

Hi,

I would like to make the following submission to your Commission on the Future of Policing in Ireland. Some of the issues overlap, or may be under the wrong heading, as the Terms of Reference are not very well set out.

### **Structures and Management Arrangements:**

1. The primary issue that needs to be addressed is the separation of Policing and Investigation. Every other jurisdiction I am aware of has separated these functions. It is unrealistic to expect the average Guard on the Regular Unit to be able to patrol, perform custody duties, and investigate serious crime to the highest standard in law, beyond all reasonable doubt, and to do this to such a high standard as to be able to convict people of said crimes in a criminal court. We ask too much of them. This has been a theme of the Morris Tribunal, the O'Higgins Inquiry etc.
2. By separating these functions, the investigative ability of AGS would be increased, as members would be specifically trained, specialised and experienced in dealing with specific areas of crime. Crime statistics would become more reliable as the Patrol Garda would be merely recording the crime, and sending it on to detective units to investigate. Response times would also improve, and work loads for frontline Gardaí would be reduced and shared more equally. Visibility in the community would also be increased, as patrol could just patrol, as opposed to being required to conduct investigations when supposedly on patrol.
3. The other primary issue that needs to be addressed is an Optimum Numbers Survey needs to be conducted. Nobody has any idea how many Guards are needed to police the country, because nobody has ever asked. Again, we are asking too much of our frontline members. Since the recruitment ban, transfers have been facilitated on a '1 in, 1 out' basis, completing distorting the strengths of different Districts, most which never had nearly enough Guards to begin with. Modern Ireland is a lot different now than when Garda resources were originally assigned.
4. Once we decide how many members are need to police each District, Back Office Fulfillment needs to be put in place. As is often the case, frontline Gardaí are never replaced for long term absences, yet civilian and office staff are replaced, generally by frontline members, for long term absences. Again putting great pressure on frontline members, and seriously hampering service delivery.
5. A very simple and very effective reform would be to remove the rule barring members from serving within 50 kilometres (80 kms for members under 5 years service) from their home district. Years ago, this rule appeared to work, as members usually settled in their new District, married a local, and raised a family, becoming part of the community. These days, members do not do this, they commute, and are not as involved in the communities they work in, as in previous years. This is to the detriment of community based policing. I can give many anecdotal evidence of off duty members, who are based in a different division, being rang by locals because the locals know they are a guard, and the locals do not know any of their local guards.
6. I personally would not like to serve in my local sub district, but many members would, and I think they should be allowed if they want to. There could even be a financial incentive to encourage members to live where they work. I think the idea of having Community Gardaí only came about when members stopped living in the Districts where they served.

7. A unitary structure is the best system, for Irish Policing. In fact, many EU countries are currently re-uniting their police forces, e.g Scotland. There is a lot of scope for increased specialisation with AGS though.
8. A senior Garda rank should be introduced as an official recognition of the senior and experienced members that regularly perform many duties and responsibilities outside of their rank. It should then be from this rank that members are promoted, appointed as detectives, employed as tutor Gardaí etc.

#### Appropriate Leadership and Management:

1. Politics needs to be completely separated from Police Management. While the Policing Authority is a step in the right direction, more needs to be done.
2. Senior management should apply for specific roles for fixed terms, i.e. when a vacancy comes up, for instance Divisional Traffic Inspector, an Inspector is chosen from the Division, and that person might have no experience or knowledge of Traffic Policing. That position should be advertised for current Inspectors, and qualified Sergeants for that role, and for a fixed term e.g. 5 years. The only way out of that position during the fixed term should be promotion, or a return to their previous role.
3. Similarly, Superintendents and Chief Superintendents are promoted, and then they fill the vacancies from the panel. This causes the 'floating officer' that bounces around Divisions until he gets back close to home. This was a criticism of the Morris Tribunal. I would propose that when a vacancy arises e.g. Supt in Store Street, that the position is advertised directly for current Supt's and Inspectors, and again for a fixed term. It would provide much more stability, consistency and you would then have officers being in positions they specifically wanted.
4. The current Promotion system of Competency Based Interviews needs to be overhauled. Anecdotal evidence would suggest it does not work. The current system now dictates that you need to 'sell yourself' to an Interview Board to get promoted. A side industry has now developed in Exam, Interview and Form preparation. AGS should be in a position to identify talent and promote accordingly, not having members learning techniques to convince an Interview Board to promote them.
5. The Transfer System also needs to be overhauled, to make it transparent and fair.

#### Adequate Management and Supervisory Systems:

1. The work loads of individual Gardaí need to be managed. As stated in #2 of Structures and Management Arrangements, the current system has no system in place to manage workloads. If you are the first member on scene, you are the investigating member. If a crime is reported to you in the Station, you are the investigating member. With the amount of members performing no frontline duties, the actual amount of members taking on investigations is quite a small pool of members. It was an area highlighted by the Garda Inspectorate.
2. We need proper IT systems, that are linked and mobile. ANPR is always being touted in the media. All the current ANPR systems have not been upgraded in over 10 years, and are running Windows XP, which Microsoft stopped supporting years ago. No Speed Guns have been bought in over 10 years either.

3. Vehicles need to be purchased for specific roles. A suitable car for general patrol is not the same car that is suitable to motorway traffic patrols, or detective enquiries etc.

### **Recruitment and Training:**

1. There needs to be an exit strategy developed for members to exit earlier, or to transfer laterally to the Public Service. Too many members are working solely at administrative duties, or are no longer able to perform police functions to an appropriate standard.
2. Members should be trained before they take up a new role, i.e. before they are promoted or appointed to a specialised role. For example, in Police Scotland, if you are transferred to Traffic Policing, you spend the next 2 years being trained in car driving, motorcycle driving, drink driving, tachograph regulations etc, before you are formally appointed. Many members have been on Traffic units for more than 5 years without even basic driving training.
3. CPD training needs to be done before legislation is introduced. For example, Preliminary Drug Testing has been in for over 6 months now, yet there's no legislation on the Garda Portal for reference, and there are no pre-worded charge sheets on Pulse yet. It is actually staggering!
4. Members should be allocated regular time for physical training, and should be subject to annual physical testing.

### **Culture:**

1. One of the reasons for our closed nature is due to having fought a war with subversives for 40 something years, after AGS being founded during a Civil War. I know a senior member who refuses to tell callers to the station when a member is due in next for work, as he won't disclose their possible movements to anybody he doesn't know personally. We are caught between being a modern day Police Service, and a Police Force that fought with one of the most sophisticated and successful terrorist organisations for the last 50 years. We need to decide if we are a Service or a Force.
2. We need to stop overworking frontline members, and resource AGS sufficiently to allow them the time to go out and police their areas properly, as opposed to the ambulance service that has been provided in the last 10 years.
3. Management and Police Review groups need to listen to the frontline members. Go through all the motions from GRA conferences, and you will find what you need to help improve AGS.
4. There are far many more positives than negatives about Garda culture. The can-do attitude of members has kept the show on the road since time immemorial. The constant respect and support from the general public is incredible and humbling.

### **Accountability to Law:**

1. Members should be afforded the same equal rights that all the other citizens of this country are entitled to, the rights that members of AGS are charged to defend and protect. This means the right to withdraw their labour and the right to be victims of

crime when assaulted, to legal protection when working, health and safety legislation etc.

2. Members of Garda rank are already very accountable. They are accountable to the public they serve, to their colleagues, to the Courts, Garda Management, Garda Siochana Act, GSOC, and Section 39 of the Garda Siochana Act - the Duty of Members to Account. I don't know how you can make them any more accountable.
3. Garda Management could be more accountable. They continually fail to provide the members of AGS with the tools and resources to do their job, yet there is never anyone held to account over it.

That's my submission. If we are going to have any real and effective reform, it is going to be very expensive, and will need to be long term focused, not just for the next election cycle. The public should be told this.

Good luck with the review,

████████████████████  
████████████████