



COMMISSION ON THE FUTURE OF POLICING IN IRELAND

SUBMISSION BY ANA LIFFEY DRUG PROJECT

Introduction

This submission to the commission on the future of policing in Ireland is made by the Ana Liffey Drug Project. The Ana Liffey is a low threshold, harm reduction service working directly with people who use drugs in the Dublin and MidWest regions.

We have a long and successful history of working in partnership with An Garda Síochána and recognise the invaluable service provided by Gardaí to the state and the citizens of Ireland. Our vision is for a society where all people affected by problem substance use are treated with dignity and respect and have access to quality services. We believe that how society manages the intersection between law enforcement and public health is essential to achieving this vision and that An Garda Síochána have a vital role to play in this regard.

In preparing this submission, we have liaised closely with our colleagues in CityWide Crisis Drugs Campaign.

Key Issues

We see the core issue for the future of policing as being the balance between policing *for* communities and policing *of* communities, the former being infinitely preferable. The Gardaí are a vital public service, and a necessary part of thriving and safe communities. In our view, the future of policing is about further embedding this culture, ensuring that policing actions

are led by a focus on what will be the most beneficial use of resources for the communities they serve. This already happens in many ways – small area policing, community gardaí, and so on. We give the following as examples of some of the issues which will be important from our perspective in the future.

[Issue 1 - Dealing with drugs as a health issue rather than a criminal justice issue.](#)

The Programme for Government states a commitment to a health led approach to the drugs issue rather than a criminal justice approach and this key policy principle is reflected in the new National Drugs Strategy Reducing Harm, Supporting Recovery 2017-2025 ('the NDS'). In the foreword, Taoiseach Leo Varadkar states *"Treating substance abuse and drug addiction as a public health issue, rather than a criminal justice issue, helps individuals, helps families and helps communities."* As a country, this is a clear policy shift towards decriminalising people who use drugs.

Under action 31.3.5 of the NDS a working group has been set to look at alternative approaches to possession. ALDP strongly advocates for the decriminalisation of possession for personal use, but in any event, current policy mandates a focus on the health of people who use drugs over potential criminal justice responses arising from their personal drug use.

Recommendation

1. In so far as they are considered in this context, prosecutions/detections for simple possession under section 3 should not be part of any measure of success for policing outcomes. Care should be taken to ensure that any shift in this regard does not result in a situation where people who would previously have been dealt with under section 3 are now considered for prosecution under section 15.
2. Senior management of An Garda Síochána should consult with members regarding the decriminalisation of people who use drugs and in particular to help bring forward their own experience of policing the drugs issue.

Issue 2 – Addressing drug-related intimidation, and consider drug market interventions in this context.

Drug-related intimidation is a major issue in communities that are most affected by the drug problem. We work closely with CityWide, National Family Support Network and An Garda Síochána and recognise and commend the work done by them and others in this area. As noted in recent research by [CityWide and the Health Research Board](#) over 80% of people experiencing intimidation did not report it to Gardaí because of fear of reprisals if they did so. This is indicative of a significant challenge – despite good work, notably by An Garda Síochána and the National Family Support Network through the drug related intimidation reporting programme, in attempting to address this issue, there are still significant barriers to reporting.

Recommendations

1. It is essential that every effort is made by all relevant stakeholders, including AGS, local authorities, the Garda Inspectorate, the Policing Authority and public representatives to consider how the hidden reality of drug-related intimidation can be better recorded in the future so that policy responses are properly informed. Intimidation has a disproportionate impact on those communities in which drug markets tend to emerge and it is this local experience that needs to be brought out into the open.
2. The hidden nature and extent of intimidation needs to be considered in designing policy responses. For example:
 - a. Community police who are working in the most affected areas should be supported by training to help them to build a picture of how this low-level intimidation is manifest in their local area and what kind of innovative interventions could help to address it.
 - b. [Connolly and others](#) have reported that interventions into drug markets can have unintended consequences; strong consideration should be given to such consequences when planning policy responses. There is little point, for example, in instituting a crackdown on street-level drug activity if the consequence of that action is to increase drug related debt and, in turn, drug related intimidation, meaning that the intervention is ultimately damaging to

the community. Particular considerations in this regard noted by Connolly et al include:

- i. Responses need to be premised on a pragmatic use and co-ordination of existing resources and the targeting of those resources at the most harmful aspects of drug markets,
- ii. Not all drug markets are equally harmful. For example, some are more violent than others, some involve very young people and open markets cause more disruption to communities than closed ones,
- iii. Law-enforcement interventions that focus on the particular harms associated with an individual market have the potential to have an impact on those harms and they may also lead to a more effective and economically viable use of public resources,
- iv. Approaches that seek to divert problematic drug users into treatment, that prioritise local community perspectives, and those that occur in collaboration with community-based structures and all relevant agencies, are more likely to be sustainable over time and to win public support.

[Issue 3 – Across all areas, continue to work with and for communities](#)

As a service delivery organisation, our experience of working with An Garda Síochána is very good. We have worked together on a number of initiatives, particularly in Dublin’s inner city area. In our view, these interventions have had a positive impact on people’s lives, including work on the [Assertive Case Management Team](#) (ACMT). The independent evaluation of the ACMT pilot noted that:

“There was a very strong consensus that the interagency partnership in this pilot project is working exceptionally well and has succeeded in establishing a very high level of trust, teamwork, and good communication between outreach workers, Garda and other statutory and NGO agencies involved”

These types of partnerships are critical for trust and cohesion, and are valid across all community areas, not just the areas in which we work. They should be supported and celebrated where effective.

Recommendations

1. The Actions in 4.1.40 – 4.1.42 of the NDS are welcome in relation to this point.
2. 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. Such supports could focus both on awareness of the issues faced by the community and its members in general, and also on ways in which law enforcement can help to address those issues in constructive ways that are informed by the best available evidence.
3. Finally, An Garda Síochána already works closely with many community groups. Care should be taken to celebrate examples of An Garda Síochána's positive work in, and impact on communities, in partnership with other agencies, particularly where such examples are actions which are grounded in research evidence and indicative of good practice in the area.