

THE FUTURE OF POLICING IN IRELAND



September 2018



An Coimisiún um Thodhchaí na Póilíneachta in Éirinn
Commission on the Future of Policing in Ireland

TABLE OF CONTENTS

FOREWORD	VI
A NEW FRAMEWORK FOR POLICING, SECURITY AND COMMUNITY SAFETY - SUMMARY	VIII
PART ONE – THE TASK OF THE COMMISSION ON THE FUTURE OF POLICING	1
Chapter One – The Commission and its Work	1
Chapter Two – Context, Change and Challenge	5
PART TWO – POLICING AND THE ROLE OF THE POLICE	10
Chapter Three – Human Rights as the Foundation of Policing	10
Chapter Four – A New Definition of Policing	13
Chapter Five – A New District Policing Model	17
Chapter Six – Crime	20
<i>Crime and Fear of Crime</i>	20
<i>Victims of crime</i>	21
<i>Crime Data</i>	21
<i>Crime Reduction Strategies</i>	23
<i>Crime Investigation</i>	25
<i>Cybercrime</i>	26
Chapter Seven – The Criminal Justice System	28
<i>Courts and Prosecutions</i>	29
<i>Inquests</i>	30
Chapter Eight – Traffic and Road Safety	31
Chapter Nine – Non-Core Police Duties	33
PART THREE – NATIONAL SECURITY	35
Chapter Ten – A Multi-Agency Approach for a National Security Strategy	35
Chapter Eleven – Oversight of National Security	38
PART FOUR – OVERSIGHT AND ACCOUNTABILITY	39
<i>Introduction – A Coherent National Framework</i>	39

Chapter Twelve – Political Accountability, the Oireachtas and the Department of Justice and Equality	40
<i>The Oireachtas</i>	40
<i>The Department of Justice and Equality</i>	41
Chapter Thirteen – A Policing and Community Safety Oversight Commission	43
<i>A new Policing and Community Safety Oversight Commission (PCSOC)</i>	43
<i>Role of PCSOC</i>	43
<i>Local Policing Accountability – a new approach</i>	45
<i>Membership of PCSOC</i>	45
<i>Exercise of Functions and Accountability</i>	46
Chapter Fourteen – Complaints and Discipline	48
<i>Garda Síochána Ombudsman Commission</i>	48
<i>A New Organisation</i>	49
<i>A New Remit</i>	49
<i>Performance Management and Disciplinary Regulations</i>	51
<i>Regulations on access to documentation</i>	52
PART FIVE – A POLICE SERVICE FOR THE FUTURE	54
Chapter Fifteen – The Garda Commissioner and the Leadership Team	54
Chapter Sixteen – A Garda Síochána Board	57
Chapter Seventeen – Structure and Management Processes of the Garda Organisation	60
Chapter Eighteen – Size and Composition of the Police Service	64
<i>Numbers</i>	64
<i>Volunteer programmes</i>	66
Chapter Nineteen – Recruitment	67
Chapter Twenty – Education, Training and Continuing Professional Development	69
<i>Recruit Education</i>	70
<i>In-Service Training</i>	74
<i>Continuing Professional Development (CPD)</i>	76

Chapter Twenty-One – Digital Innovation and Information Management	77
<i>A Comprehensive Strategy for Digital Innovation</i>	77
<i>Enabling Front Line Mobility</i>	78
<i>Empowering Public Engagement</i>	78
<i>Improving Organisational Capacity</i>	79
<i>Facilitating Inter-Agency Cooperation</i>	80
<i>A Digital Policing Innovation Centre</i>	81
PART SIX – A NEW POLICING CULTURE	82
Chapter Twenty-Two – Policing Culture	82
<i>A Community Responsibility</i>	82
<i>Occupational and Organisational Culture</i>	83
<i>Policing as a Profession</i>	85
Chapter Twenty-Three – Valuing the People of An Garda Síochána	87
PART SEVEN – THE LONG-TERM FUTURE OF POLICING IN IRELAND	90
Chapter Twenty-Four – An Adaptive Police Organisation for the Future	90
PART EIGHT – VALUE FOR MONEY	93
Chapter Twenty-Five – Value for Money and Efficiencies in Policing	93
<i>Greater clarity in the cost of policing</i>	93
<i>Streamlining decision making processes</i>	94
<i>Realising savings and efficiencies</i>	95
PART NINE – IMPLEMENTING CHANGE	97
Chapter Twenty-Six – Implementing change	97
<i>Next Steps</i>	99
ANNEXES	101
Annex I – Commission on the Future of Policing in Ireland	102
Terms of Reference	102
Annex II – Engagement and Consultation	105

THE FUTURE OF POLICING IN IRELAND



Kathleen O'Toole, Chair

Commission on the Future of
Policing in Ireland

FOREWORD

The work of the Commission on the Future of Policing in Ireland has been intense and expansive. We reviewed hundreds of documents concerning all aspects of Garda operations and administration. We benchmarked policing in Ireland against practices in other jurisdictions. We conducted surveys and engaged with thousands of individuals. We met with senior Government leaders, politicians representing all parties, officials from numerous government bodies, academics in Ireland and abroad, officials from other jurisdictions, Gardaí of all ranks and non-sworn Garda personnel. All of these encounters were of great value, but none more enlightening than our meetings with members of the public who shared their observations, concerns, and vision for a reformed and reinvigorated police service. It is clear that public confidence has been shaken in the wake of tribunals and news stories, yet the majority of people in Ireland continue to support their police and are eager to work in partnership with them to improve safety and enhance the quality of life in their communities. This was most heartening to hear, as the community's trust, respect, engagement and support are, without question, essential to modern, effective, and professional policing. This report reflects the constructive input and feedback from the Commission's robust consultation process. The Commission extends sincere thanks to all for your contributions. This is **your** report – a clear vision and roadmap for strengthening An Garda Síochána and the broader national framework for policing, security, and community safety.

This report not only focuses on the current arrangements for policing, but also anticipates future challenges, given changes in society, criminality and technology. The central finding of our review is that the systems currently in place – the police service itself and the wider national framework for policing, security and community safety – must be strengthened significantly to meet existing challenges, and also to address future demands. The shortcomings are not merely, or even mainly, a question of resources. They are critical systemic problems related to structures, accountability mechanisms, management processes and culture. Policing outcomes in Ireland will not improve simply by adding more police or appointing new police leaders. There is an urgent need for comprehensive, fundamental change. This should be a first-order national priority.

Previous reports containing sensible and often excellent recommendations have gathered dust on shelves. Several people have asked why we think this report will fare any better. Our answer has been consistent – because too much is at stake. Reform is needed urgently. The Irish people will not get the service they need and deserve unless the policing system is comprehensively transformed, nor will Gardaí have the rewarding and respected careers they sign up for. Moreover, policing problems will continue to escalate to the highest reaches of government with depressing frequency.

When established sixteen months ago, this Commission pledged it would return to Government with a clear vision for Irish policing and recommendations for sweeping reforms in the delivery of services to meet the unique complexities and demands of Ireland's communities. Our process has been transparent, our engagement authentic, and our review rigorous. While other bodies have been charged with examining past concerns, this Commission was tasked to design a fresh start. We did not approach our work through a prism of scandal or accusation, but instead in an objective, strategic manner. We had no agenda but to get this right. It was indeed a privilege to work with such an extraordinary team and I sincerely thank my colleagues. Our work is now done, and it is in the hands of Government, the Oireachtas and An Garda Síochána to make it a reality.

Ireland is a modern, dynamic country and its police service should reflect that reality. If all of these recommendations are implemented, we believe that Irish policing will not only regain the ground it has lost compared to other policing jurisdictions, but will be at the forefront in the evolution of policing internationally.

Kathleen O'Toole, Chair

Commission on the Future of Policing in Ireland

September 2018

A NEW FRAMEWORK FOR POLICING, SECURITY AND COMMUNITY SAFETY

01

Human rights are the foundation and purpose of policing



02

Policing and national security are not the responsibility of the police alone



03

Accountability and oversight structures should be clear and effective



04

Internal governance must be strong and efficient



05

Police duties should be clearly defined and resources deployed accordingly



06

An Garda Síochána should be structured and managed to support front line policing



07

The people of An Garda Síochána are its greatest resource



08

Policing must be information-led



09

Policing should be seen as a profession



10

Policing must be adaptive, innovative and cost effective



A NEW FRAMEWORK FOR POLICING, SECURITY AND COMMUNITY SAFETY

This section of the report describes our vision for the future of policing, and the changes that need to be made, both across the whole of Government and within the police service. They are arranged according to ten key principles which, taken together, represent a summary of the more detailed recommendations set out in the body of the report.

FIRST PRINCIPLE. HUMAN RIGHTS ARE THE FOUNDATION AND PURPOSE OF POLICING.

1. The purpose of policing is to protect the human rights of all members of society to live free from violence, abuse, crime and fear. The justification for police powers to arrest, search or detain, and thereby to curtail the rights of some individuals in certain circumstances, is rooted in the duty of the police to serve and protect society as a whole. Police have to exercise these powers appropriately, effectively and with fairness to everyone. As a public service the police are required by Irish law to protect human rights and promote equality. **An Garda Síochána should have a human rights strategy, and a human rights unit** within the organisation to develop, implement and monitor the strategy. It should work with the Irish Human Rights and Equality Commission to fulfil its human rights and equality responsibilities. **Legislation defining police powers of arrest, search and detention should be codified, with statutory codes of practice.**

SECOND PRINCIPLE. POLICING AND NATIONAL SECURITY ARE NOT THE RESPONSIBILITY OF THE POLICE ALONE.

2. This principle goes back to the foundation of modern policing. It should be exemplified in practice in Ireland. Much will need to change to make it a reality. The Garda Síochána Act 2005 does not fully encompass the work of the police service, or the wider challenge of policing. While crime is a top priority for police, in practice the majority of police time, in Ireland and elsewhere, is spent on **harm prevention** – providing service to people with mental health and addiction conditions, homeless people, children, elderly and others at risk. This broader concept of community safety needs to be embedded in legislation in a new **Policing and Community Safety Act**. The Act should cover not only the police, but also the other agencies of government responsible for people at risk – including local authorities, health, child and other social services – who should be required by law to work with the police to protect people from harm.
3. Multi-agency cooperation should be underpinned by sharing information (with appropriate safeguards) about persons identified as being at risk, and joint action plans, the objective being that police and other concerned agencies should be well equipped to handle crises together. Multi-agency **Crisis Intervention Teams** should be established in all police divisions, with round the clock response capabilities. Every opportunity should be taken to co-locate emergency social services with police at divisional level.

4. Policing must be done with communities. To be effective in preventing crime and protecting people from harm, **police must work in partnerships** with other entities, including schools, community and volunteer organisations, businesses, human rights NGOs, youth groups, faith-based groups and others. We have seen evidence of good examples of this around the country but the practice should be universal and police leaders should be assessed on their success in building such partnerships.
5. The agencies of the criminal justice system, including the Irish Prison Service, the Probation Service, the Director of Public Prosecutions and the Courts Service, should work collaboratively in the development of crime prevention initiatives. **Better information sharing** within the criminal justice system will enable a range of interventions to achieve better outcomes and reduce the demands on the system.
6. The nature of the threat to national security has changed greatly in recent years, to include new forms of international terrorism, radicalisation of individuals, and cyber threats to critical national infrastructure. An Garda Síochána should retain its responsibilities for security operations, including intelligence gathering, investigations, interceptions and arrests. The internal security and intelligence capacity within An Garda Síochána should be appropriately resourced and reinforced with additional specialist skills. However, **the national security function should not be lodged entirely within the police organisation** and it is now necessary to augment An Garda Síochána's responsibility for security operations. There should be a more structured multi-agency approach to security, and a **Strategic Threat Analysis Centre**, based in the Department of the Taoiseach and headed by a **National Security Coordinator**. The office should bring together all sources of security intelligence and information – from An Garda Síochána, the Department of Justice and Equality, the National Cyber Security Centre, the Defence Forces, the Department of Foreign Affairs and Trade and any other sources – to develop and provide briefings and advice to the Taoiseach on all matters of national security. The Coordinator should be responsible for synchronising national security strategy.

THIRD PRINCIPLE. ACCOUNTABILITY AND OVERSIGHT STRUCTURES SHOULD BE CLEAR AND EFFECTIVE.

7. Police in a democracy must be **accountable to the people** and their elected representatives. In Ireland the **Minister for Justice and Equality** holds the police to account, and is accountable in turn to the **Oireachtas**. An Garda Síochána also has a responsibility to engage with relevant Oireachtas committees on policing matters. **An enhanced, regular programme of engagement between An Garda Síochána and the Joint Oireachtas Committee on Justice and Equality should be introduced** to improve the effectiveness of this channel. There is also merit in streamlining procedures to avoid duplication or competition between different Oireachtas committees.
8. At Government level, the **Cabinet Committee** responsible for justice issues should hold at least two meetings a year with attendance by the Minister for Health, the Minister for Employment Affairs and Social Protection, and the Minister for Education and Skills as well as any others with responsibility for **community safety and wellbeing**, and the Garda Commissioner, to ensure that all agencies take collective responsibility for policing.

9. There should be a **clear distinction between democratic accountability and oversight by appointed bodies. The operational independence of the Garda Commissioner should be explicit in legislation.** Oversight should be streamlined, more coherent and strengthened in a new **Policing and Community Safety Oversight Commission (PCSOC), superseding the Garda Síochána Inspectorate and the Policing Authority,** and taking on most of their functions as well as some new ones. PCSOC should have a remit to oversee the relevant activity of all agencies involved in policing and the prevention of harm, at both national and local level. It should scrutinise policing performance, carry out inspections, promote professional standards and coordinate and support local structures for community engagement with police.
10. The system for managing complaints should be overhauled. **An independent body, superseding GSOC, should be established, perhaps named the Independent Office of the Police Ombudsman (IOPD)** to make clear that it is not part of An Garda Síochána. IOPD should receive all complaints about the police service, from whatever source. If it judges a complaint to be a **performance management** matter, IOPD should refer it to the police service for resolution. All complaints that go beyond performance management, and involve **alleged breaches of human rights or accepted standards of policing,** should be investigated by IOPD itself, not by police, and IOPD should be adequately resourced to do so. All complaints, including performance matters dealt with by the police service, must be **properly documented** and the data accessible to the IOPD. All complaints should be handled **swiftly, and transparently** so that the complainant can easily track progress, and those who are the subject of complaints are properly informed. The police service should improve its performance management processes and should distinguish between matters of discipline and those requiring guidance rather than punishment. **The Disciplinary Regulations should be reviewed and reformed.**
11. Special arrangements should be made to provide for a **more extensive and robust oversight mechanism for national security matters.** We recommend the establishment of an **Independent Examiner** whose role will be to review security legislation, examine operational events which give rise to concern and adjudicate on requests for information from the policing oversight bodies.

FOURTH PRINCIPLE. INTERNAL GOVERNANCE MUST BE STRONG AND EFFICIENT.

12. External oversight should be distinct from internal governance of the police. No Commissioner, no chief executive in any organisation, can be expected to succeed unless they are given the levers of control to get the job done. **The Garda Commissioner must be empowered to manage, including appointing a senior leadership team with the required expertise, having overall responsibility for the processes determining promotions and assignments, making financial decisions, and managing the police estate.** The Commissioner must have lead responsibility for industrial relations negotiations for all members of the organisation, both sworn and non-sworn.
13. The Commissioner should be supported in running the police organisation by a **statutory Board.** Rarely if ever does a career police officer reach the position of chief of police with the full range of knowledge and expertise to run a complex institution of 15,000 people and a €1.65 billion budget. Even in the private sector, where a chief executive might have a great deal of relevant management experience, it is usual to have a board including non-executive members with diverse backgrounds and experience. The same applies to most State bodies and agencies in Ireland. For An Garda Síochána, a Board, with external

expertise and an independent **non-executive chair**, would strengthen the **governance** of the organisation, for example in the areas of human resource management, industrial relations, communications, procurement and budgeting. It would deliver greater accountability and support the delivery of the extensive change programme in this report. This in turn will lead to better policing **outcomes** and to better **value for money**. The Board would be accountable to Government, support the Commissioner in the execution of his or her function and hold the Commissioner and senior management to account for the effective performance of their responsibilities.

FIFTH PRINCIPLE. POLICE DUTIES SHOULD BE CLEARLY DEFINED AND RESOURCES DEPLOYED ACCORDINGLY.

- 14.** The prevention of harm takes up most police time and has become a core duty for police, who are both a gateway to, and a partner of, other agencies. Police are the lead agency for the prevention, detection and investigation of crime. Garda **crime investigation** processes and capabilities were examined in detail by the Inspectorate in 2014. Some important developments followed this report, such as the introduction of Protective Services Units, but overall progress has been limited. A new investigation management system, which has been under development for some time, should be deployed rapidly. **Crime reduction** strategies also need major improvement. Poor quality **crime data** hampers both investigation and prevention. New systems, new processes, and better training in how to use them, are essential. So too is an agile data analytics capability, able to assist police operations in real time.
- 15.** The public, police and politicians have all told us that they want to see **more police on the front line**. We agree. More police working in and with the community will help prevent and detect crime, reduce fear of crime, and protect people at risk. Many police are now doing **jobs that do not require police powers**, and should be done by non-sworn employees or outsourced. Police also have unnecessary administration duties, such as keeping paper records, duplicating electronic ones. These should be stopped. These steps will allow significant numbers of Gardaí to be **redeployed to front line district duties**.
- 16.** An Garda Síochána has a number of **key specialist units**, operating at headquarters with both national and international responsibilities including the National Economic Crime Bureau, National Bureau of Crime Investigation, National Drugs and Organised Crime Bureau, National Protective Services Bureau and the National Cyber Crime Bureau. Many of these units are dealing with new types of crime that transcend local and national boundaries. They should be resourced to develop the enhanced specialist expertise this requires. Extortion, fraud, ransomware, child pornography, sexploitation and other **cybercrime and internet-enabled crimes** are proliferating fast. Ireland is not alone in struggling to deal with the threat. Tackling cybercrime must be regarded as a core function of policing, and resourced accordingly, to a far higher level than it is now.

SIXTH PRINCIPLE. AN GARDA SÍOCHÁNA SHOULD BE STRUCTURED AND MANAGED TO SUPPORT FRONT LINE POLICING.

- 17.** **A new district policing model** should be introduced, positioning front line district police as **the core of the organisation**. Currently only a small number of police in each district are designated as “community police”. In future all Garda personnel at district level, whether sworn or non-sworn, and whether assigned to emergency response

or community engagement, should work as a single district policing team, to **solve problems affecting community safety, reduce crime and prevent harm**. They should develop their own **district policing plans**, consulting with local community fora. They should be equipped to deliver all routine policing services, with **support from the divisional level** for administration and certain specialist functions. The structure of An Garda Síochána should reflect the focus on the front line by becoming **flatter and less siloed**. **Headquarters should set policies, broad strategy, standards and objectives**. Front line police units should decide how they can best deliver those objectives and be accountable to their supervisors for the outcomes. There must be a **high degree of delegated authority, complemented by stronger local supervision**, notably at sergeant and inspector level. Innovation, initiative and new approaches should be encouraged, and evidence-based success applauded and disseminated. **Excellence on the front line should be valued and recognised**. Promotion should not necessarily require Gardaí to move to other districts or divisions.

- 18. Police divisions should be large enough to be self-sufficient** for all routine administrative and operational purposes. The current 28 Divisions seem to us to be too many and too small. We are not more prescriptive about the structure because we believe firmly that the Commissioner must be allowed to manage the organisation, and that includes deciding on the right structure. We do believe that it should be flatter than it is now, with a lower senior management ratio. Policing is changing fast and will continue to do so. Whatever structure the Commissioner may decide on in 2019 may well need to be reconfigured in 2022 or 2025. This would be quite normal in other organisations and so it should be in a police service.
- 19.** We are not prescriptive about the size and composition of the police service. The current target of 21,000 personnel by 2021 – 15,000 Gardaí, 4,000 non-sworn and 2,000 reserves – is unsupported by any detailed rationale that we have seen. The projected composition ratio of non-sworn to sworn members is much higher than today but still low (21%) by international standards. The numbers required in An Garda Síochána should be determined through **more robust workforce planning**, based on accurate information about the demand for police services and the mix of core skills required to deliver them, after the removal of non-core duties now performed by police.

SEVENTH PRINCIPLE. THE PEOPLE OF AN GARDA SÍOCHÁNA ARE ITS GREATEST RESOURCE.

- 20.** There was no recruitment and virtually no training for nearly six years following the financial crash. Now the pace of recruitment is very fast, putting strain on both the training college and the capacity of the organisation to absorb and supervise new recruits. The great majority of recruits already have academic degrees and do not need some of the academic elements of the current recruit foundation course. **Recruits who have degree qualifications prior to entry should therefore do a shorter course focused on policing**, before moving on to their probationary Garda service in police stations, where, as we have said, supervision at sergeant level should be strengthened. This will greatly reduce the cost of recruit training, allowing resources to be redirected towards **in-service training and professional development**, both of which have been starved of budget in the past. The Commission's new vision for education involves delivery through **higher education institutions** and greater use of **e-learning**, with only operational police skills and scenario training taught at Templemore. In many aspects of training, non-sworn

members should learn alongside Gardaí. There should be an expert **Director for Learning and Development**, separate from the head of human resources, with ownership of a **dedicated central budget for training**. **Continuous professional development** plans should be available to all personnel.

- 21.** A more determined effort should be made to recruit a more diverse workforce, both non-sworn and sworn, **diverse** not only in gender and ethnicity, but also in **socio-economic**, educational and geographical background. A **Garda Access Programme** should be developed, aligned with the Government's higher education access strategy. New entry routes should be introduced at all levels in the organisation. **Non-sworn members should be recruited directly to An Garda Síochána**, not to the general civil service, and should be treated as valued members of a **single Garda workforce** with a shared mission. A substantial increase of non-sworn members at all levels of the organisation will broaden its skill mix and diversity of outlook, enhancing its capacity to deliver **better policing outcomes**.
- 22.** An Garda Síochána needs to take **better care of its employees**. Policing presents both physical and mental challenges to wellbeing. The police urgently need a proactive **programme to address wellness, with dedicated funding**, as well as improved supports including timely debriefing and mandatory counselling after traumatic events. The current roster, considered problematic by most Gardaí we have met, and disruptive of police services to victims, should be replaced by **tailored rosters** that work better for both police and the communities they serve. Employees should have the **tools, training, uniform, vehicles and equipment** they need to do their jobs well. Outdated and inefficient work processes should cease and technology should be used to best effect. An Garda Síochána should foster an environment of psychological safety, where people feel empowered and supported to speak up and share ideas.
- 23.** Most sworn and non-sworn Garda personnel we have met clearly want comprehensive change, and will enjoy a more fulfilling career after the transformation and restructuring we propose. However, not all will want to remain with An Garda Síochána and there should be no pressure on personnel to stay if they would rather move on to other things. A **one-off targeted severance option** should be available for management to deploy.

EIGHTH PRINCIPLE. POLICING MUST BE INFORMATION-LED.

- 24.** This principle is at the heart of every aspect of the transformation we propose. Good decision making depends on timely, accurate information. An Garda Síochána badly needs to introduce **better business processes and systems for collecting, recording, managing, analysing and disseminating information about crimes, incidents, complaints, finance, human resources and other management issues**. Police and partner agencies need to share information effectively between themselves, and communicate with community partners. Technology can provide the tools for this, as part of a **comprehensive strategy for digital innovation**. Current Garda technology is outdated and inadequate, to the detriment of both effective delivery of police services and efficient allocation of resources. **Data should be seen as a strategic asset and a key factor in determining policing decisions**. In this way it should complement, not substitute for intuition and experience. **Professional data analysis is an essential tool in modern policing and should be available in each Garda division and in an enlarged Garda Analysis Service at Headquarters**.

25. Police should **share information with their communities and partners**. District police and community stakeholders should be in regular contact about community safety issues in their districts, using mobile phones, apps and social media, as well as direct personal meetings. This will foster public trust and lead to better community safety solutions. Transparency in information exchanges with other agencies, subject to relevant legal safeguards, will lead to better multi-agency approaches to community safety problems.

NINTH PRINCIPLE. POLICING SHOULD BE SEEN AS A PROFESSION.

26. The recommendations in this report are founded on a strong conviction that policing should be a **professional service**. They include improvements to training, learning and continuing professional development, the delegation of decision making authority, encouragement of innovation and initiative at the front line, diversity in recruitment, hiring experts for specialist jobs, respect for data as a strategic asset, openness to new ideas, and close cooperation with other agencies and community partners. The culture of the organisation should reflect this and the tone will need to be set and constantly reinforced from the leadership level. Personnel at all levels, sworn and non-sworn, should be encouraged to speak up, share ideas, challenge current orthodoxies and develop new initiatives. **The culture should be one of a team of professionals working together, not a hierarchy in which foot soldiers wait for instructions from above.** Internal communications between the leadership and the front line should whenever possible be backed by personal engagement, as opposed to overreliance on written directives. Senior police leaders should visit division and district level colleagues frequently.
27. **Professional ethics** are vital in any profession, and especially policing, which is grounded in the need to promote and protect human rights. An Garda Síochána has recently adopted a comprehensive Code of Ethics, which we welcome. This should be embedded in the human resources practices of the organisation at every stage, including recruitment, probation and performance management and the handling of complaints.
28. A new culture for policing should extend beyond the police service. **Government as a whole**, its elected officials and its agencies, and local communities should all recognise that policing is a shared responsibility. The oversight bodies should see themselves as having a responsibility, together with the police, to ensure a first class public service. The police, for their part, should embrace oversight as not only necessary but helpful. The blame culture that has infected relationships between them should be cast away.

TENTH PRINCIPLE. POLICING MUST BE ADAPTIVE, INNOVATIVE AND COST EFFECTIVE.

29. The change programme in this report will transform policing in Ireland, but should not be seen as a finite solution for the long term. The challenges of policing will continue to change, and An Garda Síochána and its partner agencies all need to be able to continue to adapt. Key to this will be the establishment of an **innovative and adaptive organisational culture**, encouraging ideas and initiative from all levels of the police service, and open to ideas from outside. The agility to respond successfully to new challenges will also require policing to be **cost effective**.

30. An Garda Síochána should work with the technology sector in Ireland and with academic expertise to support police in tackling cybercrime and other technology-enabled challenges. A **Digital Policing Innovation Centre**, supported by Enterprise Ireland and IDA Ireland, would enable An Garda Síochána and Ireland as a whole to contribute to technological innovation in policing. There should also be a unit within An Garda Síochána dedicated entirely to looking towards the future. It would utilise data analytics, and work with universities, think-tanks and other police services, to identify trends and emerging challenges for police both within the State and internationally, and help develop good practice for meeting those challenges. Such a unit would help **keep Ireland at the forefront of policing**.
31. Looking ahead to 2040, when today's recruits will be An Garda Síochána's senior leaders, Ireland will be a different place. The population will be six million, 25% larger than today, older and more diverse. Cities will be larger. This has major policing implications. Police must be part of the planning process, both to ensure that public safety is factored into plans for new buildings, public spaces and infrastructure, and also to determine their own resource, estate and deployment requirements.

IMPLEMENTATION

32. This report sets out an ambitious programme, but a necessary one. Change is needed urgently, not only to rectify deficiencies in the current system but also to prepare Ireland for changing policing demands in the future. The process should start immediately.
33. The transformation of policing will require leadership from the highest levels of government, and from the Commissioner of An Garda Síochána, together with responsible, robust, independent oversight. The totality of our recommendations forms a systemic and cultural transformation, not only for the police service. An **Implementation Group for Policing Reform** should be established to ensure delivery of the programme for change set out in this report. The group should have **an independent chair, and be supported by an Implementation Programme Office**.
34. The large reform programme we have proposed cannot be completed overnight, but it must be progressed as fast as possible and we believe that **2022 is a realistic target date for policing to be substantially transformed**. It is also symbolically important as the year in which the 100th anniversary of the founding of a police service for the Irish State will be celebrated. A policing system created for a new country a hundred years before can now be recreated for a new world.

PART 1

THE TASK OF THE COMMISSION ON THE FUTURE OF POLICING

CHAPTER ONE THE COMMISSION AND ITS WORK

1. The Commission was appointed in May 2017, entrusted by Government to conduct an extensive review of policing in Ireland and to report by September 2018 with recommendations for the future of policing. We were tasked to cover all aspects of policing, including the structures and management arrangements for the most effective delivery of the functions currently carried out by An Garda Síochána, encompassing community safety, state security and immigration; composition, recruitment and training; the culture and ethos of policing; and structures for governance, oversight and accountability.

2. The members of the Commission were as follows¹:-

Ms Kathleen O'Toole, Commission Chair - Former Chief of the Seattle Police Department, former Boston Police Commissioner and former Chief Inspector of the Garda Síochána Inspectorate.

Ms Noeline Blackwell - Human rights lawyer and Chief Executive of the Dublin Rape Crisis Centre. Former Director General of the Free Legal Advice Centres (FLAC).

Dr Johnny Connolly - Irish Research Council Enterprise Scholar at the Centre for Crime, Justice and Victim Studies at the School of Law in the University of Limerick.

Dr Vicky Conway - Associate Professor of Law at Dublin City University and former member of the Policing Authority.

Mr Tim Dalton - Retired Secretary General of the Department of Justice and Equality.

Sir Peter Fahy - former Chief Constable of Cheshire Police and former Chief Constable of Greater Manchester Police.

¹ Dr Conor Brady, former member of the Garda Síochána Ombudsman Commission and former Editor of *The Irish Times*, was a member of the Commission between May 2017 and September 2017.

Dr Eddie Molloy - Independent Management Consultant.

Ms Tonita Murray - International Police Development Consultant and former Director General of the Canadian Police College.

Dr Antonio M. Oftelie - Executive Director, Leadership for a Networked World and Fellow, Technology and Entrepreneurship Center at Harvard University.

Professor Donncha O'Connell - Established Professor of Law at the School of Law, NUI Galway and Commissioner (part-time) of the Law Reform Commission.

Ms Helen Ryan - former Chief Executive Officer of Creganna Medical and current member of the boards of Enterprise Ireland and a number of early stage companies.

The Commission was supported in our work by a dedicated Secretariat: Mr John Ahern; Ms Oonagh Ffrench (to July 2018); Mr Owen Garvey; Mr Eoin Guilfoyle; Ms Deirdre Meenan (Deputy Secretary); Mr Barra Ó Dúill; Mr Cairbre O'Fearghail (from July 2018); Ms Deirdre O'Rourke; Ms Sinéad Ryan (Secretary) and Dr Peter Stafford. Liaison with An Garda Síochána was facilitated by Detective Superintendent Aidan McCarthy.

We also had the benefit of the advice and expertise of Mr Bob Peirce, policing strategy consultant, and former Secretary of the Independent Commission on Policing for Northern Ireland.

RELATIONSHIP WITH PREVIOUS REPORTS AND RECOMMENDATIONS

3. Our terms of reference acknowledge the ongoing programme of reform underway based on successive Garda Inspectorate reports, including the Modernisation and Renewal Programme (MRP) 2016-2021 overseen by the Policing Authority.² We were tasked to conduct a new and fundamental review of policing and we have done so. The new framework we now propose will require the reevaluation of active reform projects within An Garda Síochána. Those projects which are inconsistent with our recommendations or no longer relevant should now be stopped. Work already underway which would support implementation of our recommendations should proceed. **This report should therefore be the lens through which all previous recommendations and programmes for reform are viewed.**
4. Our terms of reference also noted that the oversight, accountability and related functions of the relevant statutory bodies would continue to be discharged by them and that their work would represent an essential input into the Commission's process. While we recommend a new framework for oversight and accountability in this report, it is important that the work of the existing bodies continues in the context of a stable transition until the new framework is legislated for.

² We note that the Policing Authority's Fifth Report on the implementation of the MRP, published on 8 August 2018, recommended reworking of the MRP. Its judgement was that "a continuation of the current activity and effort, however well-intentioned, will not deliver the fundamental reform envisaged in the Government's decision of July 2016".

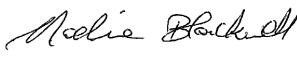
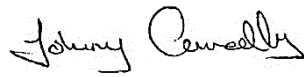
DATA AND INFORMATION

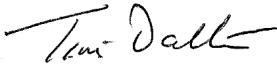
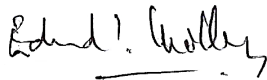
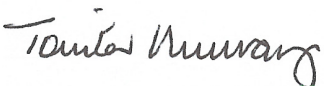
5. Our recommendations are based on our extensive engagement and consultations as outlined below and in Annex II, as well as the collective experience of Commission members in delivering change in policing and other organisations and services. We have also engaged in substantive research on policing in Ireland and other jurisdictions. As a general point, it is worth underlining a major challenge confronting anyone currently examining the effectiveness of policing in Ireland, which is the routine lack of reliable data and information on the management of the police service. This has been commented on by the Garda Inspectorate and the Policing Authority in successive reports. While we saw some positive moves to improve this in the course of our work, the situation needs to change fundamentally to support effective management of An Garda Síochána and effective policy making at Government level in the future. We have made recommendations in this report which should have a positive impact in both of these areas.

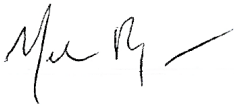
CONSULTATION

6. In our terms of reference (see Annex I), we were asked to consult widely, with the public and civil society and any other bodies or individuals we considered appropriate. From the outset of our work, we were determined that our consultation process should be robust and representative, with frank and wide-ranging discussions with the public, with members of An Garda Síochána and with multiple organisations engaged with the policing system, so that the Commission could hear a broad range of voices from communities across the country.
7. The key elements of our consultation process involved bilateral meetings with organisations and individuals relevant to our terms of reference, an invitation to make written submissions, a programme of public events in December 2017 and January 2018, visits to Garda stations and Garda Headquarters, a survey of Garda personnel and focus groups with female Garda personnel.
8. The Commission received 322 written submissions from organisations and individuals including An Garda Síochána, policing bodies, political parties, human rights organisations (statutory and non-governmental), victims' rights organisations, community organisations and policing fora, Joint Policing Committees, serving and retired Garda personnel, Garda representative associations, academics and political representatives.
9. A series of public events in Cork, Galway, Athlone, Limerick, Carrickmacross, Carrick-on-Shannon, Waterford, Letterkenny, and a number of Dublin locations, allowed for direct engagement by Commission members with the public countrywide. In total, 1,665 personnel of An Garda Síochána shared their views on the future of policing in Ireland via a Commission survey conducted in March 2018. We engaged with Garda personnel in most of the 28 Garda Divisions.
10. As part of our international benchmarking work we conducted study-visits and engaged with international police services in bilateral meetings and at policing and academic conferences.

11. Further details on the consultation process, reflecting the extent of the engagement and including a list of stakeholders with whom we engaged, are attached at Annex II. We are also publishing a companion analysis on the consultation process on www.policereform.ie.
12. We are grateful to all those individuals and organisations who shared their views and expertise frankly and in good faith throughout our work. This report, setting out a new framework for policing, security and community safety as the future of policing in Ireland, is the output of that effort.

			
Kathleen O'Toole	Noeline Blackwell	Johnny Connolly	Vicky Conway

			
Tim Dalton	Peter Fahy	Eddie Molloy	Tonita Murray

		
Donncha O'Connell	Antonio Oftelie	Helen Ryan

CHAPTER TWO

CONTEXT, CHANGE AND CHALLENGE

1. The establishment of the Commission came at a particularly appropriate time for a comprehensive, forward-looking review. In 2022, An Garda Síochána – “the Guardian of the Peace” – will celebrate the first centenary of a new Irish policing service. It is fitting to conduct a fundamental assessment of future needs as policing prepares to enter its second century. The nature of policing, and public expectations of the police, have changed enormously over the past century, in Ireland and around the world. The Garda organisation has changed too but it is right to ask whether policing in Ireland has changed enough and, more importantly, how it should evolve to respond to future change in the communities it serves.
2. For much of its existence as an independent state, Ireland has faced security threats of domestic origin. These have affected policing in many ways – resourcing, organisation, operations, culture, and oversight. Although the threat from paramilitary groups remains significant, the security context following the 1998 Good Friday Agreement is very different from that which pertained before.
3. Another change has been the economic growth of Ireland, notably from the 1980s and gathering speed from the 1990s during the so-called “Celtic Tiger” period. The subsequent financial crisis notwithstanding, the long-term trajectory of economic development has been strong. Ireland is now an advanced economy. Many foreign and multinational companies operate in Ireland, and many foreign nationals have moved here to do business. Many Irish citizens, who in past years might have emigrated, now remain here because their employment prospects are stronger than in the past. The population grew by 31% in just 20 years between the 1996 and 2016 censuses.³
4. Socially, Ireland has changed greatly in a short time. The urban population overtook the rural in the 1970s and now accounts for two-thirds of the whole, compared with only a quarter when the State was founded. Workforce participation rose sharply from the early nineties. Urban areas, Dublin in particular, have become multi-cultural and the trend for the future is clear. Ireland continues to attract foreign students, business people, and migrants. Attitudes towards such personal matters as religion and sexual orientation have changed markedly. The population is becoming increasingly diverse. At the same time, serious inequalities exist, and many people live with persistent poverty, social exclusion, and homelessness. All these factors affect the context in which the policing of the State must operate.
5. The increasingly international nature of the country and its economy brings with it greater exposure to international criminal activity, including organised crime, drug trafficking, human trafficking, industrial espionage, cybercrime, and to the kind of terrorism seen in many other countries in recent years, including suicide and vehicle attacks. An Garda Síochána is already alert to such threats, and addressing them, but the police are the first to admit the need for change in the ways they are organised, resourced, trained and equipped to deliver a more effective, and more cost-efficient, service in this new policing environment.

3 Central Statistics Office *Census 2016* (July 2017).

6. As Ireland's police prepare for their second century, they must not only take account of changes within Ireland, and in the threats from overseas and cyberspace, but also consider the changing nature of policing itself. There has been a transformation in policing in many countries as the focus has shifted from reactive policing towards proactive problem-solving and predictive policing, crime prevention and intervention. While information and intelligence have always been vital, policing today has become more information-driven than ever. Timely, accurate data and sophisticated data analytics are core requirements of a modern police service. An Garda Síochána is lagging behind its counterpart services in other countries in this respect. This is partly the result of budget cuts during the economic downturn, but it is nevertheless surprising in a country that has a young, technology-savvy population and an advanced information economy.
7. Another challenge facing societies around the world begs a central question: what exactly do we want police to do? The obvious answer is to investigate crime, protect lives and property, and keep order. However, in reality, police in Ireland and elsewhere spend a lot of time dealing with social issues. They are often on the front line supporting the more vulnerable members of society – people with mental health conditions or substance misuse problems, homeless people, children and elderly people at risk, and those left behind in poverty or social exclusion. Partly this is the result of cutbacks in state services or facilities, partly it is the dispersal of the traditional family unit, and partly it is that, in some locations, the police are the only visible representatives of public services. Moreover, in almost every location they are likely to be among the few public servants on duty outside normal office hours.
8. Thus a great proportion of front line police time and resource is taken up with activities not directly related to crime. This is a challenge for police in many places. A United Kingdom report in 2015⁴ found that about one-third of the people in contact with police had an identified mental health condition, and studies in the United States and Australia have shown similar findings. Gardaí find themselves called upon by community members to perform an infinite range of acts of helpfulness. This is especially so in small Garda stations in rural areas. We did not meet any Gardaí who wanted to be told they should not have the discretion to be helpful to members of the communities they serve, but we met many who felt they were being pulled in too many directions and would welcome clear guidance as to what exactly they were expected to do as members of An Garda Síochána. This was also reflected in responses by Garda members to the Commission's survey.
9. That brings us to a key point about policing, namely that it should not be solely the responsibility of the police service. We were set up as a commission on *policing*, not on the *police*, and we attach great importance to that wording. The police have a particular role and special powers to perform that role, but effective policing is only possible with the consent and active support and participation of the community it serves. The term "community policing" has been used to mean many things, but it is really all about front line police knowing their communities well, being visible and engaged in those communities and developing mutually respectful partnerships to solve problems and achieve community safety. Effective multi-disciplinary approaches must be in place between the police and other public agencies and services, both nationally and locally.

⁴ Her Majesty's Inspectorate of Constabulary *The welfare of vulnerable people in police custody* (March 2015).

This will require buy-in across government at a high level, not only by departments that are part of the criminal justice system, but by all departments serving people at risk. It will also require information sharing of a kind which does not currently take place – based on the vital interests and safety of the persons concerned and with all necessary safeguards for the protection of human rights – and joint action based on that shared information. At the local level, policing partnerships should go beyond government agencies to include the business community, voluntary organisations, faith-based groups, schools and others who can contribute to community safety.

10. In the following chapters of this report we begin by looking at the role of police as a community service, and the collective policing responsibility of government and community. We describe a model for community policing – a district policing model for the future. We make recommendations about how government departments and agencies should work together to exercise their collective responsibility to keep people safe. Partnerships at both national and local level are key, so that policing, broadly defined, becomes a responsibility for all, and policing is something done *with* the community, not *to* the community.
11. We have considered carefully the arguments for and against the current arrangement whereby national security and ordinary policing have historically been combined within An Garda Síochána. There are advantages in having policing and national security combined in one organisation, but there are also risks, which is why in many other states the responsibilities are split. We recommend some changes to take account of the changing nature of the threats to the country, and the roles that other government agencies have in protecting the security of the State.
12. The delivery of effective policing is directly influenced by the structures for governance and oversight. An Garda Síochána has long been accountable to the Department of Justice and Equality, and to the Oireachtas and its committees. Recently, more oversight bodies have been created, including the Garda Síochána Ombudsman Commission (GSOC), the Garda Síochána Inspectorate, and the Policing Authority, not to mention numerous inquiries and tribunals appointed to investigate specific issues. Although it is early in the life of some of these entities, it is evident that both the division of responsibilities between them, and the distinction between oversight and day to day management or governance, would benefit from clarification. The Commission's terms of reference specifically refer to the need for a clear framework of governance and accountability to the law and the community, which is supported by coherent structures. Oversight must be robust. The police, like any public service, must account for the way they perform. Equally the Garda Commissioner and leadership team must be empowered to lead and manage the police service effectively, and oversight should not become micromanagement. Furthermore, the relationship between the police and their oversight bodies should reflect the fact that it is their collective responsibility to deliver an effective public service.
13. An Garda Síochána has been the subject of many reports in recent years, with many hundreds of recommendations between them. Any organisation might struggle to prioritise and implement so many recommendations in a timely manner, but An Garda Síochána has been slow to act upon many important ones. It needs much improved internal governance and management systems, both for implementing change and for taking ownership of the future direction of the police organisation.

14. We examine the management and operational structures of the police service and recommend changes necessary for the most effective delivery of policing services. We look at the size and composition of An Garda Síochána, and make recommendations for change there, and in the recruitment, education and continuing learning and professional development of sworn Gardaí and their non-sworn colleagues.
15. An Garda Síochána has had a piecemeal approach to technology in the past. It needs a comprehensive strategy for upgrading its digital information systems, based on a full assessment of the information it requires both to deliver a high quality policing service and to run a large organisation efficiently. Lack of timely, accurate and comprehensive information currently bedevils both objectives. Performance measures should be put in place to assess the effectiveness of both the policing service and its individual members.
16. We consider the culture and ethos of the police service and we make recommendations designed to reinforce the professionalism of the service, engender a culture of continuous improvement and innovation, and enhance the respect and cooperation of the communities it serves. We also address broader cultural issues affecting policing, beyond the police organisation itself.
17. An Garda Síochána has a proud history and enjoys recognition as a pillar of the Irish State. Opinion polls have repeatedly shown that it commands widespread public support and “medium” to “high” levels of trust. The same opinion polls, however, show low levels of confidence that An Garda Síochána is “a world class police service” – only 43% in a poll published by the organisation in August 2018⁵ – or a “well managed organisation” (43%). 61% in the same poll thought An Garda Síochána was “effective in tackling crime”.
18. The establishment of our Commission came at a time when An Garda Síochána had been the subject of a number of inquiries and investigations into various shortcomings and allegations of wrongdoing. It was not our job to duplicate the role of these inquiries or to conduct our own analyses of past problems. We have of course ensured that we are fully aware of past inquiries and the reports they have produced. But we were set up as the Commission on the *Future* of Policing in Ireland and our work has been firmly focused on the future. Our recommendations are designed to ensure that policing in the future will be well managed, effective, efficient, fair, transparent and accountable, human rights compliant and equality proofed. Consequently there should in the future be less call for the kind of tribunals and inquiries that we have seen in the past. **The system as currently constituted is set up to fail. Unless it is not merely reformed but transformed, as we propose, changes of personnel will not turn the situation around and the litany of policing problems besetting the country, its people and its politicians will continue.**
19. We have endeavoured to look beyond changes already observed or underway, and consider how policing should prepare for changes yet to come. If we do no more than adjust policing arrangements to suit the conditions of today, we shall certainly find that, in a fast moving society such as Ireland, it will soon be necessary to task another commission to conduct yet another review. We have therefore given thought to the kind of changes that might occur over a generation ahead, and how to equip An Garda Síochána to respond to such changes and to others that may be impossible to foresee – how, in other words, to enable An Garda Síochána to become an adaptive organisation.

5 An Garda Síochána *Public Attitudes Survey Quarter 2 2018* (August 2018).

- 20.** The population is projected to grow by about 25% over the next two decades, from the current 4.8 million to around 6 million. This will drive large scale urban growth, which will need to be met with policing services to ensure that cities and towns are safe, liveable places for families, and secure environments for business and investment. The country will age. The number of over 65s will increase by one million to 26% of the population by 2051, and over 80s will account for almost 10% of the population.⁶ On present trends, this will mean many more elderly people living alone and potentially more vulnerable. The population is also likely to be significantly more diverse in the cultural sense. The nationality profile of inward migration continues to change. Building trust with new immigrant populations, and recruiting from those communities, will be a more complex process than it has been in the past. All this will affect demands on policing.
- 21.** Our vision for the future of Irish policing is a positive one. We are inspired by the fast-moving transformation of the country and we see Ireland as being in many ways on the leading edge of major trends in the world – a champion of economic openness with an inventive and progressive population, a democracy that is respectful of the rule of law and human rights, and a country comparatively well-placed to address the problems that come with fast economic and demographic growth and international exposure. We have been inspired too by smart, enthusiastic and committed people that we have met in Irish policing, and their receptiveness to ideas for change. We firmly believe that a comprehensive transformation is achievable and that Ireland can and should have a modern, highly professional police service to be proud of, working closely and collaboratively with communities and other agencies to protect the nation and its people from harm.

⁶ Central Statistics Office *Population and Labour Force Projections* (20 June 2018).

PART 2

POLICING AND THE ROLE OF THE POLICE

CHAPTER THREE HUMAN RIGHTS AS THE FOUNDATION OF POLICING

1. The Garda Síochána Act 2005⁷ defines the objectives of the policing and security services as–
 - (a) preserving peace and public order,
 - (b) protecting life and property,
 - (c) vindicating the human rights of each individual,
 - (d) protecting the security of the State,
 - (e) preventing crime,
 - (f) bringing criminals to justice, including detecting and investigating crime,
 - (g) regulating and controlling road traffic and improving safety.
2. The Act rightly lists the vindication of the human rights of each individual as a key policing objective. We would go further and describe human rights as the very basis for policing, and the justification for having a police service. Policing is one of the ways in which a state meets its obligations to protect fundamental human rights. The police perform a vital role so that citizens may enjoy their rights to live free from violence, abuse and crime. They also help preserve an environment in which people can live free of fear and enjoy other rights and freedoms. Thus their guardianship role in respect of human rights has a dual focus – both on individual behaviours and on the broader community context. An Garda Síochána, as a public body, is specifically required under Irish law to prevent discrimination and promote equality of treatment and opportunity for all to whom it provides services, as well as to its own employees and all others affected by its policies and actions.⁸

7 Section 7(1) Garda Síochána Act 2005.

8 Section 42 Irish Human Rights and Equality Commission Act 2014.

3. Police are in a special position with regard to human rights because, while they must fully respect the rights of individuals, they also have the power and obligation on occasion to curtail those rights, for example by arresting people or stopping and searching them. The justification for police powers is the broader responsibility that police have to protect the rights of others, and ensure an environment in which all may enjoy their rights and freedoms. Proper exercise of these powers is not always straightforward. Police have to have a degree of discretion in their dealings with the public – for example, whether to issue a warning or take more stringent action. They often have to make difficult decisions as to when and how to exercise that discretion. The line can be crossed between justifiable discretion on the one hand, and favours to friends and family or leeway for privileged members of society on the other. To preserve that line, the police must adhere to human rights-based processes and frameworks which are transparent and accountable.
4. Policing must be both effective and fair. From this comes the legitimacy of policing, and from that the protection of the human rights of all. There needs to be clarity and transparency about police powers and codes of practice as to how to exercise those powers. This should be based in legislation. **We recommend that legislation defining police powers of arrest, search and detention should be codified, with statutory codes of practice.**⁹
5. Because the protection of human rights is fundamental to the purpose and mission of policing, it must be embedded in the thinking, ethos and operations of the police organisation at all levels.¹⁰ Human rights must be a central concern and an informing principle when police policies and strategies are being developed, when operations are planned and executed, and when cases are brought to a conclusion. Police leadership teams should have access to expert advice for these purposes. Front line police must always act in accordance with human rights law, taking a balanced perspective on the rights of arrested or detained persons, those of the wider public, and the rights of victims. These are issues mentioned in several submissions and oral comments made to this Commission.

“Human rights-based policing... requires a new vision on the part of the State and elected representatives, whereby policing is seen as something that is all about people – and that includes the rights of the people who are affected by, and who carry out, policing.”

Submission from a civil liberties organisation
6. To achieve this we recommend that **An Garda Síochána should develop a comprehensive strategy for human rights compliance and promotion**, including measurable actions, monitoring and evaluation. The strategy should include not only the delivery of policing services to the community, treating everyone with equal respect and dignity, but also the internal management of everyone within the police organisation. **We recommend the establishment of a Human Rights Unit at a high level within the police service. The unit, which would include legal expertise, would implement and monitor the strategy and continue to develop it with the aim of providing ever better human rights protection.** The unit should also be responsible for

⁹ It is likely that the Law Reform Commission will be looking at the law in this area as part of its 5th Programme of Work.

¹⁰ Irish Human Rights and Equality Commission *Implementing the Public Sector Equality and Human Rights Duty* (November 2017).

ensuring An Garda Síochána's compliance with Ireland's human rights obligations, including domestic legal obligations, European law and international human rights law obligations. It could also support work with the Irish Human Rights and Equality Commission (IHREC) and other partnerships with the non-governmental sector. **The new policing oversight body that we recommend in Chapter Thirteen (the Policing and Community Safety Oversight Commission) should have a human rights adviser to assist in assessing policing compliance with human rights obligations.**

- 7. We recommend that human rights training should be both the starting point of the recruit course and a theme running through every aspect of it. Periodic in-service training should be given to all gardaí on human rights matters. All training materials should be reviewed and adapted to ensure that they are consistent with human rights law.** Non-sworn personnel of the police service should also have sufficient understanding and training to allow them to carry out their work in a way that is consistent with the human rights principles that form the basis of the organisation for which they work. For the same reason we also believe that **human rights training should be made available to members of the policing governance and oversight bodies.**
- 8.** As painful experiences in other jurisdictions have shown, an important indicator of the commitment of a police service to protecting human rights is the way it treats ethnic and other minorities. We received several representations on this point from the Traveller community and other minorities in Ireland. As noted above, policing must be fair to all in order to have legitimacy. The exercise of police powers in relation to minorities, and the priority given to protecting minorities from harm and investigating crimes motivated by hate and prejudice, should be closely monitored. Police training should include the perspectives of minorities, and local policing should be committed to understanding all those who comprise the local community, and working with them to promote community safety and equality. Recruitment from minority communities will also be increasingly important, as we discuss in Chapter Nineteen.
- 9.** We welcome the recent adoption of a Code of Ethics¹¹ for An Garda Síochána, which we see as an important underpinning of respect for human rights. While the Code requires Gardaí to respect human rights, it does not specifically require them to act always in a manner consistent with human rights. It should be amended to do so. We note with approval the stated intention of the police to embed the Code in the functioning of the organisation. It should be embraced and "lived" by the leadership, put into practice by all members, be part of the human rights training of new recruits, sworn and non-sworn, and included in criteria for performance assessment and promotion and assignment processes.

11 Policing Authority *Code of Ethics for the Garda Síochána* (2017).

CHAPTER FOUR

A NEW DEFINITION OF POLICING

1. While all the items listed in the Garda Síochána Act quoted in the preceding chapter are indeed duties of An Garda Síochána, the list does not adequately cover the full range of functions the service performs. Most notable is the absence of an explicit reference to the prevention of harm. Police increasingly find themselves dealing with the most vulnerable members of society – those who are unable to protect themselves from coming to harm or suffering exploitation. They include, among others, children or elderly people at risk, homeless people, and those suffering from mental health conditions and substance misuse problems. A joint 2009 report¹² by the Mental Health Commission and An Garda Síochána, noted that the police were the only agency available day and night to respond to emergencies and were therefore “unfairly” left to deal with mental health and other social crises.
2. This is a problem for police in many countries. It is now probably the most pressing issue for police services across both the United States and the United Kingdom. The amount of time that police spend trying to protect vulnerable people easily eclipses the time spent dealing with crime. A UK report found that non-crime related incidents account for 83% of all recorded incidents,¹³ and US experience is comparable. The evidence we have received presents a broadly similar pattern of demands on police time. The contributory causes are many, including social exclusion, persistent poverty, poor urban planning, smaller and more dispersed family units, growing elderly populations, inadequate support for people with mental health conditions, and cheap, easily available drugs. None of these factors is likely to diminish in the short term, so the pressure on the police as the first responders must be expected to continue and probably increase. In this way the police might be seen as a gateway to public services, and should be equipped, trained and organised to perform that role effectively.
3. **The prevention of harm should be explicitly identified as a core objective of policing.** Not only would this align with the reality of what police actually do every day, but it is linked to the broader policing objectives to keep the community safe, ensure order, reduce and detect crime, and vindicate the human rights of all. People in the categories listed above are all too often the victims of crime – sexual and physical abuse, trafficking, exploitation, fraud, stalking and harassment, hate crimes and so on. Identifying harm prevention as a specific core police objective will therefore help reduce crime, fear and victimisation. It will contribute to peace and public order, and make communities as a whole safer.
4. Police need to be equipped with the necessary special response techniques required in incidents involving vulnerable individuals who may not react well to typical police interventions. Front line police need to know how to communicate and respond appropriately in such situations. This has implications for training that we shall address later in the report.

¹² Mental Health Commission and An Garda Síochána *Report of Joint Working Group on Mental Health Services and the Police* (2009).

¹³ College of Policing *College of Policing analysis: estimating demand on the police service* (2015).

5. Organisations and individuals who made submissions to the Commission, whether on behalf of communities or on their own behalf, gave positive examples of policing responses in some circumstances, but also expressed concerns regarding the consistency of responses across a range of incident or crime types. Some spoke from personal experience, others by reference to good practices identified elsewhere. The improvements they called for included better engagement with victims of crime, better communication within the organisation with external customers, access to information, and higher standards of customer service. Several cited a lack of consistency by the police, for example in dealing with minority communities, and in the enforcement of road traffic legislation. Some of the individual cases would be more appropriately addressed through established complaints mechanisms, but there were many that pointed towards systemic issues, requiring measures at the organisational level to reinforce standards of service. The recommendations in this report aim to improve all policing responses, based on better training, better access to information, consistency and clarity in operational processes, and a focus on delivering professional services.
6. Police must have ready access to, and support from, other public agencies and be able to connect individuals quickly with appropriate expert community services. Health and social welfare agencies, in particular, should work closely with police in protecting the vulnerable and reducing crime. Protection of vulnerable people, preventing them from becoming victims of crime or harming themselves or others, cannot be achieved without such cooperation. Yet for the great majority of the week police are among the few public services available 24 hours a day, seven days a week. Police should not be expected to compensate for weaknesses in other agencies.
7. The Garda Síochána Act 2005, stipulates that the Gardaí “shall cooperate as appropriate with the other Departments of State, agencies and bodies, having, by law, responsibility for any matter relating to any aspect of” the police objectives listed in the Act and quoted in paragraph one of Chapter Three. The police have indeed formed partnerships with other agencies to address public protection issues such as vulnerable children and domestic abuse, but in many cases this is in the absence of a specific statutory obligation on those other agencies to cooperate with police in matters of community safety. Where such partnerships exist, therefore, they can depend upon the individuals involved and the relationships they are able to build with counterparts, rather than a specific obligation to work together in the public service.
8. **We recommend that there should be new legislation – a Policing and Community Safety Act – redefining policing and the role of the police service and other state agencies in harm prevention.**¹⁴ The drafting of this Act will require consultation among agencies to determine how they can all work together to serve the best interests of people at risk and the community as a whole. In this context, we note that legislation is currently under development in Ireland to empower police to convene multi-agency “assessment teams” to address risks posed by sex offenders. The teams envisaged in this new legislation would comprise representatives from the Child and Family Agency as well as the Prison and Probation services and others, and would be required to share all relevant information within their possession. This is the kind of practical multi-agency cooperation that we envisage to help reduce harm to people at risk.

¹⁴ This Act should also establish the Policing and Community Safety Oversight Commission described in Chapter 13, and encompass other recommendations in this report that require legislation.

9. **We also recommend that other departments, agencies and bodies with a function in policing, community safety and harm prevention should develop Joint Strategic Plans with An Garda Síochána and that these should be submitted to the Cabinet Committee on Justice and Equality each year.**
10. **We further recommend that health and social services should be resourced to take on their responsibilities to help with community safety and the prevention of harm, including a capacity to deal with emergencies outside normal office hours.**
11. There are examples in Irish cities of structured inter-agency approaches to policing, justice and community safety at the local level. During meetings with local communities and officials in Limerick, Commission members saw how the long-term policing strategy of the Limerick Regeneration Framework Implementation Plan¹⁵ has explicitly involved formal and informal inter-agency cooperation. Analysis in other jurisdictions has shown that a relatively small number of families and individuals live with a range of problems and account for a disproportionate amount of work across multiple public agencies. It is therefore common for police, social workers, local authority staff and other agencies to work together in integrated teams using joint information and strategies to solve problems and support those in greatest need.
12. The joint report by the Mental Health Commission and An Garda Síochána, published in 2009,¹⁶ recommended the establishment of Crisis Intervention Teams (CITs), a device developed with great success in several other common law countries over the past 30 years. CITs combine police with health and social workers who are on duty outside normal working hours and able to respond at any time. It is regrettable that, nine years on, the recommendation has still not been implemented. **Crisis Intervention Teams should now be established at divisional level, with round the clock response capabilities to serve every part of the country.** The teams should comprise police, mental health, substance abuse, child services and other social workers who know their communities well and the vulnerable people within them. They should have ready access to a common pool of information about the people who need their services, so that actions and interventions may be taken rapidly when necessary and on a well-informed basis.
13. Cooperation between the police and other public agencies, such as Health and Social Protection and the child and family services agency, Tusla, must be underpinned by an efficient sharing of information. We have observed already that the information systems within An Garda Síochána are far from adequate, and we address that in detail later in this report. It is also the case that there is currently little sharing of information between the police and other agencies, even where memoranda of understanding exist concerning cooperation between them. Partly this may be explained by the lack of good information technology to facilitate such sharing, but we have also detected a lack of will, or at least a lack of instinct to share information between agencies. This seems not only to be an inhibition within the police. The reluctance to share appears to be mutual. This must change. A central tenet of this report is that policing is not something that the police do alone. It is a responsibility across the community and

¹⁵ Available at <https://www.limerick.ie/council/services/housing/regeneration/limerick-regeneration-framework-implementation-plan>.

¹⁶ Mental Health Commission and An Garda Síochána *Report of Joint Working Group on Mental Health Services and the Police* (2009).

across government. The problems of vulnerability and the challenge they pose for community safety are such that a cross-government approach is essential.

- 14. Close cooperation between emergency social services and police at divisional level is necessary to provide safe and effective services to people at risk and co-location should be considered wherever appropriate.** The Criminal Assets Bureau within An Garda Síochána provides a good example, albeit in a different context, of how agencies can work together successfully when co-located. We see no reason why, subject to the appropriate safeguards, this should not be possible with social services too. Indeed, experience elsewhere has found that integrated teams working in shared accommodation are able to build trust and develop a common purpose to focus on the individuals and families at greatest risk. Staff from different agencies come to understand each other's pressures and concerns, and develop a broader sense of the social challenges they all face.¹⁷ By no means should all police work in such teams, but those dealing with public protection issues and people at risk will be able to provide a much better service if they do so. Some people will not want to speak to a team that includes police, in which case alternative arrangements can be made.
- 15.** As one senior official put it to us, "good inter-agency work means ceding power and money to achieve a common purpose". For this reason it is vital that a cross-government approach to policing should have buy-in at the highest levels of government. **We therefore propose that the Cabinet Committee responsible for justice matters, chaired by the Taoiseach and comprising not only the Minister for Justice and Equality but also other relevant Ministers with responsibilities involving community safety, as well as the Garda Commissioner, should hold at least two meetings a year focused on community safety.** The purpose would be to forge a comprehensive government approach to the problems of community safety, crime reduction and protection of the vulnerable in particular, and to ensure that government agencies are cooperating with each other effectively to address those problems. It would also send an important signal that policing is seen as a collective responsibility at the highest level, not an isolated task of the police and the Department of Justice and Equality. Later in this report, we propose mechanisms to promote such multi-agency cooperation on community safety.¹⁸

¹⁷ For instance, the Sex Offender Risk Assessment & Management (SORAM) steering group which comprises of representatives from An Garda Síochána, the Probation Service, the Child and Family Agency (Tusla), HSE, Cosc, the Irish Prison Service and Local Authority Housing. <https://www.garda.ie/en/About-Us/Specialist-Units/Garda-National-Protective-Services-Bureau-GNPSB-/Sex-Offender-Risk-Assessment-and-Management-SORAM/>

¹⁸ Chapter 13.

CHAPTER FIVE

A NEW DISTRICT POLICING MODEL

1. An Garda Síochána is proud of its tradition as a community police service and, as the 2018 culture audit showed,¹⁹ Gardaí think of themselves as community police. This was also borne out in the Commission's survey. There are many excellent gardaí who know their communities well and perform an exemplary service, but it is clear that the community policing system as a whole is under strain. Neither the structure of the police organisation nor its practices support the image it has of itself as a community police service. Front line gardaí in many parts of the country complain of a lack of support. Their numbers have been depleted and they are often pulled away from front line policing for other duties, including even serious crime investigations that should be carried out by specialists. Front line police feel undervalued and unrecognised, and those seeking promotion often elect to go into specialist areas and leave community work behind. Communities around the country told this Commission that they attached great importance to community policing. But many complained of a lack of community police visibility and continuity, and many people told us in submissions or public meetings that they no longer knew who their local community police were.
2. The term "community policing" is used in many different ways. In this report we shall use the term "district policing", which we consider to be the best fit for Irish circumstances and for the new model that we now propose. In the current concept "community policing" is a kind of specialist activity, with perhaps 10% of Gardaí in a district designated as community police. We regard district policing as the backbone of police work and the police mission. **In our new district policing model,²⁰ all police service personnel at district level, sworn and non-sworn, should be considered to be community police.** Some will be responding to calls or emergencies, and some will be focused on longer-term problem solving. These response and longer-term activities are distinct and require different skills, but they should both be seen as parts of an integrated district policing strategy. Police responding to a domestic disturbance call, for example, should work closely with their district colleagues whose job it is to address the problem with the household in question for the longer term. **All should see themselves as part of a single district policing team working to keep their communities safe. All should see their overarching collective function as solving problems affecting community safety in the district.**
3. **District police should be competent, empowered, and resourced to handle most day to day policing demands themselves.** Sometimes, however, they will need to call on specialist police units from outside the district, usually at division level,

"The community want and need to see us in order to make them feel safe."

Serving member of An Garda Síochána

¹⁹ See Chapter 22.

²⁰ The new district policing model as proposed by the Commission is part of a new overall structure for An Garda Síochána which prioritises service to the community. The new structure is described in Chapter 17.

for assistance to handle particular challenges. There is a rough analogy here with the medical profession. Like general practitioners, responsible for the general health of their patients, district police should be responsible for the safety and protection of the rights of residents in their community. They should know their communities well, understand the threats to community safety and work to reduce crime, promote safety and human rights, and protect people from harm. This is long-term work requiring strong, collaborative partnerships with community groups and institutions. It also requires continuity of service in the district, and visibility and accessibility to the communities they serve.

“Members of An Garda Síochána who are involved in directing or delivering street-based policing should be supported to understand, engage with and take a collaborative approach to addressing the challenges faced by the particular community in which they work.”

Submission from a community organisation

4. District police should also conduct investigations into routine crimes, but not those crimes – such as murder, rape and serious sexual assaults, large-scale drug dealing, organised crime or serious fraud – which require specialist handling. Just as, in the medical profession, a general practitioner sometimes needs to refer a patient to a specialist or a consultant, so the district police should refer serious and complex cases to detectives or other expert units as appropriate. They should not, as currently happens, be taken away from front line community policing to work on a major investigation. The specialist units must, however, be seen as supportive of, not superior to, the front line gardaí. While they have expertise in a specialist area, their job in this instance is to provide a specific, limited term response to a crime in the community. It is the front line district police who remain responsible for the long-term safety of that community, where the victim or perpetrator or their families may still live. It is important that all relevant details of the specialists’ interventions are reported back to the district police, in the form of both progress updates during an investigation and final closure reports, consistent with the need to deliver better overall outcomes and with due regard to sensible intelligence-sharing protocols.
5. **The structure of the police service should be designed with this new district policing model at its core, front line districts being supported by specialist and administrative services from the divisional level.** Each front line district policing team should be large enough to provide a full community service. It should include both sworn and non-sworn personnel, with a mix of skills sufficient to deal with the normal range of issues confronting police, such that the need to refer to divisional or national specialist units is limited. We say more about structure in Chapter Seventeen.
6. **Each district commander should work collaboratively with the local policing structures and other key community groups to develop district policing plans.** To be truly collaborative, such plans should identify all the relevant stakeholders, ensure that local communities are properly informed, proposals are adequately discussed and local participants are involved in the preparation, implementation and evaluation of the plans. They should take full account of local community safety concerns and priorities, and feed into the development of the Annual Policing Plans drawn up by Garda

Headquarters.²¹ **District commanders should have a high degree of delegated authority to take decisions, and be held accountable by their superiors for their performance against the objectives in their policing plans.** Greater decision-making authority at local district level will require stronger supervision. There is currently a shortage of adequately trained sergeants and inspectors visible in the districts and **we recommend that sufficient numbers of sergeants and inspectors should be deployed to address this gap in supervision of front line policing.**

7. Local level partnerships are the key to policing *with* the community. We have talked about the need for partnerships between the police and other public agencies. At the community level the partnerships necessary for effective policing should go deeper. They will also differ from one local community to the next. They will include community and voluntary organisations, NGOs, family support groups, youth groups, sports associations, farmers associations, businesses, schools and colleges, faith-based organisations, victim support groups, substance abuse treatment centres – any group that can contribute to community safety, protection of vulnerable people and police understanding of community needs and priorities. The obligation to cooperate on community safety should come not only from the police but also from these other stakeholders. The private sector in particular should be more active in community safety matters than it has been in the past.
8. In some cases, police will need to make special efforts to work with people who may be slow to volunteer engagement because of marginalisation, but whose voices are important to a full understanding of community safety concerns. The more engaged police are in community organisations, the more they will know about their community and the better able they will be to help keep it safe. We are aware of many examples where individual members of An Garda Síochána are making an impact in this way on their own initiative.
9. An Garda Síochána enjoys respect and affection in communities throughout the country, yet there is also a perceived attitude within the police of being in some way apart from the community rather than a part of it. We shall discuss this further in Chapter Twenty-Two on police culture. The point now is that this mindset has no place in district policing and in building partnerships with the community. Such partnerships must be just that – partnerships with authentic engagement, not merely connections to be called upon when necessary. They must be continuing relationships, with mutual exchanges of information, ideas and assistance.
10. **The building of genuine community partnerships should be a requirement for all Garda districts. Gardaí should be assessed for their performance in this respect, and it should be a factor in determining assignments and promotions.** Examples of good practice in policing partnerships should be shared throughout the police service. One good example may be found in the North East Inner City Community Policing Forum, which has helped to address problems in police-community relations, and shown that the public is willing to engage with police in difficult circumstances.²²

21 See Chapter 13, about JPCs and local policing fora, and how these will be supported by the new Policing and Community Safety Oversight Commission, which will itself be consulted about Garda Annual Policing Plans.

22 The Mulvey Report – *An Outline Plan for the Social and Economic Regeneration of Dublin's North East Inner City* – noted the Forum's success and proposed that it should continue to play a central role in improving the quality of policing in the area, and in particular in ensuring the community's engagement in the effort. "This is to ensure that the community's concerns are taken on board and also that they work with the authorities in evaluating the impact and devising new solutions to the systemic problems which are leading to the high incidence of crime in the area."

CHAPTER SIX

CRIME

CRIME AND FEAR OF CRIME

1. The reduction, detection and investigation of crime are core objectives of the police service. Police are the lead agency for crime. Other objectives listed in the current legislation – preserving peace and public order, and protecting life and property – are closely connected with the threat of crime. The nature of crime is changing, in Ireland as it is elsewhere. Traditional crimes of acquisition such as theft and robbery continue to demand police attention and require visibility in communities, but hate crimes, sexual exploitation and other non-acquisitive offences now constitute an increasing proportion of recorded incidents. The investigation and detection of crime across multiple jurisdictions brings with it many challenges. In addition, cybercrime, encompassing a wide range of different manifestations, represents a new means of committing crimes, whether of acquisition or not, and a new set of challenges of protection and detection.
2. There are problems with Ireland's crime statistics which we discuss below, so it is hard to say with confidence what the level of crime is. But we encountered concerns about crime wherever we travelled in our consultations around the country, both in urban and rural areas. Fear of crime, which is often greater than the reality of crime, is also a serious matter in itself, badly affecting quality of life. We have found many examples in our public consultations of communities and individuals living with an unsettling level of fear of crime.
3. The new district policing model, which we have recommended in Chapter Five, will result in greater police visibility, engagement and accessibility. This will help address the fear of crime. It will also help reduce crime, by addressing the underlying causes of crime and by working closely with the community to solve problems. District police should have real time access to crime data and to information about public concerns. They should keep their residents well informed about community safety issues and engage with them proactively to solve problems affecting crime and the perception of crime, thereby leading to both the reduction of crime and stronger confidence in community safety. Front line police are a vital source of information about crime, fear of crime and vulnerabilities in the communities they serve.
4. There are far too few Gardaí visible on the front line in Ireland now. Their numbers need to be increased. We discuss elsewhere in this report, for example in Chapters Nine and Eighteen, how redeployments could contribute significantly to that objective. Front line Gardaí need better training in how to record information, and modern mobile technology to facilitate data entry and retrieval in the field, and enable direct and

“The first encounter with a Garda is of extreme importance for a victim of violence and may determine if she will or not call the Garda again in the future. An unhelpful response may mean that she will not call again when the violence is repeated or even when it escalates.”

Submission from a victims' rights organisation

interactive communications with the public. We say more about the importance of the front line throughout this report, and about information technology in Chapter Twenty-One.

5. It is important to acknowledge that in recent times An Garda Síochána has had noteworthy success in tackling organised crime. This is attributed in part to a realignment of the specialist units which fall under the umbrella of Special Crime Operations. However, in an increasingly globalised and technologically advanced crime environment these units will continue to come under pressure to adapt and upskill in order to meet future challenges and to be able to support front line staff and work efficiently with international partners.

VICTIMS OF CRIME

6. The Criminal Justice (Victims of Crime) Act 2017, enacted last November, transposed the EU Victims' Rights Directive of 2012 into Irish national law. This consolidated and set new minimum standards for the rights, support and protection of victims. There is a state-sponsored Victims' Charter within which An Garda Síochána has its own Charter, and there are information sources to help victims of crime to access the information and services to which they are legally entitled. An Garda Síochána has begun to set up Victim Services Offices at divisional level, and Divisional Protective Services Units (DPSUs) are being established for those who require specialist assistance (such as victims of sexual crime, domestic violence or child abuse) and more have been promised. A National Protective Services Bureau has also been established to advise the DPSUs and investigate complex cases.
7. All these are significant moves in the right direction. It is important now that An Garda Síochána should ensure that services to victims and compliance with victims' rights are embedded in the organisation's processes and that all members understand fully what their obligations are towards victims of crime. This applies in particular to those victims who have been traumatised by the crime, or who are marginalised in a community, for example some ethnic or other minorities. We understand that Garda recruits are now being trained in victims' needs and rights, and we recommend that such training should be extended to all members of the police service as soon as possible, with priority being given to those in the districts. District police will be on the front line helping victims in their communities.

"It is in the interest of Irish society as whole that crimes are reported regardless of the legal status of the victim."

Submission from a victims' rights organisation

CRIME DATA

8. We do not have a good picture of the scope and scale of crime in Ireland. The published statistics suggest that crime is not high by comparison with other European countries. However, there are serious questions about the quality of An Garda Síochána's crime statistics. The Central Statistics Office, the Policing Authority and the Garda

Inspectorate have all stated that they have little confidence in them.²³ The crime statistics in any country underestimate the total amount of crime in that country. In Scotland, the police estimate that for every crime recorded, about four other crimes might have been committed.²⁴ Less serious crimes are particularly likely to go unreported, but so too do some serious crimes such as sexual assaults, domestic violence, drug related crimes and hate crimes, often because of fear of reprisals. A recent report on hate crimes²⁵ also found that the lack of specific legislation causes a “policy vacuum” such that the “hate” aspect of crimes is filtered out of the narrative as investigations or complaints make their way through the criminal justice system. The problems with the crime statistics in Ireland go beyond underreporting. They extend to crimes that have been reported to police, but have been improperly recorded and in many cases downgraded to less serious offences with no rationale given.²⁶ During the period of this Commission’s work, serious problems surfaced about even the homicide figures recorded by An Garda Síochána.

9. Effective policing must be information-led. Without an accurate picture of the problems affecting community safety, police leaders are hampered in making decisions about the resources they need and how to deploy them. The poor quality of data currently available to An Garda Síochána hampers the organisation in almost every aspect of its operations. In the case of crime, it affects the ability of the police to detect and investigate crime, and, crucially, to take preventative measures to reduce crime, which must be the primary objective. Good quality data collection and analysis should be key requirements for any organisation, especially one charged with the vital task of securing community safety.
10. **There is an urgent need to address the quality of the crime data in Ireland, and the way in which police record crime investigations.** The technology platform currently used by An Garda Síochána is an incident recording system rather than a crime investigation tool. The organisation has developed, but not yet deployed, a new investigation management system. We say more about digital information technologies in Chapter Twenty-One. However, the issue is not only a technological one. To remedy the current deficiencies in the collection, analysis and utilisation of data will require changes not only to the technologies in use, but also to the training of police in the recording and use of data, and critically to the management processes and systems employed by the police service. **In the context of these necessary changes to managing crime data, we recommend that the functions of the Garda Information Services Centre in Castlebar should be reviewed.** The organisation as a whole needs to value detailed and accurate information as the bedrock of decision making. Data should be seen as a strategic asset. It should not be seen as a record of how much work the police have done, but rather as a basis for decision making about police strategies, methods and resourcing.

23 Recent investigations of the quality and accuracy of recording of crime statistics include the Garda Inspectorate report on crime investigation (November 2014), Central Statistics Office review of the quality of crime statistics (September 2016) and the report of the expert group on crime statistics (April 2017).

24 Written submission from Police Scotland to Parliament of Scotland Justice Committee *Demand-led policing: service of the first and last resource* (17 January 2017).

25 *Lifecycle of a Hate Crime*, Co-ordinated by the Irish Council for Civil Liberties (ICCL) and funded by the European Commission.

26 Garda Inspectorate *Report of the Garda Síochána Inspectorate: Crime investigation* (October 2014).

- 11.** We welcome the recent decision to establish the position of Chief Data Officer in An Garda Síochána. At the time of writing, however, there had been delays in securing an appointment to the post and an interim position had been established. **We recommend that a substantive appointment should be made as soon as possible. The Chief Data Officer should play a strategic role in the senior team of An Garda Síochána**, with the objective of establishing data collection and analysis at the heart of the organisation. **The Garda Analysis Service, which does good work with limited resources and imperfect sources of data, should be enlarged and should have analysts based in all Garda divisions as well as centrally.**²⁷ Given the past problems with verifying data, the new Policing and Community Safety Oversight Commission, proposed in Chapter Thirteen, should pay particular attention to issues of data quality in its assessment of the effectiveness of policing.

CRIME REDUCTION STRATEGIES

- 12.** Improvements in data collection and analysis will enable the police to develop better strategies to reduce crime. Police departments elsewhere have shown that good quality data, properly used, can assist in identifying potentially vulnerable locations and crime hotspots, as well as individuals whose circumstances make them more at risk of becoming a victim of crime or more likely to engage in offending behaviour. The information developed can enable police to intervene to prevent crimes from occurring. Many police services use some variation of the “CompStat”²⁸ process, developed in New York in the 1990s as a dynamic system of crime reduction. The essential elements of the process are information and analysis of developing crime threats, rapid deployment of resources to the problem areas, effective interventions to prevent crime, evaluation of those interventions, and follow up measures to secure long term crime reduction. Police leaders use these processes to develop crime reduction strategies, manage resources and as a supervisory tool to monitor and guide the performance of district or precinct commanders. **An Garda Síochána should institute a properly resourced crime analysis and response process, building on the current good work of the Garda Analysis Service, which should be based at division level and hold each district to regular account.**
- 13.** In the preceding two chapters we outlined a vision for policing in Ireland founded on a new definition of policing which includes the prevention of harm as a policing objective and a new District Policing Model focusing on problem oriented policing. Critical to these approaches is the need for better data collection and analysis and improved cooperation between relevant state agencies.
- 14.** Meaningful partnerships with the private sector, community groups and academia also contribute to crime reduction strategies. Partnerships with the private sector are important, whether as part of corporate social responsibility programmes, or in areas where business practice may act as a driver of police demands. Confidential telephone lines or anonymous online reporting facilities are an effective tool through which the public can contribute significantly to policing efforts. Crimestoppers, funded by both the public and private sectors, operates such a

²⁷ We understand a business case is in preparation which aims to develop the Analysis Service to provide dedicated support at a Divisional level.

²⁸ Computer Statistics.

service in Ireland – raising awareness of crimes and relaying valuable information to An Garda Síochána. Crimestoppers is however in need of greater supports from both sectors as it continues to develop its reach and promote its work. Joint crime prevention and safety messages supported by bodies such as the Irish Farmers Association, Muintir Na Tíre and other groups can provide very practical and targeted messages to particular communities. Working collaboratively with the academic community can contribute to better policy making and better policing responses. The Greentown Study is an example of a partnership approach on research into the development of criminal networks and interventions.

THE GREENTOWN STUDY

Example of research into development of criminal networks and interventions

The Greentown project,²⁹ part of the Research Evidence into Policy Programmes and Practice Project³⁰ (REPPP) in the School of Law, University of Limerick, has been examining how criminal networks play a significant role in encouraging and compelling possibly 1,000 children in the state³¹ to engage in prolonged and serious criminal behaviour. The project, led by Professor Sean Redmond, is 100% funded and supported by the Department of Children and Youth Affairs and Department of Justice and Equality.

Using social network analysis methods the study has identified the ways in which children, many already disadvantaged, can be enticed and compelled into criminal activity by adult crime networks. While not unique to Ireland the family and kinship based crime networks found in Greentown and two follow up studies are certainly distinct from most gang descriptions in the scientific literature in the US and UK.

Consistent with the unravelling of other 'Wicked'³² social policy problems, the Greentown project's first contribution to policing has been to describe in detail the problem as it presents in Ireland.

The study's second contribution is the bottom-up design of a new intervention programme designed to disrupt network activity. This process has involved the collaboration of international and national scientific and policy experts across a wide range of disciplines. The newly designed evidence based programme – combining elements of child welfare, law enforcement, community capacity building and new opportunities to contribute to society for children engaged in networks – is attracting significant international interest.

15. Many of those who commit crimes as adults have previously been involved with the criminal justice system as juveniles. Investing in a progressive juvenile justice system, including youth diversion programmes, should be a core part of any crime reduction strategy. In 2017 there were 20,006 referrals to the statutory Garda Síochána Youth Diversion Programme, up 13.6% from the previous year. While capabilities have recently been expanded to allow for the establishment of a Diversion Programme Policy Unit, the Committee appointed to monitor the effectiveness of the Diversion Programme

²⁹ Based on the finding of *The Greentown Study 2015* available at: <http://hdl.handle.net/10344/5793>.

³⁰ REPPP is a government / academic partnership between the Department of Children and Youth Affairs and University of Limerick to improve the evidence base in youth crime policy making in Ireland.

³¹ *National Prevalence Study Report 2017* available at: <http://hdl.handle.net/10344/6313>.

³² 'Wicked' problems are very complex problems. See H. W. J. Rittel and M. M. Webber *Dilemmas in a General Theory of Planning* 'Policy Sciences', Vol. 4, No. 2 (Jun., 1973), pp. 155-169.

considers the Garda Youth Diversion Office as a whole to be inadequately resourced. **The Garda Youth Diversion Office should be sufficiently staffed, resourced and positioned within the structures of An Garda Síochána to ensure that the Diversion Programme operates effectively and that the Director is properly supported in the performance of his/her statutory functions.** The Children Act 2001 also places an onus on the Garda Commissioner to provide training to those concerned with facilitating the Diversion Programme. **This obligation must be met and appropriate specialised training provided to those involved in the Garda Diversion Programme at all levels, sworn and non-sworn.**

16. The statutory programme is concerned not only with crime and crime reduction, but also with the wellbeing and welfare of young people. Strong interagency cooperation is vital for this aspect of the work, consistent with the approach we have recommended to community safety as a whole. We are pleased to note that An Garda Síochána and Tusla have developed a joint working protocol (2017). Guidelines to support effective working relationships between Youth Justice Workers and Garda Juvenile Liaison Officers (2017) have also been developed. During our consultations the issue of training for Garda members in engaging with young people was raised as an area for improvement. We heard of innovative projects to develop greater mutual understanding involving collaboration between youth groups and Gardaí.³³ The value of such approaches should be further explored in the context of the new Learning and Development Strategy we recommend in Chapter Twenty.
17. At a broader level, the Irish Youth Justice Service is responsible for leading reform in the area of youth justice. It administers a network of 105 youth diversion projects targeted at 12-17 year olds where there is a risk of the young people remaining in the justice system. The projects are based in community organisations which provide an integrated range of services for children at risk as well as their families. There is work underway to inform the future development of the network of projects which will enhance the preventative and family support work and embed a restorative practice ethos. The approach to embedding services in the community is consistent with our recommendations on local community input to policing in Chapter Thirteen, where we propose the development of effective local structures to build capacity for community participation. There could be merit in coordinating funding for these projects through one or more specifically tasked community based channels, as long as this had genuine buy-in locally. The Irish Youth Justice Service is staffed by officials from the Department of Justice and Equality and the Department of Children and Youth Affairs, who are co-located but retain their reporting lines to their parent departments. **With a view to maximising the outcomes of the service, consideration should be given to the most appropriate structures to deliver any future Youth Justice Strategy as well as ensuring sustainable funding sources.**

CRIME INVESTIGATION

18. The Garda Inspectorate's Crime Investigation report of October 2014 identified a large number of problems with the state of crime investigation in An Garda Síochána, in addition to the problems with crime data. These included deficiencies in training detectives, lack of supervision, lack of process and analysis, poor information

33 These included the Policing Dialogues at the Rialto Youth Project. http://rialtoyouthproject.net/policing_dialogues

sharing, problems in handling forensic evidence and poor management and execution of warrants. The Policing Authority's report on Policing Performance in July 2018 was critical of the lack of progress in addressing falling detection rates.³⁴ While such official reports note many examples of good practice and effective work by Gardaí, at the system-wide level there is a pressing need to overhaul the practices and procedures of crime investigation. As we ourselves observed in other areas of the work of An Garda Síochána, when the right personalities were involved the quality of the work could be very good; but because there were deficiencies in management processes, there could be no assurance of quality across the whole organisation. Crime is only one such area.

- 19. We recommend an urgent, thorough overhaul of the entire crime investigation function of An Garda Síochána, to remedy the problems identified in the Inspectorate report of October 2014. We have already mentioned the newly developed Investigation Management System (IMS), which should be fully supported and deployed as soon as possible.**

CYBERCRIME

- 20.** Ireland shares with other countries the problem that crime statistics do not reflect the rapid development of internet crimes. These include identity theft and credit card fraud, drugs procured over the internet and mailed directly to consumers or dealers, sexual exploitation and online blackmail. We distinguish here between cybercrimes such as these and cybersecurity, whereby the security of the state may be threatened by attacks on critical infrastructure, the theft of secrets or the contamination of democratic processes. Cybersecurity is addressed in Chapter Ten of this report.
- 21.** Crime data systems have not kept pace with developments in internet crime. Police in all jurisdictions are struggling to deal with the scale and complexity of internet-enabled fraud. The great majority of internet crimes go unreported. The FBI estimates that only one in seven such crimes are reported in the United States.³⁵ The first challenge for all jurisdictions, including Ireland, is to understand better the nature and size of the problem. **We recommend that the urgent review of data collection and management advocated above should include internet crimes, how to capture them and how to classify them.** This must be a collaborative exercise with the community, the private sector, partner organisations and foreign counterparts.
- 22.** The internet poses significant challenges for police in gathering intelligence and evidence, including harm caused by social media. Beyond the open web the so-called "dark web" is an active marketplace for the sale of pornography, illegal drugs and firearms. Crimes that may not be cybercrimes as described above are nevertheless increasingly likely to have an internet dimension. Communications between criminals have moved to internet systems, often encrypted so as to be closed to police. Evidence that might have been found in physical form in the past is now often on digital devices, and increasingly in the cloud. The challenge is not only for police to find effective ways to address these developments, but also for the courts, where juries can struggle to interpret evidence from the multiple digital sources now available.

³⁴ Policing Authority *Assessment on Policing Performance* (July 2018).

³⁵ Police Executive Research Forum *The Changing Nature of Crime and Criminal Investigations* (January 2018).

23. A further problem with cybercrime is that the internet crosses the jurisdictional boundaries on which policing has traditionally been based. A crime may well involve several different jurisdictions. The victim of a credit card fraud may be in one jurisdiction, the perpetrator in another, and the card issuing bank in a third. While it is by no means new for crime to cross international boundaries, it is much more often the case with cybercrime and to that extent it creates an additional burden for police. For this reason, cybercrime must continue to be a specialist function based primarily at Garda Headquarters. District police need to be well trained and well informed in the subject and should work closely with their communities to take preventative measures, but the focus of expertise must be concentrated centrally.
24. Even in the absence of comprehensive data about cybercrime in Ireland, it is already clear to us that **the capacity and expertise of the existing Garda National Cyber Crime Bureau should be substantially expanded as a matter of urgency, and personnel appointments in that field should be fast tracked.**

CHAPTER SEVEN

THE CRIMINAL JUSTICE SYSTEM

1. In Chapter Four we discussed the need for agencies *outside* the criminal justice system to recognise that they too have a role in the policing of Ireland, notably those working with people at risk who might become victims or perpetrators of crime. We recommended that a Cabinet committee should bring together all relevant government departments and public service agencies for that purpose. In this chapter we look at other elements of the criminal justice system and their relationship with the police.
2. A number of mechanisms have been established in recent years which have had a positive impact on fostering a coordinated approach to policy making and practices within the criminal justice system. These include the Criminal Justice Strategic Committee established in 2015 to facilitate an integrated approach within the Department of Justice and Equality, in addition to effective inter-agency working between the various criminal justice agencies. The implementation of the recommendations of the Penal Policy Review Group, established in 2012, which focus on reform of the penal policy system and ensuring that the work of the criminal justice agencies is connected to social services, is being overseen by an interagency group, chaired by Professor Mary Rogan of Trinity College Dublin.
3. We met with both the Irish Prison Service and the Probation Service, who, among other areas of cooperation, are working together to address the problem of recidivism. They informed us that the current recidivism rate in Ireland is high – 45% of prisoners released in 2010 reoffended within three years,³⁶ while 38% of offenders referred to Probation Service in 2010 reoffended within the same period.³⁷ If it could be reduced (some Scandinavian countries, for example, are in the range of 20 to 25%),³⁸ the beneficial impact on the overall crime rate would be significant. Another predictor of future criminality is having family members already convicted. Studies have shown that over 50% of younger brothers of convicted persons can be expected to turn to crime.³⁹ If the criminal justice agencies worked together with police, and with other relevant agencies, they could trigger early interventions with families to try to prevent this. We welcome the fact that the Prisons and Probation Services are thinking along these lines, and we encourage closer cooperation between them and police, and with social services agencies, to reduce crime and prevent harm.

36 Central Statistics Office *Prison Recidivism* (November 2016).

37 Central Statistics Office *Probation Recidivism* (November 2016).

38 Fazel, S. and Wolf, A. *A Systematic Review of Criminal Recidivism Rates Worldwide: Current Difficulties and Recommendations for Best Practice* (2015) PLoS ONE 10(6). The exact recidivism rate for any country is dependent on the range of offences which are included, whether it includes those released from prison and referred to the probation services and the time-period used.

39 Ministry of Justice (UK) *Prisoners' childhood and family backgrounds: Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners* (March 2012).

INTER-AGENCY ENGAGEMENT

The Big Brother Big Sister (BBBS) programme

The Big Brother Big Sister (BBBS) programme is an internationally recognised system that is used in over 15 countries, first launched by Foróige as a pilot in Ireland in 2001, matching a young person who is considered “at risk” or who is already experiencing adversity in their lives with an adult mentor. The BBBS works with a variety of different agencies throughout Ireland and receives referrals from Foróige, Tusla, the HSE, schools and the Gardaí.

In areas where An Garda Síochána have partnered with BBBS, a young person can be referred by Gardaí to the BBBS programme for individual mentoring as part of the Garda Youth Diversion Programme.

A recent report⁴⁰ has shown that when used by Gardaí it can have a beneficial impact on the young participants of the Garda Youth Diversion Programme. The report highlighted the positive influence that the mentors have on young people and the potentially life changing impact that the mentors can have.

4. The Joint Agency Response to Crime (JARC) is a programme of the police, prisons and probation services, working together to target prolific and violent offenders. Those responsible for JARC estimate that 25% of offenders are responsible for approximately 75% of crime. Started in 2016, JARC is still in its early stages and it is limited geographically, but the principle is a good one and similar approaches have been shown to work in other jurisdictions.
5. **We recommend that cooperation between agencies in the criminal justice system be put on a more comprehensive and formal footing**, to enable joint action in order to address recidivism, high risk potential new offenders and other ways to reduce crime and prevent harm. Such cooperation should include engagement and partnerships with human rights groups as appropriate. **We further recommend dedicated funding to promote a shared platform for timely and effective information sharing between these agencies.** This cooperation should be implemented so that the relevant agencies can work together locally to reduce offending and improve the service to victims. Divisional level officers should have responsibility for ensuring that this happens.⁴¹

COURTS AND PROSECUTIONS

6. In one area of the criminal justice system there should be more distance between the police and other elements of the system, namely the courts. **All prosecution decisions should be taken away from the police and given to an expanded state solicitor or national prosecution service. We also recommend that the practice of police prosecuting cases in court should cease.** We heard in the course of our consultations that Gardaí in charge of prosecutions may not be trained to the level of the opposing defence lawyer. Some Gardaí have undoubtedly become skilful prosecutors through experience, but this should not be their job and it does not justify

⁴⁰ Big Brother Big Sister and Garda Youth Diversion Projects: *Perspectives on a Preventative Intervention Report (2018)* Murphy K. UNESCO Child and Family Research Centre, NUI Galway.

⁴¹ See also Chapter 17 on structure.

taking them away from front line duties. Moreover, as most comparable jurisdictions recognise, investigation and prosecution processes should be separate. Gardaí should of course continue to provide testimony in court as prosecution witnesses when necessary.

7. As we note in Chapter Nine on non-core duties of An Garda Síochána, the involvement of Gardaí in prosecutions and the amount of time they spend in court or preparing for court is enormously wasteful of police resources that should be deployed on core police duties. This is a secondary but important reason for taking responsibility for prosecutions away from police.

INQUESTS

8. The current role of police in the inquest system is another area of concern. We met members of the public who were surprised at the central role Gardaí play in the coroner's court, and solicitors who expressed concern over possible conflicts of interest. We note the Government's longstanding commitment to reform the inquest process, and we are limiting our comments to the role of Gardaí. They perform a wide range of functions relating to the reporting of deaths, exhumations, acting as the Coroner's Officer, convening juries, presenting evidence, seeking adjournments, and identifying alternative coroners. These can create an overlap between criminal investigations and inquests. Moreover, they are time-consuming tasks for Gardaí, taking them away from core duties. Gardaí are not properly trained for these duties, nor should they be. It should not be their job. **We support calls to reform the coroner system so that Gardaí no longer perform these functions.** We further note that there is currently discretion as to whether an inquest should be held **following a death in Garda custody. We believe such inquests should be mandatory** in line with requirements under Article 2 of the European Convention of Human Rights.⁴²

⁴² The Coroners (Amendment) Bill 2018, introduced by Government in July 2018, would make such inquests mandatory.

CHAPTER EIGHT

TRAFFIC AND ROAD SAFETY

1. “Regulating and controlling road traffic and improving safety” is an objective of An Garda Síochána as defined in Section 7(1) of the Garda Síochána Act 2005. We considered a recommendation to this Commission that roads policing should be assigned to a dedicated “Garda Traffic Corps”, with a separate command structure. However, policing the roads is an integral part of public order, crime detection and reduction, and community safety. We do not recommend a separate command structure for roads policing.
2. Deaths on the nation’s roads have declined very significantly over the past two decades, from over 400 deaths per year at the turn of the century to around 160 per year. In the 1970s, when the population was 40% less than it is today, road deaths were four times today’s figure. While the current numbers are nothing to be complacent about, the perspective is helpful, and shows what can be achieved by a combination of better car design, better road design, public information campaigns and police enforcement. Notwithstanding this progress a Road Safety Authority (RSA) survey in 2017 found that 67% of Irish adults believe there are not enough Gardaí enforcing traffic laws. It was suggested in submissions to the Commission that more resources should be allocated to road traffic policing so that laws could be more effectively enforced. A number of submissions to the Commission said that all Gardaí should have sufficient training in road traffic legislation to enforce the legislation along with their traffic police colleagues. The need for enforcement intervention data to be collected, independently audited and published was also emphasised.
3. There has clearly been gross maladministration in the police in respect of penalty points cancellations, and in the overstatement of the number of mandatory intoxicant tests. This was illustrated in the reports published by the Policing Authority and Crowe Horwath in 2017 which identified inadequate and inconsistent performance management and supervision, and a deficit of accountability throughout the whole organisation. This combination of weaknesses occurred in an area where the greatest number of people engage directly with the police service, with inevitable impact on the public perception of police competence. As in other areas of the police organisation, there is a need for more robust management processes to guard against such errors and abuses, whether they result from uneven application of the law, inflating numbers to impress or poor record keeping. The problem cannot be attributed to technology, deficient though it may currently be.
4. An area of concern raised with this Commission in our public consultations was the prosecution of traffic offences that should have been handled by a fixed charge notice. However, because of the lack of an efficient system for issuing fixed penalty notices immediately when an offence is committed, drivers and Gardaí all too often ended up in court. We were told by the police that a Garda on roads policing could spend as much as twelve days per month in court, whereas a counterpart in other jurisdictions might go a considerable time without having to attend court. This is one of the many ways in which police resources were being wasted because of a failure in the business process. It also caused unnecessary friction between police and the driving public.

5. Work to improve the operation of the fixed charge system has been making progress, with preliminary results showing that measures being taken are leading to increases in the payment rate and a reduction in the number of cases proceeding to court.⁴³ However, a pilot programme conducted by An Garda Síochána in Limerick to test the use of mobile devices shows that, among other efficiencies, Gardaí can use such devices to generate tickets for traffic violations on the scene, which can be sent automatically to drivers to pay fines online. When deployed in all parts of the country, mobile devices should produce significant efficiencies in terms of police and court time, administration costs, and the collection of fine revenues. Overall, there is scope to be more effective using advancements in technology, for example by expanding the use of speed cameras, and other solutions currently being considered for deployment by An Garda Síochána.

6. During some of our public consultations, we encountered a misperception that An Garda Síochána should be policing routine parking violations. This should not be a function of police, but rather of parking wardens employed by local authorities. Police should only need to deal with illegally parked vehicles if they constitute a risk to public safety. Gardaí have also pointed out to us that they are often expected to attend minor road collisions. **Unless a collision results in injuries, or a situation causing a hazard for road users, there should be no need for police to become involved and it is a waste of police resources to do so.** District police and local authorities should ensure that the public are aware of what to expect from police in order to avoid unjustified criticism of police on these points.

⁴³ Department of Justice and Equality *Ministers Flanagan and Ross welcome improved operation of Garda Fixed Charge Processing System* (press statement) [20 July 2018] available at <http://www.justice.ie/en/JELR/Pages/PR18000244>.

CHAPTER NINE

NON-CORE POLICE DUTIES

1. In addition to its core community safety functions, An Garda Síochána performs a large number of non-core duties which we were informed absorb an enormous amount of Garda resources and time. Wherever we went in the country to talk to Gardaí we heard that there was a shortage of front line police, and that non-core duties were taking up time and resources at the expense of core functions. This was also the subject of several submissions received by the Commission.
2. The non-core duties currently performed by Gardaí include some aspects of security at courts, transporting all remand prisoners, serving summonses, prosecutions at district courts,⁴⁴ attending minor road traffic accidents, as mentioned above, and safeguarding examination papers for schools.
3. Another duty currently performed by Gardaí is the verification of identities for the purposes of new passport applications, and even for the opening of bank accounts. In the latter case the practice does not appear to be standard across An Garda Síochána, but in many Garda stations the service is being provided and Gardaí have mentioned it to us as a distraction from core police duties.
4. The absolute priority should be that front line district police should have the resources they need to perform their core community safety duties. It has been a constant theme in our consultations, our public meetings, the submissions we have received, and our many conversations with members of the public, the police, councils and the Oireachtas, that there is a shortage of police visible on the streets and in communities. We agree strongly. One of the main problems drawing police away from the front line is the amount of police time spent performing the tasks listed above. Many hours of sworn police time are thereby squandered on duties which could and should be done by non-sworn personnel or by others who are not members of the police service at all.
5. None of the duties listed above require police powers or the expensive training of a Garda. For instance, the Prison Service should take responsibility for prisoner escorts, with the exception that certain prisoners judged to pose a particular danger may require a Garda presence. In the case of court security, there should be scope to relieve Gardaí of duties which do not require police powers and the Courts Service should make their own arrangements for serving summonses.⁴⁵
6. The drain on police resources caused by these non-core activities is substantial, both in terms of the deflection of personnel away from front line duties, and the diversion of limited police budget away from core functions. This has long been recognised as a problem that needs to be addressed. Despite past recommendations in other reports, progress has been slow. Given the serious pressure on the deployment of visible garda resources on the front line of policing, we believe that there should be no further delay and that action should be taken immediately. **We therefore recommend that all these**

⁴⁴ See Chapter 7.

⁴⁵ A subgroup of the Criminal Justice Strategic Committee is examining resource issues around security of prisoners and prisoner management including transport. The possibility of divesting or outsourcing certain duties currently undertaken by An Garda Síochána, subject to the completion of value for money studies, is part of the ongoing discussion at this group.

non-core duties should now be reassigned to other agencies. This should be one of the first priorities in the implementation of the recommendations in this report.

7. An Garda Síochána has also had a substantial role in immigration work, including providing uniformed Gardaí at airports. Before the establishment of this Commission a process was already underway to reduce that role. In 2016 responsibility for registering non-EEA⁴⁶ nationals in Dublin city and county was transferred from the police to the Irish Naturalisation and Immigration Service (INIS). We were advised that the intention is that registration in all parts of the State will be transferred away from the police, and also that there is a plan in place to move registration data from the Garda National Immigration Bureau database to a dedicated INIS database.
8. We agree with these changes. Most immigration issues are quite separate from policing, and the police involvement in them detracts from where the focus of the police service and command team should be – namely on front line policing, crime and public safety. Furthermore, police involvement in matters of immigration status may complicate police relations with immigrant communities, making it hard for front line police to build trust with those communities and develop a cooperative relationship with them. Policing and immigration should be separate functions, performed by separate agencies. **We recommend that all remaining immigration duties should be transferred from An Garda Síochána to INIS as quickly as possible.** INIS and the police should of course work closely together when needed, for example when police powers are required as in cases of detention, search, arrest and deportation. Police may also judge it necessary for crime prevention reasons to be present at ports or airports for certain arrivals, as they do now.

⁴⁶ European Economic Area.

PART 3

NATIONAL SECURITY

CHAPTER TEN A MULTI-AGENCY APPROACH FOR A NATIONAL SECURITY STRATEGY

1. An Garda Síochána is unusual among police services in common law jurisdictions in that it is the agency responsible for the security of the State. We were specifically tasked in our terms of reference to look at the dual role of the police as a state security agency as well as a police service.
2. There are problems as well as advantages with having the two functions combined in one organisation. Among the advantages are ease of coordination between front line police and those specialising in security matters. Front line police need to be aware of potential threats to security so that they can be on the alert for activities in their communities. Police focusing on organised crime also need to be in the picture, because of the links that often exist between terrorism and criminal activity of that kind. Potential disadvantages with a single agency arrangement include the risks that a single organisation “groupthink” may insulate it from different perspectives and innovations, and also that a security agency culture may affect the organisation as a whole. Those handling sensitive information are necessarily less transparent and are not as openly accountable about their work in the way that police in the community should be. Recruiting people with a wide range of skills and outlooks may limit these risks to some degree, but not totally.
3. The main threat to national security in the past has come from domestic groups. An Garda Síochána has commanded considerable respect for its handling of this threat among its counterpart security agencies in other countries, according to liaison officials consulted by this Commission. However, there have also been some academic and journalistic critics of the Garda performance in this area. Today, however, the nature of the threat to national security is changing. The domestic terrorist problem has not disappeared, but it is not what it was before the Good Friday Agreement of 1998. By contrast, the threat from international terrorism is much greater than it was. Many places that in the past have not seen themselves as targets

for international terrorists have suffered attacks on sporting events, shopping streets, promenades, beaches, concert halls, clubs and other soft targets. Open societies are all at risk. The means employed by terrorists have also changed, as social media and the internet are used to plan attacks, radicalise impressionable minds and recruit operatives.

4. Against this background, it is no longer realistic to expect states, especially smaller ones such as Ireland, to rely only on internal resources and capacities to protect national interests. Inter-state cooperation and intelligence sharing will be vital, because of the international nature of the threat, and the growing sophistication of both terrorists and organised crime groups.
5. Terrorism is not the only threat to national security interests. Across the world, government entities and private companies experience attempts to hack into their systems every day. Some of these cyberattacks come from foreign agencies, terrorists or groups and individuals with motives ranging from industrial espionage, to influencing or undermining confidence in political processes, to exploiting weaknesses in national infrastructure and causing disruption for its own sake. As in other countries Irish government institutions, infrastructure and companies are all at risk from such cyberattacks, as are the many foreign companies that are based in Ireland and important to the nation's economy. Cybersecurity is a fast growing concern. **We recommend the early formulation of an updated and comprehensive National Cyber Security Strategy.** Ireland also needs to develop its capacity to address the threat, both within An Garda Síochána and in the National Cyber Security Centre, expanding work with academia and the private sector. This is a matter not only of resources but also of the security apparatus of government.
6. **It follows from the above that the national security function should not be lodged entirely within the police organisation.** Other countries typically have a number of agencies with responsibilities for different aspects of the threat to national security – external, internal, cyber, infrastructure resilience and so on – and a national security advisor coordinating those agencies usually reporting to the head of government. Ireland already has a number of different agencies and Departments with interests in the security of the State. These include the Department of Justice and Equality, the Department of Defence and the Defence Forces, which have a responsibility to protect the State, and have both international experience and an intelligence capability. As mentioned above, the National Cyber Security Centre has a national security role. So, clearly, does the Department of Foreign Affairs and Trade, given that much of the threat emanates from overseas.
7. The National Security Committee, chaired by the Secretary General of the Department of the Taoiseach,⁴⁷ is tasked with advising the Taoiseach and Government on high-level national security issues and responses. Cabinet Committee F,⁴⁸ a new Government Security Committee, chaired by the Taoiseach and combining Cabinet members and security officials, was established in July 2017. However, there is no permanent structure bringing the various agencies together to pool expertise and information, so as to produce a comprehensive picture of the threats to the State and inform the

⁴⁷ For functions see <https://www.oireachtas.ie/en/debates/question/2017-05-30/2/>.

⁴⁸ Department of the Taoiseach *Taoiseach convenes first meeting of Government Security Committee* [press statement] (14 July 2017) available at https://www.taoiseach.gov.ie/eng/News/Taoiseach%27s_Press_Releases/Taoiseach_convenes_first_meeting_of_Government_Security_Committee.html.

development of a national security strategy. **We recommend the immediate creation of a national centre for intelligence collation and analysis (Strategic Threat Analysis Centre – STAC), situated centrally within government, answering to the Taoiseach.** We envisage that this centre would have a small permanent staff, supplemented by personnel of An Garda Síochána and the Defence Forces as well as officials seconded from the Departments of Justice and Equality, Defence, Foreign Affairs and Trade, and Communications, Climate Action and Environment. Its purpose would be to synthesise intelligence and information, whether from Irish agencies, foreign liaison partners, or open sources, and to provide the Taoiseach with regular threat analyses. It should carry out long-term threat assessments based on wide geopolitical analysis, and conduct threat analysis requested by the police or other agencies. It should also develop intelligence gathering requirements which may then be assigned to An Garda Síochána and other relevant agencies to guide their intelligence collection activities and to ensure no overlap between them (for instance between police and military intelligence gathering).

8. This approach is now necessary to augment An Garda Síochána's responsibility for security operations, such as surveillance, intelligence gathering, investigations or arrests. Police must remain fully engaged in national security work. Even where separate security agencies exist in other jurisdictions, experience has shown that police must be in constant touch with those agencies, often working in integrated teams in shared offices.
9. In addition, **An Garda Síochána's security and intelligence capability must be strengthened, in particular by means of a ring-fenced budget provision and an ability to recruit specialist expertise – analytical, technological and legal – directly and quickly.** This is a matter of urgency. International terrorism and organised crime are constantly evolving and the risks to the State are serious.
10. We have considered carefully whether to recommend the creation of a separate agency with powers going beyond analysis and intelligence coordination, to include for example a capability to develop its own intelligence sources (like the Security Service in the United Kingdom) or even full police powers (like the Federal Bureau of Investigation in the United States). We are not convinced that this is either necessary or realistic at the present time. Whether or not a separate agency will be an option at some future point, we believe that it is vital now that security intelligence should be coordinated outside the police or any other individual agency or Department, hence our recommendation for a Strategic Threat Analysis Centre under the Department of the Taoiseach.
11. **We further recommend that the Strategic Threat Analysis Centre should be headed by a National Security Coordinator, answering directly to the Taoiseach.** This senior official, who should be a full-time appointment, would have the authority to convene inter-agency meetings both to develop threat assessments for the Taoiseach and to draw up annual intelligence requirements. In the event of major ongoing security incidents requiring a multi-agency response, the Coordinator could also chair inter-agency meetings on behalf of the Taoiseach.
12. **We recommend that the National Cyber Security Centre should answer to the National Security Coordinator.** It is currently part of the Department of Communications, Climate Action and Environment, but communications are only one element of national infrastructure that needs to be protected from attack, and cybersecurity extends beyond just infrastructure. It transcends the remit of any individual department and should report to the centre of government.

CHAPTER ELEVEN

OVERSIGHT OF NATIONAL SECURITY

1. In the following chapters of this report we consider the oversight of policing in general. In this chapter we address the issue of oversight of national security, for which we believe there should be special arrangements. The reasons are twofold. First, national security by its nature involves highly sensitive information – intelligence from sources that need to be protected and from liaison services whose product must be handled with care. Secondly, both the Policing Authority and the Garda Síochána Ombudsman Commission have expressed concerns that the police can resist some of their requests for information on grounds of national security. This is a legitimate reason for withholding information in certain circumstances, but the oversight bodies have suggested that it may have been invoked more widely than necessary. There needs to be some mechanism to check that it is deployed only when necessary.
2. We also see a need for a comprehensive and robust review of the legislative framework within which police and other agencies operate in the area of national security – what powers they should have, how they exercise those powers so as to respect fundamental rights, and what safeguards are in place against abuse or misuse. As the nature and range of threats to national security are changing fast, as are the technologies in play, it is important that these issues should be under constant review.
3. **We recommend the establishment of an Independent Examiner of terrorist and serious crime legislation**, based on the model used in the United Kingdom. The Examiner would maintain a continuous review of how security legislation is being implemented by police and other agencies, and evaluate the case for changes needed to match the evolving threats while respecting fundamental rights. This would require the Examiner to have powers to review the conduct of particular security operations when concerns arise that call for independent scrutiny. Access to papers and personnel would be needed to discharge these duties, with redactions only for the identity of informants.
4. **The Independent Examiner could also act as an adjudicator to consider requests for information from policing oversight bodies which have been rejected in whole or in part by the police on the grounds of national security, and where the oversight bodies wish to appeal that decision.** The establishment of the Independent Examiner might also present an opportune time to review the role of the designated judge provided for under Section 100 of the Garda Síochána Act 2005 and the provisions of Part 4 of the Act as they relate to ministerial powers to issue directions regarding access to security material.
5. The Independent Examiner should report to the Taoiseach and should be a part-time appointment. Selecting the right individual for the post will be critical. A strong legal background and great credibility within the legal profession will be vital, given the focus of the work on legislation and how it is applied. Excellent communication skills will also be important. The Examiner will need to command public confidence.

PART 4

OVERSIGHT AND
ACCOUNTABILITYTHE ROLE OF
EXTERNAL BODIESINTRODUCTION – A COHERENT NATIONAL
FRAMEWORK

The current architecture for policing in Ireland is confused. There is a lack of clarity, and some overlap between the respective roles of the various oversight bodies – Department of Justice and Equality, Policing Authority, Garda Síochána Inspectorate and the Garda Síochána Ombudsman Commission. There is also a lack of distinction between the roles of some of these external bodies and the responsibility of the police service for its own governance. The lack of coherence in the oversight framework has been to the detriment of clear and effective accountability for policing in Ireland. In the next few chapters of this report we propose a new, coherent framework, and for this purpose we distinguish between accountability, oversight and governance in the following way. First, we consider **accountability** in the sense of the democratic accountability of the police to the people through their elected representatives. The Commissioner is accountable to the Minister for Justice and Equality, who in turn is accountable to the Oireachtas. Accountability in its broadest sense should run through the police service at all levels – everyone accountable to their supervisors for their performance. It should apply also to the oversight bodies. All are accountable to the community for delivering effective policing and community safety. Second, **oversight** is the responsibility of appointed bodies, each with their defined duties to monitor, inspect and investigate the performance of the police. Separately, internal **governance**, and day to day management of the police service should be the responsibility of the police themselves led by the Garda Commissioner. Without responsibility there can be no accountability, and that is the present state of affairs. We discuss these concepts in the next five chapters, taking the external bodies first and then the police service itself.

“Accountability has to be something that happens at every level, not just something that happens in a board room once a year. Making people accountable, and being accountable, is not easy, but it is essential.”

Submission from a member of the public

CHAPTER TWELVE

POLITICAL ACCOUNTABILITY, THE OIREACHTAS AND THE DEPARTMENT OF JUSTICE AND EQUALITY

THE OIREACHTAS

1. An Garda Síochána, and other criminal justice services are, and should be, accountable to the democratically elected government of the State. The role of holding them to account is exercised through the Minister for Justice and Equality who in turn is politically accountable to the Oireachtas for policing matters. In addition, the Garda Commissioner is accountable for the accounts of An Garda Síochána to the Public Accounts Committee. More generally An Garda Síochána has a responsibility as a public body to engage with relevant Oireachtas Committees on policing matters. In practice, however, that engagement has been crisis-driven and fragmented rather than deliberative and structured. This neither serves the Irish people well nor enables the Oireachtas to effectively engage with An Garda Síochána on its ongoing work and the challenges of policing in Ireland.
2. **We recommend an enhanced regular programme of engagement between An Garda Síochána and the Joint Oireachtas Committee on Justice and Equality.** This could involve quarterly meetings between senior Garda leadership and the Committee, with questions submitted in advance to maximise the effectiveness of the meetings in informing Committee members, leading to more productive dialogue and outcomes.
3. Crises will still occur requiring An Garda Síochána to meet with the relevant Oireachtas Committee outside of the regular programme of engagement. In those instances we see merit in streamlining the procedures, to avoid duplication or indeed competition between different Oireachtas Committees. More generally, there may also be merit in further reflection within the appropriate forum in the Houses of the Oireachtas on how to maximise the future effectiveness of Oireachtas engagement with An Garda Síochána.
4. We have also noted that the Minister for Justice and Equality receives a large number of Parliamentary Questions (PQs) from TDs about An Garda Síochána, which often ask for large amounts of detailed information about the police organisation. While it is right and proper that the Minister is questioned in the Oireachtas on matters relevant to the Department's direct responsibilities, this can involve the Department of Justice and Equality in matters of routine internal Garda administration, even to the level of local Garda stations, which is not how department officials should be spending their time, as we discuss below.⁴⁹ More fundamentally, it should not be necessary for TDs to ask the Minister for Justice and Equality for that kind of information because it should be readily available directly from the Garda organisation, without the use of parliamentary

⁴⁹ By way of example on 24 July 2018, the Department of Justice and Equality answered 600 parliamentary questions. Of these 429 were answered between the HR Section and Finance & Resources Section of the Policing Division - 71% of the total number answered by the Department for that date. The 307 PQs answered by the HR Section pertained for the most part to the number/distribution of personnel by area/unit, a matter for which the Garda Commissioner has statutory responsibility.

devices.⁵⁰ Part of the problem is that An Garda Síochána has not been forthcoming with information about itself. It is a fundamental theme in this report that the police should become much more communicative both publicly and with partner organisations. They should certainly be much more ready to share information with the Oireachtas and its members. We would hope that, in future, a TD or their staff will be able to get most of the information they seek directly from the police without recourse to PQs, the proper subject of which should be matters that fall within the Minister's responsibility.

THE DEPARTMENT OF JUSTICE AND EQUALITY

5. Similarly, there is a need to streamline the accountability of the police to the Government by clarifying and simplifying their relationship with the Department of Justice and Equality. Many of the submissions we have received have observed that the Department has in practice performed a role that goes beyond that of holding the police accountable. It is involved in aspects of the management of the police service, including such things as pay and conditions or procurement decisions. Moreover, as the Effectiveness and Renewal Group (ERG) for the Department of Justice and Equality has observed in its report⁵¹ on reform of the Department, a relatively small number of people in two divisions of the Department deal with all interactions with the Gardaí in various subject areas, "from oversight and crisis management to policy and parliamentary questions ... intermixing all these at the senior level on a daily basis". Longer term strategy and policy often loses out to immediate priorities and Department officials find themselves "in the trenches" with Gardaí, handling operational crises together in a state of mutual dependence and blurred roles.
6. This is not accountability. The ERG has commented that the entire policing oversight structure has emerged reactively and rapidly in response to various crises and seems to have evolved to ensure that the buck stops nowhere. This is the opposite of the Department's own stated objective and inevitably leads to Ministers and Garda Commissioners having to resign, even for issues not of their own making, simply because accountability cannot be found elsewhere.
7. We agree with the ERG that **the role of the Department of Justice and Equality in respect of policing should be threefold – transparent and timely communication of information required in the public interest, structural oversight of the police and policing oversight bodies, and the development of policing and security policy**. The Department should not be involved in the internal management of the police organisation, and lack of management capacity in the police should no longer be a reason for the Department to intervene. The ERG report recommends a welcome new approach for structured and transparent information flows between An Garda Síochána and the Department of Justice and Equality. This is consistent

⁵⁰ We understand that, with a view to finding ways of reducing the reliance on the asking of PQs and with the aim of making information more easily accessible to Oireachtas members and the wider public, as well as reducing the draw on Departmental resources, it has recently been agreed that data in relation to the Garda workforce will be published on the Department's website. As a first step eight multi-year tables covering the main categories of data that are typically sought have been compiled and will be published.

⁵¹ Effectiveness and Renewal Group for the Department of Justice and Equality *First Report* (June 2018).

with the Commission's views and should underpin the execution of the Department's structural oversight role and its obligations regarding democratic accountability. The recommendations we have made elsewhere in this report should result in the Garda Commissioner having the necessary tools to manage the police organisation effectively and efficiently, supported by a stronger governance apparatus. The oversight bodies discussed in the immediately following chapters should monitor policing performance with clearly delineated functions to avoid overlap between them or with the Department. The Garda Commissioner should be held accountable for how the organisation is run but must be given the responsibility to run it, and be accountable afterwards for the results achieved.

8. The Department should therefore concentrate on policy and issues of significance, not the routine management issues in which it has engaged in the past. It should work to ensure close cooperation between the various criminal justice agencies it oversees, in pursuit of crime reduction and better community safety.⁵² The Minister for Justice and Equality must also exercise responsibility for holding the police and the other policing bodies to account at the national political level. The principal tools for doing so are already in place, namely control of the top appointments and the lead in budget negotiations with the Department of Public Expenditure and Reform.
9. The Minister should continue to represent the budgetary needs of the police in Cabinet, drawing on input from An Garda Síochána and the Policing and Community Safety Oversight Commission (see next Chapter). We agree with the ERG that a serious gap in the Department of Justice and Equality's role in holding An Garda Síochána to account is the lack of a robust budget mechanism. **The police budget should be properly costed and presented in a multi-annual framework. Understanding how much is being spent on policing and what outcomes are being achieved should be an essential aim of political accountability.** Various recommendations in this report address that problem and we discuss value for money in Chapter Twenty-Five. The process we would envisage for the budget is explained in Chapter Sixteen.
10. The great majority of any police service budget is the cost of employee salaries and allowances. The national budgetary process in Ireland is such that the Department of Justice and Equality takes the lead in police pay negotiations with the police staff associations. We find this odd, to say the least, and it detracts from the Commissioner's ability to operate as a true chief executive of the police organisation – see Chapter Fifteen. **The Garda Commissioner, not the Department of Justice and Equality, should have the lead responsibility for the police organisation in determining pay and conditions within the parameters of public sector pay policy.**

52 See Chapter 7.

CHAPTER THIRTEEN

A POLICING AND COMMUNITY SAFETY OVERSIGHT COMMISSION

A NEW POLICING AND COMMUNITY SAFETY OVERSIGHT COMMISSION (PCSOC)

1. Rather than modifying the functions of the existing bodies, which as the ERG has said emerged “reactively and rapidly” in response to crises, we have taken a completely fresh look at the oversight architecture with the aim of creating a structure in which all the parts have clear and distinct roles, and together support the objective of delivering better policing. A key principle of this report is that policing is not the responsibility of the police alone, but involves other agencies of government, such as health and social services, and other sectors of society. We have proposed a new definition of policing and new legislation to encompass the work that police and other public agencies need to do together to achieve safer communities, crime reduction and the prevention of harm. **We therefore propose the establishment of a new Policing and Community Safety Oversight Commission (PCSOC), with a core function to promote inter-agency working and scrutinise the role of all agencies as they affect policing and community safety.** PCSOC will supersede both the Policing Authority and the Garda Inspectorate, absorbing most of their functions and taking on new ones. We set out the proposed functions of PCSOC below.

“It is important that, henceforth, structures and mechanisms for oversight and for accountability are independent in practice but are also perceived to be independent.”

Submission from a community organisation

ROLE OF PCSOC

2. PCSOC should absorb the Policing Authority’s responsibility for scrutiny of policing performance and the inspection role of the current Garda Inspectorate. As recommended above, it should promote and scrutinise effective multi-agency approaches to community safety. Additionally, it should promote professional policing standards, including human rights standards, through international benchmarking and inspections, conduct research and analysis of policing and community safety issues, and take an active and innovative role in developing the structures for local community policing fora. PCSOC should be a stronger, more holistic and more valuable oversight mechanism for policing than the current structures, providing support for professionalism in An Garda Síochána and a resource for Government policy making.
3. The role of PCSOC should be strictly one of external oversight. Unlike the present Policing Authority, it should have no decision-making role in matters of internal governance of the police, such as appointments, promotions and budgetary issues. It should exercise oversight over the integrity of these processes, but not be involved directly in them. As we said in the introduction to this part of our report, and in the preceding chapter about the role of the Department, the internal governance of the

police should be the responsibility of the police. The structure we propose will settle the confusion that now prevails between democratic accountability (which is for the Minister and Government), oversight (PCSOC and an independent body to receive complaints – see Chapter Fourteen) and internal governance of An Garda Síochána (see Chapters Fifteen and Sixteen for our proposals on governance).⁵³

4. To be clear, we are in no way suggesting that PCSOC should have any role in monitoring the work of health, social services and other such agencies except insofar as they should be working with police to help people whose safety is at risk or who may pose a risk to the safety of others. The purpose is to take a holistic view of the community safety definition of policing described in Chapter Four of this report. PCSOC's oversight role would be an important source of information and advice to the Cabinet committee mentioned in that same chapter.
5. PCSOC's functions should be as follows –
 - (i) Independent scrutiny of policing performance and assessing delivery against objectives,
 - (ii) Fostering and monitoring inter-agency cooperation in the delivery of community safety and engendering a broad acceptance of community safety as a task for the community as a whole, not for the police alone,
 - (iii) Carrying out inspections or inquiries concerning the delivery of policing services and advising on and monitoring the implementation of recommendations arising from such inspection,
 - (iv) Promoting professional policing standards (including human rights standards), having regard to best international practice,
 - (v) Supporting effective Joint Policing Committees or local community policing fora to work with police and other agencies to set local community safety objectives and priorities,
 - (vi) Supporting policy development by means of robust evidence-based research.
6. This new structure allows for the complementary functions of oversight and inspection to be exercised together in a more coherent way than at present, and followed through within a consistent framework. It builds on the strong contributions the Garda Inspectorate and the Policing Authority have made to date in improving the accountability and effectiveness of policing in Ireland which will continue, in the context of a stable transition, until this new framework is legislated for. It also responds to the many submissions received by the Commission calling for greater clarity and coherence in the oversight of policing.

⁵³ A recent article by Professor Dermot Walsh, University of Kent, entitled *Adapting the Police Authority Concept to a Centralised National Police Service: Appearance over Substance* (Modern Law Review [2018] 81(4) 622–645) presents a critical analysis of the structure legislated for in 2015.

LOCAL POLICING ACCOUNTABILITY – A NEW APPROACH

7. The current network of Joint Policing Committees (JPCs) received mixed reviews in our consultation process and it is clear that, while some work well, most do not. It is reported that they often meet without clear agendas, so meetings become talking shops achieving little or nothing. Few of them are able to contribute meaningfully to the key objective of reducing crime. In several areas with serious policing challenges, we found that communities had formed their own Community Policing Forum or Local Policing Forum (we shall refer to these henceforth as Local Community Policing Fora or LCPFs). There are examples where these have worked well. We have already mentioned one in north inner-city Dublin, which has served as a model for other LCPFs – but overall the picture is uneven.

“Members of the community are comfortable using the Community Policing Forum as the conduit between themselves and the Gardaí, also the local authority: it is a safe space, an anonymous space, where very sensitive issues are addressed in a confidential way. Those intimate meetings are invaluable.”

Submission from a public representative

8. It is also important that there should be effective fora for police to engage with communities at district level. In Chapter Five, where we set out a new model for district policing, we envisaged that district police leaders would develop local policing plans based on local objectives and priorities agreed with Joint Policing Committees or LCPFs, involving full community participation.
9. Currently the Policing Authority has a responsibility to coordinate and support the JPCs. It has not had the same role in respect of LCPFs. As foreshadowed above, **we propose that PCSOC should develop these local structures to function effectively, building capacity for participation by community stakeholders, setting standards for their operation and evaluating their performance. The key objective would be to build community trust and address problems through authentic engagement.** PCSOC should also work with local fora to promote multi-agency approaches to community safety at the local level. It should have a **fund available to support local innovation and initiatives.**

MEMBERSHIP OF PCSOC

10. To be effective in such a key role, PCSOC must command confidence among police, politicians, government officials and the public. Some advice received by this Commission in respect of membership of the current Policing Authority called for elected political representation. The experience of this elsewhere has been mixed, and we have seen no compelling reason why it would be a good or necessary solution for Ireland. Political accountability already exists in the form of the Minister for Justice and Equality and the Oireachtas. There should be no need for another layer of political involvement. The work of PCSOC should command public confidence and in time bring about a changed policing environment in which most emerging issues are tackled effectively at the earliest opportunity rather than developing into matters of national political debate.

- 11.** PCSOC's membership should therefore be of sufficient standing to command such a level of confidence, both in the depth and breadth of their expertise. **We recommend that the members of PCSOC should be appointed by Government, after nomination through an independent process and approval by the relevant Oireachtas committee.** The appointments should therefore be both democratic and transparent. The members should possess knowledge and experience in policing, the legal profession, criminal justice, the health sector, human rights and equality, social services, child services, victims' services, diversity, academia and business. It should include two representatives from local community policing groups, such as JPCs or LCPFs, one urban and one rural. There might also be one or two other members with none of the above-mentioned affiliations, provided they were of high public standing. **The total number of PCSOC members should be an odd number not exceeding eleven.**
- 12.** **We recommend that members of PCSOC should serve fixed terms of four years, renewable once, but that initially some members should serve a two-year term so that not all members' tenures will expire at the same time.** The purpose is to provide continuity of expertise and institutional memory.

EXERCISE OF FUNCTIONS AND ACCOUNTABILITY

- 13.** **PCSOC should have powers to scrutinise policing delivery, standards and practice in support of professional policing and to drive improvements in community safety, transparency, empowerment of local communities, promotion of inter-agency cooperation and innovation in policing practice.** It would have power to carry out inspections, to influence data quality and integrity and to require the Commissioner to submit reports on policing services for the purpose of carrying out assessments and inspections. On the basis of its expertise, it would also provide input to the process of approval of policing priorities, strategies and annual plans (see also Chapter Sixteen). It should use every opportunity to improve transparency of policing, including through public meetings with An Garda Síochána and the opportunities presented by social media and other technologies to facilitate effective engagement.
- 14.** **PCSOC should submit annual reports to the Minister for Justice and Equality and engage with the relevant Oireachtas committees on policing and community safety issues.**

POLICING AND COMMUNITY SAFETY OVERSIGHT COMMISSION

PROPOSED OUTLINE STRUCTURE

Delivery to the Community

Independent scrutiny of policing performance and assessing delivery against objectives.

.....

Fostering and monitoring inter-agency cooperation in the delivery of community safety and engendering a broad acceptance of community safety as a task for the community as a whole, not for the police alone.

.....

Supporting effective Joint Policing Committees or local community policing fora to work with police and other agencies to set local community safety objectives and priorities.

Research, Analysis and Corporate Affairs

Supporting policy development by means of robust evidence-based research.

.....

Corporate affairs.

Inspection and Professional Standards

Promoting professional policing standards (including human rights standards), having regard to best international practice.

.....

Carrying out inspections or inquiries concerning the delivery of policing services and advising on and monitoring the implementation of recommendations arising from such inspection.

CHAPTER FOURTEEN

COMPLAINTS AND DISCIPLINE

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

1. There are many problems with the current structures and processes for handling complaints about police conduct. The investigative function of the Garda Síochána Ombudsman Commission (GSOC) became operational in 2007 on the commencement of Part 4 of the Garda Síochána Act 2005. It has had a difficult start. GSOC does not have the resources to investigate independently the volume of complaints it is receiving, and, aside from those involving allegations of a criminal offence, most are passed back to An Garda Síochána.⁵⁴ This means that in some cases, the police are investigating serious complaints against themselves, which is far from satisfactory for complainants and compromises the independence of GSOC. In addition to resource constraints, GSOC faces limitations in its jurisdiction. Its investigative process faces constraints which make it cumbersome and inefficient.
2. It is important that a complaints mechanism should be independent, and be perceived to be so. The name “Garda Síochána Ombudsman Commission” currently presents a problem as some people assume that the office is part of An Garda Síochána. In addition, GSOC does not independently account for its budget. The accounting officer for GSOC is the Secretary-General of the Department of Justice and Equality.
3. Not all complaints need to be investigated by an independent body. Many fall into the category we shall call “performance management complaints”. These are matters involving for example customer service failures, where police members are alleged to have been impolite, incorrect or negligent in their dealings with individuals or organisations. Complaints of this kind can and should be dealt with by supervisors within the police organisation as part of normal management functions.⁵⁵
4. We have also heard from people within the organisation and outside that investigations as currently conducted by either An Garda Síochána or GSOC tend to have a single dimensional “punitive” approach – either a member has committed a disciplinary violation or not, and if so, must be punished. Investigations have focused on the individuals against whom a complaint has been made rather than on the incident concerned to determine where the fault lies, for instance with an individual, or with a policy or wider organisational issues, such as inadequate training.
5. The complaints regime as a whole is clearly unsatisfactory from all points of view – from Garda members, complainants and GSOC itself. It needs an urgent overhaul.
6. We envisage a new body which would be significantly different from GSOC. It would be clearly independent, with a more defined remit encompassing all cases other than performance management matters. In addition, there would be enhanced

⁵⁴ All allegations of criminal offences by Gardaí (under Section 98 of the Garda Síochána Act 2005) are investigated by GSOC’s own investigators. However 57% of all GSOC investigations in 2016 did not disclose a criminal offence and were referred back to An Garda Síochána for investigation.

⁵⁵ GSOC and An Garda Síochána are currently piloting an initiative in a small number of Garda stations deploying this type of management-led approach to service complaints which should lead to useful outcomes to inform future work in this area.

oversight of its work. This should lead to an advanced police complaints system, built on fundamental principles of fairness and proportionality, which can make a vital contribution to police effectiveness and trust and confidence in the police.

A NEW ORGANISATION

7. **We recommend that GSOC should be superseded by a new independent complaints body. The new body should have a new name, making it clear that is not part of An Garda Síochána – perhaps the Independent Office of the Police Ombudsman (IOP0). While the budget would continue to be agreed with the Department of Justice and Equality, the head of the body should be the accounting officer.**
8. **An underlying principle of the work of IOP0 should be that it investigates incidents rather than individuals**, so as to find fault where appropriate, identify what needs to be learned, and make recommendations for change as required. Whether or not an individual Garda can be considered to have breached the technicalities of the Disciplinary Regulations should not be the determining factor. Instead the investigation should examine whether policing occurred in accordance with accepted standards. The process for IOP0 investigations should be clear and simple, to enhance both swiftness and transparency. A comprehensive review of the legislative process governing complaints is already underway within the Department of Justice and Equality on foot of proposals made by GSOC.

A NEW REMIT

9. **All complaints about the police should be routed through IOP0 to determine what action needs to be taken**, regardless of whether the complaints are addressed directly to the police in the first instance. IOP0 should assess all complaints received and make a timely determination whether the complaint is a performance management complaint which should be referred to the police organisation to review and resolve. If, however, a complaint raises serious issues about standards of policing and police integrity, it requires independent investigation. Such issues would include potential breaches of law, violations of human rights or corruption, or which might appear to indicate a widespread or systemic problem within the police. **IOP0 should investigate all such complaints itself, without recourse to Garda investigators, and should be adequately resourced to do so, with appropriately experienced investigators.**
10. If concerns are raised within the organisation in relation to an incident, which would not be appropriately addressed by the performance management process, the incident should be referred to IOP0 even where there has been no complaint from the public. **At present, all cases of death or serious harm must be referred to GSOC irrespective of whether there is a complaint from the public and we recommend extending this principle.** Where a supervisor classifies behaviour as a performance management issue, it should be dealt with immediately in that way, though it should be logged on a shared database so that IOP0 can track trends and patterns and ensure appropriate cases are being referred to them.
11. **IOP0's remit should be expanded to include complaints relating to incidents involving non-sworn personnel of An Garda Síochána as well as sworn police.** It is a central tenet of this report that the police service should be seen and treated as a single organisation with a single workforce. All staff should be bound by the same rules and

standards of behaviour. GSOC's mandate to investigate allegations of criminal behaviour against members who have retired or resigned should be continued under IOPO. The investigation of incidents relating to former staff which do not involve alleged criminal behaviour should also be addressed in its remit.

- 12. IOPO should make recommendations for changes to policy or practice based on lessons learned from complaints. Such recommendations should be passed to An Garda Síochána for action, and copied to PCSOC for information.**
- 13.** As is currently the case, the complaints body will continue to be the recipient of protected disclosures from members and employees of the Garda Síochána.
- 14.** The remit of IOPO would not include the power to conduct inspections of the police organisation. GSOC has this power under current legislation, but it has been rarely used⁵⁶ and it is unnecessary and confusing that two oversight bodies – GSOC and the Garda Inspectorate – should have the same function. In the new proposed architecture, PCSOC will be the sole owner of this inspection function, as explained in the preceding chapter.
- 15.** All investigations should be handled with fairness and transparency throughout the process in the interests of both the complainants and those involved in incidents under investigation. Information about IOPO and its processes should be widely disseminated. Special care should be taken to ensure that those processes are accessible to everyone, particularly those who may be fearful, suspicious, under stress or have any manner of disability. **Complaints should be assigned a tracking number so that progress can be tracked on the IOPO website at any time, in addition to complainants being briefed in person as appropriate as the case progresses.**
- 16.** The establishment of IOPO will require an overhaul of the current legislation relating to complaints against the police. This new legislation will present a timely opportunity to consider the question of whether an appeal or review mechanism in relation to IOPO determinations might be appropriate.⁵⁷ **To further enhance the oversight of IOPO the Commission recommends that the new legislation should examine the expansion of the current scope of the judicial inquiry process contained in the Garda Síochána Act 2005 to include an inquiry into the processes and procedures of the complaints body (IOPO).** Given the substantive changes being proposed, the appropriate structure will also need to be considered, including the need for three Commissioners to lead the new organisation.
- 17.** In addition, the new legislation should make explicit that the Commissioner is empowered, in the public interest, to bring matters to the attention of IOPO which in his or her opinion warrant investigation. Such matters would include, for instance, allegations of past police wrongdoing.
- 18.** Overall, the new approach involves a recasting of the traditional approach to discipline, situating some issues which would have been referred to GSOC in the past back in An Garda Síochána to be dealt with as part of the organisation's performance management

⁵⁶ Two such examinations have been carried out by GSOC in line with Section 106 of the Garda Síochána Act 2005: (1) Dealing with people committed to custody on remand by court; (2) Fixed Charge Processing System, available at <https://www.gardaombudsman.ie/publications/examination-reports/>.

⁵⁷ It is likely that the Law Reform Commission will be looking at appeal mechanisms from all quasi-judicial administrative decision-making bodies as part of its 5th Programme of Work.

processes (see below) and ensuring that all other incidents involving misconduct which need to be investigated (whether criminal or not) are within the jurisdiction of the new body.

PERFORMANCE MANAGEMENT AND DISCIPLINARY REGULATIONS

19. Under the new system An Garda Síochána will handle issues relating to performance management itself. We referred above to the current approach whereby cases are tested against the Disciplinary Regulations – either the police member is innocent or they need to be penalised. However, disciplinary action should not be the recourse for all cases where behaviour is found not to have reached the appropriate standards. Some cases may call for guidance, advice or training rather than discipline. Some may call for a greater understanding of the Code of Ethics. An Garda Síochána should treat all such complaints as part of a continuous performance management process. Performance management has been identified by many respondents to our Garda questionnaire as a weakness in the organisation and a new approach is required. Early intervention with a member who has been found at fault should be seen as an important and positive part of management, not always as a disciplinary matter or a black mark on the member's record.
20. During our consultation process and in a number of submissions we received, we were told the Disciplinary Regulations and processes were flawed. Indiscipline within An Garda Síochána was also highlighted as a concern. In addition to highlighting how the nature of the disciplinary process results in it being impeded by court applications, Mr Justice Charleton's second interim report⁵⁸ also called for a simplified structure. **The current system of discipline is a problem for both management and officers alike and it should be reviewed. The review should be comprehensive and take into account the experiences and observations of all of those involved: Garda management and officers, the legal profession, the staff associations as well as GSOC.** Under our proposals, cases investigated under the current Disciplinary Regulations will either be handled as performance management issues or investigated by IOPO. The role of the future Regulations will be to define and categorise failures to comply with

“Those Gardaí accused of ill-discipline should be subject to correction by senior officers without the need to resort to the elaborate structures set up that constitute what is in effect a private trial using procedures akin to our criminal courts. A simplified structure is called for. Private industry uses a system of simply taking a statement of what is wrong, passing it to the employee and considering any response offered. As Mr Justice Morris recommended, that could be used together with an appeals system within police structures.”

Mr Justice Peter Charleton

⁵⁸ *Second Interim Report of the Tribunal of Inquiry into protected disclosures made under the Protected Disclosures Act 2014 and certain other matters* (2017).

policing standards and outline appropriate sanctions. We also believe there should be a dedicated unit within An Garda Síochána (building on Internal Affairs) to reinforce the organisation's commitment to addressing indiscipline and to liaise with IOPO on matters requiring internal follow up.

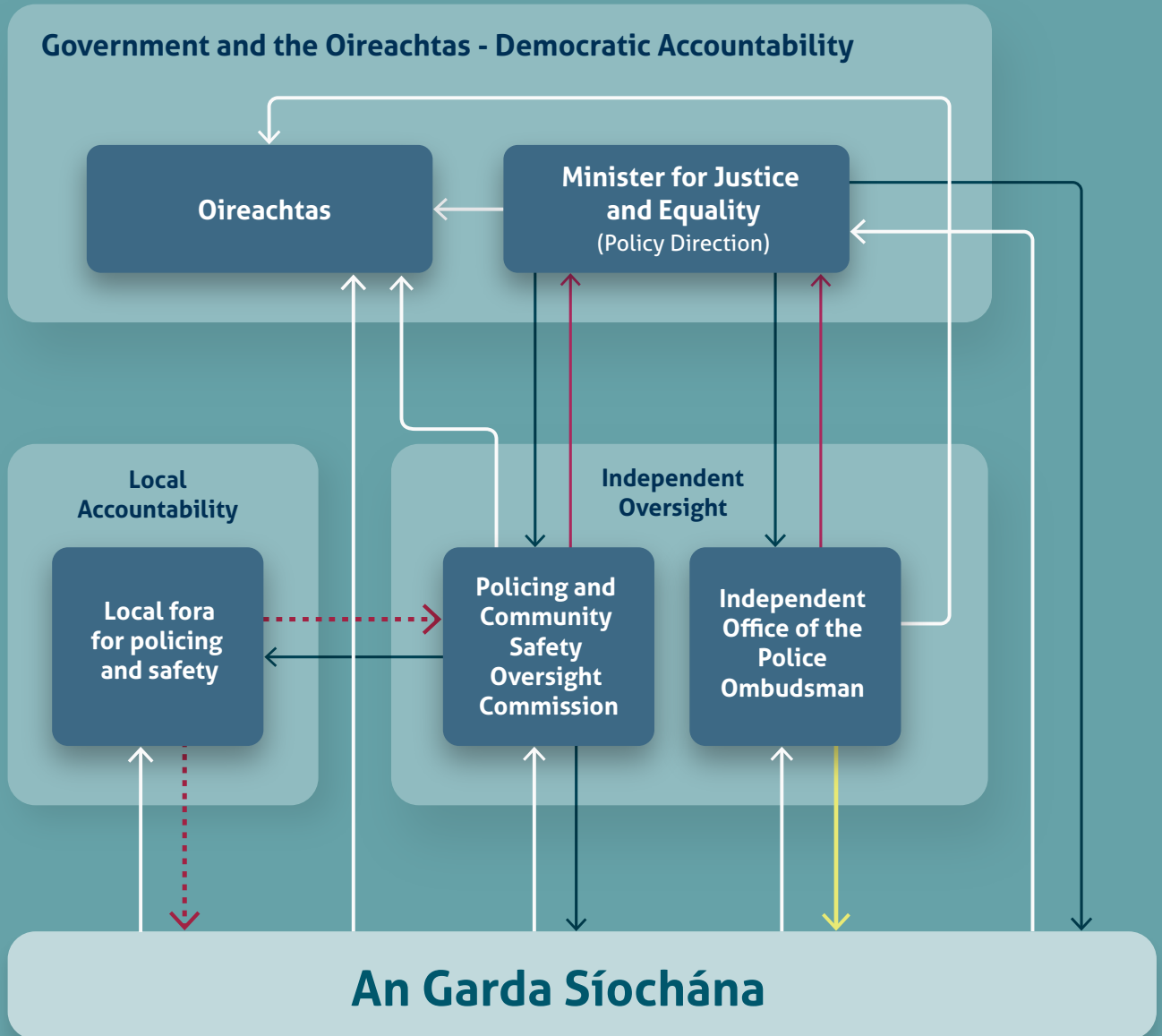
- 21. An Garda Síochána should also respond swiftly to complainants about actions taken under the performance management process.** It is important that **all complaints should be followed up in a timely fashion**, not only as a service to the complainant but also to the police service members who are the object of complaints. An investigation is less likely to get to the truth if delayed. It is also unfair to keep someone waiting who may be innocent of blame, or responsible for a genuine error calling for guidance rather than punishment.
- 22. All complaints should be documented, and remedial actions taken should be recorded in a database accessible to IOPO.** Police supervisors should be aware of all complaints against members under their supervision. If the conduct of a specific police member is the subject of a number of complaints, even if none is able to be substantiated, there may nevertheless be a case for intervention to avert a more serious issue arising later. Similar complaints involving several police members may indicate systemic problems that need to be addressed. Accurate and comprehensive complaints records are vital risk management tools.

REGULATIONS ON ACCESS TO DOCUMENTATION

- 23.** The Commission's recommendations in Chapter Ten with regard to national security will, in effect, maintain the current operational environment with regard to security matters. This raises the issue of IOPO access to Garda Stations and documentation contained therein which may include sensitive security information. Regulations have yet to be made under the existing Section 126 of the Garda Síochána Act 2005 which might address this long standing issue although we understand some work has been done. While we recognise that this is not without its complications, it is imperative that these regulations are finalised without delay and the necessary protocols agreed to support the operational effectiveness of the complaints process while maintaining security protections.

OVERSIGHT AND ACCOUNTABILITY

A COHERENT FRAMEWORK



- Accountable to
- Has oversight of
- Investigates
- Provides input and informs
- Reports to

PART 5

A POLICE SERVICE FOR THE FUTURE

INTRODUCTION

In this part of the report we examine the changes necessary to equip the police to perform their functions and to situate ownership and accountability for management of An Garda Síochána firmly within the organisation itself. The current arrangements do not give the Garda Commissioner the powers needed to run the police service effectively. We address that issue first. As we noted in Part Four, the lack of clarity in the current oversight framework has contributed to a blurring of roles, to the detriment of clear and effective accountability. We therefore propose a new approach to strengthen the internal governance of An Garda Síochána which will enhance its capacity to take ownership of the effective management and future direction of the organisation. We consider its structure, its resourcing and how it recruits, trains and develops its personnel. Finally we consider the need for improved digital technology systems to provide police with the accurate, timely and comprehensive information they need.

CHAPTER FIFTEEN THE GARDA COMMISSIONER AND THE LEADERSHIP TEAM

1. The Garda Commissioner, like police chiefs elsewhere, combines two roles in one – an operational role as chief of police and a management role as chief executive officer of the police organisation. Under the present system the Commissioner does not have the powers to exercise the functions of a chief executive, yet is held accountable for performance in that role. We have commented on the current lack of coherence in the oversight framework and the confusion and overlap between the roles of the Department of Justice and Equality and the Policing Authority in respect of governance and accountability. The time has come to make a clear distinction between, on the one hand, the roles of the Department and the oversight bodies as we have recommended, and on the other hand the internal governance of the police organisation, for which An Garda Síochána and its Commissioner must be responsible. This does not diminish in any way the accountability of the police to government, nor the role of oversight bodies to investigate and scrutinise how police exercise their responsibility. On the contrary, it strengthens overall accountability by ensuring that the buck stops where it should and that it is clear where this should be (as opposed to appearing to stop nowhere, to quote the ERG's description of the current situation, as noted in Chapter Twelve).

2. The Commissioner should be able to make the kind of decisions that any chief executive officer needs to make in order to run the organisation effectively and efficiently. Without such powers, we do not believe it is possible for any Commissioner, regardless of their attributes, to succeed in the role. The system, as presently constituted, is set up to fail. We have recommended that the Commissioner should have full responsibility for financial and human resources management of the Garda organisation. Full responsibility for management of the organisation will require a strong senior leadership team. The composition of that team will be critical to driving the reform programme set out in this report, as well as to running the police organisation effectively and efficiently. There is a need for an injection of critical skills, expertise and diversity in the top layers of An Garda Síochána. Success will depend on solid strength, not only in operational policing and security, but also in the following critical areas –
 - Strategy and innovation
 - Integrity, human rights, and ethics
 - Compliance and governance
 - Information and data management
 - Human resources and industrial relations
 - Finance and procurement
 - Communications (internal and external)
 - Working with external partners.
3. A team that masters all these critical success factors will give An Garda Síochána the powerful, agile, and adaptive management it needs. The right mix of skills can only be achieved by giving the Commissioner the freedom to design the team. **We therefore recommend that the Commissioner should have the power to appoint the members of his or her own leadership team, whether sworn or non-sworn, and whether from inside the Garda organisation or brought in from outside it.**⁵⁹ Any impediments to this power should be removed.
4. **We further recommend that all members of the senior leadership team, sworn and non-sworn, should have renewable three- to five-year contracts.** We see no problem with high quality performers serving more than one term, but we do not believe that longer term contracts from the outset are conducive to building the kind of nimble, adaptive organisation that An Garda Síochána needs to become. More generally, and in the context of the wider organisational reform recommended by the Commission, the management of the appointments and promotions processes which are currently within the remit of the Policing Authority should move to An Garda Síochána, under the oversight of the new Board (see Chapter Sixteen). They should be managed transparently and in line with common practice in the public sector.
5. Another constraint on the Garda Commissioner is that the Garda organisation does not currently control its own estate. This is a vital resource, as it would be for any organisation, and it makes no sense that the Commissioner is expected to account for the efficient running of the police organisation, yet cannot take decisions about

⁵⁹ It is envisaged that this appointments process would be conducted under the authority of the Board of An Garda Síochána – see Chapter 16.

the many hundreds of buildings that it uses in its work. It is wrong that An Garda Síochána is even barred by legislation from entering into leases. **We recommend that management of the police estate, and the budget to maintain it, should be placed under the control of the Garda Commissioner.** The Commissioner should have responsibility for decisions about how the estate is maintained or developed and this should be **aligned with policing priorities and strategies.**

6. None of these changes diminishes the fact that the Garda Commissioner should be fully accountable for his or her performance in the role, and for the results achieved in terms of both effectiveness and efficiency. Proper accountability for a chief executive, however, is only possible when that person truly is a chief executive, in charge of **all** executive actions. As long as others are taking executive decisions, for example the Policing Authority making human resource decisions or the Department of Justice and Equality involved in procurement decisions, then there is no chief executive and no-one is truly accountable, as the Effectiveness and Renewal Group has observed. The situation we see now, where everyone is blaming everyone else and senior people resign yet nothing changes, will persist. The transformational change we propose in this report depends upon the Garda Commissioner being empowered to get the job done. The Commissioner must be a true chief executive with full responsibility for the human, financial and other resources of the organisation.
7. In the capacity of police chief, as opposed to chief executive of the police organisation, it should be clear that the Commissioner is operationally independent. This is an important principle in policing. Police chiefs must be fully accountable for their conduct of all policing activities and the outcomes of those activities, but they must not be directed in operational matters by politicians or anyone else. The **operational independence of the Garda Commissioner should be made explicit in legislation.**

CHAPTER SIXTEEN

A GARDA SÍOCHÁNA BOARD

1. In the preceding chapter we proposed a substantial enhancement of the responsibilities of the Garda Commissioner. These are vital, as we have said, to enable the Commissioner to do the job well. But they also impose great demands on the capacity of any leader. Typical police officers, rising through the ranks to leadership positions, do not arrive at the top fully equipped to manage large organisations employing thousands of people.
2. In the business world, a chief executive officer can benefit enormously from input from non-executive board members with experience of other companies or professions. This is also the case for most State agencies and bodies in Ireland. The Garda Commissioner is the head of an organisation of over 15,000 people, with a budget of over €1.65 billion. Many of the challenges of running such a large organisation are common to the experience of other large organisations rather than unique to policing – personnel and financial management, property management, outsourcing and procurement, leadership training, and crisis management are some examples.
3. **An Garda Síochána should have a statutory board to strengthen the internal governance and management of the police organisation.** This board would in no way diminish the importance of the Commissioner's leadership team, referred to in the preceding chapter. The purpose of the board is to strengthen internal governance and accountability and support the Commissioner and the whole leadership team in their work. It will assist in empowering An Garda Síochána as an organisation to take responsibility for its own effective management and future direction.⁶⁰
4. **The Board should help the Commissioner to reorganise the police, develop corporate strategy and annual planning, run an efficient and adaptive organisation with several thousand people and a large budget, and lead it into the future, taking advantage of state of the art management ideas and processes.** Its membership should follow from this function, and include senior people from the business and professional sectors with expertise in human resources and labour relations, criminal justice, financial management, data management and other areas of management where the police organisation could benefit from non-executive board input. It should have an **independent, non-executive chairperson**, appointed by government following an appropriate, open process. We do not believe that the chair need have a policing background (though it would be helpful if another non-executive board member did). It will be most important in the immediate period to have a strong background in managing organisational transformation. It will be essential that communication between the Board and the Commissioner is open, regular and collaborative. The Board should have appropriate Secretariat support to enable it to discharge its functions. The Board chairperson should have the direct support of a senior full-time position to ensure a smooth transition to these new governance arrangements and that engagements between the Board and senior Garda management function smoothly and efficiently.

⁶⁰ The Policing Authority in both its Fifth Report on the Implementation of the Modernisation and Renewal Programme and its mid-year Assessment on Policing Performance, published in July 2018, noted the need for An Garda Síochána to take ownership of its own future strategies and plans.

5. The Garda Commissioner is directly accountable in respect of crime and security matters to the Government through the Minister for Justice and Equality. Neither the chairperson nor the Board should compromise the operational independence of the Commissioner. In Chapter Fifteen we recommended that the operational independence of the Garda Commissioner should be made explicit in legislation. The Board's role is not to second guess the Commissioner on policing operations, but to strengthen the internal governance of the police organisation. In line with the Code of Practice for the governance of State Bodies⁶¹ the Board would be accountable to Government.
6. There is a clear distinction between, on the one hand, the newly constituted PCSOC, which will conduct independent oversight of the policing and community safety services provided by An Garda Síochána and its partnerships with other agencies, and on the other hand the Board, which will have overall responsibility for internal governance. As noted in Chapter Thirteen, PCSOC will not inherit the Policing Authority's current role in internal management matters such as promotions, appointments and financial decisions.
7. The Board's functions should be to –
 - (i) Support the Commissioner in the execution of his or her function and hold the Commissioner and senior management to account for the effective performance of their responsibilities,
 - (ii) Set policing priorities in consultation with the Commissioner and PCSOC and with approval from the Minister for Justice and Equality,
 - (iii) Approve the policing strategy and annual policing plan submitted by the Commissioner, after considering any relevant PCSOC recommendations and before submitting to the Minister for Justice and Equality,
 - (iv) Approve the budget proposals submitted to the Department of Justice and Equality by An Garda Síochána and assume overall responsibility for the management of the police budget and resources,
 - (v) Make nominations to Government following due process for the appointments of the Garda Commissioner and Deputy Commissioner. The Board may also recommend the removal of these persons,
 - (vi) Approve other senior appointments and dismissals within the police organisation.
8. With regard to point (iv) above, we mentioned in paragraph nine of Chapter Twelve that we would return to the matter of the **budget process**. We see this working as follows. The Garda Commissioner should produce the annual Policing Plan with input internally from the districts and divisions (informed by local policing plans), and externally from PCSOC,⁶² the Department of Justice and Equality on policy matters, and other stakeholders. The costed plan should be approved by the Garda Board, and then submitted to the Minister for Justice and Equality to take forward in the government's budget allocation process. As we said earlier, and as the ERG has also said, budgets should be costed and presented in a multi-annual framework.

⁶¹ Department of Public Expenditure and Reform *Revised Code of Practice for the Governance of State Bodies* (August 2016).

⁶² Both PCSOC and Garda districts will have received input at local level from JPCs and LCPFs.

Moreover, **the personnel numbers put forward in the Policing Plan, and the numbers required at each rank, should be based on operational requirements.**

They should not be based on targets selected by government, as the current target numbers are. Nor should the maximum numbers of police at the higher ranks be enshrined in legislation, as they currently are in Regulations under Section 122 of the Garda Síochána Act 2005.

9. We envisage that the Board should be established as quickly as possible, to support the implementation of the recommendations in this report.⁶³

⁶³ Dr Vicky Conway and Dr Eddie Molloy fully support the Commission's report on the future of policing in Ireland. However, they state their disagreement with the recommendation relating to a board as follows: *"Against a background of decades of antipathy in Ireland towards external oversight and accountability for policing, we believe the inclusion of this board as an additional element in the oversight and governance architecture, and the consequential dilution of the role of the external oversight body (until now the Policing Authority), does not offer the best prospects of achieving the goal of unambiguous, independent, empowered, transparent accountability. While exchanges between the Policing Authority and An Garda Síochána may have appeared fractious, it is still early days in the development of an effective system of governance. Our proposal would be simply to build on the progress made to date by the Policing Authority, which in our view has been both supportive and necessarily challenging in its engagement with An Garda Síochána. We believe that the solution should be to adequately empower the Policing Authority while encouraging maturation of the culture of An Garda Síochána concerning external accountability."*

CHAPTER SEVENTEEN

STRUCTURE AND MANAGEMENT PROCESSES OF THE GARDA ORGANISATION

1. It follows from what we have said about the importance of allowing the Garda Commissioner to manage the organisation, with appropriate powers as its chief executive, that we do not want to be too prescriptive about how that organisation should be structured. Moreover, Ireland is changing fast, as are the challenges facing policing here and worldwide. It is likely that any structure developed for today's circumstances would have to be reviewed and adjusted within a handful of years. The Commissioner should have latitude to make such adjustments, and should not be prevented from doing so by legislation or other constraints.
2. That said, there are principles that we believe should guide the future structuring of the police organisation. First and foremost is that form should follow function and **the structure of An Garda Síochána should reflect the prime importance of the front line in policing**. It is clear that most members of An Garda Síochána see themselves as in essence a community policing service, but it is also clear that they feel that they are falling short in the delivery of that service. At almost every police station we visited, we heard that there was an acute shortage of front line police. That is a familiar refrain of police everywhere, but in An Garda Síochána it is undoubtedly a critical problem. It is also an issue that arose in every one of our public meetings and in many submissions from the public. People want a more visible police presence on the streets and in communities.
3. Part of the problem is that resources are currently deployed without recourse to an operating model or a detailed workforce plan. Also, those police who are deployed to front line work have to spend many hours on tasks that are not a proper use of their time. But a large part of the problem is that the front line is not prioritised as it should be within An Garda Síochána.
4. This failing needs to be addressed in the structural arrangements for a transformed police service, and in its operational and management processes. In Chapter Five we described a new district policing model, in which front line district policing is the core of the police service. Structurally, districts should be the basic building blocks of An Garda Síochána. They should have the resources and staffing necessary to provide all routine policing services to their communities, up to and including investigating all but the more serious crimes. Divisional level assets, administration offices and specialist units, should be seen as supporting the work of the front line. In terms of management processes, it means substantial delegation of authority to make decisions and develop initiatives.
5. While we encountered some admirable examples of local police initiative in our investigations, more often than not the front line stations we visited appeared to be guided by directives and demands from headquarters and to feel that they had little or no authority to act on their own. We found no sense that local initiatives were encouraged by the centre. Often we found that front line police felt alienated from the centre, and several officers told us that they rarely if ever saw officers of Chief Superintendent rank or above. For the district policing model to work effectively,

the police organisation will need clearly articulated management processes in place to govern the relationship between the districts and their supervising divisions, so that decision makers at all levels know what delegated decision-making authority they have, when they need to refer upwards, and when and how they need to account to supervisors for their performance of their duties. At every level we suggest that the default should be to delegate authority unless there are compelling arguments against doing so.

6. In our district policing model, the district will be the level at which the great majority of policing services are delivered to the public. There are currently 96 such districts in Ireland, working out of some 570 police stations. We believe that decisions on the ideal numbers of either districts or stations should be made by the Garda Commissioner. We would, however, observe that police stations do not necessarily in themselves enhance police visibility or engagement in the community.
7. This issue of police visibility and engagement in the community has been raised with us in meetings with rural representatives and farming organisations, and highlighted in submissions to the Commission, including by Garda members. Some people argued that there should be more police stations, others said that it was not the number of police stations that mattered so much as having enough police and vehicles to cover the district. We recognise that the presence of a police station is often important for community safety and confidence, but we also recognise that many stations are currently staffed by only a single Garda, and many are only occupied part time. Several station properties are dilapidated and no longer fit for purpose. In some places it might be more efficient and effective to put resources into mobile units rather than buildings. Where stations are closed, we see no reason why district police should not hold weekly or biweekly “clinics” in community centres or other accessible places. The key is that police are visible and engaged with communities, whether or not they have a station nearby. In all districts the police should also use social media and other technology tools to engage with the local community.
8. As described in Chapter Five, under our new district policing model all police members at district level will work together. Response and problem solving will be connected elements of an integrated district policing strategy with the community. This is a crucial conceptual change from the current position whereby “community policing” is positioned as a kind of specialist activity, and often an expendable one if other demands arise.
9. For more serious or complex crimes, or crises requiring multi-agency responses, district police will need to call upon support from specialists or Crisis Intervention Teams⁶⁴ based at division level. For most routine police work, including most crime, the teams at district level should be self-sufficient and therefore need to be large enough for that purpose. The exact number of team members will depend on the particular challenges of each district, as well as population and area. A more thorough workforce planning review than has been possible to date will be necessary to determine the resource requirements (see also Chapter Eighteen). The need for better workforce planning has been recognised by the Department of Public Expenditure and Reform in a recently published report on civilianisation.⁶⁵

⁶⁴ See Chapter 4.

⁶⁵ Department of Public Expenditure and Reform *Spending Review 2018: Policing Civilianisation in Ireland: Lessons from International Practice* (July 2018).

- 10. District police should have sufficient delegated authority to handle most day to day policing demands, and so they will also need to be well supervised.** There is currently a shortage of available sergeants and this will need to be rectified. The sergeant level is a critical element in any police service, even more so where the front line is to be the primary focus for policing. It is also critical to performance management. The same applies to the inspector rank, where there also appears to be a shortage, or at least a shortage of inspectors in the right places. Again, an enhanced workforce planning review should address these matters.
- 11.** Supporting the districts will be the division-level units, of which An Garda Síochána currently has 28. **We recommend that divisions should be self-sufficient administrative units, with their own devolved budgets and finance and human resources teams. They should also have detective teams and other specialists to support the districts. Crisis Intervention Teams, including staff from mental health and child services agencies, should be based at division level. Each division should have an information centre, supporting the districts in data collection and analysis. In effect, we envisage that a division should be, for most policing purposes, a mini-police service in its own right.** This points to the need for a certain critical mass in terms of size, and significantly fewer divisions than the current 28.
- 12.** An Garda Síochána's current structure has a further command layer of six regions between the divisions and Garda Headquarters. If, as we have proposed, each division were large enough to be self-reliant for most purposes, including most administrative functions, there should be much less need for an intermediate level of command between them and headquarters. An additional command layer outside headquarters might indeed deter them from taking full responsibility for their own resources and management. Moreover, we have some doubts about the efficacy of the regional level as it currently functions. The six Assistant Commissioners with nominal responsibility for the regions are also carrying dual responsibilities for significant areas of national policy.
- 13.** We do not believe that the regional level of command as it currently operates should have a place in the more efficient, flatter and less hierarchical model that we propose for the future Garda Síochána. However, we also do not believe that it would be right for all the divisions to report directly to a single senior officer at headquarters, whether there are 28 divisions as now or a smaller number in the future. That would be a large number of direct reports in any organisation, and the reality of policing is that a single crisis or high profile case can dominate the attention of police leaders to the exclusion of other business. **We therefore propose the deletion of the six regional offices from the organisational structure, to be replaced by a small number of Assistant Commissioners at headquarters dividing the divisions between them.** These Assistant Commissioners should direct resource allocation between divisions, hold the divisions to account for their performance, have command responsibility for major operations and ensure inter-divisional cooperation when necessary, for example for large scale events or emergencies. We recognise that there could be a need to locate some specialist units or functions on a "regional" basis, but this can be done by co-locating them with a divisional headquarters.
- 14.** Garda Headquarters should be less involved in routine management of the organisation than it is now. Its role should be the general supervision described in the preceding paragraph, policy and broad strategy, corporate level budget and management, best practice and the setting of standards, human rights monitoring and development and certain specialist functions. Units such as the National Cyber Crime Bureau, the

Protective Services Bureau, the Serious Crime Bureau, the National Economic Crime Bureau, Security and Intelligence and the Drugs and Organised Crime Bureau are among the specialist functions that belong at headquarters, providing support to the divisions as needed as well as carrying out national duties and working with international partners. For many other functions now residing at headquarters, there should be a rigorous examination of whether they need to be there. **A review of organisational structure by the new Garda Commissioner should include a robust challenge of staffing levels in all Headquarters and support functions, and a reduction in the numbers of senior positions to management ratios in line with modern practice.**

15. **Front line district police work also needs to be respected and recognised** in a way that it is not at present. Throughout An Garda Síochána there is a perception that a Garda who wants to be promoted must move away from the front line and into detective work or some other specialisation. Our observations suggest that this is more than a perception. Restructuring the organisation to support the districts, and delegating authority to local levels, will not be enough. **If front line work is to be seen as the core of policing, as it should be, human resource management policies and practices around progression and promotion should be aligned with that objective.**
16. A further point about the importance of delegated authority is that a high degree of autonomy for divisions and districts will encourage initiative and innovation, for the benefit of policing nationwide. Unlike most of its common law peers, Ireland has a single national police service. An Garda Síochána has to look outside the State to exchange ideas and best practice with other police services. We did consider whether to recommend that the country should have two or three separate police services. Taking account of the size of the State among other factors, we decided that it would be better instead to encourage self-sufficient divisions within a single national service rather than create several new services. But we are clear that without true autonomy at divisional level, An Garda Síochána will find it hard to innovate and adapt to future challenges in front line policing.
17. One of our more disturbing findings in our study of An Garda Síochána over the past year has been the lack of effective processes. We have referred to this problem already in this report, for example when talking about crime investigation, crime recording, supervision and performance management, data collection, and complaints handling. Our impression from interactions with the service was that the organisation works primarily in a reactive way, responding to the issues of the day. There is too much reliance on informal judgement rather than accurate data, clear procedures, strict standards and careful documentation.
18. The structure we have proposed for the future is a flatter, less hierarchical one which, together with our other recommendations, will lead to a more nimble, responsive and efficient organisation delivering more effective services to the community. But the structure will work no better than the current one if clearly mapped processes for management of the organisation and for operational policing are not also in place, so that everyone knows what is expected of them, and that they will be held to account. Every police service member needs to be clear what they are expected to achieve, what discretion they have, the standards by which they are expected to exercise that discretion, and when and how they must account for their performance. **An Garda Síochána must develop effective management processes, supported by technology, for strategic planning, operations and service delivery, performance management, resource management, risk management, emergency planning and human rights compliance.**

CHAPTER EIGHTEEN

SIZE AND COMPOSITION OF THE POLICE SERVICE

NUMBERS

1. The Government has said that it wants the size of An Garda Síochána to be 21,000 by 2021 (15,000 Gardaí, 2,000 reserves and 4,000 non-sworn personnel). This appears to be a political response to a general public demand to see more police in the community. We have seen no rationale for these numbers. They represent a large increase from the present strength of An Garda Síochána (about 13,400 sworn and 1,900 non-sworn at the time of writing) and thus a large financial commitment. As the ERG has observed, increases in numbers have tended to be “an attractive message for the political process over many years but often ... without adequate analysis of whether those exact numbers are needed, how they would be deployed, trained or overseen”.⁶⁶
2. We do not believe it is possible to reach a view about the right size for the police service without a thorough study of the staffing needs of the organisation. We are aware that An Garda Síochána has been developing a workforce plan, which is sorely needed. **A thorough, well-resourced and expertly conducted workforce plan, based on a clear operating model, should be an early priority, as it affects every aspect of the police service and the implementation of this report.**
3. There is no question that more Gardaí need to be visible and accessible on the front line. But recruiting and training thousands of new Gardaí is not the only way to achieve that. Indeed the current pace of recruitment creates a supervisory challenge for the police service to absorb and give direction and guidance to large numbers of new Gardaí. **We recommend that, instead of relying entirely on new recruitment to boost numbers of front line police, An Garda Síochána should urgently accelerate the redeployment of experienced Gardaí currently employed in other duties.**⁶⁷ We noted earlier in this report that a great deal of Garda time is wasted on non-core duties. Reassigning those functions will also release Gardaí to spend more time on front line district policing.
4. Another large untapped resource is the number of Gardaí in jobs that should be done by non-sworn personnel. Many jobs now performed by sworn personnel do not require police powers, and often they call for a completely different kind of expertise. Employing sworn police in such positions means that resources that are badly needed in front line policing are tied up doing the wrong kind of work. It also means that sworn police with the wrong skill set are asked to perform duties that others could do better and more efficiently. The jobs in question range from administrative, financial and human resources functions, to transport management and Crime Scene Examiners (a job done entirely by non-sworn experts in most police jurisdictions but entirely by sworn police in Ireland).
5. These are just some examples. There have been several reports over many years recommending that An Garda Síochána should employ non-sworn personnel to take over such functions. A 2001 report estimated that it cost, on average, €15-20,000 per year more to employ a Garda than a non-sworn person, and recommended 500 posts for civilianisation. A Garda Inspectorate report of 2015 recommended that 1,000 posts

⁶⁶ Effectiveness and Renewal Group for the Department of Justice and Equality *First Report* (June 2018).

⁶⁷ As of June 2018, 106 sworn members had been redeployed to operational duties, with 250 as the year-end target.

could be civilianised, freeing up 1,000 sworn Gardaí for deployment to the front line. More recently the Inspectorate has said that it has found up to 1,500 positions that could be civilianised. The response to these reports over the years has been lackadaisical. Very few positions have been transferred to non-sworn personnel. Even now, the Garda's Modernisation and Renewal Programme (MRP) only aims for an increase from 14% non-sworn today to 21% in 2021. This is too slow a time frame and too modest a target. A recent report by the Department of Public Expenditure and Reform points to an average of 25% internationally⁶⁸ while the Garda Inspectorate in 2015 pointed to a range from 21% (Denmark) to 54% (Surrey).⁶⁹

6. There is an urgent need for more Gardaí on the front line now. This is clear to us from all our station visits, and all our public meetings. Yet a large part of the answer is already available to the organisation. The time for deploying sworn Garda resources on duties that do not require police powers should now come to an end. Moreover, there are great advantages in having non-sworn personnel working at all levels of the organisation, bringing with them different skills and different perspectives, contributing to both the professionalism of policing and the effectiveness of the organisation. Civilianisation should be seen as part of a strategic vision for the organisation, building a stronger skill mix and delivering a better service to the public.
7. Non-sworn personnel of An Garda Síochána are currently recruited by the Public Appointments Service into the general civil service and then assigned to police work. They remain members of the general civil service, and receive no tailored training for work in a policing organisation. In theory they can transfer to other departments at any time and there is no framework for career progression within the organisation. This is not conducive to building a single workforce with a common loyalty and mission and we believe strongly that there is a need for a fundamental culture shift within the police organisation in its attitude to civilianisation. Thus, **we recommend that non-sworn personnel should be recruited directly into An Garda Síochána as full members of the police service (not the general civil service) using criteria agreed between the police and the Public Appointments Service (PAS). They should be supported at all levels with induction and other relevant training and with a clear and appropriate framework for career progression.**⁷⁰ In addition, given the increased numbers of non-sworn staff being recruited to specialist roles requiring specific skills and expertise at senior levels within the organisation, a clear policy on reporting lines should be prioritised. The cultural change must come from the top of the organisation (see Chapter Twenty-Two) but the starting point must be a structural one.
8. **Job specifications should now be developed for all positions in the police service, clearly indicating the skills and expertise required and whether police powers are necessary for the job or not.** If not, the presumption should be that a non-sworn person should occupy the position. Gardaí in those positions should be given the choice to redeploy to the front line, retire, or reapply for their jobs as non-sworn personnel. The workforce planning process should follow this principle, and take account of common practice elsewhere in the sworn to non-sworn ratio in the composition of the entire police service.

⁶⁸ Department of Public Expenditure and Reform Spending Review 2018: *Policing Civilianisation in Ireland: Lessons from International Practice* (July 2018).

⁶⁹ Garda Inspectorate *Report of the Garda Síochána Inspectorate: Changing Policing in Ireland* (November 2015).

⁷⁰ This should provide internal promotion and progression opportunities. It is also intended that staff would continue to be able to avail of opportunities to apply for promotion and other mobility opportunities across the public sector, many of which are now based on open competition.

VOLUNTEER PROGRAMMES

9. As noted earlier in this chapter, the government has proposed that the Garda Reserve should be expanded to 2,000 members. A police reserve component can be useful for several reasons. It is a cost effective way to provide surge capacity for police to cope with special events. It can also offer policing experience to people who may be interested in joining the police but possibly undecided or wary about applying. In this way, a reserve can help promote diversity.
10. A reserve will, however, only be truly effective if it is treated as a serious commitment on the part of the reservist, and as a valued resource on the part of the regular police. An effective reserve programme should be structured and managed consistently throughout the country. While we have heard positive assessments of reserve deployment at large events in urban areas and many examples of committed individuals willing to give their time to assist with other work, on the whole the system does not seem to us to be working well. Many reservists are not managed within a structured schedule. They are not trained adequately, which raises issues of customer service and officer safety, and their duties are not well defined. We understand that Reserve numbers have dwindled in recent years and that a planned strategic review of the Reserve is still awaited.
11. We see the value that a reserve can bring in support of policing work (not to replace professional police) and as a way of giving potential future recruits insight into policing as a career. However, the Garda Reserve programme as it stands is not realising its potential. **We recommend that further recruitment to the Garda Reserve should now be paused, pending the outcome of a comprehensive strategic review, examining how best to structure a reserve to meet the needs of the police service which should recommend proposals for significant reform. Other ways of engaging the wider community in support of policing should also be examined.** Engagement programmes for young people, such as the Police Explorer and cadet programmes used in the United States and elsewhere, can be effective ways to promote diversity of recruitment.

EXPLORER PROGRAMMES

Police Explorers

The Police Explorer initiative, which is run through local policing services across the USA, provides young people aged between 14 and 21 who are interested in a career in law enforcement an opportunity to undertake training and practical hands-on experience in working with their local police service. The volunteer course provides young people with an opportunity to learn leadership skills, and interact with the public and the police, and an introduction to a career in policing.

The programme is open to full-time students who have not been convicted of a serious crime and who can pass background checks and an oral interview. During the programme, students volunteer at community events doing security work, directing traffic and providing community service. They also attend monthly training sessions with specialist policing units, including Homicide, Narcotics and Gang Activity, to learn practical policing skills in fields such as crime investigation, search and arrest procedures, crowd and riot control, fingerprinting technology and crime lab work.

CHAPTER NINETEEN

RECRUITMENT

1. Nothing should be more important to a police service than recruiting the right people. Following the financial crash of 2009 there was no recruitment into An Garda Síochána for nearly six years. Now the organisation is recruiting at a rate of 800 Gardaí per year, which is stretching its capacity to train, supervise and absorb. We recommended in Chapter Five that supervision at district level should be strengthened by the deployment of more sergeants and inspectors to front line policing, and our recommendations in the next chapter will alleviate the strain on recruit training capacity.
2. An Garda Síochána needs to develop its recruitment strategies to reach a more diverse intake. The current composition of the service is not very diverse and indeed a great number of Gardaí come from neighbourhoods and families that have traditionally supplied recruits to the service. There is of course nothing wrong with following family members or friends into any career, but the service itself should be trying harder in our judgement to reach beyond its customary sources of recruits. **An Garda Síochána should reflect the diversity of Irish society. To assist in achieving this, the organisation should work with Irish higher education institutions to develop a Garda Access Programme, aligned with the programmes of those institutions.** Diversity is a vital asset to any organisation that seeks to be innovative and adaptable, and a bulwark against “groupthink”. Non-discriminatory processes should be hardwired into the organisation from initial education and training through to effective complaints mechanisms.
3. A significant weakness in the police service is diversity of socio-economic and geographical backgrounds. We visited lower income urban areas and border areas from which no young people apply to join the police. These areas have distinct policing challenges. It should be a high priority to recruit people who come from those communities and know them well.
4. Diversity of educational background is also an asset in any large organisation. Criminal justice degrees are useful but should not be seen as a crucial requirement for recruits to a police service. Diversity of educational disciplines will lead to a more adaptive and innovative organisation. The great majority of police recruits in Ireland already have degrees or third-level educational qualifications, but some do not and we believe that there should continue to be no requirement to have a degree prior to entering the police service. Cognitive diversity, i.e. recruiting people with different outlooks and problem-solving approaches, is recognised as a catalyst for innovation in many organisations, and should be valued in policing too.
5. Ethnic diversity and diversity of national origin are becoming more notable features of the demographics of Ireland and need to be factored into police recruiting objectives. The young people we have met from newly arrived ethnic groups were surprised by being asked if they would consider a police career. Recruiting from those groups will take a determined effort, including innovative marketing of the police career, and youth engagement initiatives on the lines of the Police Explorer programmes mentioned in the preceding chapter. **Age diversity should be encouraged. The current maximum age limit of 35 is outdated and should be scrapped.**

6. Overall, reforming the current roster and introducing greater flexibility in work practices, as we have recommended elsewhere in the report, would enhance the attractiveness and job satisfaction of policing as a career and also benefit the organisation in recruiting and retaining talented and experienced individuals. In that context, and given that female Gardaí currently account for over 27% of sworn personnel, it was clear from our consultations that there is scope to improve how the organisation plans for the implications of maternity leave. For instance, the 'light duties' designation is regarded as being more limiting than necessary and should be reviewed to identify a greater range of possible duties suitable for Garda members who may be pregnant. Options for managing 'backfill' of sworn positions should be explored, which could include the possibility of establishing a pool of suitable retired Gardaí.
7. An Garda Síochána currently does not allow lateral entry from other police services with the exception of reciprocal arrangements for senior appointments with the PSNI.⁷¹ **The Garda Inspectorate review on entry routes to the Garda Síochána, published in July 2018, also recommends the extension of reciprocal arrangements to allow access to the sergeant and inspector promotion processes in both jurisdictions (An Garda Síochána and PSNI). We agree with this and with the related recommendation that reciprocal arrangements with other police services should be explored.**
8. Applicants from other services are currently treated as raw recruits and must enter the service at the bottom, starting with the foundation course. **Police officers applying to transfer to An Garda Síochána should be allowed to do so, after due process of interviews and references.** They should not be required to undertake the full recruit training, but should instead have an intensive induction course to cover Irish government, laws and practices that may differ from other jurisdictions.
9. A number of submissions to this Commission called for a direct entry route above Garda rank. **We agree with the recommendation of the Inspectorate that a Direct Entry Inspector programme should be developed to attract candidates with appropriate leadership and management experience from organisations outside policing. Furthermore, as recommended by the Inspectorate, eligibility for appointment to superintendent, chief superintendent and Assistant Commissioner should be extended to include police officers in other jurisdictions.**
10. The extension of alternative entry routes to the organisation should not disadvantage capable internal candidates for promotion. They should be afforded every opportunity to develop in their careers and be supported through the training and development opportunities we recommend in Chapter Twenty.

⁷¹ The Intergovernmental Agreement on the implementation of the Patten Recommendations on co-operation between An Garda Síochána and the Police Service of Northern Ireland came into force in November 2002.

CHAPTER TWENTY

EDUCATION, TRAINING AND CONTINUING PROFESSIONAL DEVELOPMENT

1. Education and learning are critical to the success of a police service, as for any professional organisation. They are key to the transformation of policing in Ireland envisaged in this report, and to the future development of the police service into the world class service that we believe it can and should become.
2. From the time of recruitment, police education should not only teach the duties and responsibilities of police officers, and the skills and competencies needed to carry out those duties and responsibilities. It should also instil in members of the police service the cultural values we expect to see in our police - high ethical and professional standards, respect for human rights, partnership with and openness to communities, a problem-solving and innovative approach, and a culture of continuous learning and improvement. These values should be instilled at the time of recruitment, and reinforced and refreshed in education and training programmes for those in service.
3. An Garda Síochána, however, has not treated training as a critical function. The Garda Inspectorate observed in its 2015 report that there was no training strategy in place and no dedicated training budget. That report observed that in-service training opportunities were frequently hampered by supervisors who felt they could spare neither the members nor the funds to send them to the police college at Templemore. Budget cuts after the 2009 crash led not only to a recruitment freeze for nearly six years and therefore no recruit training, but also to a reduction of in-service training almost to zero. Established members of any profession benefit from learning about new challenges and techniques, developments in best practice, or new skills needed for new assignments. They will then deliver better results for the organisation they serve. Unfortunately, at a time when reduced resources called for more effective and efficient policing, scant if any attention was given to training the service to work smarter. Training was not seen as a critical function but as a disposable one when a choice had to be made. What was apparently regarded at the time as a necessary financial saving has in fact cost both the organisation and the State in its impact on effective policing.⁷²
4. The neglect of training has extended even to fundamental functions of policing. The Garda Inspectorate's Crime Investigation report of October 2014 estimated that there were approximately 700 "untrained" detectives.⁷³ The same report noted that some detectives were even working on crimes such as fraud, without the specialist training required for such complex cases. Successive Policing Authority reports have highlighted training gaps in key areas such as driver training and the Authority's Fifth Report on the Implementation of the MRP, published in July 2018, identified a lack of planning for the training necessary to support reform across the organisation as a critical concern.

⁷² For example, a Crowe Horwath report of November 2017 reviewing mandatory intoxicant testing found that An Garda Síochána had failed to implement adequate and appropriate mechanisms for training members in relevant processes, both at recruit training stage and in respect of ongoing CPD. It also found there were inadequate and inappropriate mechanisms for informing and updating serving Garda members on developments in legislation and/or changes to the systems and procedures for processing FCNs and other offences.

⁷³ Detective training resumed in 2017 but there remains a large backlog of untrained detectives.

5. It is a central tenet of this report that education and learning is core to the future of An Garda Síochána. **We recommend that there should be a new Learning and Development Strategy, encompassing recruit and in-service training, and continuous professional development. The strategy should be costed and should include specific objectives to support e-learning. There should be a ring-fenced budget under the direction of an expert Director for Learning and Development, distinct from the Director of Human Resources.**
6. **Training needs should be reviewed annually by a high level review group comprising senior personnel, sworn and non-sworn, and higher education training partners.** This is important if police training is to keep up with new developments in society, critical threats, policing techniques and best practice. Garda training should be responsive to such developments and, where possible, should anticipate changes that will affect policing in the Ireland of the future.

RECRUIT EDUCATION

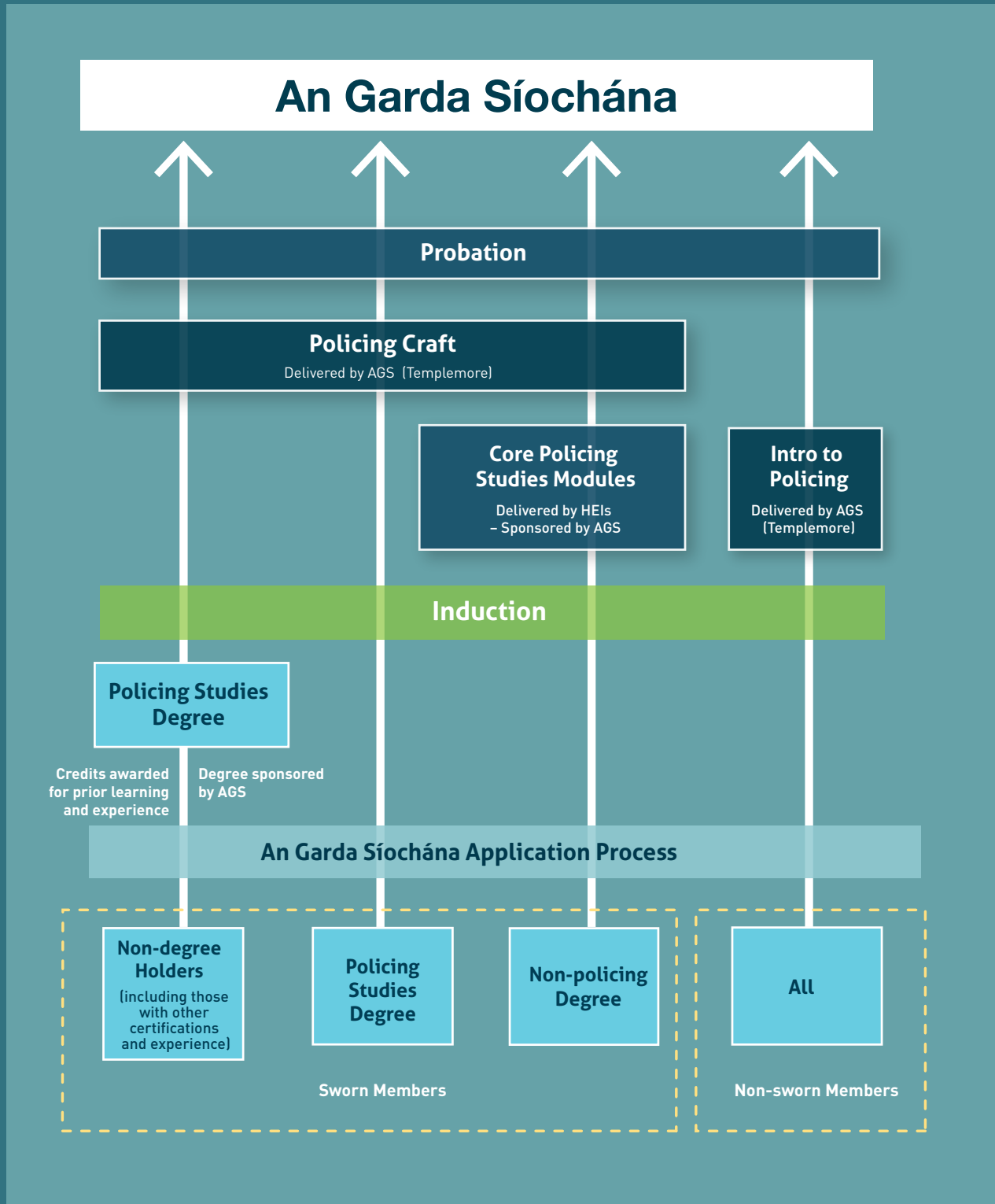
7. Our recommendations in the area of recruit education take account of experience in other countries, where the process of professionalising policing (see also Chapter Twenty-Two) is seeing a shift of emphasis from “training” to “education”, and from in-house training centres to universities and institutions of higher education. In some respects An Garda Síochána is further along the road towards the future than many other police organisations. For example it has a degree-level foundation programme, and a high proportion of recruits are already degree holders.
8. The new foundation programme for recruits was introduced in 2014, based on a partnership with the University of Limerick and leading to a B.A. in Applied Policing. It begins with a 32 week course at the Garda training college at Templemore. After completing this phase, students are attested, become probationer Gardaí, and go on to a second phase of 34 weeks of practical, operational training under supervision at designated Garda stations. In the third phase, they operate as independent probationer Gardaí, returning periodically to Templemore for further training. The whole recruit training process takes two years.
9. While this new recruit programme is a definite improvement on its predecessor, we believe that the approach to recruit education needs to be further improved. The initial 32 week residential phase is long compared with other police services. Both its length and the fact that it is a residential course make it an expensive way to train recruits. The classes there consist entirely of police recruits and the teaching staff are almost all sworn police. From the outset therefore, Garda recruits are set apart from their non-sworn colleagues and other civilians, and a closed culture of separateness begins to develop from that point onwards. It is good that this new recruit programme is validated by a university, but we believe that direct involvement of higher education institutions in developing and delivering recruit training would lead to a more rounded education for recruits, and contribute to the development of a more open as well as professional culture in the police.
10. Degree holders currently comprise a large majority of Garda recruits, which testifies to the strength of the applicant pool. However, the recruit programme currently treats all as if they were at the same level of educational attainment. Much of the foundation course, and much of the first 32 week phase, is degree course work. Thus, the State is in essence funding most of the new recruits to acquire a second degree. It is hard to justify this as

a sensible use of scarce funds. A Garda report⁷⁴ estimated that recruit training takes up 70% of the money spent on training, leaving 30% for much needed in-service training and continuing professional development. **We therefore propose that recruits who already have a degree should spend a considerably shorter time at Templemore. The time spent there should be focused mainly on learning the operational policing skills needed to progress to the second phase of work experience in Garda stations.** Recruits with prior degrees might need “top-up” modules in academic content specifically relevant to policing. These modules would also be delivered by higher education institutions. New recruits without a degree should be sponsored by An Garda Síochána to acquire a degree-level qualification in policing studies. Prior learning and experience should be taken into account, with potential recruits being granted credits in accordance with the guidelines of the higher education institution awarding the degree. We would favour involving several higher educational institutions in recruit police training, in different parts of the country. This would have the advantage of reducing travel times and residential requirements for Gardaí.

11. The recommendation for a shorter programme for recruits who already have acquired the transferable skills a degree requires will not only relieve the training facilities and staff of the current pressure of the enhanced pace of recruitment, but also release a substantial proportion of the training funding that is now spent on recruits, especially in the expensive phase of their training at Templemore. **These savings should be redirected towards in-service training and continuing professional development.**
12. To further streamline the recruit training process, **we recommend that e-learning should be used ahead of the operational and tactical training at the police college.** This is already the practice in Northern Ireland and Great Britain, where some 25 hours of e-learning precede a 22 week course at a police college. It will be a more efficient use of resources, and will reduce time spent sitting in lectures at Templemore, as opposed to scenario-based and other forms of operational training that truly require a police college environment.
13. We have stressed that sworn and non-sworn personnel of An Garda Síochána should all be part of a single workforce with a shared mission. Creating a culture of teamwork should begin at the point of recruit training. **We recommend a comprehensive induction programme for all staff and that non-sworn recruits to An Garda Síochána receive some of their induction training alongside their Garda recruit colleagues.** This will help forge a sense of common endeavour among Garda personnel. **We further recommend that the proportion of non-sworn teaching staff at the Garda Training College be increased, to enhance the balance of non-sworn and police perspectives as part of all training.**
14. The pathways and the principles underpinning the Commission’s proposals are described overleaf. A new approach will be required to partnership between An Garda Síochána and higher education institutions. Irish higher education institutions would need to deliver the core policing modules that are required and deemed necessary by An Garda Síochána and also consider the development and delivery of policing studies degrees. **The Commission recommends that an expert group be set up to take forward preparatory work on the new approach to recruit education. As well as representatives of An Garda Síochána, the group should include appropriate expertise on the national qualifications framework in higher education.**

⁷⁴ An Garda Síochána *Training and Development Review Group Report* (June 2009).

ENTRY PATHWAYS AND PRINCIPLES



- Policing is a profession, founded in human rights, requiring the critical-thinking and problem-solving skills acquired through a degree-level education. This is already recognised by An Garda Síochána in the development of the BA in Applied Policing currently delivered at the Garda Training College in Templemore.
- Higher education generally is benefiting from the flexibility associated with a module-based approach to credit-recognition and recognition of prior learning and experience. The new approach to Garda education should offer this too, with potential recruits 'collecting' relevant modules to enter the education programme as set out above at the relevant level.
- The approach above recognises that a majority of current recruits already have a degree when they apply to join An Garda Síochána. It allows them a faster route to become a probationer Garda. An undergraduate degree in policing studies would offer the fastest route. While degree programmes in policing studies are not yet provided in Ireland, existing programmes abroad or programmes to be developed in Ireland would be recognised by An Garda Síochána. A condition of recognition would be that the degree contained certain core policing modules required by An Garda Síochána and that it complied with specific criteria on access for diversity.
- Those who have a degree, other than a policing studies degree, would begin their police recruit education in a higher education institution where they would undertake core policing studies modules. This would be sponsored by An Garda Síochána. Once this was completed they would proceed to policing craft training at the Garda Training College. Non-degree-holders would have their entire degree sponsored by An Garda Síochána (as is currently the case). They would undertake a policing studies degree in a higher education institution. Credits would be awarded for prior learning and prior experience. Upon completion they would proceed to policing craft training at the Garda Training College.
- The Garda Access Programme we recommend will be an important enabler of diversity in recruitment. It should operate in collaboration with higher education institutions and build on explorer-type programmes to promote a career in An Garda Síochána to potential recruits with much to offer the organisation and the community who might not otherwise consider policing as a career. It would work in tandem with the usual state financial supports and the special access schemes (HEAR,⁷⁵ DARE⁷⁶ etc.) for students attending higher education institutions.
- Policing education internationally is moving from in-house training centres to universities. The Commission's recommendations endorse this approach. It addresses the concerns expressed to us about the impact of a closed cohort approach at Templemore on Garda culture.

⁷⁵ Higher Education Access Route.

⁷⁶ Disability Access Route to Education.

15. Policing is increasingly information-driven and data capture and analytics are transforming policing around the world. Ireland is among world leaders in today's knowledge economy but its police service has not kept up. It should not only catch up with the current state of the art in police information technology, but must also instil in the future leaders of An Garda Síochána respect for data analytics as a strategic asset and an understanding of how to use and interpret data. We are not suggesting here that every recruit needs to become a computer engineer, but most if not all recruits will now be "digital natives" and data literacy is increasingly important for employment of any kind in today's knowledge economy. **Recruit training should include modules on the capture, analysis and use of data.**
16. Gardaí should be trained in the changing nature of internet crime. As we have already noted, police everywhere are scrambling to catch up with the rapid increase of such crime – including identity theft and credit card fraud, the "dark web" and the illegal market for drugs, guns and other controlled items, sexual predation, sextortion and ransomware. Gardaí themselves, including the Garda Representative Association, have told us that they see a pressing need for training on this large new criminal threat. We note that the recruit course includes a module on internet crime. **We also note that an e-learning module in cybercrime has been developed for serving Gardaí and we recommend that this should be rolled out quickly. All training materials on this rapidly developing problem should be regularly reviewed and updated.**
17. It is important to ensure that all those who graduate as members of An Garda Síochána are fully suited to a career in policing. This issue needs to be addressed both at the time of entry into the recruit programme and throughout the recruit training and probationary period. The Public Appointments Service is currently conducting a job analysis review of the Garda rank and **we recommend that this review should consider changes to the application process and entry requirements for An Garda Síochána, including the introduction of psychometric testing** (which is commonly used in police services elsewhere). It is important to ensure that all who graduate with police powers will be capable and competent police officers. We heard during our consultations of a shortage of resources to provide adequate supervision for probationers. **Appropriate support and supervision should be provided to recruits throughout the training and probation period and recruits should clearly demonstrate their suitability for police work before being attested with police powers. In addition, robust and straightforward systems should be in place to remove any probationary Garda who is deemed unsuitable during or at the end of their probation period (after receiving all the necessary training). This should be viewed as an important part of ensuring that only the best and most suited are conferred with full police powers.**

IN-SERVICE TRAINING

18. Our recommendations that the recruit training course should be shorter, especially for graduates, and that much of it should be conducted at higher education institutions, will have the effect of releasing both funding and capacity for more in-service training and continuing personal development (CPD). By in-service training, we mean the education that the organisation needs its employees to have in order to do their jobs. CPD, which we address in the next section, focuses on the development of the individual and their career. It is vital that the education and learning strategy we recommended earlier should cover in-service as well as recruit training. As we have noted, An Garda Síochána has had a poor record of facilitating, much less encouraging in-service

training. It should go without saying that Gardaí and non-sworn personnel need regular training to stay up-to-date with developments in their profession and in the political and social environment in which they operate, with changes in the threats to public safety and in the law, and with technological and other advances in the tools and techniques available to police. It should also go without saying that police assigned to specialist functions – such as detective work – need to learn how to perform those functions before taking up their new duties, and that they should be given periodic training thereafter to ensure that they stay up to date with developments both in criminal behaviour and in investigative tools and techniques.

19. We therefore recommend that in-service training should be a mandatory requirement in An Garda Síochána, for which members and their managers are held accountable.

There should be a strategy for in-service training approved at the highest level of the police service and all officers should be required to ensure that they and their subordinates undergo the training they need in a timely fashion.

- 20.** There have been resourcing reasons in the past why officers have not been made available for training. Changes should be made to reduce resource constraints. First, as we have said above, there should be a dedicated budget for training. Operational commanders should not be asked to find the money to send Gardaí or non-sworn staff for training. Secondly, it should not always be necessary to “send” members anywhere for training. Scenario and some operational training may require a dedicated police facility such as Templemore. But many types of learning can be conducted more efficiently in police stations, where several people can be trained at a time for a minimal cost outlay for the travel and expenses of just one instructor.⁷⁷ Even greater efficiency can be achieved by conducting as much learning as possible online. We have already recommended that a substantial amount of recruit training can be done online. **We recommend that most in-service training should be done online unless there are well founded reasons why that is not appropriate or workable.**

- 21.** We have stressed the importance of partnerships with other organisations in the task of policing, such as health services, substance abuse groups and counselling services. Police are often first on the scene in situations where the key problem is mental illness or drug abuse. It is vital that they know how to recognise such problems when they encounter them – that they are knowledgeable about such problems, if not expert – and that they know how to access the right kind of expert assistance quickly. **We therefore recommend enhanced training in mental health and substance misuse awareness, at least part of it jointly with members of the relevant expert services.** Joint training of this kind will help forge integrated team working, as a number of serving members noted in their contributions to our survey.

“We cannot expect members to be proactive and successful in their duties if they are not supported, appreciated and healthy in themselves.”

Serving member of An Garda Síochána

⁷⁷ The Commission has seen a number of good examples of a practical approach to overcoming constraints in some Garda Divisions and districts e.g., training needs being factored into the design of space in new Divisional station plans as well as innovative partnerships with local higher education institutions to share both space and expertise in the context of in-service training and CPD.

CONTINUING PROFESSIONAL DEVELOPMENT

22. There is currently no professional development strategy for An Garda Síochána. Promotion and career development and progression occurs without much preparation, career planning, strategic training or coaching. **We recommend that An Garda Síochána should have a Continuing Professional Development (CPD) strategy, and that every member should be encouraged to have a personal CPD plan and at least annual meetings with their manager to assess their performance and competencies, identify learning and development needs, and outline career and educational objectives. Selection for all development opportunities should be based on an open and transparent process.**
23. **We recommend that development programmes are put in place to prepare Garda personnel before promotion to new management and leadership responsibilities.** In addition, we would also like to see coaching and mentoring programmes in place to assist new managers. The leadership and development programmes currently available to those who have already been promoted to management and leadership positions are a positive resource. We would also encourage An Garda Síochána to look for opportunities for senior officers and managers to join private sector leadership training courses.
24. An Garda Síochána also has a number of strategic partnerships with higher education institutions providing valuable opportunities for partially or fully funded study on bespoke or relevant pre-existing programmes. **We recommend that a review of strategic partnerships with higher education institutions be carried out in the context of the development of the new Learning and Development Strategy and the robust training needs analysis we have recommended.**
25. As individual officers or managers emerge as candidates for senior command positions, there would be advantage in giving them experience of policing in other jurisdictions, or alternatively in other public services. It is common practice in other common law jurisdictions with multiple police services, such as the US, Canada and the UK, for senior police to move from one police department to another. This brings new blood and new ideas into the command teams, and enriches the personal and professional perspective of the individual involved. Ireland has a single, national police service, and the opportunity for such transfers is not so readily available, apart from postings with Europol and other international agencies and some exchanges with the Police Service of Northern Ireland.
26. We would favour more such transfers, exchanges or temporary secondments, not only with the PSNI but also with other police services, for example in Scotland, England and Wales, or to international policing think tanks and policing leadership development programmes. These need not be lengthy assignments. A secondment of six months would bring benefit to the officers involved, or to non-sworn personnel of An Garda Síochána. Time spent by Garda members at the UK police Strategic Command Course, and John Jay College in New York also offer a useful broadening of perspective. Exchange with, or temporary assignments to, other public services involved in community safety, such as health or social services and the private sector should also be considered as valuable for the professional development of both non-sworn and sworn senior personnel of the police service. **We recommend that consideration be given to secondments, transfers or temporary assignments to other police or public service organisations, or private industry, for potential candidates for high office in An Garda Síochána. More generally and at all levels, opportunities for short-term mobility between An Garda Síochána and its key partner organisations should be developed.**

CHAPTER TWENTY-ONE

DIGITAL INNOVATION AND INFORMATION MANAGEMENT

A COMPREHENSIVE STRATEGY FOR DIGITAL INNOVATION

1. Modern police services are increasingly using digitally-enabled operating models to become more effective, efficient, responsive, and transparent. An Garda Síochána should be no exception. The digital technologies currently available to the organisation are limited and outdated. The PULSE system, for example, is over 20 years old. The computer-aided dispatch (CAD) system dates from the 1980s, and is not deployed in all areas. Front line police are not issued with mobile phones. Some important technology initiatives are underway within the service, but hitherto these have been handled as discrete projects rather than parts of a comprehensive approach. Now the thinking is turning towards a much needed comprehensive technology strategy. This is welcome.
2. As we note in many parts of this report, the lack of timely, accurate, and comprehensive information is at the root of many of the problems besetting An Garda Síochána – from crime reduction and investigation, to inter-agency cooperation to efficient use of resources, performance management, budget management and all other processes necessary to run a large organisation and deliver a complex range of services. Implementation of the recommendations in this report and the modernisation of policing in Ireland will depend on the transformation of An Garda Síochána's digital technology in order to supply the information necessary to guide decision-making in all of these areas, and to underpin the accountability of the police. **The Commissioner and senior leadership team should make digital transformation, and effective investment in the technology to support it, a high priority.**
3. A comprehensive information technology strategy should determine first what information the police need to have, and secondly what digital services they need to collect, analyse and deliver that information. The objective should be an integrated system meeting all those requirements, and capable of adaptation and innovation into the future as demands and technologies evolve. An Garda Síochána should move quickly to build a strategy around organisation-wide digital services which will transform the organisation in four major areas – Enabling Front Line Mobility; Enhancing Public Engagement; Improving Organisational Capacity and Facilitating Inter-agency Cooperation. We examine each of these areas below.
4. Developing and implementing such a strategy will require a greater capacity than the police currently possess. Staffing levels fall far short of what is required for a modern organisation. There have been long delays in recruiting personnel with the necessary skills into some key areas, and that process will need to be streamlined. Equipping An Garda Síochána digitally for the future will be a large-scale transformation and will have to be staffed and resourced accordingly and quickly. The investment will have the potential to bring value across the organisation, both in improved services as well as efficiencies.

5. An Garda Síochána needs greater internal capacity to deliver on digital transformation. It relies too heavily on external consultants to deliver its technology projects. Access to external expertise can bring much needed insights, skills, and capacity, but the current high level of dependency is neither cost effective nor strategically smart. **The organisation should grow its internal talent, so as to rely less on external consultants and also to be a better informed customer of consultancy services when these are needed. We recommend an urgent review and appropriate increase in An Garda Síochána's internal digital technology staffing, benchmarked against other public bodies in Ireland with similar capability needs.**

ENABLING FRONT LINE MOBILITY

6. **Police members, especially those in front line district policing, should rapidly be resourced with digital communication and workflow applications and tools, such as mobile phones or tablet-sized computers.** The vast majority of Gardaí are not currently issued with mobility tools of any type. Unlike modern police elsewhere who use mobile systems to record and access data in the field, Gardaí have to go to a station to put their incident reports into a PULSE terminal or phone in the reports to a central service. In many districts, they must queue for an available terminal to input data, or add time to their shift to do so. They are also often required to keep duplicate paper records. This is slow and inefficient, it consumes time that should be spent on the front line and most importantly it compromises the potential effectiveness of their service to the public.
7. **The mobility pilot which has been running in some parts of the country should be built on and rolled out so that all front line police are prioritised to receive officially issued mobile phones or tablets.** They should be accessible via email to community and agency partners and people known to be at risk. The mobility tools should also have applications providing front line police with situational awareness and access to data before responding to calls, the ability to record incident data remotely, select access to CAD-based information and intelligence, digital search, road and traffic information, and easy communication with colleagues in the field.

EMPOWERING PUBLIC ENGAGEMENT

8. As noted in our earlier chapter about district policing, district police should be in close communication with their communities. Transparency is important for building public trust, developing an accurate picture of problems in the district and addressing people's fear of crime. It also helps police and communities to work together to find solutions to public safety and crime challenges. **An Garda Síochána should produce regular, and eventually real-time, open data feeds to the public.** Most modern policing services are now doing this. The open data feeds should be published on a user friendly Garda website, from which the public can download data pertaining to national or local crime and safety incidents and trends, or developments in their own districts as they wish. District police should fully understand the data related to their districts, to inform their discussions with community and work with them to solve problems. In addition, public apps should be developed at the community level to enable residents to report their concerns, and police to disseminate information about matters of interest from crime reduction to road closures. This will support the partnership approach and the new local accountability structures recommended elsewhere in this report.

9. To complement the availability of open data and improve engagement with the public, **An Garda Síochána should develop and implement a new social media strategy.** Its use of social media is still very limited. Police services elsewhere are developing social media strategies to connect with their communities, and with people who otherwise might be unlikely to have contact with police. A new organisation-wide social media strategy, supported by training and clear guidelines, should enable engagement with the public both at district level on day to day community safety matters, and also at a national level as appropriate. **The Garda Síochána website should be further improved, to enable online processes such as non-urgent crime reporting, case tracking and enhanced tools for victim support.**

IMPROVING ORGANISATIONAL CAPACITY

10. **To enable all other digital advances and innovations, the core technology platform of An Garda Síochána must be modernised and transformed.** The current PULSE system dates from the 1990s. It is neither a crime investigation tool, nor a management tool. It is an incident recording system that has become too complex and slow, and is proving deficient even in the functions for which it was originally designed.⁷⁸ However PULSE, outdated as it is, can be used as the resource to support the digital transformation of An Garda Síochána. New software and mobile applications can be introduced which draw from the data and the business logic in PULSE.⁷⁹ These new applications and capabilities should comprise an integrated digital platform, also connecting computer aided dispatch and mobile devices. They include systems for investigation management (already developed but not yet deployed), budget, human resources, property management, risk management, enterprise content management, and rostering. Underpinning this digitisation and automation should be the continued movement of processes and services to a cloud computing environment.
11. **An Garda Síochána must deploy a modern and nationwide computer-aided dispatch (CAD) system.** As noted above, the current CAD is outdated and not deployed in all areas. Police responding to calls have to use radio communications to receive information from dispatchers because they have no in-vehicle or mobile devices to access, or record data. Integration with mobile devices is standard in modern CAD systems. The lack of a modern CAD also means that the Commissioner, senior management, and local supervisors have limited situational awareness or ability to track the location of vehicles or other assets. This hampers decision-making about allocating resources in response to emergencies.
12. **An Garda Síochána should develop a plan to deploy body worn cameras.** There is a significant amount of experience in other jurisdictions which could be tapped for best practice. Modern policing organisations around the world have found that body cameras can help to improve front line capability with the accurate recording of incidents, expedite analysis, enhance situational awareness, and sometimes protect police from harm.

⁷⁸ See Chapter 6 discussion of crime data.

⁷⁹ We saw a good example of this in development for Roads Policing.

- 13. A real-time crime and safety centre (CSC) should be deployed at An Garda Síochána headquarters.** This CSC should integrate CAD information and data feeds from sources such as closed-circuit television systems (CCTV), traffic cameras, body cameras, and other digital information feeds into one digital dashboard, to provide senior leadership with real time awareness of the location and condition of all An Garda Síochána assets and resources.
- 14.** As we noted in Chapter Six, filling the new position of Chief Data Officer as a substantive appointment is a priority to improve the quality and management of data within the organisation. The combination of this role and the strengthened Garda Analysis Service which we have recommended, should drive organisational strategy and planning, and provide valuable information for sharing with partner agencies and the public as appropriate.
- 15.** As mentioned earlier in this report, An Garda Síochána should further develop its cybercrime and cyber security capabilities, including digital forensics. These should be centrally led, but with response capacity at appropriate geographical locations.
- 16.** A comprehensive digital strategy should support not just operational policing functions, but every aspect of the work of An Garda Síochána, including routine business such as financial planning, workforce planning, human resource and performance management, training and e-learning as mentioned in the preceding chapter, and procurement processes and administration at every level. It should support new ways of working (e.g. mobility and electronic roster management). It should also support collaboration across the Garda organisation in the delivery of policing responses. The Enterprise Content Management System mentioned earlier and systems for customer relationship management that allow for enterprise-wide search and analytics will facilitate this. The strategy should build in capacity for digital innovation to inform the future development and deployment of new strategies across the organisation.

FACILITATING INTER-AGENCY COOPERATION

- 17.** As we have emphasised throughout this report, policing should be a collective responsibility. Cooperation between the police and other agencies and departments is critical to reducing crime, protecting people at risk, and enhancing community safety. A comprehensive digital strategy should support the development of more effective and efficient cooperation between An Garda Síochána, other departments within the criminal justice system and key partner agencies in Ireland and internationally.
- 18.** A key aspect of inter-agency cooperation in Ireland will be sharing of data for response to emergencies in the field, subject to appropriate safeguards to protect privacy. The Crisis Intervention Teams that we have recommended should be established at the divisional level. The district level police, who respond to the great majority of emergency calls, should have all relevant information available immediately on their mobile devices, as they respond to such calls and before they reach the location of an incident. The necessary information may come from a variety of agencies including other criminal justice agencies and with public services such as health, child protection, and housing. The more comprehensive the information available to a responding police member, the more likely an incident is to be dealt with effectively and safely.

A DIGITAL POLICING INNOVATION CENTRE

19. An Garda Síochána should not only catch up with the current state of digital policing and advanced information and communication technologies, but also take a leading role in digital innovation in policing. **We recommend the establishment of a Digital Policing Innovation Centre, based on the Technology Centres Programme (a joint initiative of Enterprise Ireland and IDA Ireland), with An Garda Síochána as the anchor organisation.** The Centre would draw on the research and implementation expertise of Irish and global higher education institutions (including University College Dublin's world class centre for research and education in cybercrime, cybersecurity, and digital forensics), and Irish-based national and international companies. The Centre would operate in a similar way to other EI/IDA funded centres and it would initially work on research and initiatives that could deliver early results for An Garda Síochána. Industry partners could have options to commercialise the products after initial deployment. In time, the Centre would work on longer term innovation in policing.

PART 6

A NEW POLICING CULTURE

CHAPTER TWENTY-TWO POLICING CULTURE

A COMMUNITY RESPONSIBILITY

1. A new policing culture must begin with society as a whole. A guiding principle of this report is that policing is not something to be left to the police alone. The police have a particular and vital role but the community as a whole shares responsibility for community safety, crime prevention, and harm prevention, and to be clear about what it expects of its police. We shall come to the culture of the police service itself below, but it is important first to set the wider cultural context for the transformation of policing in Ireland.
2. The cultural lead must come from the top. Across government, in the Oireachtas, and at the level of the Policing and Community Safety Oversight Commission that we have recommended be established, it must be communicated clearly and repeatedly that policing is a collective responsibility. This means agencies working together with police, and being seen to work together, providing a collective public service, at both national and local levels. Collective responsibility at local level means engaging and partnering with police to solve problems – identifying people at risk, helping children and young people avoid becoming criminalised or victimised. The solution is not always to call the police for a law enforcement intervention.
3. We have noted earlier in this report that police legitimacy depends upon policing being seen to be fair to all. If wealthy or powerful people, or friends and family of police members, are thought to be treated differently – accorded priority or leniency, for example – that legitimacy is compromised. **While it is of course up to the police to ensure that everyone is treated equally under the law, as a matter of both law and professional ethics, it is also incumbent on everyone else not to expect or request special treatment from police.**

OCCUPATIONAL AND ORGANISATIONAL CULTURE

4. We shall not rehearse at length here the substantial literature on police culture. There are two aspects to police culture – occupational and organisational. Occupational police culture is something that has common features in police services around the world. It arises from the nature of police work. On the positive side these features include a sense of duty and vocation, a desire to serve people and keep the community safe, and a healthy loyalty to colleagues. On the negative side, some police can come to believe that they alone understand what their job entails, that the public does not understand or support them, that the only people they can trust are other police, that human rights are an inconvenience that favours wrongdoers, and that loyalty to colleagues should override all other considerations.
5. Organisational culture, on the other hand, is specific to the organisation in question. It does not arise from the nature of police work and may have similarities with other organisations that have nothing to do with policing. Organisational culture is driven by the leadership and management of the organisation, and changing it depends upon that leadership.
6. May 2018 saw the publication of a cultural “audit” of An Garda Síochána which drew on a high level of participation by members of the police service. The findings of that study were broadly similar to the findings of our Commission during our own enquiries, including our questionnaire to which 1,665 Gardaí responded, and many meetings with members of the Garda organisation, partner organisations and public groups.
7. A strong positive finding by both the cultural audit and this Commission was that the community policing ethos was seen as the soul of the organisation. This is exactly as it should be. As we have noted, An Garda Síochána has struggled to deliver front line community services as it, and the public, would wish. We have made recommendations concerning resources, structure and management processes designed to rectify this.
8. We have often been struck, during many visits and meetings with police members at all levels, by a strong sense of duty and public service. As one would expect and hope to see in any police service, we have also encountered a healthy camaraderie among police teams. There is much in police culture that is positive and we have found that in An Garda Síochána. We also applaud the pride that An Garda Síochána takes in being a routinely unarmed police service.
9. On the negative side, the cultural audit identified the areas in which An Garda Síochána’s culture was weakest included transparency, communication, and “speaking up and reporting wrongdoing”. Leadership and management were also identified as significant weaknesses, as were innovation and openness to change. The audit noted perceptions that An Garda Síochána was not a true meritocracy and suffered from favouritism and nepotism – not an unusual perception in police services but one that needs to be addressed. Many Gardaí felt a lack of trust by senior leadership, as evidenced in the prohibition on using emails or social media.
10. All these issues arose in our own survey, during our meetings with police, and with external observers of the police. Time and again we found that front line Gardaí felt themselves to be at the bottom of a hierarchical, overly bureaucratic organisation that did not listen to them. One Garda told us he felt he should be wearing a school uniform rather than a police one as the organisation treated him like a child. Headquarters was seen as remote, out of touch and unresponsive, sending down directives but not providing strong support. The findings of both the audit and our survey painted a picture

of an organisation that was some distance from the kind of professional service that we, and most of the Gardaí we spoke with, would wish to see.

- 11.** We also encountered on many occasions a feeling of insularity among police, not only in relation to their senior leadership but also to the wider community. Paradoxically, Gardaí who see themselves as primarily a community policing service at the same time feel alienated from the community. Partly this is the result of the many negative stories about policing that have dominated the media in recent years, leading to tribunals and inquiries (and in part to the establishment of this Commission). Partly it has been exacerbated by the strain on front line resources and the inability to meet public expectations of their police. These factors have contributed to defensiveness and low morale.
- 12.** We have made many recommendations that will address these problems and lead to a healthier police culture. They include ways to make the police organisation less hierarchical, more encouraging of innovation and local initiative, and with stronger engagement with local communities. The top heaviness of an organisation is a key determinant of culture, leading as it does to a “them and us” mentality rather than a team one. It is all the more extraordinary, given the high ratio of senior management in An Garda Síochána, that we were told many times on our station visits that senior officers were distant and rarely seen. The Commissioner should both reduce the top heaviness of the organisation, as we recommended in Chapter Seventeen, but also instigate a comprehensive programme of leadership development, to include better communication with, and support for, the front line. The senior leadership of the organisation has already taken steps in this direction as evidenced by a recent exercise, involving 220 senior managers. The aim of the exercise was to explore how senior management might bring about improvements in the organisation in light of the challenges faces by An Garda Síochána and the issues identified in the culture audit. This exercise is an example of the type of internal conversation that will be required if the organisation is to advance change and deliver on the potential of its people. We discuss this further in Chapter Twenty-Three.
- 13.** Much better internal as well as external communication will be vital to the transformation of An Garda Síochána and the lead must come from the top. We were told several times by Garda personnel on our station visits that internal communications all too often took the form of complex guidance circulars on the organisation intranet (some of which refer back to past circulars). This is not the way to communicate effectively, especially in an organisation already burdened with too much paperwork. Internal communications of importance should be supplemented by direct, organised briefings by senior personnel so that core messages can be absorbed and questions asked.
- 14.** A recruitment strategy that produces greater diversity, as recommended in Chapter Nineteen, will help change the organisational culture of the police service, as will the incorporation of a growing number of non-sworn personnel in a single workforce with their sworn colleagues.
- 15.** A less hierarchical and open culture overall means that all members of the organisation, sworn and non-sworn, should feel empowered and encouraged to speak up when they have concerns or ideas.

POLICING AS A PROFESSION

16. We believe strongly that policing should be seen as a profession. It is not just a job. Moreover, the culture of the police service should be one of professionalism. We were pleased to find that this was a view expressed to us by many Gardaí and by staff associations, not only by management as is sometimes the case in police organisations.

POLICING AS A PROFESSION

KEY CHARACTERISTICS

- › Commitment to providing high quality community service,
- › Compliance with standards of ethics, human rights and service delivery,
- › Accountability, both internally to superiors and externally to customers,
- › Competence and a body of knowledge about policing, continuously developed and updated,
- › Appropriate expertise in all positions within the service, sworn and non-sworn,
- › All members to be valued and respected for their distinct roles,
- › Commitment to continuous professional development,
- › Pride in the service,
- › Empowerment of all personnel, sworn and non-sworn, to contribute ideas to improve services.

17. Recruits to An Garda Síochána already have degrees or acquire an equivalent qualification from the foundation course. Our proposals for greater involvement by higher education institutions in the training process will enhance professionalism, as will the updating and addition of skills through in-service learning and a new emphasis on continuing professional development.
18. A profession requires standards both in terms of professional ethical behaviours, and also standards of service delivery. Customers – the community, victims, complainants, public service colleagues – should know what they are entitled to expect from police. The Code of Ethics is a crucial step forward and it should be embraced at all levels in the organisation. We have suggested that the new PCSOC should benchmark professional policing standards. We have also argued that An Garda Síochána should develop better external communications, with communities, victims, complainants and others. In particular, we have recommended that the police should work with IHREC in advancing the public sector duty in all aspects of policing. In addition, transparency will both be a good discipline for a professional service and also help build trust in that service. **A review should take place of An Garda Síochána's current status under Freedom of Information legislation to determine whether to broaden the access to information held by the organisation.**
19. Innovation and initiative must be valued as part of any profession. New practices must be developed to respond to new challenges or to improve responses to old ones. They must be evidence based. Intuition has its place but accurate recording and rigorous analysis of data, and the proper evaluation of results from new initiatives are crucial.

- 20. Performance management** is crucial to any professional organisation and a strong determinant of internal culture. Some of the past, well publicised problems involving An Garda Síochána, and other police departments around the world, have resulted from poor internal management. Performance management should not be simply a yearly or twice-yearly assessment interview. It should be a continuous process of supervision, monitoring of targets, discussion and guidance. Developing such an approach to performance management is a critical enabler of the reformed approach to discipline and complaints we recommend in Chapter Fourteen. The recommendation we made in Chapter Seventeen about the need for more sergeants and inspectors to be deployed in the districts is critical. So is the need for active supervision at every level.
- 21.** Encompassing all of these elements that comprise professionalism is a **culture of continuous improvement and innovation**. This should be the leitmotif for the police service and for all its individual personnel, sworn and non-sworn. A police service for the future must be adaptive, developing new ideas, learning from other organisations, never resting on its laurels and always searching for better ways to serve the community and to get ahead of emerging challenges.

CHAPTER TWENTY-THREE

VALUING THE PEOPLE OF AN GARDA SÍOCHÁNA

1. Every organisational culture is affected by how well the organisation treats its own people. An Garda Síochána leaves much to be desired in that regard. Though many aspects of police work are interesting, positively challenging and meaningful, morale is commonly described as being “on the floor”. Both sworn and non-sworn personnel identify strongly with the noble mission of An Garda Síochána to serve the community and they value the camaraderie of colleagues, but they are dispirited by many aspects of the working environment.

2. There are many reasons for this. We have already noted the alienation that front line police feel from headquarters and senior officers, citing in particular poor internal communications and lack of support. We have also noted the lack of training given to police once they have been recruited. We have made recommendations to address these matters.

3. **Virtually every member of the police service that we have consulted has complained to us that the roster is neither fit for purpose nor good for the wellbeing of police members. It is long past time when this problem should have been resolved. It should be sorted out immediately.** Other sources of low morale include long-standing problems with uniforms, outdated or non-existent information technology, inefficient work processes, obstacles to front-line members using their own initiative and a culture that does not instil confidence about “speaking up”.

“I love being a Garda. Simple. I have saved lives, made a difference on many occasions. I have hurt, been hurt, succeeded and failed – the job has taken me to places I have never imagined and taught me more about myself than I could have hoped.”

Serving member of An Garda Síochána

4. Wellness also appears to be an area of comparative neglect in An Garda Síochána. Good employers everywhere, including police services, have been paying increasing attention to wellness for some years. While An Garda Síochána has a welfare office, it currently lacks a proactive wellness programme, although we understand one is in development. **We recommend that dedicated funding is made available to resource a wellness programme and a proactive approach to the wellness of all Garda personnel, sworn and non-sworn.** As well as being supported to handle the stresses directly stemming from their work, a wellness programme should assist staff who may be encountering personal problems.

5. Policing is an unusually stressful job. Sometimes it can be traumatic, for example when a police officer attends the scene of a bad traffic accident or crime scene, or works on a case of child abuse. Some police services require mandatory counselling in such cases and we recommend that An Garda Síochána should also. In addition, the welfare service should be adequately resourced to ensure timely debriefing is available on a systematic basis to those who request it.

6. There is a wide range of levers available to management to enhance motivation and morale. These are summarised in the framework on the next page. We used this framework to assess data from our consultations and survey of An Garda Síochána staff. Our findings were largely consistent with those of the recent cultural audit, which underlines the significance of these factors for morale. The data reveal a perception of failure to date by leadership and management of An Garda Síochána to use the tools they have to motivate people and raise morale. Problems with the roster and uniforms should have been dealt with years ago. Training in vital competencies, such as crime investigation, should never have been suspended. Few professions have the variety of opportunities for professional and personal development than policing does. Yet the approach to career progression is not trusted and the widespread perception is that the leadership does not listen to its employees or value them. The quotes on this page from members of An Garda Síochána during our consultation process illustrate this.

What do you value most about your job?

“Now, the remuneration and job security. Previously I valued the teamwork, the pride, and the belief that we were an able, functioning and effective work force.”

“I used to really value helping people but now I just feel stressed and the only reason I keep going is to pay the bills.”

Serving members of An Garda Síochána

7. While a comprehensive wellness programme will be of great benefit, it is not a substitute for engaged leadership and management who embrace the values of the organisation, inspire all employees by example, and energise the front line. **Long-standing issues affecting the working conditions on the front line, for example rosters and uniforms, should be addressed as a matter of urgency.**
8. Another issue is that of equity in allowances. The review of allowances we recommend in Chapter Twenty-Five should also take into account our recommendation that sworn and non-sworn personnel should all be regarded as part of a single workforce, so the presumption should be that a travel allowance, for example, should be the same for both, which is not currently the case.
9. We mentioned earlier that encouraging and sharing ideas for improvement is critical to the development of an innovative and adaptive culture. It is also a matter of morale. In many of the Commission’s site visits, Gardaí voiced frustration that ideas from the ranks were often stifled, discounted, or even met with animosity. **An Garda Síochána must foster “psychological safety” – an environment in which people at all levels of the organisation feel able to share ideas on challenges, opportunities, problems, and issues of all types without fearing retribution or marginalisation.** This new culture must start from the top of the organisation, and be embedded at all levels.

LEVERS TO ENHANCE MOTIVATION AND MORALE



MISSION

- > The organisation has an inspirational and noble purpose, and a meaningful role in society.



LEADERSHIP AND MANAGEMENT

- > There are proper management processes in place.
- > There is confidence in the competence of management.
- > There is trust in management.



WORK

- > There is variety in the work.
- > The abilities of the employees are utilised.
- > There is devolved responsibility.
- > The processes are sensible.
- > Employees have time to reflect and regroup.



TECHNOLOGY, TERRITORY AND TIME

- > The environment is modern and a good fit for the workforce (including ICT, office layout, shifts, rosters, uniforms).



EMPLOYEE VOICE

- > There is psychological safety to speak up, encouraged through protected disclosure, employee surveys, and employee engagement.



REWARD AND RECOGNITION

- > Employees are rewarded and recognised for their work.
- > Material reward through pay and pension, symbolic reward through selection to represent the organisation and recognition through acknowledgement and thanks.



POSITIVE SOCIAL ASPECT

- > Employees are able to have a good work-life balance.
- > Social bonds are created.
- > Workplace camaraderie is fostered.



WELLBEING

- > Support for wellbeing of employees is fundamental.
- > Health and safety, mental and physical health, stress, working conditions, money problems taken seriously.



DEVELOPMENT, GROWTH AND ADVANCEMENT

- > Proper performance management systems are in place.
- > A well designed promotion system is in place.
- > Access to training and CPD.
- > Career progression opportunities are available.



GRIEVANCE AND DISCIPLINE PROCEDURES

- > There are clear and fair grievance and disciplinary processes.
- > Underperformance is dealt with.



VALUES AND ETHICS

- > There are no gaps between espoused values and ethics and values-in-action.
- > "Walking the talk" consistently.
- > Systems are aligned with values.



REPUTATION

- > The organisation is widely held in esteem.
- > Employees are proud to work for the organisation.
- > Media coverage is favourable.

There are many different models and frameworks for improving the motivation, morale and productivity of a workforce. The above are some of the key levers that are common to the various models which aim to achieve high levels of staff wellbeing within an organisation.

PART 7

THE LONG-TERM FUTURE OF POLICING IN IRELAND

CHAPTER TWENTY-FOUR AN ADAPTIVE POLICE ORGANISATION FOR THE FUTURE

1. As the Commission on the *Future* of Policing in Ireland, we have focused throughout this report on transformative changes that will equip An Garda Síochána to become an adaptive organisation, able to respond to or anticipate changes in the way policing will need to be delivered in the coming decades. When implemented, our recommendations will give the Commissioner the powers of a true chief executive, able to lead and to manage change. They will permit the formation of a strong, appropriately qualified leadership team, comprising sworn and non-sworn personnel selected for their expertise and including recruitment from outside the organisation. They will instil a culture of professionalism and continuous improvement, beginning with recruit training and carrying on through the careers of everyone in An Garda Síochána, sworn and non-sworn, all being full members of a single service. They will bring about a step change in the way the police manage, share and analyse information, and establish data as a strategic asset for policing. They will result in a police service that works well to protect and vindicate the human rights of everyone in the State, working in close partnership with other public services, community organisations and the private sector, keeping all of them better informed and better able to work together. Finally, our recommendations will also lead to a clear recognition across government, at all levels, and in the policing oversight bodies, that the policing of Ireland is a collective responsibility.
2. All this will stand policing in good stead to adapt to change in Ireland over the coming years. Much of the change to come is impossible to predict, but some major changes affecting policing over the next generation may already be foreseen. For example, the population of the country is projected to grow from the present 4.8 million to about 6 million by 2040 – a 25% increase in little more than 20 years. As noted earlier in this report, the population grew by 31% in the past 20 years.
3. The composition of the population will also change. The Central Statistics Office has estimated that the ratio of young to old will tip in 2036 in favour of older people. Nearly a quarter of the population will be over 65 in the 2040s, up from 16% now. The number of people over 80 will more than triple to 475,000. Family sizes have shrunk over the

years and may continue to shrink. Families have become more dispersed, and lifestyle and economic changes may mean that that trend also will continue. While people in Ireland have traditionally lived in houses rather than flats and apartments, this is evolving with changing demographics and a housing and homelessness crisis that is showing no signs of abating. Unless that changes, we can expect a large percentage of the population to be living alone, and therefore potentially more vulnerable.

4. Immigration patterns are already changing the Irish demographics. The leading source countries of immigration today are significantly different from those in the past. According to the 2016 census, the largest group of foreign-born residents now come from Poland (just ahead of the United Kingdom, which occupied the number one position for many years). After that the largest migrant communities come from Lithuania, Romania, Latvia and Brazil. This is a very different group of countries from those that provided most of the immigrants in the past. The United States, for example, second on the list in 2002 and fourth in 2006, is no longer in the top 10.
5. The 2016 census report noted that the five nationalities listed above, together with Chinese (population up by 17% between the 2011 and 2016 censuses) and Afghans (up 212%), are those that have reported having the largest proportions of members who speak English either “not well” or “not at all”. This presents a challenge for them to integrate well into Irish society, and for the police to work with their communities. Some migrants may not be accustomed to trusting police, and may be more vulnerable to exploitation until they are able to do so.
6. The Government’s National Planning Framework, “Ireland 2040 – Our Plan”, published in February 2018 sets out an ambitious strategy for development around the country to accommodate the large population expansion expected over the next 20 years. The Plan envisages that, while Dublin will continue to grow, a large proportion of the growth of population, new jobs, residential development, schools and medical services should go to other urban areas. Cork, Limerick, Galway and Waterford are intended each to grow by at least 50% by 2040, twice as fast as they grew in the last 25 years.
7. Such an ambitious transformation of the country, both in terms of the numbers and distribution of people and developments, has implications for policing. Urban growth of the scale envisaged will inevitably cause temporary disruptions and dislocations that will need to be managed. New traffic patterns will develop. Public spaces and gathering places will need to be planned with security in mind. Good urban planning can help reduce crime, anti-social behaviour and threats to public safety and public order. Rural areas will also be affected by the Ireland 2040 plan, with implications for policing there too. **We recommend that, with immediate effect, the police and relevant community safety agencies should be included in the inter-governmental process to take forward the National Planning Framework.**⁸⁰
9. We stressed earlier in this report the importance of partnerships between the police and other public agencies in addressing the challenge of protecting vulnerable people. Such partnerships will be ever more vital as the country continues to evolve. In addition to the rapid growth of the ageing population and new immigrant communities mentioned above, we must recognise that economic change can come at a cost to some industries, communities and individuals who find it hard to adjust. Climate change also

80 Government of Ireland *Project Ireland 2040 - National Planning Framework* (July 2018).

may cause disruption, especially in agricultural communities. Policing issues resulting from economic and environmental developments will require coordinated inter-agency strategies.

- 10.** At the time of going to press, the future relationship of the United Kingdom with the European Union, and therefore with Ireland, is yet to be determined. Brexit has the potential to present serious challenges for Ireland, not least because of the border with Northern Ireland. It is hoped that it will not impact the vital area of police and security cooperation within Europe and beyond. An Garda Síochána will need to be prepared for any possible policing implications and challenges arising.
- 11.** It would be foolish for us to speculate on the technological developments that will occur over the next twenty years. It seems likely that self-driving vehicles will be on the roads during that timeframe. Drones will become more common and are already proving effective in service with police in other jurisdictions. They are used, for example, to respond quickly to emergency calls, photographing crime or traffic scenes before police are able to arrive in person, and to provide situational awareness in hostage incidents. Artificial intelligence will pose questions for policing, both practical and ethical. As in other professions, some functions now performed by police personnel will in future be performed by machines. Privacy issues arising from these developments will require a national, and international, debate going beyond policing.
- 12.** We are not futurists, and we are acutely aware that, had we done our work 20 or even 15 years ago, we would have failed to predict social media, which now hugely impacts policing and almost everything else. What is important is that An Garda Síochána should keep up with technological developments and the threats and opportunities that they present for policing.
- 13. We recommend that there should be a unit within An Garda Síochána dedicated to identifying future challenges.** This could be linked to the data analytics capability discussed earlier. We do not want to dictate the structure. The point is to have a small group tasked to think about what the policing needs of the future might be, whether short term or medium term, how to prepare, resource and train to meet those needs. Such a unit could work closely with higher educational institutions, think tanks, and international bodies including international police services or organisations, to develop better policing responses and anticipate new challenges. An Garda Síochána is a large police service compared with those in other common law jurisdictions, where the practice is to have regional or city police departments rather than a single national agency. It can and should be among the thought leaders in policing.

PART 8

VALUE FOR MONEY

CHAPTER TWENTY-FIVE VALUE FOR MONEY AND EFFICIENCIES IN POLICING

1. Our job was to recommend how policing in Ireland should be organised so it can be delivered more effectively. Effective policing, together with improved interagency collaboration, will result in improved outcomes for society and better value for money for the State.

GREATER CLARITY IN THE COST OF POLICING

2. Determining reliable estimates for the economic cost of crime is challenging. Crime is an economic drain on society in many ways – injuries to victims, victim support services, damage to property, insurance costs, police investigations, prosecution and court processes, probation services, imprisonment, intergenerational trauma caused to families, loss of earnings, degradation of neighbourhoods and many other costs, direct and indirect. An initial analysis carried out by the Irish Government Economic and Evaluation Service in 2017⁸¹, estimated the total (annual) cost of crime in Ireland to be €7.6bn. 33% (€2.5bn approx.) of this total estimated cost was attributed to the criminal justice system as a whole. This figure included the budget of An Garda Síochána (approx. €1.65bn) as an indicative cost of policing.
3. A central theme of this report has been the need for better data. Policing must be information-led. Currently there is a lack of good data on either the costs of police activity or the results in terms of crimes detected, resolved or prevented. In addition, as noted in Chapter Twelve, the Effectiveness and Renewal Group for the Department of Justice and Equality has commented on the current lack of a detailed budgetary process for An Garda Síochána and recommended a new approach involving annual budgets, directly linked to policing priorities.⁸² We have endorsed that recommendation and we are confident that, in conjunction with the implementation of our recommendations for better internal governance of An Garda Síochána – a Commissioner empowered to

81 David Crowe, Department of Justice and Equality *Measuring the cost of crime* (IGEES Conference) (June 2017).

82 Effectiveness and Renewal Group for the Department of Justice and Equality *First Report* (June 2018).

manage all police resources, a strong board, a streamlined organisational structure and accountability at all levels – a robust budgetary process will enable the Government to have a clearer view of exactly how much it spends on policing.

4. More immediately, there are measures which can be taken to bring greater transparency which would enable better planning. The great majority of any police service budget is the cost of employee salaries and allowances. Currently there is a myriad of almost fifty different allowances in An Garda Síochána which supplement basic pay. This is inefficient and time-consuming for members and their supervisors at the expense of real police work.⁸³ We can only assume that the administrative costs are also significant. It makes no sense to us that there are so many allowances when other jurisdictions manage with only a fraction of the number. **A comprehensive review of Garda allowances should be undertaken, to rationalise the allowance system and simplify its administration.**
5. The recent Spending Review publication on Overtime Spending in An Garda Síochána⁸⁴ notes that the categorisation of parade briefing as overtime expenditure (€19.1m) arising from the 2016 Garda pay agreement makes it more difficult to review the level of overtime activity and spending in a transparent manner. The review recommends that options should be considered to recategorise such costs. **Given the level of focus on the cost of Garda overtime, we believe that appropriate recategorisation would be a positive step towards greater public transparency and should be implemented.**

STREAMLINING DECISION MAKING PROCESSES

6. Streamlined processes for decision making and procurement approvals are urgently required within An Garda Síochána, and also across relevant government departments and offices. The existing process for expenditure approvals on staffing and key projects involves multiple and consecutive layers of assessment and approval by the Policing Authority, the Department of Justice and Equality and the Department of Public Expenditure and Reform. While this process was presumably established with the objective of ensuring cost efficiencies and value for money, it is now so complex and time consuming that it is undermining, not supporting, efficient delivery of reform. It prevents An Garda Síochána from taking real ownership of its own planning and management so that the organisation can deliver effective policing, and be properly accountable for doing so. Accountability cannot work without responsibility. We have noted already that the need for greater ownership by the organisation of key plans has been highlighted in a recent report by the Policing Authority.⁸⁵ **We recommend the urgent introduction of streamlined processes for decision making and procurement approvals within An Garda Síochána, and also across relevant government departments and offices.**

⁸³ During its consultation process, the Commission met with Superintendents who in some cases estimated that they can spend three full working days a month signing off manually on paperwork necessary to enable payment of allowances.

⁸⁴ Department of Public Expenditure and Reform *Spending Review 2018, Overtime Spending in An Garda Síochána, Efficiency and Control* (2018).

⁸⁵ For instance the Policing Authority's mid-year assessment on Policing Performance, published in July 2018 notes that "In engaging with the Garda Síochána the Authority has been presented, at times, with a view that the Policing Plan is a set of obligations placed upon the Garda Síochána rather than owned by the organisation."

REALISING SAVINGS AND EFFICIENCIES

7. The recommendations in this report will impact on value for money and cost-effectiveness in two key respects. Firstly, a better run organisation, with sound management processes based on timely and accurate information and with clear ownership of delivery on reform, will manage its existing resources better and reduce waste. Secondly, the implementation of strategic reforms will improve longer term delivery of policing in Ireland and deliver substantive benefits in return for any additional investment.
8. The following are examples of specific recommendations which should realise savings and deliver value for money:

Better management within existing resources

- › A multi-annual budgetary process linked to policing priorities.
- › A more robust workforce planning process, based on an operating model and demand analysis, which will establish how many sworn and non-sworn personnel are really needed, and where they should be deployed. Arising from this exercise, we would not be surprised if the overall numbers required turned out to be different from the current target for a police service of 21,000 people in 2021. Police numbers, including the numbers at each rank, should be subject to regular workforce planning reviews and rank numbers should not be set out in legislation as they are at present.⁸⁶ The country should have the right sized police service, justified by the needs of each district, with the right mix of skills, and police resources should be deployed where they are needed. The success of this process should ensure the end of overreliance on costly overtime.
- › A new more devolved structure with improved financial information and controls and professional financial expertise at divisional level.
- › Design of management and operational processes to reduce inefficiencies.
- › The reassignment of some duties currently carried out by police to more appropriate agencies. This will reduce the cost for the Garda organisation and contribute to a clearer overall picture for the Government of the cost of policing.
- › More transparent pay and allowance arrangements.

Improvements in the longer term

- › The urgent transformation of An Garda Síochána's digital technology is a fundamental enabler for the implementation of the recommendations in this report and the modernisation of policing in Ireland. Informed investment in process design and technological solutions will deliver significant efficiencies through reduction of time consuming bureaucracy and redeployment of staff. Our recommendations for a modern Computer Aided Dispatch (CAD), and integrated digital information systems, will enable efficient deployment of resources in real time.
- › Treating policing as a profession and ensuring the necessary mix of professional skills and expertise at all levels in the organisation.
- › The proposed new oversight framework will be more coherent, stronger, more holistic and more valuable than the current structures, providing support for professionalism in An Garda Síochána and a resource for Government policy making. While a precise

⁸⁶ Regulations under s.122 of the Garda Síochána Act 2005.

assessment of resources required will be necessary, the resourcing currently available to pre-existing bodies provide a starting-point.

- › Our recommendation to reform the approach to education for Garda recruits will generate significant financial savings as well as relieving capacity at the training college in Templemore.
 - › The prevention of harm, by better coordination between police and social services, to get people at risk the help they need as early as possible, should result generally in more efficient and effective deployment of public resources.
9. If implemented, our recommendations will lead to a well-managed and more efficient police organisation. They will position An Garda Síochána well to respond to the complex policing challenges of the future.

PART 9

IMPLEMENTING CHANGE

CHAPTER TWENTY-SIX IMPLEMENTING CHANGE

1. During our consultative process for this report, we encountered a lot of scepticism from police and public alike as to whether it would be implemented. This was understandable, given the many reports about the police and the many hundreds of recommendations that have not been acted upon in recent years. As is clear from this report, part of the problem has been that the way the system as a whole has evolved to date inhibits clarity of accountability. Partly it has also been the lack of an effective change management capacity within the police organisation itself.
2. If transformation is to be achieved, these issues must be addressed. First, it needs to be clear at the highest level of government that there is no option but to transform policing in Ireland, and that this is a key priority for the government. Top level leadership will be needed to create a culture of collective responsibility for policing and community safety across government, and to forge the multi-agency cooperation we have advocated. The Cabinet Committee for Justice and Equality, which we have proposed should expand its remit to include our broader concept of policing and community safety, will have an important role in overseeing implementation. We would hope that achieving an integrated approach to policing, security and community safety will be a priority that transcends party politics. Local political and community leaders should also support the emergence of a collective community responsibility for policing and community safety.
3. **An Implementation Group for Policing Reform should be established to ensure delivery of the reform programme set out in this report.** Successful delivery will depend on collective ownership of the outcomes by the key government departments, as well as An Garda Síochána itself. The core membership of the Implementation Group should therefore comprise senior officials from the organisations most closely involved in driving the transformation programme - An Garda Síochána, the Department of Justice and Equality, the Department of the Taoiseach and the Department of Public Expenditure and Reform. Senior representatives of other relevant bodies should be involved in the work of the Implementation Group as required.

4. While the core members of the Implementation Group should each lead on delivery of recommendations applying to their respective organisations, they should have a collective responsibility for driving the whole reform programme. It will also be important for the Implementation Group to have the capacity to take a strategic view of the effective investment of public funds. A narrow focus on expenditure control, in the absence of clear strategic assessments of potential benefits and return on investment, as well as collective ownership of outcomes, will not deliver success. **The Implementation Group should have an independent Chair** who would be an individual of high standing, well respected in Irish public life. There would be no need for the Chair to be a former police officer, but they should have solid experience of leading change and of delivering on complex projects requiring multiple inputs. The position of Chair would involve a substantive time commitment, but it would not need to be full time. Given that this report's recommendations involve multiple Government departments and agencies, the Implementation Group should report to Government through the Department of the Taoiseach.
5. **An Implementation Programme Office resourced with the appropriate expertise should be established to support the Implementation Group in its work.** This would be headed by a full time executive director with relevant leadership and change management experience, and include staff with professional project management expertise.
6. To ensure that the necessary pace of reform is not hampered by delays in the procurement approval process, particularly in the context of key enabling projects, a **small procurement implementation sub-group should be established** comprised of senior representatives with procurement expertise from the Department of Justice and Equality, the Department of Public Expenditure and Reform, An Garda Síochána and the Office of Government Procurement.
7. Within An Garda Síochána, strong leadership will be required at every level of command. The Commissioner will have the key role, and together with the senior leadership team will need to "own" the change programme. They will need to be visible to all members of the police service, guiding them through the transformation process. Effective internal communication in An Garda Síochána will be vital, and should be two way – listening to views and ideas from all staff as well as informing, guiding and motivating them. **Given the clear appetite the Commission has seen within the organisation for change, staff associations should be engaged and should also play a constructive role in acting as champions for the reform programme. Effective external communication** will be important - with PCSOC, central government departments, agencies and politicians, as well as with local community leaders and partners, and of course the press.
8. An Garda Síochána will need an injection of technical capacity and skills to support the level of change in this report and particularly in the initial phase of implementation, which is critical in any change programme. It would be unrealistic to expect this capacity to be resourced from within the organisation and indeed the skills required are not currently to be found internally. **Successful implementation will therefore require the support of external expertise. The funding necessary to procure this resource should be seen as an upfront investment in delivering value for money.** The process should also be used to transfer skills in order to build internal strategic management capacity.

9. The new Board that we have recommended for An Garda Síochána will be an invaluable asset to the organisation, both during the transformational period ahead and for the longer term. It would be extremely difficult to undertake a task of this magnitude without the kind of expert input that a board can provide.
10. Having met many members of An Garda Síochána and heard the views of many more, we are confident that the majority wants change of the kind we have proposed. However, it is to be expected and entirely understandable that not all personnel will want to go through the kind of transformation that we envisage. **We therefore recommend that a one-off targeted severance option should be available for management to deploy.** The terms and conditions of such an option would be negotiated and approved by Government in the normal way.
11. The new Policing and Community Safety Oversight Commission will have responsibility for overseeing and monitoring the effectiveness of multi-agency work on policing as well as the role of An Garda Síochána itself. It will play a crucial role into the future in ensuring that a true transformation of policing is implemented.
12. Ultimately the community safety function of government should be accountable and transparent to the people of Ireland. So it should be with the transformation that we now envisage. **We recommend that the Implementation Group for Policing Reform should publish online progress reports on the implementation of the recommendations in this report and other relevant changes.**

NEXT STEPS

13. The programme of reform set out in this report will deliver effective, modern and professional policing in Ireland. We have identified 2022 as the target date for delivery, given its symbolic importance as the year in which the centenary of the founding of a police service for the Irish State will be celebrated. Some of our recommendations (including those requiring legislative change) will take time to come to fruition. However a number are key to delivering the early momentum necessary to show success by 2022. **In particular we believe the following steps should be initiated as a matter of urgency:**

By Government

- › Appointment of the Independent Chair and core membership of the Implementation Group for Policing Reform and establishment of the Implementation Programme Office.
- › Preparation of the enabling legislation required for implementation of the Commission's report, including the new oversight framework and the establishment of a Board for An Garda Síochána.
- › Development with An Garda Síochána of a costed budget for 2019 based on currently available information and in line with the recommendations of the Effectiveness and Renewal Group.
- › Establishment of the Strategic Threat Analysis Centre under the Department of the Taoiseach.

By the Oireachtas

- › Consideration by the Joint Oireachtas Committee on Justice and Equality of a programme of quarterly meetings with An Garda Síochána to commence with immediate effect.

By An Garda Síochána

- › Delivery of measures to support all staff in the organisation, including acceleration of the proactive wellness programme.
 - › Delivery of measures to support the work of front line Gardaí and underpin the management of the organisation, in particular acceleration of the pace of urgent technology projects, including mobile capability.
 - › Procurement process for external expertise to support change.
 - › Strengthening of An Garda Síochána's security and intelligence capability.
- 14.** There have been many reports before ours, by the Garda Inspectorate and others. As we have noted previously, any organisation would struggle to act on the large number of recommendations now outstanding. It is emphatically not our view that the recommendations in this report should be superimposed upon all that has gone before. The vision that we have outlined means that An Garda Síochána will be a different organisation, differently structured and with different management processes and better technology. It will not perform all the tasks that it does now. Many recommendations from previous reports may still be relevant, but some will not and others will need reassessment and modification. As we noted in Chapter One, all recommendations outstanding from past reports should now be viewed through the lens of this report. It is a new framework for policing, security and community safety in Ireland, with a new perspective on the pathway to reform for An Garda Síochána, and it should be seen as the overarching strategy for change.

ANNEXES



ANNEX I – COMMISSION ON THE FUTURE OF POLICING IN IRELAND

TERMS OF REFERENCE⁸⁷

An Garda Síochána, the national police service with responsibility for community safety, state security and immigration, plays a hugely important role in Irish society and has traditionally enjoyed the widespread support of the community it polices. An Garda Síochána has, however, been the subject of significant public controversy over the past decade and continues to be so. Notwithstanding wide-ranging measures taken to address the causes of these controversies, including the establishment of a new oversight framework and the ongoing implementation of a reform programme within An Garda Síochána, concerns remain in relation to the accountability of An Garda Síochána, its leadership and management capacity and its culture and ethos. These concerns have the potential to undermine public confidence in policing and the legitimacy of An Garda Síochána. Additionally, like all police services it faces internal and external challenges rooted in the changing context in which all police services operate in the 21st century. These include increased expectations of transparency, accountability and professionalism, the changing nature of crime, the changing nature of society and the need for pro-active, routine and continuous engagement with local communities.

The people of Ireland are entitled to have a professional and effective police service that they can trust and have confidence in to act not only within the law, but to the ethical standards appropriate to a modern police service; whose leadership and management have the capacity to provide such a service, to meet emerging challenges and to oversee and realise the benefits of ongoing reform initiatives; and that is subject to robust external oversight. To ensure that policing in Ireland continues to meet these expectations and commands the support of the Irish people it is appropriate that a Commission should be appointed to carry out a fundamental review of the role, structures, leadership and management, ethos and culture of policing and existing oversight and consultative arrangements. Such a fundamental review must encompass all functions carried out by An Garda Síochána (including community safety, state security and immigration) and the full range of bodies that have a role in providing oversight and accountability for their activities, including the Police Authority, the Garda Síochána Inspectorate, the Garda Síochána Ombudsman Commission, Joint Policing Committees, the Department of Justice and Equality and Government having regard to the need for democratic and political accountability.

The oversight, accountability and related functions of the relevant statutory bodies will continue to be discharged by them during the tenure of the Commission and will represent an essential input into its work. There is an ongoing programme of reform underway based on the Garda Inspectorate reports which are being progressed through the implementation of the Garda Commissioner's Modernisation and Renewal Programme 2016-2021 and which is being overseen by the Policing Authority. The work of the Commission should not hinder these important developments and it will be open to the Commission, as it sees fit, to address such developments in their report.

⁸⁷ As published by the Department of Justice and Equality, 16 May 2017.

Taking this into account, the Commission will inquire into policing in Ireland and, on the basis of its findings, bring forward to the Government proposals for the future of policing.

Its proposals should address:

- › The structures and management arrangements required for the most effective delivery of policing (including all functions currently carried out by An Garda Síochána – community safety, state security and immigration), to ensure

 - the most appropriate structures for delivering all aspects of policing are established (whether a unitary structure or otherwise),
 - there is appropriate leadership and management capacity to deliver effective and accountable policing,
 - that there are adequate management and supervisory systems in place, and
 - that information systems appropriate to the needs of a modern police service are available.
- › The appropriate composition, recruitment and training of personnel, to ensure

 - the optimal composition of policing services between sworn officers, unsworn personnel and the Garda reserve,
 - the personnel reflect the diversity of Irish society,
 - the most appropriate recruitment methods are employed in staffing, and
 - appropriate ongoing professional development for all personnel to meet the challenges of modern policing.
- › The culture and ethos of policing, to ensure

 - the culture of policing is aligned with a clearly articulated ethos that promotes the values and behaviours that should be expected of a modern police service including in relation to the rights of those affected by crime,
 - an ethos and culture that values accountability and embraces change, and engages proactively, routinely and continuously with, and is responsive to the needs of, the diverse communities it serves, and
 - valuable elements of police culture that exist are recognised and maintained.
- › The appropriate structures for governance, oversight and accountability, to ensure:

 - that policing operates within a clear framework of governance and accountability to the law and the community, that is supported by coherent structures,
 - that policing is constrained by, accountable to and acts only within the law,
 - that policing powers and procedures, like the law, are clearly established and publicly available,
 - that breaches of discipline are effectively and fairly addressed,
 - that there are open, accessible and independent means of investigating and adjudicating fairly upon complaints against the police,

- that there are arrangements for accountability and for the effective, efficient and economic use of resources in carrying out all policing functions and delivering policing objectives,
 - that there are effective means to ensure independent professional scrutiny of the police services to ensure that proper professional standards are maintained.
- › The legislative framework for policing, to ensure that it is adequate to meet the challenges of modern policing.

In carrying out its work, the Commission should have regard to:

- › existing and emerging issues identified as key challenges for Ireland's model of policing, e.g., evolving nature of crime, society (including increasing diversity) and public expectations and their relevance to structures, service delivery models, public confidence, performance measures etc.,
- › international benchmarks in relation to the delivery of the most effective policing,
- › best practices and changes in the policing models of other countries focused towards greater effectiveness and efficiency, and fostering public confidence in policing; and the relevance and applicability of such ideas in Ireland,
- › previous reports concerning policing in Ireland,
- › any specific challenges to delivering consistent structural and cultural reform in policing.

The Commission should consult widely, including with the public and civic society and any other bodies or individuals it considers appropriate.

The Commission will report in September 2018. The Commission may bring forward immediate proposals and rolling recommendations for implementation, that it considers are required to be addressed in the short-term, and in advance of its final report.

The Commission should address in its report(s) the implementation of its recommendations and the mechanisms required to oversee implementation.

ANNEX II - ENGAGEMENT AND CONSULTATION

In approaching our work, we drew upon a wide variety of knowledge, research and information sources. These included:

- › The expertise and experience of the Commission members themselves;
- › A broad-based and inclusive consultation process;
- › Research examining policing practices and trends in other jurisdictions;
- › Previous reports on policing in Ireland;
- › Other relevant reports examining emerging demographic, economic, technological and social trends in Ireland and elsewhere.

As part of this, our Terms of Reference specifically required us to do the following:

The Commission should consult widely, including with the public and civic society and any other bodies or individuals it considers appropriate.

Our programme of consultation was undertaken in five strands:

1. Written submissions from the public, policing bodies, community groups, public representatives and organisations representing civil society;
2. A series of regional public meetings plus Town Hall meetings in Cork and Dublin;
3. Visits to Garda stations;
4. A survey of serving Garda personnel, and a follow-up focus group meeting with female Garda personnel, in addition to personal insights from serving and former Garda members;
5. Meetings with stakeholders and subject matter experts.

We used multiple methods of consultation to ensure our work captured the widest possible range of perspectives; this approach allowed us to tease out inconsistencies and find commonalities across a number of different perspectives, as well as test our findings across different civic society groups. Using this mix of consultation methods assisted us getting first-hand insights into the key issues relevant to the future of policing in Ireland. We are grateful to everyone who took part and engaged with us.

1. SUBMISSIONS

In September 2017, we made a public request for submissions from interested parties, organisations, community groups and individuals to help inform our work. In total, we received 322 written submissions via email, post and our website. Some submissions fell outside our terms of reference; nonetheless, where those submissions contained elements which were relevant to our work, they were considered as part of our deliberations.

Sources of submissions

Individuals	148
Organisations	85
Serving/Retired Members of An Garda Síochána and spouses	38
Public Representatives	23
Academics	9
Political Parties	6
Joint Policing Committee / Local Policing Fora	5
Policing Bodies	4
Public Participation Networks	2
Other	2
TOTAL	322

In terms of the issues raised with us, a large number of submissions, particularly from the public and civic society groups, discussed the need for a visible front line police presence, enhanced engagement with local communities, and the challenges of policing changing environments. We also heard from organisations representing vulnerable groups and victims of crime about how improved and reformed inter-agency cooperation could assist those with complex policing needs navigate the criminal justice system.

Almost forty submissions were received from serving members of An Garda Síochána and their families. They provided the Commission with a rich insight into recruitment and training experiences and career expectations of those who work in the police service. We also had the opportunity to hear the perspectives of Garda personnel during our station visits, our survey of Garda personnel, and our focus group of women working in An Garda Síochána.

A number of policing bodies, political parties and non-governmental organisations sent submissions recommending reforms to the governance, oversight and accountability of an Garda Síochána, a key aspect of our terms of reference; we were also pleased to receive submissions which highlighted examples of existing good practice to be valued and improved upon.

2. PUBLIC MEETINGS

In December and January, we held nine informal public meetings around Ireland. These were open “drop-in” evenings which allowed us to talk directly with people in their own communities about their perspectives on policing in Ireland. We were pleased to talk with local neighbourhood watch groups, joint policing committee members, as well as individuals who wanted to share their perspectives of policing with us. Many attendees at these meetings took the opportunity of following up their discussions with a written submission.

We also held two formal Town Hall meetings in University College Cork and the Wood Quay venue, Dublin which were attended by community and civic society organisations, local stakeholders and elected representatives amongst others. These town hall meetings allowed us to hear practical, tangible proposals for reform from a range of perspectives, as well as hearing first-hand about local initiatives and good policing practice.

3. VISITS TO GARDA STATIONS

Between August and January, we visited 19 Garda stations in 16 counties. These visits consisted of meetings with senior station management followed by separate meetings with front line sworn and non-sworn Garda members. These meetings allowed Garda personnel to raise local issues with us including rostering, training, equipment, engagement with other state agencies, their day to day experience of policing in Ireland as well as broader issues around policing reform and their vision for the future.

4. SURVEY OF GARDA PERSONNEL

A total of 1,665 personnel of An Garda Síochána completed a short online questionnaire about policing practice and their careers. Some responses to essay-type questions are included in the text of this report, and we were pleased that a large number of Garda personnel at all ranks and grades provided their perspectives. This survey allowed us to hear from serving members about policing issues which had been raised in our public meetings, including community engagement and inter-agency cooperation, as well as issues discussed at our station visits such as access to technology, training requirements and overall perspectives of working within An Garda Síochána.

In order to explore further the experiences of female Garda personnel regarding their careers, training and development, and future prospects, we held small semi-structured focus group discussions with women working in An Garda Síochána. A request for expressions of interest in taking part in focus group discussions was posted on the Garda Portal to which 160 personnel responded; these were then grouped into three categories (Civilian; Garda rank; and Sergeant and above). Participants were then randomly selected from each category. In total 64 Garda personnel participated in the focus groups which took place in August 2018. On the day, participants were divided into the above mentioned categories and separate focus groups were held for each category facilitated by a Commission member. Discussions lasted one hour, and focused on experiences of working within An Garda Síochána as a woman and proposals for improvements to working experiences.

5. ENGAGEMENT WITH STAKEHOLDERS AND EXPERTS

During our deliberations, we engaged with a large number of stakeholders and subject matter experts from Ireland and overseas.

Organisations and individuals with whom the Commission engaged include:

An Garda Síochána (including personnel from across the ranks and grades, specialist units and services)

David Anderson QC – Independent Reviewer of Terrorism Legislation 2011 – 2017, UK

Association of Garda Chief Superintendents

Association of Garda Sergeants and Inspectors

Association of Garda Superintendents

Association of Higher Civil and Public Servants

Dr Ruth Barrington, Chair, Interagency Group for a Safer and Fairer Ireland

Rt Hon Lord Blair of Boughton QMP – Metropolitan Police Commissioner 2005 to 2008

Rebecca Boatright – Chief Legal Officer, Seattle Police Department
Lord Carlile of Berriew CBE QC – Independent Reviewer of Terrorism Legislation 2001 – 2011, UK
Centre for Effective Services
Prof Maura Conway – School of Law & Government, Dublin City University
Criminal Assets Bureau
Criminal Justice Strategic Committee
Dublin City University Access Programme
Defence Forces
Department of the Taoiseach
Department of Communications – National Cyber Security Centre
Department of Defence
Department of Foreign Affairs and Trade
Department of Justice and Equality
Department of Justice, Northern Ireland
Department of Public Expenditure and Reform
Dublin 8 Local Policing Fora Representatives
Edward M Kennedy Institute for Conflict Intervention, Maynooth University
Effectiveness and Renewal Group for the Department of Justice and Equality
Europol, European Cybercrime Centre
Fórsa
Garda Inspectorate
Garda Representative Association
Garda Síochána Ombudsman Commission
Rt Hon Dominic Grieve QC MP – Chair, Parliamentary Oversight Committee, UK
Institute of Public Administration
Irish Farmers' Association
Irish Youth Justice Service
Joint Policing Committee (Carrick on Shannon)
Alyson Kilpatrick – Barrister, Former Human Rights Advisor to the Policing Board, Northern Ireland
Jonathan Lewin – Chief, Bureau of Technical Services, Chicago Police Department
New York Police Department – Digital Innovation
Denis O'Connor – former Chief Inspector of Constabulary, London
Oireachtas Committee on Justice and Equality
Principal Officer Forum, Department of Justice and Equality
Limerick Regeneration Strategic Committee and Limerick City and County Council
Limerick City Community Groups
Sinead McSweeney – former Head of Communications at An Garda Síochána and Police Service of Northern Ireland. Currently MD Ireland and VP, Public Policy and Communications, EMEA at Twitter
Metropolitan Police Service, London, UK

Members of Dáil Éireann and Seanad Éireann and their staff
 MI5 The Security Service, UK
 Minister for Justice and Equality
 Dr Peter Neumann, Kings College London, UK
 New Zealand Police
 North East Inner City Community Policing Forum
 Northern Ireland Police Training College
 Northern Ireland Policing Board
 Oberstown Children Detention Campus
 Police Ombudsman of Northern Ireland
 Police Service of Northern Ireland
 Policing Authority
 PwC Ireland
 Public Appointments Service
 Prof Mary Rogan – Chair of the Penal Policy Review Implementation Oversight Group
 Roisin Shortall TD – Chair, All-Party Oireachtas Committee on the Future of Healthcare (Sláinte Care Implementation)
 School of Law, University of Limerick (Professor Shane Kilcommins and Dr Eimear Spain)
 Solas Project
 Transparency Ireland
 UCD Centre for Cybersecurity and Cybercrime Investigation

Members of the Commission also attended or took part in the following events:

McGill Summer School, Donegal (July 2017)
 National Ploughing Championships (September 2017)
 Conference of the International Association of Chiefs of Police in Philadelphia, USA (October 2017)
 Garda Analysis Service Conference, Portlaoise (December 2017)
 Irish Council for Civil Liberties event “Rights-Based Policing: how do we get there?” (January 2018)
 Joint Policing Committee meeting, Carrick on Shannon (January 2018)
 “Data and Intelligence in Security Risk Management”, Royal Irish Academy (February 2018)
 Behind the Headlines event “The Future of Policing,” Trinity College Dublin (February 2018)
 KOD Lyons seminar on the future of policing in Ireland (February 2018)
 An Garda Síochána Operation Skipjack, Shannon Airport (March 2018)
 Peace and Beyond Conference, Belfast (April 2018)
 Public Safety Summit “Leadership in turbulent times”, Harvard, Boston, USA (April 2018)
 Local Drug and Alcohol Task Force Coordinators Network Meeting (May 2018)
 Accelerate 2018 “Connecting people, technology and training in public safety.” Phoenix, Arizona, USA (June 2018)
 Annual Meeting for Chief Executives of Local Authorities and Chairpersons of JPC (July 2018)
 Hate and Hostility Research Group and Irish Council for Civil Liberties launch of “Lifecycle of a Hate Crime: Country Report for Ireland” by Dr Emily Logan (July 2018).

www.policereform.ie



An Coimisiún um Thodhchaí na Póilíneachta in Éirinn
Commission on the Future of Policing in Ireland