

DÁIL ÉIREANN

AN COISTE UM CHUNTAIS PHOIBLÍ

COMMITTEE OF PUBLIC ACCOUNTS

Déardaoin, 31 Márta 2022

Thursday, 31 March 2022

The Committee met at 9.30 a.m.

MEMBERS PRESENT:

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| Deputy Colm Burke, | Deputy Imelda Munster, |
| Deputy Jennifer Carroll MacNeill, | Deputy Catherine Murphy, |
| Deputy Matt Carthy, | Deputy Verona Murphy, |
| Deputy Alan Dillon, | Deputy James O'Connor, |
| Deputy Paul McAuliffe, | Deputy Sean Sherlock. |

DEPUTY BRIAN STANLEY IN THE CHAIR.

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

2020 Report of the Comptroller and Auditor General and Appropriation Accounts

Vote 20 - An Garda Síochána

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

Chairman: I welcome everyone to this morning's meeting. Apologies have been received from Deputy Cormac Devlin. In order to limit the risk of spreading Covid-19, I ask that all those in attendance wear face coverings when not addressing the committee. The service requests that members continue to wear face coverings when moving about the campus and when in close proximity to others, and to be respectful of other people's physical space. We urge people to heed the public health advice. Members of the committee who are attending remotely must do so within the precincts of Leinster House. This is due to the constitutional requirement that in order to participate in the public meetings, members must be physically present within the confines of the place the Parliament has chosen to sit.

The Comptroller and Auditor General, Mr. Seamus McCarthy, is a permanent witness to the committee. This morning we will engage with An Garda Síochána to examine the 2020 appropriation accounts for Vote 20.

We are joined in the committee room by officials from An Garda Síochána: Mr. Drew Harris, Garda Commissioner; Dr. Shawna Coxon, deputy commissioner for strategy, governance and performance; Mr. Joseph Nugent, chief administrative officer; and

Ms Kathryn Clifford,

executive director, finance and services. We are also joined by

Ms Marianne Nolan, principal officer in the Justice Vote section of the

Department of Public Expenditure and Reform. You are all very welcome.

I ask those attending remotely to mute their microphones when not contributing so that we do not pick up any background noise or feedback. As usual, I remind all of those in attendance to ensure their mobile phones are on silent mode or switched off.

Before starting, I will explain some limitations to parliamentary privilege and the practice of the Houses in respect of references witnesses may make to other persons in their evidence. Within the precincts of Leinster House, they are protected by absolute privilege in respect of the presentation they make to the committee. This means that they have an absolute defence against any defamation action for anything they may say at the meeting. However, they are expected not to abuse this privilege and it is my duty as Cathaoirleach to ensure it is not abused. Therefore, if their statements are potentially defamatory in respect of an identifiable person

or entity, they will be directed to discontinue and it is imperative that they comply with such directions.

Members are reminded of the provisions within Standing Order 218 that the committee shall refrain from inquiring into the merits of a policy or policies of the Government, or a Minister of the Government, or the merits of the objectives of such policies.

Members are also reminded of the long-standing parliamentary practice that they should not comment on, criticise, or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.

I now call on the Comptroller and Auditor General, Mr. Seamus McCarthy, for his opening statement.

Mr. Seamus McCarthy: The 2020 appropriation account for Vote 20 - An Garda Síochána recorded gross expenditure of €1.93 billion. This was an increase of almost €134 million, or 7%, on the prior year. Almost two thirds of the expenditure was related to payments of salaries, wages and allowances, which totalled €1.23 billion in 2020. A further €354 million was spent on pension and gratuity payments to retired gardaí. These two areas account for over 80% of voted expenditure in 2020.

Most of the larger Votes are presented in terms of expenditure in relation to key functions or service areas. In contrast, Vote 20 is presented mainly in terms of expenditure by resource type or input classifications. These include standard administration input costs, as well as costs associated with construction and maintenance of buildings, vehicle purchase and operation, and IT and communication systems. As a result of this budgeting and accounting approach, the account does not disclose the cost of individual Garda outputs and deliverables, such as community policing, traffic policing, white-collar crime investigation or other specialist functions.

At the end of 2020, approximately 17,800 whole-time equivalent staff were employed with An Garda Síochána. Of these, just over 14,500 were attested gardaí or trainees, and 3,100 were civilian employees in a variety of roles.

The amount of the budget provided for 2020 that remained unspent at the end of the year was €16.3 million. Of this, €12.7 million in unspent capital funding was carried over to 2021. The remaining €3.6 million was liable for surrender.

I issued a clear audit opinion in relation to the appropriation account. However, I drew attention to the disclosure in the statement on internal financial control of non-compliant procurement by An Garda Síochána of €8.8 million worth of goods and services in 2020. The statement on internal control also discloses significant financial and other risks faced by An Garda Síochána, as well as the steps taken to address those risks.

Chairman: Mr. Harris is very welcome. I invite the Garda Commissioner to make his opening statement.

Mr. Drew Harris: I thank the Chairman and the committee for the invitation to the meeting to examine the 2020 appropriation account of An Garda Síochána. My team has already been introduced to the committee.

The 2020 gross expenditure of An Garda Síochána was €1.94 billion. After taking account of appropriations-in-aid of €115 million, the net expenditure was just over €1.8 billion. Fund-

ing is provided to An Garda Síochána through Vote 20 and it supports all of our policing activities. The year 2020 was an unprecedented year due to the Covid-19 pandemic and was an extremely challenging year for policing and for all of our citizens. Public health was of the utmost importance and required unparalleled restrictions on freedom of movement of people, normal business activities, sporting and social activities. An Garda Síochána was tasked with policing and supporting the Government, the community and businesses on the measures imposed due to Covid-19. As an organisation, we responded quickly, and in doing so gardaí and staff members demonstrated commitment, flexibility and resilience in this emergency, and dedication to the continued protection of our society and citizens.

Some immediate actions undertaken included maximising the availability of gardaí for high-visibility community policing, which necessitated new roster arrangements, restrictions on annual leave, the postponement of some retirements, the acceleration of the attestation of some 300 student gardaí and the allocation of additional gardaí to front-line duties. Operation Fanacht was put in place and this consisted of an extensive network of thousands of checkpoints established across the country, with more than 2,500 gardaí involved with these checkpoints daily at the height of the restrictions. Other activities included supporting members of the public and community who were cocooning. We delivered essential supplies, including food and medicines, worked with the Government on Covid-19 emergency legislation and the provision of Covid-19 advice with our office of internal communications, OIC.

Importantly, 2020 also saw the launch of Operation Faoiseamh in response to the increase in domestic abuse-related calls received by An Garda Síochána during the Covid-19 pandemic. The objective of this operation was to provide enhanced support and protection to victims of domestic abuse, and 22,795 contacts and attempted contacts were made by members of An Garda Síochána with victims of domestic abuse during 2020. The organisation also responded to more than 43,000 calls for assistance in respect of domestic abuse incidents and more than 11,600 criminal charges were created in 2020 for crimes involving an element of domestic abuse, including breaches of domestic violence orders. We also accelerated the implementation of technology across the organisation, providing the platform for personnel to move quickly to remote working and the provision of 3,000 mobile data stations to front-line gardaí. We also provided essential personal protective equipment, PPE, in an effective manner to our members and staff during this time, resulting in An Garda Síochána maintaining an employee resilience rate of approximately 95%.

In addition to policing activity related to Covid-19 measures, normal policing services continued. This was essential for the prevention, detection and investigation of crime, which continued to be committed. An example was the collection of more than €45 million related to seizures of illicit drugs and cash. Numerous firearms and thousands of rounds of ammunition were also seized. Work also continued on cybercrime, with some 400 new cases reported and 333 cases closed in 2020.

Policing activity in Ireland is funded in the main through the Exchequer, and while the activities required due to the impact of Covid-19 pandemic can make comparisons with other times somewhat difficult, I am confident as the Accounting Officer of An Garda Síochána that public moneys under my control were expended in 2020 in accordance with the ethos of value for money and investing in the future of our services on behalf of the Government and our citizens. This investment included maintaining and building the capital structure to support our policing. We continue to invest in our fleet, which is obviously an essential resource for Garda operations, and we reached a record number of 3,100 vehicles in 2020. In line with Govern-

ment policies on sustainability, climate change and low carbon emissions, we are in the process of developing strategies to move to a more sustainable fleet of electric vehicles, EVs, and a pilot programme is in place.

The property portfolio in use by An Garda Síochána is extensive. It includes more than 560 stations and a range of other national support, administrative and specialist facilities. As the structure of the organisation evolves, there is also a need to ensure the estate aligns with evolving operational needs. A number of refurbishments and upgrades were completed in 2020 and work commenced on the site of a new Garda security and crime operations centre at Military Road. Not all the bureaux currently based in Harcourt Square will be transferring to the new centre at Military Road, with some being allocated elsewhere. Accommodation solutions are being provided by the Office of Public Works, OPW, to meet the requirements of all these bureaux. Accommodation is a crucial element of facilitating policing activities and we must further future-proof in this area. Hence, my officials continue to engage with the OPW on capital and maintenance works across Ireland. This includes an exciting project where we are working with the OPW in Dublin City Council on the proposed development of a substantial new Garda station and facilities on Dublin City Council lands at the corner of the R139 and Malahide Road at Northern Cross.

My officials have provided a written response on the implementation of the committee's previous recommendations. While the pandemic has impacted the rate of progress on some of these matters, I assure the Chair and members that I take the committee's recommendations very seriously and that we are working on completing the implementation stage.

Tragically, we were all given a stark reminder in 2020 of the risks run by gardaí while carrying out their duties when our esteemed colleague, Detective Garda Colm Horkan, was killed on duty on 17 June 2020. Colm had served his local community for 24 years and was well known and respected for his police work and community work, particularly with his local GAA team.

I take this opportunity to thank most sincerely all the people who worked in and with An Garda Síochána for the delivery of policing services during the Covid-19 pandemic and the Minister and the Department of Justice for their assistance and support. I also thank the Comptroller and Auditor General, Mr. Seamus McCarthy, and his staff for their work and the committee for the time provided for this opening statement.

Chairman: I thank the Commissioner. I call Deputy O'Connor, who is the lead speaker today.

Deputy James O'Connor: I welcome the Commissioner and his management team to the committee. Members of An Garda Síochána served the State greatly in recent years. It has been a difficult time with Covid-19. My first question is a consequence of what arose in 2020. Has An Garda Síochána increased the mental health supports it provides for members of the force serving on the front line? Gardaí on the streets are facing new challenges. Unfortunately, we also saw a major increase in online abuse directed at gardaí, which proved difficult for some members of the force to deal with. It contributed, unfortunately, to a number of serious and problematic cases, including cases of suicide. I ask the Commissioner to comment in this regard.

Mr. Drew Harris: Before I pass over to Mr. Nugent, we take this area seriously and we are investing in it. The duties undertaken by members of An Garda Síochána are difficult and, at times, traumatic. Throughout the Covid-19 pandemic, and in the years before that, our mem-

bers have been dealing with difficult operational situations on the ground. We are conscious not only of our members' physical health but also of their mental health in respect of repeated exposure to traumatic incidents. Mr. Nugent will comment further.

Mr. Joseph Nugent: I thank Deputy O'Connor for his words on this subject. As the Commissioner said, we recognise the need to engage with our members and to provide supports for members who are dealing with traumatic circumstances all the time. In recent years, we have invested in a range of different options in providing those supports. These have included matters like a confidential, independently-run 24-7 counselling service being made available to members. Our chief medical officer, who takes the lead in this area, has got agreement for and has put in place a new well-being strategy for the organisation in general. In the last year, we have launched a specific app that provides a range of supports and advice in this regard, including contact details for our existing services. Our employee assistance service has officers around the country delivering that piece. Peer supports are provided by colleagues who are in a position to provide guidance and assistance and technical supports are provided by independent agencies. It is an area we feel we need to do more on, and certainly the well-being strategy will see us do more in this area.

Deputy James O'Connor: I thank the Commissioner and Mr. Nugent for their responses. We must show increased concern given the rise in these types of issues facing members of An Garda Síochána on the beat, patrolling our streets.

There have also been serious issues with An Garda Síochána in recent years. To outline a few, we are potentially looking at the omission of capital projects valued at approximately €97.8 million in the Garda appropriation accounts and flawed budgetary processes, which it could be argued would have required Supplementary Estimates for the previous six years. This is of great concern. There were also issues concerning the Garda training college.

I will direct some questions to the Commissioner and I would like to get brief answers, if possible. Can he confirm that An Garda Síochána has complied with all procurement regulations, with particular reference to the procurement of armaments and Garda cars, for example, and also including the procurement of legal services over the value of €25,000, as per the guidelines of the Department of Public Expenditure and Reform?

Mr. Joseph Nugent: We comply and where we do not comply, we make a statement to the Comptroller and Auditor General around the non-compliance. There are areas that have presented challenges, particularly in the procurement of storage and towing of vehicles, some medical services and, in the past, the provision of uniforms. Since this period, we have addressed many of those, including as we speak. Evaluations are ongoing on the contracts for storage and towing of vehicles. As members will be aware, we awarded and are about to roll out a new uniforms contract and we are satisfied that will address many of the concerns presented around the procurement area.

Deputy James O'Connor: On the fact that we have had Supplementary Estimates for the past six years, can Mr. Nugent guarantee us that this will not be the case this year? Is An Garda Síochána undertaking work to address that fact?

Mr. Joseph Nugent: The Supplementary Estimate has fallen in recent years as a percentage of the total amount that has been in place. We continue to seek to resolve those issues. Over the course of the past couple of years, the challenges of the additional expenditure required in policing the pandemic has had an impact on us and has had a requirement for us to move into

that Supplementary Estimate space. We are keeping our funding and expenditure under close review and the intention is to come in within budget this year.

Deputy James O'Connor: I thank Mr. Nugent very much. I will also ask the Commissioner a number of questions on the years we are studying, 2020 in particular, as An Garda Síochána faced an extraordinary year that year. It was also extraordinary from a controversy perspective in that a number of high-profile cases involving people in public life arose during the early stages of the pandemic. Section 41, of which I am sure the Commissioner is very familiar, is around how the Commissioner communicates sensitive information to the Government in respect of people who are in public life and other aspects where he feels there may be a matter of concern. Generally, when the Commissioner is engaging under section 41 does he communicate with the Minister for Justice directly or with the Secretary General of the Department of Justice?

Mr. Drew Harris: In the main, a section 41 communication is a written one and I have to complete a return of those communications every year. There is, therefore, more a formal process of writing a letter as opposed to a verbal communication. Inevitably, I write to the Secretary General under the section 41 process.

Deputy James O'Connor: The main topic of interest here at the time would have been the then European Commissioner, Mr. Hogan. Am I correct that the section 41 process was used in that particular case?

Mr. Drew Harris: I look to the Chairman as I am not sure about going into a specific case.

Chairman: That would be outside the remit of the committee. If the Commissioner is happy to answer the question, I will allow him to do so but the Deputy is straying somewhat there.

Deputy James O'Connor: May I just ask-----

Chairman: Please allow the Commissioner to respond first

Mr. Drew Harris: If I may explain, a section 41 communication is a communication between me and the Minister. It is a protected communication but it is for the Minister then to decide how to treat that communication after it has been received from me.

Deputy James O'Connor: Would it generally be in writing?

Mr. Drew Harris: Yes, it would.

Deputy James O'Connor: Will the Commissioner outline the Garda's role in policing the Health Acts during the pandemic?

Mr. Drew Harris: We were acting in support of the Government's strategy in trying to suppress Covid-19. We were given regulations that varied in terms of people's ability to move and businesses that could be undertaken. We were given charge of the enforcement of those regulations. One issue was the amount of community concern and fear there was as Covid-19 broke out and as to how we would respond appropriately. The very appropriate response, I felt, was one of community policing. However, in respect of enforcement we also adopted what we call the "four Es", where we would engage with people, educate them in respect of what the restrictions were, encourage and then the final matter would have been around enforcement. Much of what we were doing was encouraging people to comply but, in the main, the vast majority of people were very compliant with the regulations. The regulations were separate from Govern-

ment advice. We were enforcing regulations. We were not enforcing what was, in effect, health advice, which had no standing.

Deputy James O'Connor: That is interesting. On the golfgate event that took place in Clifden, there was obviously very poor judgment shown on the part of those who attended the event, which caused enormous public outcry, and rightly so. Does the Commissioner have any information on the cost of the subsequent decision by An Garda Síochána to investigate this event? This case has been before the courts and has concluded with a verdict that those who were in attendance were not breaking the law in many cases. How much did that event cost An Garda Síochána, given the scale and number of people involved in that investigation?

Mr. Drew Harris: I cannot provide a direct cost as that has not been costed. I am not sure if I wish to go much further. Those were individuals, an investigation happened and the matter was dealt with through the courts.

Deputy James O'Connor: The issue here is that, as the Commissioner knows well, this had a significant impact on the careers and public profiles of the people in question. That is obviously an issue of huge public concern. The Commissioner will appreciate the basis of the question I am asking. Would it be possible for him to revert to committee with a figure?

Mr. Drew Harris: We can certainly do a costing of that investigation. On the Deputy's second point, we police to the regulations as we do to the law so-----

Deputy James O'Connor: An Garda Síochána initiated an investigation as directed by an inspector in the region in question.

Mr. Drew Harris: That is what we are charged by the Garda Síochána Act to do. We are charged in legislation both to prevent and detect crime as we find it.

Deputy James O'Connor: This was subsequently proven not to be the case in the courts.

Mr. Drew Harris: The act of investigation is to find evidence. The file was obviously completed to the satisfaction of the Director of Public Prosecutions because a prosecution was mounted.

Deputy James O'Connor: I wish to put on the public record that it was very unwise for those who attended this event to do so given the situation nationally. I feel many of them regret attending. It would be appreciated if the Commissioner would revert to the committee with further information on that matter.

On the overpayment of salaries, which is a major issue in An Garda Síochána, can the Commissioner assure the committee that the overpayment of salaries, pensions and overtime payments, which has continued for some years now, has been ended and that the statutory audit committee will not be reporting this matter to continue in the budget year of 2022?

Mr. Drew Harris: Our internal audit committee is very active in this area and we reported only last week to it on the action that was taken. I will pass that question over to Mr. Nugent.

Mr. Joseph Nugent: I can confirm to the Deputy that the value of the overpayments on salaries has reduced and we continue to take action to eradicate this. This has included the development of a new policy, which is currently the subject of discussions with the representative bodies. We are progressing the reduction as fast as possible. One of the challenges we face is in the pensions area, over which we have no direct control, and involves pension payments

to Garda members in advance. That presents, as the Deputy can appreciate, a systemic issue around the possibilities for overpayments. We are in discussions with the Department of Justice around this issue seeking change that would, in time, move that to being paid in arrears to reduce the likelihood of that. We are very confident that we will reduce overpayments in the general area of salary.

Deputy James O'Connor: On matters of investigation for An Garda Síochána, there appears to be serious discrepancies depending on the level of controversy in some investigations. In particular, I would mention that the committee has been waiting for the GSOC investigation into the Garda training college. That has been going on for over five years. Is there any degree of clarity or closure coming to that? What progress has been made in that investigation in respect of land ownership in the Garda training college, which is a huge issue? Can the Commissioner report to the committee on that?

Mr. Drew Harris: The question of the investigation properly lies with the Garda ombudsman, so it is not in my remit. I have no supervision of that or locus in the matter, so I cannot give an update on what the progress of that investigation is. I know it is ongoing and that, presumably, it will report to the Director of Public Prosecutions. However, I cannot actually give an update as to where the investigation is at this time.

On the lands, the college has been asked to update Mr. Nugent on the present position.

Mr. Joseph Nugent: I equally hold a position of director of this now infamous Sportsfield Company Limited, which was involved on this. I will speak with both my hats on. The transfer of the playing field lands has been completed and that is in the hands of the OPW. That is the physical playing field areas. The one area of interest in land that is outstanding is in the golf club space. The solicitor for Sportsfield informed me last night that he understands the OPW and the golf club expect that the issue around the land transfer would be completed in the next number of weeks. They put forward a date but-----

Deputy James O'Connor: Does the Commission think it is acceptable for an investigation like this to take five years?

Mr. Drew Harris: I do not think it is fair for me to comment on a separate investigative entity and the progress it is making. It is obviously a complex investigation but it properly lies with the Garda Ombudsman.

Chairman: Representatives of the Garda Síochána Ombudsman Commission, GSOC, will be before the committee next week. I call Deputy Munster who has ten minutes.

Deputy Imelda Munster: I thank the Chair. Good morning everybody. I will start with the cancellation of 999 emergency calls. Will the Commissioner give us some information on the methods used by the gardaí involved?

Mr. Drew Harris: In respect of the-----

Deputy Imelda Munster: In respect of circumventing having to deal with those emergency 999 calls.

Mr. Drew Harris: Might I say that all of these calls were received and recorded on the computer-aided dispatch, CAD, system. We have set in place a very high standard in respect of the response to domestic abuse. In effect, what was happening was that our processes were not

being followed in respect of those domestic abuse calls. The actual act of cancellation of a call can be warranted because we have calls that can resolve themselves, for example, alarm calls, calls by other agencies for assistance which are then resolved and also multiple and duplicate calls for, say, a serious road traffic collision. The numbers are huge but we found when we worked through the cases that the numbers distil down to 5,871 incidents that we had particular concerns about. Of those, we found there was an invalid closure in 2,689 cases, in that a PULSE incident should have been opened. A CAD incident was opened but in 2,689 incidents a PULSE incident was not opened. Of those, we have created 2,316 incidents and have uncovered what we believe is 134 crimes not recorded.

All the reasons for invalid cancellations have been analysed. There are almost 20 reasons, one of which is very prevalent. In 28% of cases, or over 800 calls, the call was cancelled by the caller. In other cases, there was either no offence, or the case was closed or cancelled by the car crew. That is where we run into problems because if a caller rings back and says they want to cancel a call, it is our policy that we should still attend, investigate and follow through in completion of a PULSE incident. There was a breakdown in terms of practice and behaviour within the control rooms but also among those responding. We have addressed that in terms of processes around who can cancel - only supervisors can cancel - and then dip sampling and supervision. We have revisited the training provided to those working in command control as well.

Deputy Imelda Munster: Is the Commissioner or is the investigation confident that it has identified all the gardaí involved?

Mr. Drew Harris: We are working through the discipline issues at the moment. Because of the records we keep, in all the incidents there is a CAD incident and, therefore, there is a record of who the call was received by, who it went to and how it was finished off. We are, therefore, able to identify the individuals involved and look to discipline or retraining and further training issues as required.

Deputy Imelda Munster: There is retraining or further training. The Commissioner gave us some figures. Can he provide an up-to-date figure without those cases that could warrant cancellation? Initially there were 200,000 calls and then a further 19,000 were identified as having been cancelled. Can the Commissioner give an up-to-date figure of the total number of cancelled calls that could not be justified?

Mr. Drew Harris: The figure we have at this moment is that 2,932 were incorrectly closed CAD incidents. Those incidents were created but not moved across to PULSE.

Deputy Imelda Munster: On cases relating to domestic abuse, how many calls have been identified in total as having been cancelled?

Mr. Drew Harris: The vast majority of the 2,932 cases relate to domestic abuse-type calls.

Deputy Imelda Munster: How many prosecutions have resulted from revisiting the cancelled calls?

Mr. Drew Harris: We have recorded 134 crimes which initially had been missed during that period. That is about 2.5% of the incidents that were cancelled. The majority offence is minor assault. We have run into problems in respect of matters being statute-barred. As a result, some of the prosecutions cannot be followed through on.

Deputy Imelda Munster: Sorry, what was the reason for that?

Mr. Drew Harris: They were statute-barred under the Statute of Limitations, given the period we were examining and the passage of time.

Deputy Imelda Munster: Was that because the calls were cancelled initially, there was no follow-up and they were not logged?

Mr. Drew Harris: They were cancelled initially. Our subsequent follow-up and examination of the cases, including engagement with the victims in all of them - it has not just been a desktop process; we have re-engaged with all the victims - have intimated that 134 crimes have been missed that should have been subsequently investigated. There may have been a prosecution but we cannot be clear because, in effect, we missed the opportunity to investigate and report the matter.

Deputy Imelda Munster: I asked about prosecutions earlier. What about disciplinary procedures as a result of the missed calls and so on? It was reported that gardaí had discussed in a WhatsApp group exactly how to circumvent having to deal with those emergency 999 calls. Did the investigation seek access to that chat group?

Mr. Drew Harris: I will pass over to Dr. Coxon to brief the Deputy on the disciplinary investigation.

Deputy Imelda Munster: Before that, 134 cases were not prosecuted. Does the Commissioner feel that is a crime in itself? I am referring to gardaí not doing their job.

Mr. Drew Harris: This is what we are now specifically examining, in respect of each of those cases, to see if there is a discipline case to answer. I am not sure whether there was crime in them. If there was, then we would obviously report that matter to the Director of Public Prosecutions.

Deputy Imelda Munster: Yes, but I am talking about a crime stemming from the cancelling of calls. Can we get an answer on the question about access to the chat group?

Chairman: The Deputy has two minutes left.

Deputy Imelda Munster: I also want to know whether the records were requested.

Chairman: Deputy Commissioner Coxon wants to answer that question.

Dr. Shawna Coxon: I appreciate the question and want to assure the Deputy that these are being investigated as serious misconduct. We have in fact started the disciplinary process. We are probably about halfway through it at this point in time. I do not want to answer the question about the WhatsApp chat group because as we move forward into disciplinary hearings, including tribunals, and having cases reviewed potentially by the DPP, I do not want to get into evidentiary pieces that could compromise that. However, we have started the process. Several discipline matters have commenced in terms of laying of misconduct on individuals and that process continues. It is an extremely lengthy process where the calls must be reviewed, all of them, by each member by the chief in charge, so it is quite a comprehensive process.

Deputy Imelda Munster: Okay. On that, how many gardaí have been suspended to date because of it?

Dr. Shawna Coxon: I believe there are two suspended at this time.

Deputy Imelda Munster: Two gardaí.

Dr. Shawna Coxon: Yes.

Deputy Imelda Munster: All right. I appreciate that this is ongoing to a certain extent, but given that there were 2,932 cancelled domestic violence calls, I would be worried that there are just two gardaí suspended. Two gardaí did not cancel 2,932 domestic violence calls. Then there are all the other ones. This was widespread.

Dr. Shawna Coxon: That is correct. That is the challenge in the sense that it is really being looked at individually, and to look at it individually in so many cases is taking quite a lengthy period of time. It is ongoing and certainly they are being dealt with by way of the full spectrum of misconduct available to us, including serious misconduct.

Chairman: I thank the deputy commissioner. We are over time. I will let Deputy Munster back in for a second round of questions. Following on from her question, I ask Dr. Coxon if there is a timeframe for the completion of those disciplinary procedures.

Dr. Shawna Coxon: I do not have a timeframe for the-----

Chairman: It has been going on for months.

Dr. Shawna Coxon: -----completion of it. We can continue to give updated figures. The challenge is they started quite small and they are growing, obviously, and we do not want anyone identified. It is the same reason I do not want to answer the WhatsApp question because I do not want to get into specifics on a case. Within six months we should know exactly where we stand with very few left to go.

Chairman: Okay. Perhaps Dr. Coxon might come back to the committee with that.

Dr. Shawna Coxon: Certainly.

Chairman: I thank Dr. Coxon. Some Deputies are at other committees this morning. Deputy Carroll MacNeill has been counting Seanad votes. Deputy Verona Murphy is next.

Deputy Verona Murphy: I thank the Chairman and wish all our guests good morning. I begin with the potential for gender balance in relation to An Garda Síochána. In the context of the previous question from Deputy Munster, the numbers in relation to gender are very low. Is there any significant recruitment drive to address this?

Mr. Drew Harris: In respect of the composition of the organisation, we are at approximately 28% or 29%. On a European comparison we would be one of the best with respect to gender representation. In our latest recruitment competition it is recorded that approximately 40% of our applicants are women, so those are very positive. We have very powerful women represented throughout the senior leadership team and senior management within the organisation. All of that is positive with respect to the outlook, behaviour and culture within An Garda Síochána. There is obviously more to do. We hosted a recent International Association of Women Police conference and that really threw down the gauntlet about what else might be done in respect of increasing the number of women within An Garda Síochána, particularly within the ranks of those who are sworn members. I am very conscious I am sitting beside Deputy Commissioner Coxon. I wonder whether she has more to add in respect of this.

Deputy Verona Murphy: Just before she does, I wish to point out that there has been a decrease in the number of female gardaí from 2018 to the present day.

Dr. Shawna Coxon: I will tell the Deputy very openly that one of the reasons I was intrigued to come here was that the numbers are higher than anything I had seen in comparison with Canada. I love the Deputy's question because that is the place we want to get to. We want to get to gender balance, looking at the population, and to be reflective of the population.

There are a number of things we are looking at. Certainly, action 16 is something the Commissioner has sponsored, along with the Minister. We also sit on other initiatives around this but it is about looking tactically at some of our procedures like, for example, how we manage family leave. When we speak to women across the organisation those things are pivotal to deciding how long they stay and whether they come into the organisation at all. In addition, we have a women's support network now. It was championed by the Commissioner and has been in place for just under two years. The benefit of that is in women coming together and sharing what barriers they see from their lived experience in the organisation and in looking at how we can get those barriers out of the way in order to we can encourage women not only to come into the organisation but to stay in it. The most compelling reason for women to want to come to An Garda Síochána is when you can see yourself in the organisation.

Deputy Verona Murphy: A quick question. Are there targets and are they currently being met?

Dr. Shawna Coxon: I am not aware of any specific targets but the number continues to be examined, certainly in every recruitment drive. The Commissioner mentioned a figure of 40%. With this recruitment drive, we went out with a specific emphasis on diversity and gender so----

Deputy Verona Murphy: What is the current breakdown with respect to minority groupings within An Garda Síochána?

Mr. Drew Harris: Under the present rules around GDPR we do not record ethnicity as an employer. We are going through an exercise that is an analysis of the PPS numbers. That may give us anonymised information in respect of the composition of An Garda Síochána. That is being done, in effect, outside the organisation and the information is being provided back to us. That will give us a benchmark of where we are at the moment. The figures around our recent recruitment competition are still being analysed but look very favourable in terms of representation among those who have applied for An Garda Síochána. We are pleased about that but are very conscious of our composition and our make-up.

On gender balance, it should very obviously be 50:50. That is an obvious point to make and one that was made at the recent International Association of Women Police conference. We are committed to being sure An Garda Síochána is seen as an employer that welcomes everyone and makes full use of the skills and attributes of those who wish to join.

Deputy Verona Murphy: Garda management may or may not have notice of this, but were any female gardaí identified as having cancelled calls?

Mr. Drew Harris: Yes. In the figures we have gone through, that is the 2,732 calls, both male and female members and staff were involved in those calls.

Deputy Verona Murphy: Does the Commissioner have percentages in relation to the bal-

ance of who cancelled the calls, by any chance?

Mr. Drew Harris: No, I do not have those figures.

Deputy Verona Murphy: Would he be able to provide them?

Mr. Drew Harris: As the Deputy said, this relates to a moving set of figures as the analysis and information gathering is ongoing in respect of discipline. We can provide details at a certain point in time.

Deputy Verona Murphy: I thank the Commissioner. Moving on to capital expenditure, a beautiful new Garda station was recently built in County Wexford that came in under budget in excess of €500 million. However, it transpired early on that the Garda station is too small. What input has An Garda Síochána in the design? Does it take into account the expansion of the force in the future? How is that worked into the provision of capital expenditure for new builds?

Mr. Joseph Nugent: I was not aware of the issue around Wexford Garda station being too small and when I visited there, this was not suggested. For the record, it did not cost €500 million for the station.

Deputy Verona Murphy: No. I said that €500,000, the amount by which it was under budget, is being returned.

Mr. Joseph Nugent: That is fine.

In broader terms, the organisation has in excess of 500 stations around the country, some of which date from before the foundation of the State and many years prior to that. The need for capital investment in refreshing our sites is quite obvious. The Commissioner has often said that if we were to replace 10% of these stations over ten years, some 50 stations would require change on an annual basis. Clearly, the financial impact of that would be significant.

We operate on the basis of the capital allocation that is available. We made a case to the national development plan for additional sites. At the outset, the Commissioner referenced a site in Northern Cross that would cope with a broad population expansion in the general Coolock-Darndale-north Dublin domain, as an area that we consider needs to be progressed.

As well as refreshing the stock we have, we also need to look to those areas where there is population growth, as well as other issues such as crime trends etc. We operate with the budget provided to us and we maximise what we can achieve around that.

Deputy Verona Murphy: The question I asked was about an increase in An Garda Síochána employees. How is the expected expansion of employment accounted for when looking at capital projects?

Mr. Joseph Nugent: That is the case. In the Northern Cross example, there has been a significant increase in the number of Garda members assigned to that Dublin metropolitan region, DMR, north and Coolock district area. We factor that into our requirements and look at that as one of the key requirements. Members are associated with activity as well as population. The is a combination of a range of factors that are needed to make those plans.

Deputy Verona Murphy: Moving on to the payroll overpayments mentioned. Were there particular circumstances that gave rise to the level of overpayments? Has a specific reason been

established?

Mr. Joseph Nugent: There are multiple reasons. I have already referenced the pension overpayments, which is an issue about the timing of payments. Paying people in advance is an issue. Salary overpayments primarily relate to issues associated with notifications at station level that go to the payment processing unit in Killarney in a timely fashion. For example, if individuals take periods of unpaid leave for a variety of purposes which is not communicated in a timely way, that has lent itself to the overpayment. Through the development of our new business service functional areas around the country, we are seeing that as a key enabler to speed up the process of notification of those types of issues and, separately, the policy approach to the retrieval of the overpayment, which will resolve some of those matters.

Chairman: The Deputy is over time.

Deputy Verona Murphy: What amount of money has been recovered?

Mr. Joseph Nugent: I do not have that figure to hand.

Deputy Verona Murphy: I would like that figure, please. It strikes me as being extraordinary. I am not sure exactly where the problem lies, but we need to establish it. If it were a private company, nobody could afford this. There must be a system in play where this cannot happen.

Mr. Joseph Nugent: I am happy to-----

Chairman: Sorry, the Deputy is over time. If the officials do not have the figure at this time, maybe it is available elsewhere. I think I saw it in one of the documents.

Deputy Verona Murphy: I read in the documents some of the reasoning, but I would like to see a new system in place whereby this will not happen. This would not happen in the private sector. We must look at how it is happening in An Garda Síochána.

Chairman: I ask the Commissioner to come back in briefly.

Mr. Drew Harris: Through the year 2021, the value of overpayments reduced by €269,806.

Deputy Verona Murphy: On that point, and I will finish then, I ask the Commissioner that he would let us see how that happened and how it was remedied.

Deputy Alan Dillon: I welcome our guests who have joined us. I thank them for their service in the past number of months in dealing with the crisis caused by the Covid-19 pandemic.

First, I refer to the Department of Public Expenditure and Reform spending review of 2020 in regard to the performance indicators in policing. The review made several findings and recommendations that could be utilised in helping An Garda Síochána design and implement quality performance indicators in line with best international practices. How does An Garda Síochána set its performance indicators?

Mr. Drew Harris: Is this in regard to our financial performance?

Deputy Alan Dillon: That is right.

Mr. Drew Harris: If I may, I will turn to the director of finance, Ms Clifford.

Ms Kathryn Clifford: In the context of our financial performances, it is about the manner in which we allocate our budgets. We have been working a lot in devolving the budgets and responsibilities that are taken at assistant commissioner and executive director level. Generally, in the beginning when submissions come in, we know what will be spent. We have the profiled budget and then the expenditure against it. On a monthly basis, our senior leadership team and their executive review that. We look at the variances and the performance of the finances at that time.

Deputy Alan Dillon: I refer specifically to the Department of Public Expenditure and Reform's report, which made reference to the methods of evaluating where the organisation is achieving the objectives and targets. Ms Clifford has touched on the financial elements but I mean the operational element as to the investigations of crimes, such as domestic violence or cybercrime, and the convictions as a result of those investigations. How does An Garda Síochána conduct its yearly evaluation on meeting these key metrics? Are these data presented to senior management? I seek an understanding of this in order that we can get value for money in each of the value streams referred to, in terms of where resources should be prioritised and focused.

Mr. Drew Harris: In part, these are operational decisions that are built on crime trends. In recent years, it is a fact that in Ireland and in other European nations, we have seen a rise in the reporting and incidence of domestic abuse, serious sexual assault, child abuse, as well as crime that is facilitated via the Internet, be that the abuse of children on the Internet or cyber-related or cyber-enabled crime. As we look forward to what our policing priorities are and how they might change, and they do change over time, that is how we determine the resourcing of what we put in place. New standards are also required of us. I refer to the introduction of the armed support unit. It is really an organisational reaction to some of the very dangerous situations in which members were engaging, and to ensure we can protect the public and our members when dealing with them. They are new standards that are required of us and we have to resource them accordingly.

Deputy Alan Dillon: I thank Mr. Harris. My question relates to his previous appearance before the committee, the recommendations that had been set by the Department of Public Expenditure and Reform and a review to be implemented by Garda management for measuring and assessing its performance. Has any of those recommendations been implemented?

Mr. Joseph Nugent: Part of that relates-----

Deputy Alan Dillon: It is a "Yes" or "No" answer.

Mr. Joseph Nugent: Yes. A review of the finance function has taken place and there is a series of recommendations flowing from that regarding changes we will make. Equally, the Department of Public Expenditure and Reform looked at the question of what was a costed policing plan and concluded there was not evidence of similar activity around the world that we could apply, so we had to look at this in a different way, very much along the lines of what the Commissioner referenced.

Deputy Alan Dillon: Do performance indicators for 2022 exist within the organisation, and if so, what are they? When the Department of Public Expenditure and Reform considers allocating resources and funding, is a business plan presented? What justification is offered by Garda management in seeking this funding?

Mr. Joseph Nugent: Of the Vote allocation, the vast majority of our resources relate to pay. Ours is not like other Votes, where there would be a very large residual amount. The financial indicators we provide and on which we engage with the Department relate very much to budgetary control and budgetary pressures, and we are equally engaged with that. As the commissioner said, internally, as part of our discussions on how resources are allocated nationally or locally, discussions on crime patterns and trends form a significant part of our consideration.

Deputy Alan Dillon: We all understand Garda management has the powers to deploy resources in areas where trends are actively reviewed. What is the staffing allocation for this year and how much funding will go towards that in the short to medium term as the Garda strengthens its force?

Mr. Drew Harris: We are at approximately 14,200 members at this moment and we have sanction to recruit another 800 this year. Against that 800, obviously, there is a training time and a lag time before they go out onto the ground but, at the same time, we expect 350 to 400 cessations in any year. As with any big organisation, as we try to recruit people, other individuals leave. We still have a target of 15,000 members and 4,000 Garda staff. We are a big employer but Covid has not helped us in that although our Garda staff numbers grew, difficulties relating to training meant that we pretty much marked time, by and large, in respect of our Garda members. We are now again into a time of expansion, and it will probably be early 2024 before we achieve the figure of 15,000.

Deputy Alan Dillon: How many Garda stations are currently active?

Mr. Drew Harris: The figure quoted is that approximately 570 stations are active. We are very conscious of the local connections provided by our stations in many areas, particularly rural areas, and how we deliver and effect community policing from those stations. It is very much our strategy to maintain that number because doing so creates a presence where otherwise the presence of gardaí would be fleeting.

Deputy Alan Dillon: Is Mr. Harris satisfied that each of those stations is adequately resourced with Garda members? Is it less or more than what he would hope for?

Mr. Drew Harris: Some areas are certainly under strain. We have repopulated stations as our numbers have increased and we have recruited Garda staff, who have displaced Garda members into operational front-line roles. All those displacements have been to build up, in effect, divisional policing, that is, uniform policing. Moreover, stations that may have been open only once or twice a week have had a member or maybe two members assigned to them. All of that is positive. We still have growth yet to come of some 700 to 800 members, and that is positive as well. The number of Garda staff we employ should free up more Garda members for front-line duties but that will include staffing the national units as well.

There is always more demand than we can meet. There is a lot of demand for visibility of policing but we also have a lot of demand for less visible policing, whether relating to cyber-crime, economic crime or the protective services.

Deputy Alan Dillon: Coming from a rural constituency, I know there are stations in small towns and villages that are on reduced hours and might open only weekly. That is causing some concern in regard to community policing whereby visibility is present only between, perhaps, Tuesday and Thursday. Staff are being redeployed to other, larger areas within the county. How can we free up resources to maintain these stations and allow them to remain open continu-

ously?

Mr. Drew Harris: In part, it relates to our roster and how efficient and effective our roster is, as well as to our deployment. We have a mandate for further modernisation of the workforce and that involves the displacement of sworn members into operational duties, which is ongoing. Furthermore, we still have growth. In all three areas, one of which relates just to our roster and the management of our workforce, we have improvements and further advances to make. A rising tide lifts all ships. We also have resourcing requirements for the national units. I would say we are in a positive position. There is ongoing investment in An Garda Síochána and that is shown in an increase year on year in our budget. The Government has backed up its policy initiatives regarding An Garda Síochána with funding and it is now for us to make sure that is used in the most effective manner. Part of it relates to our visibility, as well as to the policing we provide to communities through stations, which may have only one or two members. Stations of one or two members will not be open 24-7. In effect, they are based on 40- or 80-hour working weeks.

Deputy Alan Dillon: These are newly built stations that have been scaled back, which is a concern. My experience is that people are concerned, especially with rural crime on the rise, that there is not a Garda visibility within these towns, and that is something to be very conscious of.

Mr. Drew Harris: I attend joint policing committee, JPC, meetings and the same point is made very forcefully. Without fail, in every division I attend, we have shown an increase in both Garda members and Garda staff, and in the support that is available for divisions, whether roads policing or the armed support unit. We have good visibility and we have invested in vehicles to improve that visibility, even through the chequered nature of our patrol vehicles. We have also invested in community vehicles for local patrolling. There has been a huge effort and investment on our part in that outreach and demonstration of our intent regarding the connection with the community and providing that local, community-based service.

Chairman: Turning to the payroll overpayment, my figures suggest it was €2.2 million, relating to 1,242 cases in 2020. Some €1.5 million of that was recovered and related to 872 cases that had a recovery plan in place. What happens with the other €700,000? Are there moves afoot to try to get a repayment plan in place for those? What is the longest time that a payroll overpayment is outstanding?

Mr. Joseph Nugent: I cannot answer the second question. If you wish, Chairman, I can refer back to you on that matter. On the first question, where the plans are not in place payment plans have been put forward to the individuals. It is a question of the formalisation of agreement to that. Where that agreement is not forthcoming, we will be retrieving the money. We can assure the committee that this is going to happen. We are not letting that money disappear. We will be pursuing it.

Chairman: What are the circumstances where an overpayment would happen? Is it administration or the computer system?

Mr. Joseph Nugent: As I said earlier, if I use the phrase “late notification”, what I mean by that is communication from the local station to the payment service in Killarney regarding a change in somebody’s circumstances, for example, an individual has taken a period of unpaid leave and that has not filtered through to the payments piece. That would be the vast majority of it. The specific action we are taking on that issue is through more local responsibility for

managing this. Clearly, one cannot see that for 15,000 or 20,000 people from a centre. Our business service functional areas and divisional areas will be much closer to the ground and the response is much more immediate.

Chairman: There was a sum of €202 million paid in overtime and allowances in 2020. How much of that was allowances? Would it be 20% or 30%?

Ms Kathryn Clifford: You are looking at the pay, Chairman. The overtime for 2020 was €98.9 million. Then there are other allowances of €202 million. That might not be the full-----

Chairman: The allowances are over half that. I was reading them yesterday. There are 47 or 48 different allowances.

Ms Kathryn Clifford: The overtime would just cover overtime. The allowances are separate.

Chairman: So €98 million of the €202 million was overtime.

Ms Kathryn Clifford: Yes, €98 million was overtime, and then there was an additional €202 million of allowances.

Mr. Joseph Nugent: It was about €300 million in total.

Chairman: Okay. One individual had an overtime and allowance payment of €110,000 in that year. How would that come about in one case?

Ms Kathryn Clifford: I would not have the specific details on that at this time.

Chairman: My understanding is that this is on top of the salary. It seems an excessive amount for one individual. What is the average amount in overtime payments for rank-and-file gardaí per annum?

Ms Kathryn Clifford: I am sorry, but I do not have the average. I can refer back to the committee.

Chairman: You might refer back to the committee with that, perhaps in €10,000 categories.

Ms Kathryn Clifford: Yes, absolutely.

Chairman: Regarding transport and vehicles, there are 3,100 vehicles. The number increased particularly during 2020 with hire and some purchases. There were 641 accidents in 2020. That is one in five. I understand the nature of the job for gardaí. They are involved in high-speed chases and situations where cars are damaged in public order incidents. Where the damage is inflicted like that, is that included in the 641 vehicles that were damaged? It refers to accidents.

Mr. Joseph Nugent: Yes.

Chairman: They would include where gardaí might drive into a public order situation and there might be sticks or stones or whatever else and vehicles are damaged. Obviously, members are put at risk as well. That figure would include that.

Mr. Joseph Nugent: Yes, it would include that.

Chairman: I have a question about procurement. There was non-compliant procurement of

€8.7 million in the annual accounts. That was reported for 2021. Was any part of that related to payment to a medical team or a medical company to take blood samples?

Mr. Joseph Nugent: I do not believe the medical piece was in that area. The primary issues, as I said earlier, were in uniform and relating to cleaning services in Garda stations, and also in storage and towing.

Chairman: What is the annual cost, roughly, of that contract for taking blood samples?

Mr. Joseph Nugent: There are a number of contracts. It is provided locally, and we would have to get separate figures if that is something you would like, Chairman.

Chairman: Does it go through normal procurement?

Mr. Joseph Nugent: It goes through normal procurement. We have had problems and challenges in parts of the country where getting general practitioner, GP, services in that space has been an issue. In those circumstances we have an obligation to provide the service and it means that there is a non-procurement element there. If you wish, I can get more detail for the committee on the medical side, if that is helpful.

Chairman: What you are referring to is where gardaí may only have one option in parts of the country.

Mr. Joseph Nugent: That is correct.

Chairman: Deputy McAuliffe is next.

Deputy Paul McAuliffe: I was attending the meeting of the Joint Committee on Gender Equality in which we were discussing the issue of domestic violence. I could probably spend the entire ten minutes speaking on that issue. I will route the request to that committee, but perhaps there will be an opportunity for that committee to engage with the Garda Commissioner on that issue separately.

However, I will come to the issue of the cancelled 999 calls and the number of crimes that failed to be reported or, my apologies, failed to be received, which are probably the more correct words. Is it correct that the number is 127?

Mr. Drew Harris: It was 134.

Deputy Paul McAuliffe: Given that there was a statute bar element to those, and I may have missed the answer to this already, how many prosecutions does Mr. Harris think might result from the 134 reports?

Mr. Drew Harris: I am not able to put a figure on that; I do not know it. The majority were minor assaults, but there were other crimes as well.

Deputy Paul McAuliffe: Of course, there will always be a discrepancy between reports and prosecutions with all numbers.

Mr. Drew Harris: Yes.

Deputy Paul McAuliffe: I accept that. Given the context of the discussion I have just come through about domestic violence and the difficulty and fear for a woman to lift the telephone in that situation, the idea that there is nobody at the other end to take that call is a concern. I take

from Mr. Harris's contribution this morning that it is a matter he is taking with utmost importance. I ask him to continue with the same level of commitment because it is something that is extremely important.

Mr. Drew Harris: Absolutely. All calls were answered. All the 999 calls or calls for assistance to stations were answered. They were entered on CAD.

There was a deficiency in respect of these domestic abuse incidents. In the ones we identified, in 2,900 cases they were not correctly closed in that a PULSE incident was not created and, therefore, the subsequent callbacks, investigations and supervision of the response did not happen. That is the failing and we have addressed that through processes that we put in place and the supervision and training we have done. Also, we have made contact with all the victims, or all of them who we can possibly locate. Some are no longer in the jurisdiction. However, we have made contact and they know about our efforts to reach out to them and to rectify the situation in terms of trust in An Garda Síochána.

Deputy Paul McAuliffe: Regarding the Garda mobility project-----

Mr. Drew Harris: The mobility app.

Deputy Paul McAuliffe: It has been a major game changer for Members of the Oireachtas and members of the force, because the idea that in 2018 the best way of me contacting my local community garda was to telephone the station and my name would be entered in a book that would be observed by a member when he or she attended work, depending on what the member's shift was, was archaic. The project was much needed. I am sure it is reflected in the 2019 and 2020 accounts. What is the amount spent on this project? How many members have been supplied with mobile phone technology that allows them to access email and have direct contact with the public?

Mr. Drew Harris: The roll-out of this is continuing. I do not have the precise numbers of devices we have rolled out. They are multifunctional.

Deputy Paul McAuliffe: Is it in the region of 6,000?

Mr. Drew Harris: It is at least 6,000. This is a multimillion euro project. It is not just about the devices; it is about the software and hardware back at base to facilitate it. The good thing is that it will extend further in what it might do and what members are able to enter into it, particularly with the new computer-aided despatch, CAD, project. I can get the figures on the actual number issued so far and the overall cost.

Deputy Paul McAuliffe: What level of spending will continue to be committed to the project for its full roll-out across the entire force?

Mr. Drew Harris: I can get the specific figure. It is well in the millions, as the Deputy can appreciate. There is also an annual cost in maintaining it.

Deputy Paul McAuliffe: The Comptroller and Auditor General put it very well. He used the figure of approximately 80% - I apologise if I am misquoting him - for personnel and staffing costs. The more ways we can get personnel to work better, the more value for money we can get from that 80%. Technology is something the Garda has been significantly lacking over time. It is a criticism but it is a necessary criticism to ensure that we continue to invest in technology for the Garda. I have heard stories of people using their private laptops to type up

statements for court because they could not access a PC in their stations. All of this should be in the past. It should not happen in a modern Garda force.

Mr. Drew Harris: Absolutely. The mobility project is about putting connectivity in the hand for operational purposes. I would highlight that all Garda stations are networked. We are well supplied with computer equipment, which is available to all members and staff. We need to do more with regard to the ongoing digitisation of our work, such as completing the roll-out of the investigation management and resource deployment management systems. We have new things coming on line. The digital recording Bill will bring us significant operational advantages in the deployment of various forms of mobile cameras, including body-worn cameras. All of these are significant advances but they come at a cost. There are significant ongoing ICT costs as well as maintaining what we have and maintaining a secure network. We have a big network but it has to be rock solid in terms of security.

Deputy Paul McAuliffe: As an Oireachtas Member who votes for these budgets, I am one of those who wants to see more gardaí on the streets. We all want to see this. I am a great believer that technology is the way to leverage the resources we have. I encourage Mr. Harris to keep spending in this direction.

People often quote the Commissioner back to him. When he was first appointed, he stated that crime is not like rain and does not fall equally everywhere. Unfortunately, the community I represent, which includes Ballymun, Finglas, Glasnevin and Santry, has disproportionate levels of crime. I was involved with Dublin City Council on the Ballymun - A Brighter Future report by Andrew Montague. That report refers to the level of policing in our community and the level of crime. For an area with such a high murder rate, we have one of the lowest rates of policing in the country. The average rate is 2.8 gardaí per 1,000 population. Our rate is 2.3 gardaí per 1,000 population. If we discount from the district the 45 gardaí in Dublin Airport because they are not accessible in a community sense, we drop down to 2.1 gardaí per 1,000 population. Has the Commissioner done work with the Pobal deprivation index on hotspots of crime and how resources are allocated? It seems unbelievable that an area with such high murder and crime rates would be at the lower end of policing resources.

Mr. Drew Harris: As we move towards 15,000 members, and we have a finite number to distribute, we want to build on the sophistication of our resourcing and how we will allocate resources. We want to take into account other factors. The socioeconomic index and the prevalence of crime are important within this, as is the road network and traffic flow. As well as the figures the Deputy has for the local division in north Dublin, support is provided by the national units. Much of this has been in respect of responding to organised crime and operations specifically relating to drugs. The organised crime bureau is supported regularly by the armed support unit or the emergency response unit. This is a regular daily occurrence. We provide a policing service beyond local divisional policing. The national units do a lot of work to counter the very issues the Deputy is highlighting with regard to drugs crime.

Deputy Paul McAuliffe: I absolutely accept this, and I have seen the work done in the north-east inner city. There are other areas where the illegal drug industry has agency capture of communities. Ballymun and Finglas are two of those areas. The Commissioner has already considered the Ballymun - A Brighter Future report. The assistant commissioner for Dublin has met me to discuss it. I ask the Commissioner to revisit the report in order to examine it and perhaps respond to me.

I want to correct the exact Garda numbers, because I would not like to mislead anyone in the

context of the Official Report. There are 2.3 gardaí per 1,000 population in my area. The figure is 2.8 in Ballymun. If we take out the 45 gardaí from the airport, it is 2.1 gardaí per 1,000. I wanted to make sure the numbers are correct.

Chairman: I will now suspend the meeting for a ten-minute break.

Sitting suspended at 10.57 a.m. and resumed at 11.09 a.m.

Deputy Colm Burke: I want to raise two issues. The Commissioner has probably gone over this previously with regard to capital projects. Is the Commissioner satisfied that there are sufficient mechanisms in place to make sure there will be no overspend on the capital projects that are currently in the pipeline?

The second issue I want to raise are changes in infrastructure for gardaí. For instance, a few years ago I came across a case where there was a house belonging to the Garda that had been originally used as a Garda house and it had been vacant for over 20 years. In fact, the gardaí in the current station, or the Cork gardaí, were not aware of its existence. All of those properties are under the auspices of the OPW but have they all been identified and either put into use or disposed of?

Lastly, where there is major urban residential development are the Garda authorities looking at further development and having the infrastructure in place to provide the necessary policing of those areas in the long term? I have covered a bit of ground with my questions but they concern both what has happened in the past and future plans.

Mr. Drew Harris: I might just take the third point and Mr. Nugent will take the first two points.

Yes, we are looking forward. In terms of building strategy out to the next ten years and beyond, we want to see where population change is obviously going to happen and, therefore, what new areas or what areas are going to actually increase in size. We can see that considerably both in north and south Dublin, and we have put proposals, in effect, for brand new stations to help to deliver on a policing service there. We can also see it right across the country where we have our towns gathering in considerable size. What were once quite small villages are now becoming, more and more, substantial commuter towns and we want to respond to that accordingly. That is built into what we have asked for in terms of our State capital projects for the next ten years but also, thinking of the ten years beyond that, how we want to be set up or how our capital investment should then deliver an estate, which is fit for purpose, going forward for the next 15 to 20 years.

Mr. Nugent will take the first two points around capital.

Mr. Joseph Nugent: The OPW manages the contract elements for major capital programmes. They are the eyes and ears around those project costs whereas we carry them. On the funding for a lot of these, we rely heavily on the OPW for the management and oversight of the cost elements.

In terms of the current range of ones that are under way, I am not aware of any that the OPW has coming to us. By that I mean that there just are not any where they have come to us to say that there are substantial or significant cost drifts. Where we have had one, I think there have been issues associated with Government policy around certain payments related to Covid elements. There would have been periods where certain building programmes had to pause in

line with Government requirements, so there would have been some Covid payments there. In those circumstances they have been dealt with, and the contingency part of the budget has been allocated to those programmes. To answer the Deputy's question, I am not aware of any substantial issue.

Deputy Colm Burke: There was a situation in my area where contracts were signed but, unfortunately, the OPW decided not to go ahead with the project. Then there was litigation, and six years later it paid out for the building plus six years' interest. Is Mr. Nugent satisfied from his organisation's own information that there is adequate infrastructure to deal with the OPW as regards cost-effectiveness? I have been involved in projects where because the OPW was in charge, I had to deal with five different State agencies. When there is that complication, the period it takes to complete a project increases. Macroom Garda station is a typical example. Macroom is not in my area but I know that the project has lasted for quite a long period. It seems to me that every one of these projects goes on *ad infinitum* whereas in the private sector a decision is made and one gets on with the project. Is Mr. Nugent satisfied that there are sufficient mechanisms in place to expedite projects and deliver them in a timely manner thus avoiding increased costs? It seems to me that when a project is estimated to cost €5 million, it will cost €10 million by the time it is built. Does he believe we should review the whole process?

Mr. Joseph Nugent: There are a few parts to what has been said. To deal with the Macroom issue, Macroom is being dealt with in a different funding pattern than would normally be the case. It is being dealt with by means of a public private partnership, PPP. I think it is fair to say that our experience in that area has been mixed. Getting the PPPs off the ground is something that we would like to see move faster.

In terms of the broader programme, there is regular and frequent contact between ourselves and the OPW, including at very senior levels. For example, the Commissioner would meet the chair of the OPW on a periodic basis. There are meetings of senior officials, and then there are very specific programme meetings around particular areas that are going on. Insofar as we can put in place a range of governance programmes, I believe that is a very adequate approach. Clearly, in the midst of that, there are issues around time and costs that are being discussed all of the time.

Deputy Colm Burke: The process means that the projects take a very long time to complete. It is the same problem when building new infrastructure and new capital projects in the health service. Mr. Nugent has said that meetings take place regularly. I contend that the solution is not regular meetings but making decisions and getting on with projects. I find the situation frustrating. Representatives of communities contact me after they have been told that a Department has confirmed that it has agreed to do certain work but the work is still not done, say, three years later because someone along the line has held up the process.

Mr. Joseph Nugent: If there are specific incidents, I am happy to get more information from the Deputy. As it stands at the moment, I am not aware of problems with ongoing projects. As I mentioned, the funding approach that has been taken in relation to two of our major builds was through the PPP process. That has taken a long time to get started and we are still not in a space where a contractor has been appointed. I would share his frustrations around that particular approach. However, that is the process that has been put in place.

Deputy Colm Burke: How long ago was it decided to go ahead with the project mentioned?

Mr. Joseph Nugent: I do not think that we have got to that stage of the process yet. I do not think that there has been a tender for those yet.

Deputy Colm Burke: When was it decided to go ahead with the project before planning even started?

Mr. Joseph Nugent: I think I was in attendance at meetings around the principles for Mac-room shortly after my arrival, so one is talking about five years.

Deputy Colm Burke: Does Mr. Nugent not accept that the timescale is way too long? We need to put in place a better structure and mechanism whereby once the Garda arrives at a decision that it needs work done or a new station built, it should not take between five and eight years before the project is built and completed.

Mr. Joseph Nugent: No, I would share that. As I said, it is a different funding approach. The lead time for getting that started tends to be longer than the directly funded other State-build piece.

Deputy Colm Burke: Yes.

Mr. Joseph Nugent: If there are other examples that the Deputy has around non-PPP related projects, I would certainly like to know more about them and I will certainly look at them for him.

Deputy Colm Burke: I will touch on the issue of performance indicators. In all organisations, one has members who face various challenges in their own lives, including health problems and family problems. Is the Commissioner satisfied, in terms of performance indicators, that there is adequate support for ordinary members of the force who have difficulties they need to manage and that there is an infrastructure in place to deal with that?

Mr. Drew Harris: Yes, I am. This is something that we have invested in and we concentrate on. We have an employee assistance service which provides one-to-one support for members in the most difficult of circumstances. We also have a helpline, which is available 24-7. We have our own occupational health unit, in effect. Our chief medical officer is actively engaged in protecting the welfare, both physical and mental, of members. We are very conscious of the huge pressures on members of An Garda Síochána. I mentioned earlier some of the very difficult incidents they must deal with and the trauma. I see reports of these incidents on my desk every day. There are horrific incidents that members of the Garda must deal with, be they related to crime or road traffic collisions.

Deputy Colm Burke: Could additional supports be put in place at this stage in view of the new challenges that exist? In view of the pressures people may have financially etc., is the Commissioner satisfied that we have adequate supports in place for ordinary members of the force?

Mr. Drew Harris: I want to do more in providing specific supports for individuals in very demanding roles. If you are viewing abusive material online, you need specific supports. We want to put those in place. Those involved in firearms incidents in the past year need specific support as well. We have had members shot at and shot and members who discharged firearms. These are areas in which work is under way and is being developed. They relate to gaps I have seen. As we deal with one issue, we see another, and then we see the next. I am content with the work we have done but there is always more to be done in this area.

Deputy Sean Sherlock: I, too, welcome the Commissioner and his colleagues to our committee this morning. I would like a better understanding of the Garda National Cyber Crime Bureau and how it operates. How many investigating gardaí or officers are assigned to that unit?

Mr. Drew Harris: I can get the Deputy the specific figures. The unit was created as a national unit in 2019. In the past two years, we have invested in regionalised functions. There are regional cybercrime bureaus that members can liaise with. We have been building up the national unit by assigning more Garda members to it. There is an ongoing process to recruit Garda staff technicians to work in the cybercrime bureau. I can get the Deputy the specific numbers. Prior to 2019, the bureau was not a national one. It now is, and it has grown quite considerably in size. Some 30 additional gardaí have been appointed to it in the past year. We want to add another 34 Garda staff technicians, who will be carrying out technical and investigative functions.

Deputy Sean Sherlock: I welcome that. I suppose I am trying to get at whether it is seen as a priority for An Garda Síochána on the basis of the growth of cybercrime. It is now such a vast area of crime. It is a relatively new frontier or phenomenon. One worries that not enough resources are being deployed at the coalface to meet the crime detection requirements. If one could be disabused of that notion, it would certainly give some confidence.

Mr. Drew Harris: We can provide the figures for the bureau's growth over the past three years. The Deputy is right that nearly every crime has some element of computer involvement, particularly mobile phone involvement. That even includes serious road traffic collisions. One would check to see whether a mobile phone was in use at the time of, or just before, a collision. Every incident invariably involves some form of phone examination or computer examination. That is why we further invested in this area.

During the pandemic, we saw an upsurge in fraud. Much of it was perpetrated through texts, emails or investments. There was also romance fraud. These are areas we are very aware of. It is a growth area. The growth is actually related to the amount of technology and how all-pervasive it is. Crimes are happening against that backdrop. Some of the crimes are enabled because the Internet exists. The sharing of images of child abuse exists because it can happen over the Internet. With regard to other crimes, it is an extra complication that there is ICT or phone engagement.

Deputy Sean Sherlock: I thank the Commissioner. I appreciate the answer. If the figures on personnel were made available to the committee, they would certainly be very useful to us. A statement of the Garda Commissioner's intention from a policy point of view to increase the numbers of staff in the cybercrime unit would give the public some confidence also.

I just want to move on to-----

Mr. Drew Harris: May I give some of the figures? The target is to have 220 personnel trained nationally in computer forensics and cybercrime investigation. We are on course to train 130 members in 2022, on top of the 220 who were trained last year. Regarding the bureau itself, we have 67 staff and there are plans to grow further. A further 34 are to be deployed through resource allocation. Also, there will be further recruitment of Garda staff to the bureau.

Deputy Sean Sherlock: By my calculation, that is moving up to 380.

Mr. Drew Harris: An element of that is full-time and an element relates to the regional

aspect, the 220. In this regard, the training is ongoing. The staff we trained last year are providing a local service in the form of triage. We have triage and advanced investigation where it is engaged. We are investing in both the front line in terms of people who are skilled in doing this work and in the national bureau and regional centres in terms of more specialist capability, once we triage the examinations.

Deputy Sean Sherlock: Could I move on to the justice plan? The Commissioner made reference to the digital recording Bill. The Garda Representative Association has been very strong on the need for body-worn camera, bodycam, units. These will be legislated for in the digital recording Bill, presumably. What engagement has the Commissioner had with the Minister for Justice on that Bill? Assuming that the Bill becomes law, how will the Garda deploy resources? While my question is theoretical in advance of the legislation being passed, I am sure the Commissioner is planning for the eventuality of body-worn cameras being rolled out. I would like a sense of his perspective on this issue and how he envisages the technology being deployed as a resource for gardaí.

Mr. Drew Harris: In the first place, the body-worn cameras piece is nearly the easiest to deliver. The purchase of a model of body-worn camera is one of the easier pieces to deliver. What would be more difficult to deliver would be the infrastructure, particularly the storage required. We require a huge amount of digital storage to an evidential standard, not only to receive the body-worn camera data but also to receive material from CCTV and other digital recording devices, be they mobile phones or handheld camcorders, and also from aerial surveillance, including by drones, and vehicular surveillance. There is a lot of material. The digital recording Bill is actually about all the digital evidence we would record. The body-worn camera is one element of that. We anticipate that we will commence a roll-out. In terms of risk, we would have to think about our specialist units and the ability to deliver connectivity. A huge amount of connectivity is required, along with the ability to transmit data. A camera plugged in and switched on for half an hour will require the movement of a huge amount of data across a network. Considering that 25 to 100 members may be doing the same thing at the same time, we need a very robust structure. There is an expense in that, but we will step our way through it. I am thinking of things like the armed support unit, the emergency response unit and uniformed members on the 24-7 response who, obviously, would use that for evidential purposes, be it at the scene of domestic abuse, in street encounters where they feel there is some tension, etc., or when recording scenes of crimes or crime in action. There are multiple uses. They have been shown to moderate behaviour with the public but also police. They moderate behaviour, reduce complaints and provide good evidential footage for subsequent court appearances.

Deputy Sean Sherlock: I thank the Commissioner. I have less than one minute left. I want to dovetail with Deputy Colm Burke's point in respect of Macroom. The issue relating to Macroom is important for policing in an entire region, as the Commissioner can imagine. It is quite literally policing from the Kerry border over to the Waterford border and north to counties Limerick and Tipperary. That is not an insignificant area. It is arguable that Fermoy, which is the pre-existing divisional headquarters in County Cork, is a building that was fit for purpose when it was constructed but that is no longer suitable. Until Macroom comes on stream, an increasing number of gardaí will be going into pre-existing infrastructure. I wonder what kind of affect that has on the morale of gardaí when they are going into buildings that are substandard or not fit for purpose. What we want is modern buildings for gardaí to police from. That would be my humble opinion. I am sure if one is in a fit-for-purpose building, one's morale is that bit higher and so forth.

I support Deputy Colm Burke's point about the need to ensure resources are deployed. I might have views with regard to Fermoy and Mallow, for instance. I might be a bit parochial about the fact that we found it strange that it was going to Macroom, but that is a matter of policy. We need to ensure that resources are deployed in terms of capital expenditure on buildings, however, and they need to be rolled out as quickly as possible. That is the general point in support of Deputy Colm Burke.

Mr. Drew Harris: We would obviously agree with that. With us being a customer, in effect, and getting a service from the OPW we have given the OPW a good deal more certainty about our requirements in terms of rolling out the operating model and saying these are the divisions, these are the headquarters and this is what needs to be supported. We still have requirements with the OPW, obviously, but as has already been said, I meet regularly with the Chair of the OPW, in effect, to drive these things on and then to actually make decisions and choices around our building programme and capital programme going forward. Our capital programme is ambitious but if we had more money, we would certainly spend it.

Deputy Catherine Murphy: The witnesses are very welcome. I want to start with Military Road. How many personnel are currently housed in Harcourt Square?

Mr. Joseph Nugent: I thank the Deputy. At the end of last year, we were looking at approximately 970 people, some of whom would not be going to Military Road. There are some there-----

Deputy Catherine Murphy: I want to know how many Military Road will accommodate.

Mr. Joseph Nugent: Military Road will accommodate in the order of 940 people. In that figure of 970, there would be people who are moving to the command and control centre in Heuston Square.

Deputy Catherine Murphy: That is just across from Military Road.

Mr. Joseph Nugent: It is across the road; that is correct.

Deputy Catherine Murphy: So, they will all be accommodated in either one or the other.

Mr. Joseph Nugent: No. This is not a straight one for one swap. We also have other moves taking place around this. The current occupants in Dublin Castle will be moving to Military Road. There will be some individuals who will be moving to other facilities around that.

Deputy Catherine Murphy: Can Mr. Nugent give us a note on exactly who and what numbers are moving from one place to the other? There has been criticism. I would have been quite critical of the selection of Military Road and what led up to it and the fact that Harcourt Square was not secured. I just want to be sure that we are going to have sufficient space to accommodate people. It would be useful to have a note on that.

Mr. Joseph Nugent: I am happy to do that. We can liaise with the Chairman to make sure we are getting the right information the Deputy is seeking. We will make sure we do that. That is no problem.

Deputy Catherine Murphy: Okay. We know it is time limited. Is it in budget? Will it be on time? There is no question of over-holding.

Mr. Drew Harris: Yes, we have been assured of that. We expect a hand-over in September.

One of the reasons I am very regularly meeting with the Chair of the OPW is the delivery of this project. It will also deliver the closure of the old Kevin Street building where our stock and firearms command is at the moment and also Harcourt Square and the movement of one of our national units from Dublin Castle out to Military Road. All the accommodation needs are on course, be it in headquarters but also in other property.

Deputy Catherine Murphy: I know a move like that is not going to be a minor deal in itself. Is there a plan already in place for that move?

Mr. Drew Harris: Yes, the planning is in place in terms of the movement we need to undertake. I might say something about Military Road itself. Military Road was selected for operational purposes. A site outside the orbital motorway would not have been appropriate in our view.

Deputy Catherine Murphy: Military Road was not even on the original list.

Mr. Drew Harris: At this moment, it is our operational choice.

Deputy Catherine Murphy: It is difficult to figure out how it actually came about but I do not have the time to go into that. I have a number of other issues I want to raise with the Commissioner.

With regard to the appropriation accounts, there is a reference on page 5 to the Garda youth diversion programme. I have been looking at the crime statistics and what happens with a formal caution or whether somebody is unsuitable. I am a great believer in the juvenile liaison officer, JLO, system and diverting young people. We know that not every young person who commits a crime is suitable to go into the JLO system, however. On page 5, it states:

An internal review of youth referral incidents, deemed suitable for inclusion into the Garda Youth Diversion Programme, found a significant volume of cases were not processed to an appropriate conclusion by members of An Garda Síochána in the period January 2010 to July 2017. A victim engagement consultation process was initiated to proactively engage with all concerned external stakeholders.

I may be wrong, but that reads as if there were people who should have been progressed through the criminal justice system and who were not in the JLO system, and there were victims of crime who felt aggrieved by the fact that did not happen. Is that a correct reading of that situation? If so, what kinds of numbers are we talking about?

Mr. Drew Harris: That is correct. I previously reported on this. I would need to retrieve the actual numbers again in respect of that. The numbers were considerable over that period.

Deputy Catherine Murphy: It was somewhere around 6,000 or 7,000 if I remember correctly.

Mr. Drew Harris: I am sorry; I cannot remember off the top of my head.

Deputy Catherine Murphy: They were significant.

Mr. Drew Harris: That is not the figure I had in my head about that. I just want to be accurate.

Deputy Catherine Murphy: Can Mr. Harris come back to us with that figure?

Mr. Drew Harris: Yes, I can.

Deputy Catherine Murphy: There have been some reviews. There was a national youth referral review. One of the things that comes up repeatedly for us public representatives is that people think if someone is aged under 18, they are told there is nothing that can be done about it. That is a very dangerous message, including for the young people themselves. What starts out at a low level escalates. Is Mr. Harris satisfied that we will not be seeing a repeat of that statement in a set of accounts in the future?

Mr. Drew Harris: Yes. Again, in part, this was a fixture of the PULSE system. When the cases were analysed at a national level and then were returned for investigation, in effect, those referrals were being lost as they went to individual members as opposed to a supervisor. All of that has been fixed and the system updated.

Deputy Catherine Murphy: The crimes were not suitable for a JLO. That may be because the young person does not regret his or her actions. Sometimes, however, the crimes are quite serious. Does Mr. Harris have a breakdown of the kind of incidents and their seriousness in this context?

Mr. Drew Harris: I do. All that can be provided. There is a full report that I can provide. All of this was gone into in great detail.

Deputy Catherine Murphy: As regards the deployment of personnel, I did a breakdown-----

Mr. Drew Harris: I received a copy of it.

Deputy Catherine Murphy: I did another one last year. Mr. Harris referred to the sophistication of his deployment of staff, but it does not look very even. The east coast is significantly lower in terms of the ratio of personnel to population compared with the rest of the country, with the exception of County Kerry. Counties such as Meath and Kildare always feature at the lower end of the ratio and have done so for a long time. Those happen to be two of the counties that are growing more quickly than others. Fingal is probably lost a little bit lost in the Dublin metropolitan area. Mr. Harris referred to this being a sophisticated allocation of resources. I have looked at the policing plans every year and compared them before the census and after the census. I do not see the kind of change I would expect in the context of the deployment of personnel. It is not all about population. There are socioeconomic issues and crime issues and I completely accept that. This picture does not scream that out to me, however. Does Mr. Harris accept there is an issue here that needs to be addressed?

Mr. Drew Harris: I accept there is an issue in respect of the visibility of gardaí and the numbers. I have already referred to the growth of the organisation, ongoing modernisation and our productivity and effectiveness in respect of rosters and how we work etc. Every division that I visit has had an increase in the past ten years.

Deputy Catherine Murphy: Not all of them have a rapidly growing population and are coming from a low base.

Mr. Drew Harris: I appreciate the growth there has been and that, in effect, the growth in Garda numbers in counties such as Kildare has not reflected that but, as I have said, as we work towards 15,000 members we have to look at our distribution model. In part, however, we have to deliver more on the modernisation of the workforce and displacing gardaí into front-line

roles. Our figures show that the number of Garda members in Kildare has increased by 120 in the past ten years. There has been activity in terms of----

Deputy Catherine Murphy: I can show this in other areas as well. I am drawing the Commissioner's attention to it, as I always do, because he can see there is a trend in population growth and it does not match.

Portlaoise was selected as the location for the divisional headquarters for Laois, Offaly and Kildare. Laois and Offaly combined have 73% of the population that Kildare has. Why was that location selected? Is it because a new station was being built there? Is it because there were personnel there who were going to lead it? It certainly was not done on the basis of population.

Mr. Drew Harris: In part, it is the geographic location. In addition, it is the investments we planned for Portlaoise in terms of it being a divisional headquarters. That is allowed for then in the capital plan. I also point to the distribution of superintendents.

Deputy Catherine Murphy: If the superintendent was there, it got the division.

Mr. Drew Harris: That is not the case. In the new operating model, there is a geographic spread of superintendents who will have specific responsibilities. There will be a superintendent with specific responsibility for community policing and delivery of policing function in Kildare. It is not all sitting back in Portlaoise. We have increased the number of sergeants and inspectors in the context of that local contact and supervision at a local level.

Chairman: Portlaoise is at the crossroads of Ireland. Deputy Carroll MacNeill is welcome to the meeting. She is having a busy day.

Deputy Jennifer Carroll MacNeill: I am in and out of two committees that are meeting at the same time. My apologies if I have missed important points but I cannot attend both meetings simultaneously.

I wish to follow up on the questions of Deputy Catherine Murphy in respect of the Garda diversion programme and the JLO scheme. I have an interest in this as I was on the section 44 committee from 2015 to 2019. It was a valuable insight. I really admire the work that Colette Quinn and others do in that section. To my mind, it is a quasi-judicial office of significant importance where one is making decisions about children's lives and whether they go through the criminal justice system, but also whether they are getting appropriate welfare-based interventions An Garda Síochána has identified they need. I have a concern in this regard. This is important in terms of cost in an ongoing way because if these interventions can be identified and made appropriate at this stage, it can have significant effects. I acknowledge the issue raised by Deputy Catherine Murphy but my understanding is that where a decision is made not to prosecute and that what is necessary is a welfare-based referral, that may take the form of anger management interventions or sexual awareness interventions, for example. Those responses are largely Tusla-based or with another agency, such as addiction-based responses. Deputy Bacik and I were in the Dóchas Centre and in Mountjoy on Monday as co-convenors of the penal reform group. The two big issues identified as being faced in both communities were addiction and mental health. Difficulties in respect of training and education for those who were going to engage in that were preceded by an urgent need to deal with both those issues. My concern is that I am not sure how much visibility An Garda Síochána has in respect of the follow-up to those welfare-based referrals. Is it getting reports back that the young individual or child had access to the referral and attended it and what the outcome, if any, has been? I

am not sure whether it is the job of the Garda to have that information but it seems to me that if a quasi-judicial decision not to prosecute is being made on the basis that a referral is what the child needs, it should have the information in some way. We have always argued that there should be a Tusla presence in the Garda youth diversion programme to provide for a seamless link between the programme office and Tusla to make sure the Garda is able to satisfy itself that those referrals have been completed. I ask Mr. Harris to address that issue. Is my question clear?

Mr. Drew Harris: Yes. The Deputy is asking about how we know whether a referral we make has worked.

Deputy Jennifer Carroll MacNeill: Yes, or happened, even.

Mr. Drew Harris: Or happened, even. If the child gets in difficulty again, that is our point of attaining feedback as to what happened before, whether the child attended, how successful it was and whether it is worth following that process again or are we on to the route of prosecution. I point to the overall success of the scheme. It is a very successful intervention.

Deputy Jennifer Carroll MacNeill: I know that.

Mr. Drew Harris: It does bear repeating because many people internationally come to look at our scheme and how well it is doing.

As regards Tusla, that is probably appropriate because this is as much about welfare-----

Deputy Jennifer Carroll MacNeill: Correct.

Mr. Drew Harris: ----- and the context in which much of the offending happens is a welfare and health issue relating to the child. We share information with Tusla. We have an obligation to do so. As to whether it is necessary for Tusla to actually be based with us or whether we provide it information-----

Deputy Jennifer Carroll MacNeill: In 2016, there was a very unfortunate incident of incorrect racial profiling within An Garda Síochána. It was raised at the level of the Department of the Taoiseach. There was a need to bring in a person from Tusla under section 11 or section 12-based interventions that An Garda Síochána could make. The point is that the Garda and Tusla came together very quickly to be able to make better assessments than the one that was made on that occasion. The Commissioner is quite right that the success of the Garda youth diversion programme is astoundingly good, but what we persistently end up with is a group of young offenders who are the most active offenders but also very much the most vulnerable children in the community. We have the joint agency response to crime, JARC, for adults and we have constant calls for a JARC for young offenders, bringing the Garda youth diversion programme, GYDP, up to 21 or 24 to be able to target resources very effectively at a smaller group of people who have very challenged behaviours and very challenged lives. A lot of the referrals that the GYDP gets are “one child, one time” or “one child, a very small number of times”. If the Garda has the quasi-judicial power to make a decision for referral, there must be some mechanism to be able to check that that is so, rather than just information sharing. In particular, a solution along the lines of “If they come to our attention again, we will find out what happened last time” is by definition insufficient and there must be a stronger way of linking that back in.

Mr. Drew Harris: I would need to take that back to the national office. I know there is always work ongoing around improving the process, particularly in the context of the commu-

nity safety legislation that is forthcoming and how we are going to work together. I know that Assistant Commissioner Paula Hilman will be advancing these issues. I might report back on that specific point.

Deputy Jennifer Carroll MacNeill: That would be great. The other point on the time saving and cost saving measures is whether it is appropriate to have a DPP presence from time to time in that office to streamline decision-making. These are very important resources within the Garda and anything that can expedite the decisions one way or the other is important from the perspective of children as well.

I will turn to procurement. We have 44 instances of non-compliant procurement to a value of €8.7 million in 2020. I know we had correspondence from Chief Superintendent Dollard of the Commissioner's office of 18 February of this year, and we were assured there was an appropriate focus on good practice and procedures in regard to procurement. Can we have an update on that? Our concerns are that internal controls did not identify a non-compliant contract. What has been done since then to make sure we pick up those instances in the future?

Mr. Joseph Nugent: The primary areas of non-compliance were the areas of towing and storage contracts, uniform, equipment, PPE and that nature of material, and some issues around cleaning of stations. The primary problem in those areas has been around access to providers who were prepared to compete for the business. As to what we have done since then, we have run a series of procurements in those individual areas. In regard to the towing and storage contracts, a series of procurements are currently being evaluated and we expect to award contracts over the coming month or so. In terms of the uniform, we have awarded that and we will have a new uniform in place next month. We have taken action around these and we continue to keep matters under review.

There are areas where we face difficulties and we spoke earlier about this when it was raised. There have been challenges in parts of the country around getting access to particular providers in the medical space. That is something where we have engaged separately with the broader medical community to see how we can address and deal with those.

Deputy Jennifer Carroll MacNeill: Has the circular 40/02 annual report been returned to the Office of the Comptroller and Auditor General yet?

Mr. Joseph Nugent: Yes.

Deputy Jennifer Carroll MacNeill: What is the value of non-compliant procurement noted in that report for 2021? Does Mr. Nugent know if it increased or decreased compared to the €8.7 million?

Mr. Joseph Nugent: I do not know offhand. I suspect that the impact of Covid on our requirement to procure a large amount of PPE would probably have had an impact on that account. I am thinking off the top of my head.

Deputy Jennifer Carroll MacNeill: Perhaps we might get that back in for 2021, given 2020 was also a big year for Covid.

I want to refer to the new recruits who were deployed very quickly to the front line. What is the assessment of how that has gone and the review in that regard?

Mr. Drew Harris: That is the 300 members.

Deputy Jennifer Carroll MacNeill: Yes.

Mr. Drew Harris: They had to come back and finish their training, so it was not optimal and it was a response to pressure on the college. We had to close the college because of the risk of transmission and, at that time, it was thought that the college might have to be used as emergency accommodation. We were forced into that and to either, in effect, send them home or bring them online, so they were brought online. They were always accompanied by other members and when they went back into their training regime, because they had context around what they were learning, the college assessed that their ability to understand and to learn was actually improved.

Deputy Jennifer Carroll MacNeill: The value of practical experience. Does the Commissioner think the Garda might do that again?

Mr. Drew Harris: Our training in part replicates that because it is sandwich-based in terms of going into the college, then out to a station and then back into college again. For example, when they are being taught about a road traffic collision investigation, they have a practical sense of that and can say, “I remember I was at a road traffic collision and this is what the experience was like as I watched other members.” There is also a huge variety of incidents that they are trained on. Within a classroom, at least somebody can say, “I dealt with something like that”, or can reference it and give some context. Otherwise, they are being taught in a vacuum of knowledge and they are being taught without actually knowing practically what police work looks like. We found it beneficial that they have some sense of the practicalities of operational uniform work.

Deputy Jennifer Carroll MacNeill: Will the Commissioner follow up with us on the Tusla issue?

Mr. Drew Harris: Yes, I will follow through on Tusla and on the report around the Garda youth diversion programme.

Chairman: If members want to come in a second time, they should indicate. I want to revert to the CAD system with the Commissioner, who was dealing with this. The new system has a cost of €15 million. Is the Commissioner confident at this point that this will reduce error and correct the situation where the information is not being transferred properly onto the PULSE system?

Mr. Drew Harris: We have corrected the error with the older CAD system. The CAD 2 system brings us forward probably four generations in terms of police computing. It will provide far more information about what is happening now, what is happening nationally and where demand is, and it also provides information as to where our resources are, who is available and who is most appropriate to deal with an incident. It automatically highlights matters which are of risk or high risk. At a glance, it provides a visible information display which gives a huge amount of information in colour and chart form as to how resources are being deployed, what calls are outstanding and what calls are a risk and should be dealt with immediately.

Chairman: The Policing Authority carried out a review and made 13 recommendations. How many of those have been implemented at this point?

Mr. Drew Harris: I might come back to the Chairman with the precise detail on that. A lot of the work is already ongoing in terms of our review of other level one incidents, which was one of the recommendations, and we are to revert to the authority with a plan in that respect.

We have accepted all of those recommendations. Some of the recommendations related to supervision, training and spot checks, and all of those have been put in place. There are other things that we are taking a longer look at, for example, the recruitment of personnel for this sort of work and the aptitudes that are required of them.

Chairman: When this came to light first, the Garda Síochána took the position that the CAD system was flawed and that it was not down to human error in the station. The Policing Authority has done its examination and it came up with the position that service failures arising from the cancelled incidents and other workarounds by members cannot be attributed to failures in the CAD system. Does the Commissioner accept that assertion by the Policing Authority?

Mr. Drew Harris: Absolutely. If our policy and the systems had been properly operated, then we would not have had these cancelled incidents. On the other hand, the staff in the control rooms work in a very pressurised environment. The incidents that come in on the 999 calls are of a large variety but are often traumatic. The staff are working under a great deal of pressure and with what is effectively antiquated equipment. That is not a reason for this going wrong. I am just highlighting the difficulties of their working environment. It should be alleviated to some extent with the new CAD system.

Chairman: Last year, GSOC wrote to the committee and set out a response to a number of issues that we raised with it. According to it, as a result of complaints received in 2020, 572 criminal investigations were opened, which contrasted with a figure of 485 in 2019. This could have major financial implications. In its response, GSOC also stated that its investigators had carried out non-criminal investigations, those being, investigations into alleged breaches of Garda disciplinary regulations. In 2020, 150 cases of this nature were opened with GSOC compared with 148 in 2019. GSOC investigators also supervised disciplinary investigations that had been returned to the Garda for investigation, with 106 such cases opened in 2020 compared with 105 in 2019. What is the situation with the 485 criminal investigations opened in 2019? It struck me as a high figure for a service of between 14,000 and 15,000 people.

Mr. Drew Harris: I cannot give a comprehensive answer because it may well be that investigations were opened based on allegations. I do not have an insight into what happened next in respect of those allegations. The investigations may have been opened as criminal investigations only for the allegations not to be substantiated or the complainants not to give further information or even make complaints. GSOC would refer the more serious matters to us for us to consider whether suspensions were appropriate.

Chairman: That is understandable enough. While I understand that many complaints will be frivolous, false or the like, in how many of the 572 cases involving criminal investigations would it turn out to be that the allegations being made were substantially true? Would it be a ratio of 50:50? I am trying to get a figure for the potential number of convictions.

Mr. Drew Harris: It is difficult for me to provide the overall figure because those matters properly lie within GSOC's responsibility. We receive regular updates and reports if a matter enters the courts.

Chairman: As the Commissioner, Mr. Harris will be watching them. If there were 572 investigations, the police service's management would keep them under watchful eye and see how many resulted in prosecutions or headed towards prosecution.

Mr. Drew Harris: There is nowhere near that number of prosecutions ongoing. I am noti-

fied of court appearances of members, effectively because they are not attending on duty. I am made aware of those and the number of those is nowhere near that.

Chairman: Mr. Harris might revert to us with a figure.

Mr. Drew Harris: Yes, for the number currently before the courts.

Chairman: I understand that many of the complaints are vexatious or may not result in prosecutions because there is no justification for the cases.

Deputy Matt Carthy: I welcome the Commissioner and his colleagues. I apologise for my absence; I was in the Dáil Chamber.

GSOC will appear before us next week, but I want to get a sense from the Garda of how its co-ordination with GSOC operates in practice. Does the Garda have an assessment of the budgetary cost of its interactions with GSOC? Is that delineated in any way?

Dr. Shawna Coxon: We do not break down our budget in that way. We have a good working relationship, but we do not quantify it financially.

Deputy Matt Carthy: Does Dr. Coxon have an estimate for the number of human resource hours spent in engagements or interactions with GSOC?

Dr. Shawna Coxon: I will have to ask the Deputy to be more specific. What does he mean by “interactions”? For example, GSOC turns some investigations over to us. Is the Deputy looking for the number of hours we spend conducting investigations or is he looking for strict reporting mechanisms to GSOC? We do not track that. From a tracking perspective, we just have a couple of people who interact with GSOC on a regular basis.

Deputy Matt Carthy: Does the Garda know the percentage of their time that superintendents and chief superintendents spend interacting with GSOC?

Dr. Shawna Coxon: No. The Deputy spoke about interacting, but there is actually not a great deal of interaction where GSOC is turning over an investigation. Does the Deputy mean the investigations themselves? They fall under GSOC but are given back to us.

Deputy Matt Carthy: I am referring to the industrial action that was in place from July of last year until this February. According to GSOC’s correspondence with us, it had a substantial impact on the outworking of its investigations. I am trying to get a sense of how that arose and whether it was appropriate that industrial action was used in that way. Essentially, a group of workers implemented industrial action, mitigating their regulator’s ability to monitor the work of the service.

Mr. Drew Harris: Public complaints are referred to my office. Chief superintendents, but more likely superintendents, then undertake those investigations. In any one year, several hundred complaints by members of the public can be given to An Garda Síochána to investigate. There was a hiatus in investigations for a period of almost seven months when superintendents and chief superintendents, as part of a dispute, refused to undertake further investigations or receive new matters. That action has finished and superintendents and chief superintendents are catching up on that work, but that action was not the only one they took. They retreated from other areas of their work as well.

Deputy Matt Carthy: That action was described as a “go-slow” where the officers con-

cerned were carrying out what were considered to be their core duties. Can we extrapolate from the industrial action that superintendents and chief superintendents do not consider their work on behalf of GSOC investigations to be a core part of their work?

Mr. Drew Harris: In that it is not described in the Garda code. They stuck closely to what was described within that code. This work has been introduced since the publication of the previous code. That was their definition and was not our recommendation. At all times, we tried to move the dispute forward and engage actively with them and the relevant Departments to resolve the action.

Deputy Matt Carthy: Where GSOC issues findings or fines, in how many instances has the Commissioner revoked them?

Mr. Drew Harris: I cannot think of a time when I have ever revoked them. GSOC would make a determination in respect of disciplinary proceedings which would follow and I have not set aside any of those proceedings, that I am aware of.

Deputy Matt Carthy: I have a report here from *The Sunday Times* by the journalist Mr. Mark Tighe, which says that the Garda Commissioner “revoked fines and findings of negligence against two of the three gardaí who faced disciplinary sanctions over their handling of prosecutions against a Lithuanian driver who killed Shane O’Farrell.”. Shane O’Farrell was a young man from my home town who was killed in a hit-and-run accident in 2011. The GSOC report on same took an inordinate amount of time and was very incomprehensive. The only substantial finding related to those findings of negligence but according to this newspaper report, Mr. Harris revoked two out of the three findings.

Dr. Shawna Coxon: I am happy to get back to Deputy Carthy on that but GSOC does not make those recommendations. If it sets out a determination in terms of what should happen next and says that discipline should occur, for example, then it would come to the Garda Commissioner. There are inaccuracies in how that is described but I am quite happy to take it away, look into it and provide more detail on it.

Mr. Drew Harris: I was not aware of that newspaper article. I would like to give the Deputy a substantive response because as it is described, that is not accurate in terms of the process. I will give the committee a substantive response on that.

Deputy Matt Carthy: I would welcome that. I accept that the Commissioner does not want to talk about specific cases but I want to use the case of Shane O’Farrell as an example-----

Chairman: Deputy, please be careful when talking about a Garda investigation into a specific case-----

Deputy Matt Carthy: Unfortunately, there is no current investigation because gardaí have completed their deliberations and GSOC has completed its deliberations. This event took place 11 years ago. The man who was driving the car that killed Shane O’Farrell should have been in prison at the time. He had been stopped in his car by gardaí about a half an hour before the incident. He was in breach of multiple bail conditions in several court jurisdictions. One of his bail conditions was that he was supposed to sign on daily at a Garda station. He was actually imprisoned as a result of a court judgment in Newry. There are lots of questions to be answered. In cases like that, where families have serious questions that need to be answered and when they feel that gardaí have not been upfront and where GSOC has not been able to identify the reasons for those failures, what does Mr. Drew consider to be the most appropriate mechanism for those

families to get the answers they are looking for?

Mr. Drew Harris: It is my understanding that the Minister of Justice has appointed a judge to examine that case, who will report shortly on that matter. I have not seen a draft report or been given an indication as to timing. In effect, that report should provide a complete overview of all that happened within the various agencies, including An Garda Síochána, the Courts Service and GSOC. I await that report.

Deputy Matt Carthy: Essentially what is being conducted by a former judge is a scoping inquiry, 11 years on. The scoping inquiry may give options but in the broadest terms, where questions need to be answered, there have been tribunals and independent inquiries and other mechanisms used in the past. Does Mr. Harris have a view on the most appropriate way to get answers when serious allegations of a failure to deliver on the part of gardaí are made?

Mr. Drew Harris: In the first place, it would be a public complaint and that would then go to GSOC for investigation and determination. GSOC has a wide remit, not only in terms of discipline and crime investigations, but also the issuing of reports with recommendations to An Garda Síochána.

Deputy Matt Carthy: That goes back to my original point. If the gardaí concerned are able to assess that this does not form part of the Garda code and that their interactions with GSOC are not an integral part of their work, does Mr. Harris agree that there is scope for reform of GSOC to improve its ability to carry out investigations of this nature in a more timely and efficient manner?

Mr. Drew Harris: We would certainly agree that investigations should be conducted in a timely manner because it is a matter of great stress for Garda members and also a source of dissatisfaction for the public if these things take an inordinate amount of time. Matters that are referred back to An Garda Síochána for superintendents to investigate are more minor matters and would invariably relate to discipline only. I would not see such serious cases ever being referred back to us. In fact, we would not be comfortable in taking such a case back. It is only the more minor matters that come back to us.

Chairman: If the Commissioner could come to Deputy Carthy with a substantive response, that would be appreciated. Deputy Catherine Murphy is next.

Deputy Catherine Murphy: I have a number of very brief questions, the first of which relates to the Central Statistics Office, CSO, and the statistics it issues “under reservation”. What is the current status of that issue and how will it be resolved?

Was a protected disclosure made in relation to the 999 calls issue? Is that investigation now completed?

Is there an issue with staff retention? It has been reported recently that members who are not at retirement age are resigning. Is there an issue there that An Garda Síochána has identified? If so, what is being done to deal with it? Some of the changes made to rosters during the Covid period were welcomed by members. Are measures like that being considered which would be helpful or are there other reasons for the retention difficulties?

Finally, on the Office of the Director of Corporate Enforcement, ODCE, and its successor, the Corporate Enforcement Authority, CEA, a memorandum of understanding is to be signed relating to the deployment of gardaí to the authority. Is that up to a full complement at the mo-

ment? Has the memorandum of understanding been signed? A number of high-profile investigations within that organisation will require the involvement of gardaí. What is the position in that regard at the moment?

Mr. Drew Harris: I will refer the questions on the CEA to my colleague, Mr. Nugent.

Mr. Joseph Nugent: The memorandum of understanding has not been signed yet. There are minor issues that need to be resolved around that. Discussions are ongoing and I expect that it is only a matter of weeks before it is signed. That aside, there is agreement between both parties around the recruitment of additional gardaí into that space and the competition for those roles will be happening very shortly, within days.

Mr. Drew Harris: In respect of retention, I have certainly seen some of the reports about that but within our own figures, we are not seeing that as a particular trend. Undoubtedly, one of the things we are seeing is individuals who join and are in the probation phase decide that police work and what is required of them in policing are not for them and they leave. That is fair enough. That is probably wise judgment on their part. An issue of more concern is the steady trickle of people leaving the organisation to go to private employment, many of whom have particular skills, including analytical skills related to cybercrime or economic crime investigations. We make a significant investment in individuals to bring them up to speed and it is regrettable when we lose their expertise. At the same time, not all will stay away and people can apply to rejoin and we have seen that as well because we are a good employer. We offer training, advancement and promotion into other areas of work. Sometimes people find that their working conditions and overall job fulfilment were better with An Garda Síochána. It is not all a one-way street in that respect.

Deputy Catherine Murphy: Is there going to be an issue with a number of senior people all retiring at the same time?

Mr. Drew Harris: That is just a product of birthdays, people reaching 60 years of age and compulsory retirement. We envisage a maximum of seven vacancies at assistant commissioner rank over the next eight months. That is not a good position to be in but we will work through it. We have very capable and competent people at chief superintendent rank who are very anxious to step forward to the rank of assistant commissioner.

Deputy Catherine Murphy: I also asked about the protected disclosure.

Mr. Drew Harris: On the protected disclosure aspect, I am not sure but am I not bound to confidentiality under that process?

Deputy Catherine Murphy: I do not want to know about the detail of the disclosure but is it about the 999 calls and has it been resolved at this stage?

Mr. Drew Harris: There is a disclosure which has not yet been resolved at this stage.

Deputy James O'Connor: Earlier, I asked the Commissioner about section 41 with a view to getting a better understanding of how it operates. May I ask him a question on the resources that were provided in the year 2020? There were a number of very high-profile interactions between An Garda Síochána, the Government and members of the European Commission. Has the Commissioner adapted or changed procedures as a consequence of the leak of the PULSE details of a former member of Cabinet or as a consequence of what happened to the then EU Commissioner, Phil Hogan? Has there been any review of An Garda Síochána's processes in

respect of the use of section 41, the section used in the then EU Commissioner, Phil Hogan's case, and with regard to the leaking of PULSE files of Members of the Oireachtas? Has any work been done on that because it has continually been an issue for An Garda Síochána and has happened in the past?

Mr. Drew Harris: In respect of the alleged leak of PULSE files, that matter is under investigation by GSOC. I do not want to make any determination until it has reported on that matter.

Deputy James O'Connor: I appreciate that. The Commissioner is correct. To clarify, in financial services, all Members of the Oireachtas are classified as politically exposed persons for reasons of financial accountability. From a policing and justice perspective, has the Commissioner considered any changes to An Garda Síochána's processes in that regard?

Mr. Drew Harris: We have made addressing the leaking of information one of our priorities in respect of our anti-corruption measures. There are a number of ongoing investigations. Regrettably, we have identified instances in which we regard the leaking of information to not only have crossed the threshold for misconduct, but the criminal threshold. Those investigations are ongoing and the results will be reported to the Director of Public Prosecutions. I have made it very clear, as has Deputy Commissioner Coxon, that we have zero tolerance towards the leaking of official information to the public or to any other entity. There are proper processes to be followed. We regard such activities as very much a breach of trust and, therefore, as serious misconduct.

Deputy James O'Connor: In the era of transparency, perhaps some manner or means could be found to promote accountability and transparency with respect to PULSE records required by Government prior to appointments. It is unfortunate that this seems to be a recurring issue with An Garda Síochána. It has happened in the past. It happened as recently as 2020, the year we are examining today. I have a degree of concern in that regard. I ask the Commissioner to evaluate that and perhaps include a review on the matter among those being undertaken, of which there are many between An Garda Síochána and GSOC at the moment. Perhaps it might be prudent for that to happen.

I would like to clarify the response to a question I asked the Commissioner earlier on. He did provide some detail but I want to make sure I am clear on the issue. With regard to section 41, does the Commissioner write to the Secretary General, to the Minister or to both when providing such information?

Mr. Drew Harris: In practice, I write to the Secretary General. It is a formal-----

Deputy James O'Connor: In practice, is that what happened in 2020? Did the Commissioner write to the Secretary General?

Mr. Drew Harris: Yes but some letters may also have gone to the Minister. The legislation specifically mentions both the Minister and the Secretary General.

Deputy James O'Connor: Why did the Commissioner feel writing to the Minister was merited in that particular case?

Mr. Drew Harris: Which particular case is the Deputy referring to?

Deputy James O'Connor: I am referring to the case of the then EU Commissioner, Phil Hogan, given the severity of what happened.

Mr. Drew Harris: The section 41 communication is a protected communication between myself and the Minister.

Deputy James O'Connor: Yes, but I asked the Commissioner a very clear question. What merited him informing the Department of Justice that had happened?

Mr. Drew Harris: I reviewed the matter and regarded it as meeting the requirements to provide a report to the Minister under section 41.

Deputy James O'Connor: Does the Commissioner feel it contributed to Mr. Hogan's resignation?

Mr. Drew Harris: I have no comment in respect of that.

Chairman: The overall budget increased by 23% or 24% between 2015 and 2020. With regard to the development of policing, a couple of years ago, there was a lot of talk about changing the ethos. The Commissioner has outlined some of the changes that have taken place. With regard to policing, people still refer to An Garda Síochána as a "force". The Commissioner attended a joint policing committee in County Laois. That was helpful. With regard to ethos and perception, does he believe it would be helpful if we could drop the term "force" and describe An Garda Síochána as a service?

Mr. Drew Harris: Internally, we-----

Chairman: I know it is only a word but the Commissioner knows where I am coming from.

Mr. Drew Harris: It is important. Internally, we refer to ourselves as a policing service. The new Bill will also refer to us as Ireland's policing service. We are anxious for that because we are moving more and more towards becoming an organisation that is human rights-compliant and victim-focused. We want to use technology to its best advantage but we want to keep that ethos of community policing. That is all part of providing a policing service as opposed to being a force of gardaí.

Chairman: I understand that members have to deal with very sensitive stuff. They have to deal with very confrontational situations and so on but perception is very important for any organisation. It would be helpful if members within the organisation were to start using the term "service" more often as opposed to "force". I recognise the positive changes that have taken place in policing in recent years. There are now further moves to strengthen joint policing committees and to change that model. That will be positive.

I will briefly ask about the issue of the farm at Dromard. It has come up at previous meetings of the Committee of Public Accounts, where it was dealt with extensively. An Garda Síochána was renting these 100 or 120 acres of land near Templemore between 2009 and 2013. The OPW then took over the lease and is now renting the land out for agricultural purposes. Is there any update on the examination of that issue?

Mr. Joseph Nugent: I am not aware that we have been using the facility. We have certainly been talking with the OPW, which has asked us to confirm whether we have a desire to retain the land to use it for tactical training. We have made very limited usage, if any, of the land in recent times. We are discussing the matter with the OPW.

Chairman: Does An Garda Síochána see a need to retain the land? What is the plan for it?

Mr. Joseph Nugent: We have to reflect on the issue. I am not trying to be evasive but, in fairness, we have not undertaken an assessment of whether it is a valuable asset for the purposes of tactical training. We have been using other facilities for such training and, as I have said, we have made limited use, if any, of the farm. The OPW has asked us to confirm our intentions. In fairness to the Commissioner, I have not spoken to him about this yet, but it is an issue we will be considering.

Chairman: Is there any outcome to the investigation into the renting out of the farm during the period from 2009 to 2013? Has that investigation included?

Mr. Joseph Nugent: I suspect that was undertaken by the OPW. It is not something that we were involved in.

Mr. Seamus McCarthy: Actually, during that period, the land was being rented out by members of the force.

Mr. Joseph Nugent: We are certainly not renting it out and any interests we had in it are completely gone.

Chairman: My understanding was there was an examination or investigation of the use of the rent collected from that four- or five-year period. I am trying to find out if that has concluded.

Mr. Jim Nugent: Specifically in relation to the farm, I was not aware of an investigation targeted on it directly. However, the Comptroller and Auditor General may have a-----

Mr. Seamus McCarthy: It was all part of the-----

Mr. Jim Nugent: It was all part of the overall piece-----

Mr. Seamus McCarthy: There were various interim stages of the investigation and it was the use of the proceeds of the rental in that period. I believe An Garda Síochána surrendered the amount of the rent to OPW in 2014 or 2015.

Mr. Jim Nugent: In terms of where we are, as I mentioned earlier, there are two outstanding issues. One is the final confirmation of the movement away from the lease around the golf club, and once that occurs, the winding up of Sportsfield Company Ltd. Hopefully both of those will be addressed in the very near future.

Chairman: I do not want the Commissioner to go into detail, but on resources for espionage, as it is referred to, there was a situation where diplomats were expelled from the State in recent days. Are there sufficient resources within An Garda Síochána to deal with that type of activity?

Mr. Drew Harris: The Chair is correct; obviously, I am limited as to what I can say. We are also a security service as well as a policing service and, therefore, there have always been resources dedicated towards the overall security of the State, which includes dealing with the threat of espionage. Those resources are in place. I had to look to see what extra we need to be doing at this particularly difficult time, given the war in Ukraine. That is ongoing. As one can see from our accounts, we have been given additional resources over the past five or six years. Part of that investment has been within the security service portion of An Garda Síochána.

Chairman: Obviously, the Russian embassy where that has happened is well known. If I

can ask, in terms of An Garda Síochána, are there sufficient resources for ongoing monitoring of that type activity by various governments or agencies that may be involved in such - perhaps ones not as far away as Russia; perhaps ones that are closer?

Mr. Drew Harris: We are resourced to deal with the threats. If I feel that our resources are insufficient, I have an open channel to the Minister in terms of the resources, equipment or processes that we might need. We also work very closely with our European allies. Much of this is a collective effort. We collectively pool our resources to protect, in effect, the EU.

Chairman: Is An Garda Síochána active on an ongoing basis in monitoring that type of activity or possible activity by other governments?

Mr. Drew Harris: Yes, that is part of our function in countering espionage.

Chairman: It has been reported as well that some of that is related. I know it was reported that State agencies were often targeted. In terms of State agencies, the political arena and various other sectors, would part of that involve the internal security in An Garda Síochána as well? From the point of view a government that would want to collect information, obviously targeting the policing service would be part of that.

Mr. Drew Harris: We are very conscious of our own internal security. That is physical security, security around our policy and processes and also the vetting of our staff. These are all areas that we take very seriously. Given the experience elsewhere in Europe, we are wise to take them very seriously.

Chairman: Okay. Has Commissioner sufficient resources on an ongoing basis?

Mr. Drew Harris: Yes.

Chairman: I thank the Commissioner for that.

I thank the witnesses, staff and the official from the Department of Public Expenditure and Reform for attending. I also thank the Comptroller and Auditor General and his staff for assisting and attending today's meeting as well.

Is it agreed that we request the clerk to the committee to seek any follow-up information and carry out actions agreed at the meeting? Agreed. I would also like to acknowledge the work of An Garda Síochána, particularly over the past number of years and the successes that it had in respect of some major criminal gangs. It is the fruit of that. There was a feeling, perhaps two or three years ago, that the public felt vulnerable. I am sure in the city many people felt vulnerable because of the situation where some people felt they were untouchable. The successes in that regard are good and I just want to acknowledge that. Is it also agreed that we note and publish any opening statements and briefings provided for today's meeting? Agreed.

The meeting is suspended until 1.30 p.m., when we resume briefly in private session before returning in public session.

The witnesses withdrew.

Sitting suspended at 12.36 p.m., met in private session at 1.30 p.m. and resumed in public session at 2.15 p.m.

Business of Committee

Chairman: The business before us this afternoon is as follows: minutes, accounts and financial statements, correspondence, work programme and any other business. The minutes of the meeting on 24 March is the first business. They were circulated to members. Are the minutes agreed? Agreed. They will be published as usual.

The next business is accounts and financial statements. Five sets of financial statements and accounts were laid before the Houses between 21 March and 25 March. I ask the Comptroller and Auditor General to address these before I open to the floor.

Mr. Seamus McCarthy: The first set of financial statements submitted is the Royal Irish Academy for 2020. It is a clear audit opinion but I draw attention to recognition of a deferred pension funding asset. This is similar to the university sector bodies. It is a standard matter that I draw attention to.

Number two is the fishery harbours centres for 2020. It is a clear audit opinion.

Number three relates to InterTradeIreland, which is one of the North-South bodies, for 2020. It is a clear audit opinion.

Number four is Institute of Technology, Tralee, a dissolved body for which this is the final set of financial statements. It relates to 2019 and 2020, an extended accounting period. That gets a clear audit opinion.

Finally, Galway and Roscommon Education and Training Board 2020 gets a clear audit opinion.

The InterTradeIreland account was signed off on 9 August so there appears to be a delay. The committee might wish to pursue an explanation for that delay.

Chairman: If it goes over six months, I think, was that it-----

Mr. Seamus McCarthy: Three months is the period in which, after signing, they are expected to submit. If it is four months there is a bit of leeway and, particularly with a North-South body, there can be added complication. However, this is from August to March so is a little bit over.

Chairman: Do any members want to comment on any of them? Are they happy with them? Okay, we will ask for an explanation of that-----

Deputy Matt Carthy: I support the proposition that we write to InterTradeIreland. The Comptroller and Auditor General has explained this previously but how precisely does the audit process work when the body crosses two jurisdictions? Is he satisfied that the process is sufficiently streamlined and that there can be maximum public confidence in it?

On the Royal Irish Academy and the deferred pension funding asset issue which, as he noted, is similar to the university sector, what are the implications of that? Are there plans to address it or will this just be an opinion we receive on every audit he provides relating to this sector?

Mr. Seamus McCarthy: On the cross-Border matter, between ourselves and my counter-

part in Northern Ireland, one or other of us takes a lead role in a specific audit. In the case of InterTradeIreland, the lead is the Northern Ireland Audit Office. We co-ordinate on the plan and both offices review the findings of the audit but the work on the ground is carried out by the lead authority. We discuss between ourselves the issues that might arise. It is complicated and there can be further complications if explanations are required, particularly if a body has to go back to parent departments in two jurisdictions. When the explanation comes through, there are processes of presentation of the financial statements on both sides of the Border that may contribute to the delay in submitting it to the Houses.

I refer to the recognition of a deferred pension funding asset. Many third level institutions, particularly universities, have other sources of income apart from grants from the State. They need to recognise that they have accrued pension liabilities but if they did not recognise a matching pension funding asset the picture on their balance sheets would be distorted and it would look like they were insolvent. However, the expectation is that it might be 50 years before these liabilities are drawn down. They are effectively assuming that the Exchequer will meet the pension liabilities as they arise. Because they do not have a guarantee that the State will do that, I am drawing attention to it. It is something we have been doing for many years. If the committee takes the view that it understands that point I will consider whether it makes sense to continue to draw attention to it. I have been reflecting on whether it is necessary.

Chairman: The Comptroller and Auditor General has been giving clear audition opinions on the accounts of the North-South bodies their accounts so far.

Mr. Seamus McCarthy: Yes.

Chairman: Which is good.

Mr. Seamus McCarthy: Occasionally there is a matter or an impropriety of some kind in relation to a grant, a fraud or something like that or there could be procurement issues. There have been occasional matters but there has been nothing substantive in recent years.

Chairman: That is good considering there are two jurisdictions. Can we agree and note the accounts?

Mr. Seamus McCarthy: One point was raised when we were talking about accounts and statements last week on a payment to a former chief executive of Transport Infrastructure Ireland. Deputy Carthy had a question about the accrued leave that was paid for when the chief executive departed. For the information of the committee, the Department of Finance circular No. 27 of 2003 provides for that kind of payment and it also sets out the framework for carrying forward leave from period to period. It is possible to accrue leave of the amount in this example, which was 41 days. I understand that in this particular case the chief executive expected to be leaving earlier in the year, which was 2020. Due to the Covid restrictions it was not possible for the Department to go ahead with its recruitment competition so his departure got delayed. That was all part of what resulted in that significant payment.

Chairman: I thank the Comptroller and Auditor General for that information. Can we agree and note the accounts and statements? Agreed. As usual, the accounts and statements will be published as part of our minutes.

The next business is correspondence. As previously agreed, items that are not flagged for discussion at this meeting will continue to be dealt with in accordance with the proposed actions that have been circulated, and decisions taken by the committee in relation to correspondence

are recorded in the minutes of the committee's meetings and published on the committee's web page.

No. 1128B is from Mr. Ray Mitchell, assistant national director of the HSE from 11 March. This is information requested by the committee on additional nursing home charges. We held this over from last week and it is proposed to note and publish that. Is that agreed? Agreed. It was flagged by Deputy Munster and I am not sure if she is present so I propose that we move on. We will take that as dealt with and that correspondence is there if the Deputy wants to review it and comment on it in future.

No. 1137B is from Mr. David Moloney, Secretary General of the Department of Public Expenditure and Reform, dated 16 March 2022, responding to the committee's request that Accounting Officers' remuneration be published as part of the appropriation accounts of Departments and offices. This is beginning with the presentation of accounts for 2021. Members will recall that we wrote to the Department proposing a number of changes to the format and content of the appropriation accounts. The Secretary General agreed to examine the proposal for the 2022 accounts, and it was subsequently requested that, in the interests of transparency and accountability, the remuneration of Accounting Officers should be included in the 2021 accounts. It is welcome that this will be done and that will include a comparator for 2020. The circular giving effect to this change was circulated to members yesterday. I propose that the committee notes and publishes this item of correspondence; requests a progress update by the end of September this year on each of the changes to the appropriation accounts proposed by the committee and includes the matter on the agenda for our meeting with the Department of Expenditure and Reform on 19 May.

I will open this matter to the floor before seeking agreement on those proposals. Deputies Carthy and Catherine Murphy have flagged this item.

Deputy Matt Carthy: We sought details to be included in the accounts of the remuneration associated with Accounting Officers. The reference to this was a request coming late in the timeframe for preparation and sign off on the accounts. This is information that is readily available within the Department and the letter and request from our committee was sent on 31 January so I do not accept that there would be difficulties in Departments providing this information.

The second query I would like to make in response to Mr. Moloney is on his reference to the timescale. He stated: "...this disclosure will for 2021 be based on the remuneration associated with the grade." That is not the information we have sought. We have sought the net remuneration received by Accounting Officers. We are aware of the situation in the Department of Health where a public statement was made that an Accounting Officer was waiving a portion of his or her salary. This committee needs to be clear that it is seeking information on how much was paid to the Accounting Officer in each Department. I see no reason that would not, and could not, be provided for 2021. I ask that we request that in clear terms in our correspondence with the Secretary General of the Department of Public Expenditure and Reform. We should also inform each Department that we are seeking this information, either in the form of the accounts, or where that information cannot be provided due to the timescale and the preparation of the accounts, it should be provided in a note to the committee.

Deputy Catherine Murphy: I agree with Deputy Carthy on the terminology and that the timeframe was late. This is not information that is unknown; it is known. The committee would not view this as an acceptable response. There will be issues and they are linked to this. For example, a precedent was set regarding the remuneration for the Secretary General at

the Department of Health. Would that pay scale carry if the person was reshuffled? That is an example of a question that will crop up and we have not had a response yet to the report of the committee that was sent to the Department. We have to keep an eye on that to make sure we get an adequate response.

Mr. Moloney states: “The Department had already agreed to consider a range of possible changes to the appropriation account framework for 2022.” The person who is probably best placed to know the impact of that is the Comptroller and Auditor General. It would be useful to hear whether that has gone far enough. In Mr. McCarthy’s opinion, is it a meaningful difference? Could the changes to the framework go further?

Mr. Seamus McCarthy: If the Deputy recalls, the committee wrote to the Department of Public Expenditure and Reform on 23 November setting out three areas where it was of the view that substantial changes were needed. The Department pointed out it was already making changes in one area relating to legal costs. One of the other areas was pay and staffing. One of the things requested was remuneration details for the Accounting Officer. It is well established as regards chief officers in other organisations that it is the actual payment in the year that is reported. The Accounting Officer who replied regarding that on 6 January stated, in effect, the Department would consider the changes that were laid out but the circular had already issued for 2021. In the context of changes for 2022, the Department is willing to engage in a dialogue and to look at how things might be measured and defined and so on. The committee’s subsequent letter was dated 31 January so there was not a major delay in responding to the committee’s request that remuneration of the Accounting Officer could be included for 2021. That was the sequence.

The big changes I see are in the other area, which relates to EU claims and funding. There was a suggestion by the committee in November that things such as the gender pay gap would be included. A little work will be involved in arriving at a set of definitions so that everybody is clear what it is we are trying to measure and report.

Chairman: We will request the information Deputy Carthy mentioned. His proposal for 2021 is that the exact amount is included in respect of the net remuneration received by the Secretary General.

Mr. Seamus McCarthy: The appropriation accounts have been submitted for 2021. They are already signed off.

Chairman: Deputy Carthy’s proposal is that we get a note on it.

Mr. Seamus McCarthy: Separately.

Chairman: Yes.

Deputy Catherine Murphy: There are two things. I imagine it is the gross as opposed to the net amount.

Mr. Seamus McCarthy: It is the gross amount.

Deputy Catherine Murphy: Otherwise, that would be looking into the personal circumstances of tax and so on, which would not be appropriate.

Chairman: That is correct.

Deputy Catherine Murphy: Regarding the terminology, I would be quite concerned if the Department is saying it will “consider”. As a parent, I know what that meant when my children were growing up. You would say “Oh, I’ll think about it” or “I’ll consider it” and you knew full well you were never going to agree to it. We all did it. The word “consider” comes across as very paternalistic to me. Is there any good reason we should not know this information? The message that is coming across to me is, in essence, paternalistic, hoping we will forget about it and that the Department will not have to do it. I do not find that acceptable.

Chairman: Yes, “consider” can mean a lot of things.

Deputy Catherine Murphy: It does, as does, “We will think about it”, “We will consider it” and “We will get it done.”

Mr. Seamus McCarthy: Certainly, it is quite clear that the salary and remuneration package of a chief officer of a State body has to be disclosed in the financial statements. That has been applied and has been the case for a good number of years at this stage. It is probably inconsistent that the same would not happen regarding the chief officers of Departments.

Chairman: Okay. We will look for that information.

Deputy Matt Carthy: Deputy Murphy must be a very strict mother indeed. I propose we adopt a strategy my children use, which is to keep coming back until they get the answer they want. The reason I used the term “met”-----

Chairman: It is called pester power.

Deputy Matt Carthy: The reason I used the term “met” in the context of remuneration is we know what the stated salary is. In one particular instance, the Accounting Officer in the Department of Health made a very public statement indicating he was waiving a portion of that salary. I want, and what I hope this committee is seeking, the figure relating to the remuneration when that waiver was included in that or any other Department where it happened. It is not necessarily the salary that is assigned for the position but the salary that is actually drawn down.

Of course, I do not intend to seek details of tax or any other deductions from source, but it is crucially important for public trust, and in respect of public statements that have been made, that the committee and the public have access to that information, which we have sought separately from the Department but has not been provided up until this point. It is something we should agree to pursue. Otherwise, it will erode public trust if people make statements of that nature and do not provide the full information.

Chairman: Okay. We will seek that specific piece of information regarding gross remuneration. The other two proposals are to request a progress report by the end of September 2022 on each of the changes to the appropriation accounts proposed by the committee and include the matter on the agenda for our meeting with officials from the Department of Public Expenditure and Reform on 19 May. Is that agreed? Agreed.

No. 1139B is correspondence from Mr. Mark Griffin, Secretary General, Department of the Environment, Climate and Communications, dated 21 March 2022, providing follow-up information requested by the committee arising from our meeting with the Department on 10 February 2022. It includes information on the Department’s expenditure on external advisory services relating to the national broadband plan, which amounts to in excess of €16 million since 2020, and a short note on what the Department is doing to decrease its reliance on such

services. We also address this in our report on the Department's 2019 and 2020 accounts, which we will publish next week. It is proposed to note and publish this correspondence.

Deputy Murphy and I wanted to raise this matter. In reading this correspondence before the meeting, I noted that Analysys Mason received €6.852 million, Ernst and Young received €8.251 million and William Fry received €1.3 million. The Department sets out 28,309 interactions in total with the National Broadband Ireland contact centre and outlines the level of work. The note in the correspondence relating to efforts to try to move away from that does not tell us an awful lot. I wonder whether more details can be given.

On the rent and fees paid to other companies by National Broadband Ireland, despite the fact it is year one, there is already a €9.4 million outlay relating to the rental of poles and ducts. That is one we need to keep an eye on in the years ahead as the roll-out of the plan accelerates. It was at a very early stage last year and was only barely starting. That figure will be substantial and the committee needs to keep a watching brief on it. Deputy Murphy wanted to speak on this as well.

Deputy Catherine Murphy: This is a very long contract. If it was to continue going as it is over its lifetime, it would make it way more expensive. My understanding is that the Department deals with the administrative side, but the technical side is where we have the serious questions. Providing these services in house may well end up being a better option than employing consultants if the consultants are there in perpetuity. The letter states that since the contract was signed with Analysys Mason, payments of €6.95 million have been made. I think we should ask about the duration of the contracts in each of the three cases, namely, with Analysys Mason, EY and William Fry.

The letter goes on to state that since the contract was signed with William Fry in 2020, payments of €1.32 million have been made in respect of legal advisory services. Would it be possible for those legal advisory services to be got in house? We should inquire about that. This is all going to be within the same range of expertise. It is not as if it will involve, first, buying a house and then opening a road. It could end up being much better value for money if there were in-house expertise, and we should ask about that.

On the final page of the letter, there is a reference to arrangements being in place for effective knowledge transfer between advisers and the core team to mitigate their reliance on external advisers. I would like some more detail on what the knowledge transfer is and whether that has yet been scoped out. That is the kind of detail we will need. The letter goes on to state the Department's core team has expanded over the past year, with seven posts having been filled in 2021 and a further 14 additional posts in the process of being filled to replace some of the external resources, and that more expertise will be brought in house, which is welcome. It would be useful to get a breakdown by technical grade of the incoming staff in order that we will have some marker to see what changes are taking place.

Chairman: I thought the reference to arrangements being in place for an effective knowledge transfer between the advisers and the core team within the Department was skimpy. Nevertheless, it has recruited an additional seven staff and is in the process of filling 14 additional posts. We might ask to be briefed on the timeline for that.

Deputy Catherine Murphy: As well as on the technical grades. That will give us some indication of the capacity that is being built. If all the posts are, for example, on the administrative rather than technical side, that will be an issue.

Chairman: Okay. We will request that information and note and publish the item.

No. 1141B is from Mr. Maurice Buckley, cathaoirleach of the OPW, dated 21 March, providing information requested by the committee on the security arrangements for private residences. It is proposed to note and publish the item and to request an explanation for the significant increase in expenditure from 2020 to 2021. Is that agreed? Agreed. Deputy Catherine Murphy had flagged it.

Deputy Catherine Murphy: Obviously, this relates to officeholders and that can include judges, Ministers or whoever. It would be useful to get a rough idea of what was provided. It may well relate to CCTV, the building of a wall or something else. Will the OPW at any point remove the safety measures that have been applied? A bit more detail, rather than just the costs, would be useful.

Chairman: What I am not clear about is which type of measures the OPW is talking about. Do they relate to electronic equipment, for example?

Mr. Seamus McCarthy: I can confirm, because we have looked at this previously, that it is things like building security features, surveillance, lighting, maybe the removal of certain things that would obscure surveillance and so on, electronic gates and that kind of thing.

Chairman: I do not want anything to be identified, but what types of officials stay in these private residences?

Mr. Seamus McCarthy: It would tend to be senior people. If there was a threat against an officer at any level, there could be security-----

Chairman: Officers and elected representatives.

Mr. Seamus McCarthy: It could be, yes. Judges would be the other group, I think, that in the main would be included.

Chairman: Or employees of Government agencies.

Mr. Seamus McCarthy: Yes, wherever a threat or a perceived threat is made against an individual. In the case of judges who would typically deal with criminal cases and so on, that is what we are talking about.

Deputy Catherine Murphy: Who would notify the threat to cause the security review that would prescribe what is required?

Chairman: Presumably the Garda.

Mr. Seamus McCarthy: It would be the Garda, or if a judge were being appointed to deal with criminal cases and had not been dealing with them in the past, the Courts Service could raise the matter. Typically, these would be the kinds of features that it would not be either cost effective or useful to remove at a later stage. They really would not have any other use. It would be a case of taking them away just for the sake of taking them away.

Chairman: The fact the expenditure on the security of private residences during 2020 was only €213,000 and had increased for 2021 by 350%, to more than €700,000, shows that many of things happened last year. It is unfortunate those measures were required-----

Mr. Seamus McCarthy: I think there was a perception of increased risks to certain people.

Chairman: I hope those risks will reduce and sanity will prevail. In fairness, people are entitled to peace and a level of security within their family home.

No. 1145B is from Ms Kirsten Mey, president of the University of Limerick, UL, dated 24 March, providing information requested by the committee regarding the KPMG review of UL's purchase of a site in Limerick city. The report remains subject to legal consideration but the president expects to provide a further update to the committee in the coming weeks. Representatives of UL will appear before the committee on 12 May and it is proposed to note and publish this item. Is that agreed? Agreed. It was flagged by both me and Deputy Catherine Murphy.

Deputy Catherine Murphy: I would hope that when representatives of the UL come before us on 12 May, we will have some substance to discuss, although that may be the optimist in me coming out. I suspect that if the matter is subject to a legal review, we could be in for a very protracted process and I am not sure what can be done about it.

Chairman: Ms Mey states in her letter that she wishes to confirm that no further update is available in respect of the KPMG report because it is still under consideration by UL's legal advisers, but that she expects to be in a position to give an update in the coming weeks and will be in contact with this committee as soon as possible. I think we should wait and see what happens in the coming weeks. We are certainly anxious to see the detail.

Deputy Catherine Murphy: Surely some of this will crop up in the accounts. Will the Comptroller and Auditor General not then have the benefit of a report that has been completed?

Mr. Seamus McCarthy: That depends. If there is legal challenge against a report, there may be a difficulty in looking at it, but it would not necessarily preclude me from looking back myself. I would like to have representatives of the university before the committee. I will then consider whether it might be useful for my office to examine the issue.

Chairman: The letter suggests we may have some further information before the meeting on 12 May. It is a much-awaited report.

Deputy Catherine Murphy: It is.

Chairman: That is agreed. The next category of correspondence is correspondence from and related to private individuals and any other correspondence. No. 1152C is correspondence from Deputy Catherine Murphy dated 28 March. It is a request for the committee to make inquiries regarding MetroLink in Charlemont, Dublin 2. It is proposed to incorporate this inquiry into the request for further information from Transport Infrastructure Ireland that was agreed at our meeting last week. Is that agreed?

Deputy Catherine Murphy: Agreed.

Chairman: Does the Deputy wish to comment?

Deputy Catherine Murphy: I will wait until we get a response. The issue was drawn to my attention and I thought it appropriate to write to the committee.

Chairman: That is fine. No other items of correspondence have been flagged.

The next issue is the work programme. On 7 April, we will continue our series of justice-related meetings with two engagements. We will examine the financial statements of the Garda Síochána Ombudsman Commission that morning and those of the Policing Authority that after-

noon. At our meeting last week, we agreed to have separate speaking rotations for each engagement. The speaking rota and work programme have been updated accordingly.

There are two non-sitting weeks over Easter. Our next meeting thereafter will be with representatives of the Department of Justice and the Irish Prison Service on 28 April. With regard to that latter engagement, I suggest that we request an update on the independent review of the voluntary mess committees in Irish prisons and seek clarity as to whether the report of that review can be available to the committee in advance of the engagement. Is that agreed? Agreed. Members might recall we highlighted that issue in our report.

Our engagements for May are as follows. Representatives of the Department of Finance will be before the committee on 5 May. Representatives of the University of Limerick will be before the committee on 12 May. Representatives of the Department of Public Expenditure and Reform will be before the committee on 19 May. Representatives of the Department of Health and the HSE will attend on 26 May. That meeting will relate to a number of issues that are in the public domain. For the meeting with representatives of the Department of Public Expenditure and Reform on 19 May, it is open to us to include on the agenda Vote 11 - Office of the Minister for Public Expenditure and Reform, Vote 12 - superannuation and retired allowances, Vote 39 - Office of Government Procurement and Vote 43 - Office of the Government Chief Information Officer. Do members wish to include all of the Votes on the agenda for 19 May or would they rather examine any one of those Votes as a separate engagement? Members seem happy enough to address them all at the same time. We examined the Office of Government Procurement separately last year. The Office of the Government Chief Information Officer is a new Vote. How do members wish to proceed? Are they happy that we address all of those Votes at the one meeting? I take it they are.

The Accounting Officer for the Department of Public Expenditure and Reform is also responsible for Vote 15 - secret service, which cannot be examined in any substantive way. It is proposed to exclude that Vote from that agenda. Is that agreed? Agreed. That Vote has to do with State security. As agreed earlier, we will also include the format and content of the appropriation accounts on the agenda for that meeting with the Department of Public Expenditure and Reform.

It was noted at last week's meeting that a response has not been received from Department of Public Expenditure and Reform to the committee's request for further information regarding the closure of the Benefacts database. The Department provided a response yesterday and it will be circulated on Monday for consideration at next week's correspondence meeting. It is also proposed to include the matter on the agenda for our meeting with the Department on 19 May. We felt the Benefacts database was an important matter. Is that agreed? Agreed.

As usual, if there is any specific area of interest to members and which they wish to raise, I ask them to notify the clerk so that briefing material can be requested in advance and the bodies can be prepared to engage on the issues. Are there any other matters that members wish to raise for inclusion on the work programme? There are not. A list of subjects that members have mentioned is attached to the documents before committee members, if they want to review it and come back to future meetings with it. That concludes our consideration of the work programme for today.

The final item on the agenda is any other business. Do any members wish to raise any other matters? If not, we will go into private session before adjourning until 7 April, when we will examine the 2020 financial statements of the Garda Síochána Ombudsman Commission and the

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2020 appropriation accounts of Vote 41 - the Policing Authority.

The committee went into private session at 2.55 p.m. and adjourned at 3.08 p.m. until 9.30 a.m. on Thursday, 7 April 2022.