Harris:** I will take myself out of this. Like other police services, we have ongoing responsibility for the protection of individuals who visit Ireland. Sometimes that involves personnel being authorised to carry firearms within the State. That has been reported on in recent weeks as well. There is variety in my own movements and my own security. That requires personnel from both organisations to cross the Border at times. I would say that, habitually, it is more a case of personnel crossing into the North.

**Deputy Alan Farrell:** I am asking about a specific instance in which the Commissioner

was in transit. Again, I am not criticising or making a pointed remark. I am seeking information. I presume it was a close protection vehicle.

**Mr. Drew Harris:** Yes, it was a close protection vehicle.

**Deputy Alan Farrell:** Therefore, they were armed.

**Mr. Drew Harris:** Yes. Regrettably, I have been the subject of some form of threat from some form of terrorist group for many years of my service. I am now at the point where I find I need close protection.

**Deputy Alan Farrell:** I understand.

**Mr. Drew Harris:** It is an intrusion into my private life that no one would seek. That is where I am.

**Deputy Alan Farrell:** I understand. I thank the Commissioner for his answers. I wish him all the very best in his role.

**Mr. Drew Harris:** I thank the Deputy.

**Deputy Alan Farrell:** I know how challenging it will undoubtedly be.

**Chairman:** I call Deputy Jonathan O'Brien.

**Deputy Jonathan O'Brien:** I will be very brief because most of the questions I intended to ask have been asked. I would like to ask about next year's budget for training and development, which represents a significant decrease on the 2018 outturn of €23.5 million. According to the second briefing note that was provided to the committee, it is proposed to allocate just €11.5 million for 2019. The 2018 provisional outturn was €23.5 million, but the budget for this year is just €11.5 million. That is a significant decrease in the training and development budget. Is that correct?

**Mr. Joseph Nugent:** It is correct.

**Deputy Jonathan O'Brien:** Why has there been such a significant decrease in the budget for this year, by comparison with what was spent last year? Was last year's figure bumped up by a particular training initiative? The 2017 figure was also in excess of €20 million.

**Mr. Joseph Nugent:** In 2018, we were rolling through a lot of new systems. This explains the significant increase in the training budget last year.

**Deputy Jonathan O'Brien:** Does it also explain why it was in excess of €20 million in 2017? Given that more than €20 million was provided in 2017 and again in 2018, it seems that all of a sudden there has been a massive decrease of almost €10 million in the 2019 budget.

**Mr. Joseph Nugent:** What is being referenced here as "training and development" includes a number of other aspects.

**Deputy Jonathan O'Brien:** Okay.

**Mr. Joseph Nugent:** There are some other elements that are not training in that sense. Some figures around RTA expenses and towing, etc., are included in that subhead. It is as much about that as it is about raw training. If it would help the Deputy, we could get a more focused

note for him on training as a strict element.

**Deputy Jonathan O'Brien:** Yes, I would like to get a figure for training. I know there are incidental expenses, but I would like to see whether there has been a decrease in the training budget in terms of continuous-----

**Mr. Joseph Nugent:** A lot of our training is equally about extraction and people moving to training. We have been trying to look at the way we are delivering our training. There has been a far greater focus on e-learning initiatives to avoid the level of extraction we have seen to date. The changes are equally reflective of the pressures that are being faced. Clearly, we have a lot of systems coming down the line. I am sure it will feature in our Estimates demand for 2020. Equally, there is a responsibility on our part to address the way we go about delivering that training.

**Deputy Jonathan O'Brien:** Could the committee be sent a note on the training element of that budget?

**Mr. Joseph Nugent:** We will do that.

**Deputy Jonathan O'Brien:** I would like to ask about some aspects of training. If he does not have the figures today, that is fine. How many members of the force have availed of safeTALK and ASIST suicide prevention training? Does the Garda run a standard training programme?

**Mr. Joseph Nugent:** I think all of our probationers do something. I do not know if there is a specific-----

**Mr. Drew Harris:** In all recent recruitments, such training has been supplied to all of our probationers during their training period. A couple of thousand members of the Garda have been put through this training. We can get a precise number for the Deputy. My understanding is that in some places, that training has extended beyond the probationer stage. There is a further figure that I will have to attain for the committee.

**Deputy Jonathan O'Brien:** One of my bugbears is that many people have not been given suicide prevention training. I am not just talking about members of An Garda Síochána; I am also talking about teachers and nurses, etc. Everybody who deals with the public, including Deputies and Senators, should have such training. I know the HSE runs these courses free of charge. There is not even an expense on it. Obviously, there is an issue around how we train so many people. I would appreciate it if we could get some figures.

The other area of interest to me is the drug units. An Garda Síochána probably deals with drugs in two separate ways. First, it deals operationally with the major players in the drugs trade. Second, many addicts come into contact with An Garda Síochána, unfortunately, and they may have drugs on them for personal use. Most drugs convictions fall into that category. In recent years, there have been more and more fatalities from heroin overdoses. I wonder if the rank and file who would be the type of people who deal with addicts daily have any training in the provision of Narcan or Naloxone, if they came across someone who had overdosed?

**Mr. John Twomey:** The wider general organisation would not have specific training in that.

**Deputy Jonathan O'Brien:** Would every squad car have a Naloxone pack? If they came across an overdose would they have a pack in the car or nearby that they could access?

**Mr. John Twomey:** No. We would not have our people trained in the delivery of that. We would be reliant on the medical services. While our people are trained in some basic first aid, they are not trained in anything more specific. Some of our firearms units and national units would have some further enhanced training but as a general rule the principle is that when we come across a medical condition we engage the services of the HSE as they are the professionals in that particular area. While we have some basic core understanding, we rely on the professionals.

**Deputy Jonathan O'Brien:** I appreciate that, however sometimes time is of the essence and by the time people ring an ambulance and it arrives, it may be too late. Although I do not have figures for the numbers of people who may or may not have been saved, in my area in Cork there are pharmacies which provide the service. They have trained pharmacists, particularly those who distribute the methadone programme. Occasionally someone may take the methadone inside the pharmacy and then overdose outside the door and the pharmacists have that training. At least members of the force who are on the beat would have some level of training in this. The more people who are trained in it and the more people who can distribute Narcan benefits addicts if gardaí come across an overdose.

**Mr. John Twomey:** That is certainly something we can take away. Our people are always conscious of what the people they encounter face. There is an important demarcation between the role of An Garda Síochána and policing and that of the health services. It is a balance that we must be very conscious of and careful about. We can consider it further but there are professionals in this area and it is very specific. We must be careful of extending the role of An Garda Síochána into this area.

**Deputy Jonathan O'Brien:** Yes. I am not asking Mr. Twomey to give a definite answer today. I am asking that it could be considered that there be a number of gardaí who have this experience as it could save a life at some stage.

**Mr. John Twomey:** We will give it consideration. The commission report, for instance, refers to critical intervention teams and greater working relationships between the professional bodies in areas such as this. It is something we can return to.

**Deputy Jonathan O'Brien:** How many personnel are in the protective service unit, PSU, roughly?

**Mr. John Twomey:** It varies depending on demand. In some areas we have upwards of 25 people and in others we have 12. We start off with a base unit of 12 people. Depending on demand being greater than that, we have double that. It depends on a case by case basis. It is in about ten Garda divisions and a further seven will be rolled out this month, and there will be a further programme to put it in place in all Garda divisions before the end of this year.

**Deputy Jonathan O'Brien:** What kind of training do those individuals undertake before being appointed to the PSUs?

**Mr. John Twomey:** They get very specific training. A training programme has been designed by the Garda college to ensure they have all the skills required to attain the functions with which they have been tasked. They also have access through the national unit which equally has further training in that area. They get a very bespoke, specific training programme because they are dealing with the most vulnerable in our society.

**Deputy Jonathan O'Brien:** What about other areas? In community policing, is the num-

ber of community gardaí increasing, decreasing or is it demand-led? In areas such as my own they work really well. If you know the first name of your community garda then he is doing a good job, and thankfully we do know the name of ours. Is there a community garda in every area?

**Mr. John Twomey:** As part of the divisional policing model that has been rolled out we have examined community policing, its role and function and how it has performed. We have provided increased resources in those specific areas. As the organisation is growing, a core principle is that we have a community policing ethos. In certain cases where the demand is such that we need people in that role specifically and full time, then that is provided. However, in other areas where it is possible to provide a full range of services that An Garda Síochána provide, that is done in a slightly different way. Where people are deployed depends on the environment but the intention is that there will be community gardaí throughout the entire country. Community policing is a core ethos of the organisation. The Deputy referred to working in partnership with people and having developed and built that relationship to provide the opportunity for our people to engage with local communities in a problem-solving type approach. It is not just about An Garda Síochána, it is about a partnership with other agencies and people.

**Deputy Jonathan O'Brien:** The community forums are a classic example of how successful that can be.

**Mr. John Twomey:** Absolutely.

**Deputy Jonathan O'Brien:** The other thing is that gardaí are human. Sometimes we kind of forget that. I am sure that gardaí face the same stresses and pressures as any other member of the public. How big are mental health issues within the force? Obviously, if a garda goes through a very traumatic experience, I am sure that there are counselling services in place to help deal with that but, in terms of general mental health, are counsellors provided if a member just wants to speak to somebody if they are feeling depressed?

**Mr. Drew Harris:** We have a 24-7 counselling service that is available, there is an employee assistance officer and staff available where members are involved in critical or difficult incidents or, indeed, if they just want to reach out. Part of our work this year in delivering the recommendations of the Commission on the Future of Policing in Ireland will be to further examine our well-being strategy for all our employees, both Garda staff and members to ensure that it is a healthy place to work. Additional resources will be made available to the chief medical officer in relation to the staff he has available to him.

We very much recognise the stresses and strains and the toll that can take on people both professionally and personally, and also on their families. We want to be in a position to offer as much support as we can. Prevention is better than cure when it comes to providing early support to individuals.

**Deputy Jonathan O'Brien:** I agree with that completely. Are many members of the force out sick on mental health issues, just from pressures?

**Mr. Joseph Nugent:** I am not sure if we have figures to hand for those classified by the nature of the illness. To echo what the Commissioner and the Deputy said, the 24-7 counselling service is a confidential service provided by an outside party. People can engage with that, and we encourage them to do so, without anyone knowing, including their own colleagues. It is certainly a service we encourage people to use.

**Deputy Jonathan O'Brien:** However, we do not know how many have taken up that service.

**Mr. Joseph Nugent:** The last figure I saw was approximately 400 in the year. It is not a huge number. Given the weekend that is in it and the Darkness into Light events that are taking place around the country, it is timely to tell members of the Garda that the service is available. It provides opportunities to have counselling delivered directly to them without engagement with the organisation. We encourage all our members and staff to use the service.

**Deputy Jonathan O'Brien:** As the witness said, that is probably a timely reminder to members of the force. Obviously there are certain professions or vocations such as the Garda where people might be uneasy about speaking about these issues internally because, regardless of whether we like it, there is still a stigma attached to mental health and I am sure the stigma within the Garda is no different.

**Chairman:** Deputy, a vote has been called in the House.

**Deputy Jonathan O'Brien:** I have a final question. To return to the drug units, are they dependent on the market? For example, in my area of Cork there are a number of drug units and a number of people assigned to them. Does that number go up and down based on intelligence?

**Mr. Drew Harris:** Yes, it does. We have a national unit and the divisional units. There is greater demand in some areas. However, it must be said that the scourge of drugs is a problem throughout Ireland so every area has a divisional unit dealing with drugs. It is a critical area for us.

**Deputy Alan Farrell:** I have a brief question for the Garda Commissioner about overtime. It is one of the questions I omitted but it is probably the most important in the context of the budget. I am Chairman of the Oireachtas Joint Committee on Children and Youth Affairs, which has oversight of Oberstown. One of the main consumers of overtime is the transfer of children on remand or in detention to courts. When they are in detention it involves An Garda Síochána and when they are on remand it involves Oberstown staff. There has to be a better way of doing that.

**Mr. Drew Harris:** Yes.

**Deputy Alan Farrell:** The overtime is being incurred by both the Department of Children and Youth Affairs in Oberstown and the Department of Justice and Equality. I wished to highlight it in this forum because of a conversation I had in the past with Mr. Patrick Bergin, the director of Oberstown, in consultation with Inspector Twomey in Balbriggan. Perhaps that can be examined because it is important. If there is a better way of doing it we should investigate it and implement it.

**Mr. Drew Harris:** I am aware of that situation. I am also aware that it has been the subject of correspondence. Hopefully, we can provide the up to date position. I am not sure it is entirely appropriate for us that children would be in our care, in effect, when they are not in other circumstances.

**Deputy Alan Farrell:** I agree, and so does Oberstown.

**Chairman:** I have a few questions and we will try to conclude the meeting shortly. Regarding the peak demand on the police service during the course of a week or month, is it the usual

Thursday, Friday and Saturday nights or are there other times?

**Mr. Drew Harris:** Sunday is also a time of peak demand because of the number of sports fixtures and so forth. In addition, Sunday has become a very sociable day, far more so than it would have been 20 or 30 years ago.

**Chairman:** How do you match your roster of officers on duty to the peak demand? There is always the question of-----

**Mr. Drew Harris:** The roster is not a good match. That is what we need to do.

**Chairman:** That is the obvious question.

**Mr. Drew Harris:** We have to redesign the roster so our overlaps are happening at times of greater demand and so there is a little flexibility. With every day being a ten hour day, I would want some flexibility from that so some days could be nine hours and other days might be 11 hours and so forth.

**Chairman:** It is a cliché but one often hears people say that on Saturday nights when there are many issues sometimes the gardaí are stretched, yet one sees plenty of them on Sunday morning when people are going to church. Does the Commissioner understand my point about the roster?

**Mr. Drew Harris:** Yes.

**Chairman:** That would be the key to utilisation of resources.

**Mr. Drew Harris:** One is the roster and the second is some flexibility within the roster. This is all within the reasonable grounds of what we can reasonably expect of an employee. Certainly they should know about the duties they are going to be detailed in the weeks in advance. We want to be a reasonable and good employer but at the same time a policing service must be provided.

**Chairman:** There have often been reports about the CSO being unable to accept the reliability of figures that come from An Garda Síochána on various matters, that it cannot stand over them and often sends them back. Can you send us a note on any sets of information that the Garda is currently collecting and which the CSO is not satisfied to publish in its statistics? It is something we hear about now and again. It is possibly the tip of the iceberg and perhaps there are more categories of information that the CSO does not publish because it is not satisfied. It would be useful to provide that to us. This will help the Garda to make the case to have whatever requirements are necessary to solve the problem.

**Mr. Drew Harris:** We can provide a briefing on that and on our endeavours to ensure our statistics and data can be reliable. The guide mark is the CSO.

**Chairman:** It is not good for anybody if one cannot rely on the figures of the police force.

**Mr. Drew Harris:** No, it is not.

**Chairman:** It is an effort to bring improvement-----

**Mr. Drew Harris:** In fairness to the CSO, we must prove to the CSO that it can have a high sense of reliability on our figures.

**Chairman:** Representatives of the CSO have appeared before the committee. If something comes from the CSO there is unanimous acceptance of it. It would strengthen your work if your statistics had the CSO stamp as well.

**Mr. Drew Harris:** Absolutely.

**Chairman:** I wish to raise a few matters from the accounts before us. Page 25 refers to compensation and legal costs. During the year in question the compensation awards were €9.8 million and the legal costs associated with that were almost two thirds of that figure at €6 million. There is a heading included that refers to civilian claims by members of the public arising from actions of gardaí in the performance of their duties. There are 196 cases. The compensation award was €1.8 million but the legal costs were €2.66 million. The committee encounters this all the time. There is the State Claims Agency and the legal costs associated with compensation payments. We like to keep the figure as low as possible but this is amazing. Is there a reason that the legal costs are higher than the compensation? Who is winning here? The legal profession was the principal winner in that case. If you do not have the specifics about that, you can send-----

**Mr. Joseph Nugent:** I do not have the specifics but I note the comment. We engage with the State Claims Agency on these issues and whether there were particularly large-----

**Chairman:** It could also be the case that perhaps there was an overhang of legal costs that just landed in that year. I do not know but there might be a reason for it. On the face of it, however, that is an isolated case that looks very bad. Ultimately, there is over 60% on top of the compensation awards that goes on legal costs. It is very high in comparison to other-----

**Mr. Joseph Nugent:** It is. I do not know, Chairman, but it is quite possible there might be some large legal costs in the middle of that.

**Chairman:** You can send us an information note on it.

**Mr. Joseph Nugent:** We will.

**Chairman:** I am curious about something on page 13 in the accounts. This crops up quite often and we have queried it with the HSE. The Garda paid €6 million in advance for ICT skilled resources payments. Why pay so much in advance?

**Mr. Joseph Nugent:** It was a capital possibility to enable us to bring forward certain payments. It is consultancy but it is related to the delivery of product. It reflected a slowdown in making other capital payments. Within the flexibility provided to us, this was one area where we could make some provision and some payments. For example, if there was a slowdown in building capital costs which were going to occur early in 2018, this was dealt with within the allocation that is available to us for savings.

**Chairman:** I am concerned about that. The Garda is making a payment to an ICT company, probably one of the biggest companies in the world, that does not really need it. How do we know that we got delivery of the €6 million worth of product when it is prepaid? The witnesses may say there was a schedule of payments but this committee is getting very concerned about prepayments and advance payments across the public service relating to ICT projects. It is not because the companies need it for cashflow purposes. It is probably historical. There is no good reason for such a level. We have seen previously in the committee that other State organisations have made pre-payments but the product was not delivered, the company went out of



existence, and the pre-payment was gone. There is a risk in making pre-payments. I might ask the Comptroller and Auditor General to comment because he is nodding in agreement.

**Mr. Seamus McCarthy:** There is that risk but it is something that committee members have pointed out previously in respect of other accounts. It is typically part of the pricing model for ICT services. It is generally factored in and taken into account. It should be reflected in a lower price overall, where the working capital and money are effectively provided in advance.

**Chairman:** The Garda might send us a note in that regard about the €6 million. It relates to 2017. Was it contracted for delivery and received?

**Mr. Joseph Nugent:** Without knowing the specifics, I can confirm that all of the systems we worked on at the time either have been delivered or they continue to be worked on. I am happy to come back to the Chairman with a detailed note.

**Chairman:** A note will suffice. It is an issue that has cropped up in several meetings and it is not specific to the Comptroller and Auditor General.

The next issue might require legislative change, which might be the answer. In one's local District Court, one will see 20 gardaí. Is it not possible for the station sergeant to give the evidence on behalf of all the station's gardaí, instead of 20 gardaí lining up? On the topic of the District Court, I have stated in the committee on previous occasions that some of the best value for money in any section of any State organisation is the amount paid to inspectors who present cases in District Courts throughout the country. The inspectors receive a small allowance for the extra work. In the course of a day, there might be 50 or 100 cases, with ten solicitors coming and going, and one inspector is able to handle every case. I say this as a tribute to them. If that service had to be provided by the matching legal service of the defence, it would cost millions of euro. It is a tremendously efficient system, which, I am sure, is good training for inspectors to understand the legal system. Can anything be done to use the Garda's manpower in order that gardaí do not have to sit in court? I refer to speeding fines and offences, for example.

**Mr. Drew Harris:** That is part of the work Mr. Twomey has taken on on my behalf, namely, what our obligation is to go to court and whether one member can lift a number of cases, successfully attend and do whatever presentation is needed. Sometimes it is limited. We want to look at it because it is a drain on our resources.

**Chairman:** Mr. Harris might send us a note in that regard.

**Mr. Drew Harris:** Yes.

**Chairman:** If there is a legislative reason it cannot be done, that is our fault rather than the Garda's. I wish only to clarify the issue.

People often find the following matter curious. The Garda received an income of €83,000, effectively as commission for collecting insurance premiums on behalf of insurance companies. Is that car insurance or something else? Why is the Garda collecting insurance premiums for insurance companies? It appears in the accounts every year but I just do not understand why the Garda collects money for insurance companies. What was the total sum collected, and what was the commission for An Garda Síochána?

**Mr. Joseph Nugent:** We will have to come back with a detailed note on that.

**Chairman:** We are happy with that. The figure jumps out at me. Perhaps somebody was

charged with not paying insurance and handed the money to the Garda to pay over. It appears in the accounts every year but it is unusual. It is listed under income received by An Garda Síochána. The Garda might revert to us with a note in that regard.

Does the Garda provide escorts for the movement of cash between banks? There was a time when the Garda was paid a great deal of money, although perhaps it does not do it anymore. Who carries out that task now? Is it the Garda?

**Mr. John Twomey:** The process changed. Previously, it was a specific function but it is now done on a more case-by-case basis. A different process is in place.

**Chairman:** The Garda does not charge for it anymore.

**Mr. John Twomey:** No.

**Chairman:** Why do the banks receive the service for free from the taxpayer to protect their money, given that they paid for it a couple of years ago? I accept the Garda's argument that there is a public interest in ensuring the money is not stolen, in case it makes its way into the wrong hands.

**Mr. Drew Harris:** It is quite a limited deployment on our part.

**Chairman:** It is limited at this stage.

**Mr. Drew Harris:** Yes, at this stage.

**Chairman:** It is reduced.

**Mr. Drew Harris:** Yes. In fairness, it is reduced through the application of technology by the money transit firms. They have brought to bear far greater technology for the protection of cash. It has virtually got rid of the need for our involvement. There was some concern, but that concern was probably due to a specific threat or intelligence we might have.

**Chairman:** The Garda's interaction with the OPW was mentioned. I got the impression the Garda might prefer to handle some of the smaller matters. If a door breaks in a Garda station, does the OPW have to fix it?

**Mr. Joseph Nugent:** We have small allocations at station level, where people can do some minor works, although the OPW, too, provides for some of that. In the context of the conversation with Deputy Kelly, where we get into difficulty is when the money sits on one part - it does not matter where it is - while responsibility for the delivery of the service sits elsewhere. Whether that sits on our side or on the OPW's side, the money should follow the activity, which is where I recommend we look to.

**Chairman:** The Garda can send me a note on the following matter, although our guests might smile. I have tabled a series of parliamentary questions to the OPW and the Minister for Justice and Equality about the canine unit. I understand that the Garda has a policy of trying to house Garda dogs in the properties of their handlers in order that they will have a good relationship.

**Mr. Joseph Nugent:** Yes.

**Chairman:** I have followed the matter for a year or two. The Department of Justice and Equality had approved the initiative, as had the Garda and the OPW. I am now told that the cost

to the OPW, for what one would have thought was a minor issue, is quite high. I accept that the OPW has to do whatever it must and that people have different types of properties. I have been told that the OPW has done it in one or two cases. The Garda might send us a note on the current status of the initiative.

**Mr. Joseph Nugent:** I can update the committee now.

**Chairman:** I am delighted to hear it. I hope the members of the canine unit are listening.

**Mr. Joseph Nugent:** They are. They have been onto me in the past few days.

**Chairman:** They have been onto me too.

**Mr. Joseph Nugent:** We have looked at the nature of similar kennelling arrangements used by other services, such as by the Revenue Commissioners. We have sourced an approach and, through bulk buying, will be able to reduce significantly the costs associated with the provision of those kennels. Everyone will be pleased to hear we will be able to roll out additional kennels to dog handlers this year. That is all in hand and being sorted. With the assistance of the OPW and following some work we did ourselves, we have resolved the matter.

**Chairman:** The Garda might send a note on the Laois-Offaly division Garda headquarters, in which I, like everyone else, have an interest. I know there is a proposal for a major extension to the division headquarters in Portlaoise. I will not delay the meeting but the Garda might send an update in writing. I thank Commissioner Harris, and his officials, as well as the officials from the Departments of Justice and Equality and of Public Expenditure and Reform. I also thank the Comptroller and Auditor General and his staff for their attendance. It is agreed the clerk will seek any follow-up information and carry out any agreed actions arising from the meeting.

We will adjourn until 16 May, when we will resume our examination of the financial statements of the National Paediatric Hospital Development Board.

*The witnesses withdrew.*

The committee adjourned at 1.30 p.m. until 9 a.m. on Thursday, 16 May 2019.