

Submission to:

Commission on the Future of Policing in Ireland

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Title of submission: Four disabling assumptions about the Garda Síochána.

There are a number of assumptions that hinder reform within An Garda Síochána. The recent history of the Garda Síochána suggests that if the organisation is left to find its own way in a changing environment that it flounders and regresses. The remedy is to be found in breaking down four assumptions. The Garda Síochána if it is to raise its level of professionalism will either have to upskill existing personnel or buy in appropriately skilled personnel; it must accept that the makeup of its personnel and the demands made of them are wide ranging and diverse and it must accept the persistent delegation of functions runs the risk of being labelled the abdication of responsibility. The organisation must properly define the role and responsibility of each rank and grade and moreover put in place a framework for the periodic assessment of each rank and grade as to suitability for their respective rank or grade.

### **Assumption of a homogenous organisation.**

The Garda Síochána is a diverse organisation. Diverse from the perspective of (a) the skill base, enthusiasm and conscientiousness of the individual personnel across all grades and ranks; (b) the geographically influenced fluctuating demands made on Garda services and (c) the limiting and constricting nature of role or sectional allocation (an analogy might be useful, that is, the role of the uniformed coalface operator is akin to that of an accident and emergency unit in a hospital whereas the specialist personnel (anything other than the uniform wearing coalface operator) is more akin to the role of a consultant who most frequently operates under controlled conditions far from the hue, cry and tumult of the coalface.

The essence is that a one size fits all solution is not going to be effective. The assumption that all personnel who receive initial training absorb that training equally or that a minimum level of competence attained in a certification process at that initial stage is sufficient to sustain those personnel through their service is fanciful. There must be provision made to constantly (or even periodically) update and assess both the theoretical competence and operational/practical implementation of competence across all ranks and grades. This will require competent assessors in the field and at academic level. In addition, it will require a policy driven re-training programme for all those failing to meet the accepted standard. Those failing to attain a prescribed standard (as high as is reasonably possible) must face stark consequences for such failure. I would suggest 3 strikes and you are out.

The preponderance of the population in the Republic of Ireland is based in the Dublin and Eastern part of the country. Is the preponderance of Garda personnel based in the aforementioned area? Whether that is the case or not is not really the issue. The issue is that the vast majority of those at Garda rank (the uniform wearing coalface operator) are wedded to what was referred to as the 3 relief system now the 3 2 relief system. This means that a 24-hour service is maintained regardless of the demands made on the Garda service across the 24-hour spectrum. The effect is that 40% of uniform wearing front line personnel are resting (off duty) at any one time. Under the previous system (3 relief) only 25% were resting at any one time. The provision of a 24-hour full service is not feasible or practical if one seeks a proactive as well as reactive police service. The period midnight to 07:00 hrs should entail only a purely reactive service in areas of low demand. A number of hub Garda stations operating on a 24-hour basis ought to be selected (e.g. 17 for the area of the country outside the Dublin Metropolitan Region (i.e. towns in excess 15,000 population) and 3 hub stations in the DMR (north, central & south) operating on a 24-hour basis). The reactive policing of the areas not within the compass of the 20 hub stations ought the subject of strategic patrolling by either the Regional Support Unit or an equivalent unit. Each town or village with a population in excess of 1,000 ought to have a Garda of assigned to that town or village. The Garda would have designated responsibilities mainly encompassing community engagement. The nominated hub stations ought to

be under the command of a person of at least the rank of Inspector on a 24-hour basis. This will allow for decision making at a more appropriate level than is presently the case where after 17:00 hrs the decision making may fall to a member of Garda rank or at best to a person at Sergeant rank. This hardly represents an organisation taking full responsibility for its decision making.

The large bulk of Garda personnel operate as front line uniform wearing personnel. This is a limiting factor for supervisory and management rank because this cohort is first of all split 5 ways (5 units A,B,C,D &E) and minimum number of this cohort must be designated to fixed duties on a daily basis. Ordinarily that would include depending on the station: 2 for indoor duty (public office and Communications Room); 2 for car patrol. When authorised absence (annual leave, courses) and other absence (illness) is taken into account a high percentage of the available personnel on any one day is spoken for and unavailable for allocation to ongoing investigations/enquiries. The nub is that under the current system the vast amount of front line uniform personnel have designated functions and operational flexibility is thus reduced. The specialist units vary as to the demands made of their respective services but suffice to say there is less rigidity surrounding their allocation to ongoing tasks.

#### **Assumption that rank equals competence.**

The very fact that there is no ongoing/periodic assessment of competence or a framework for retraining across all ranks and grades is sufficient to suggest a certain complacency as to fitness for purpose of personnel within the organisation. Of course I would be arguing against myself to suggest that all personnel require a comparable level of competence to survive the daily rigors of working within the Garda Síochána. This is because of the diverse nature of the demands and the complexity of such demands made on the Garda service across a geographical spectrum. Nonetheless universality of competence particular to all grades and ranks is a highly desirable goal and essential for accountability and standard setting. Of course in some instances rank does equal competence by whatever objective metric is available. The more pertinent question is whether it can be ascertained what if any added value each rank brings to the decision making process and whether strategic competence escalates with an advance in rank. The fact that the Garda Síochána as an organisation seems to arrive late to the game be it management of penalty points, internal HR issues (rostering, whistle-blowers etc) or even the push for modernisation would indicate that the organisation lacks strategic impetus. The response to the issues alluded to were initiated by outside intervention be it the Garda Inspectorate or other agency. This points to a lack of competence within the present structures of the Garda Síochána identify to need to modify work practices, policy and procedures, to initiate necessary change or modification or to deliver that change in a timely and structured manner across the organisation.

#### **Assumption of professionalism.**

A professional organisation is one that anticipates changing circumstances and evolves its policies and procedures to meet those changing circumstances head on. Rather I would suggest that the Garda Síochána as an organisation reacts to change often at the prompting of an outside agency. An example is the concept of modernisation of the policing service in Ireland notwithstanding that the Garda Inspectorate has an explicit role in police governance. Why did it take such a body to prompt the Garda Síochána to accept that change was required. Surely a strategically focused organisation would have devised a modernisation programme from within if for no other reason but that existing management structures, policy and procedures were proving inflexible and inefficient for both internal and external relationships. What was more disquieting was the belligerence shown to the Garda Inspectorate recommendations for modernisation. While I would not expect the Garda

Síochána to accept any recommended changes in an uncritical manner. The least that could be expected, given the inability to initiate modernisation from within, was that Garda Inspectorate recommendations could have been used as a template with necessary modifications to commence the modernisation programme. No that was not good enough. The Garda Síochána had to hatch its own modernisation plan at the cost of further delay. If that was not bad enough the Garda modernisation plan neglected some of the most innovative changes suggested by the Garda Inspectorate. One such change involved the role of the District Officer. At present most Garda Divisions consist of 4 Districts each under the stewardship of a District Officer. The District Officer enjoys much autonomy nearly to the point of veto in some aspects but that is not the issue here. The issue is that each District Office replicates the functions of each other District Office within the Division. The Garda Inspectorate's recommendation was that each District Officer should have a particular function be that responsibility for HR issues, accounting and finance, strategic and event planning, community policing or crime investigation and court Proceedings. This would allow for specific competence in vital organisational functions at Divisional level which with adequate training could enhance professionalism, accountability and optimise resource competence and allocation. The present model is deficient and a throwback to past times. If anything the hierarchy ought to be flattened (at least at operational level) to provide less strands of bureaucracy. Such innovation may have been resisted because of the lack of competence within the Garda Síochána to perform such roles. The consequence of such deficiency may be allocation of non Garda personnel to some of the roles. This ought not to hinder the implementation of such change to the management structures. Maybe such functions should be performed on a regional basis as the proposed Divisional model may lack critical mass.

### **Assumption of responsibility.**

The upper reaches of the Garda hierarchy finish duty at 17:00 hrs and recommence duty at 09:00 hrs each day Monday to Friday. Some may quibble that they work hours beyond this norm but those are the hours during which they are compelled to attend, a 40-hour week. Life and the demands made on the Garda Síochána go on around the clock, with peaks and troughs, a total of 168 hours each week. The upper reaches of the organisational hierarchy from Superintendent upward are obliged to turn in and lead for 24% of the total demand time. This is a privilege of rank with which I will not quibble. The question is who is responsible, (notwithstanding modern communications) not for strategic input but, for operational decision making the other 76% of the time. The Garda member on the frontline or coalface is faced with making the initial decision. Such decisions may not have the kudos afforded to the strategic decision makers but are nonetheless critical to the reputational standing of the organisation and may be even life changing for any citizen the subject of such decision. The initial decision once made cannot be unmade. If it is satisfactory that the responsibility for critical decisions is akin to a lottery dependent of which of the diverse range of rank or grade one happen to encounter then the present system is fit for purpose. It ought not to be a lottery. Each grade and rank employed or not employed (Garda reserve) in the Garda Síochána ought to be subject to continuous training and assessment as to fitness for purpose. I will make one last point in respect of accountability. The recording of demands made on the Garda Síochána ought to be conducted and recorded by an agency independent of the Garda Síochána. Each demand for service ought to be routed through such a call taking agency, the Garda Information Service Centre (GISC) could be modified and expanded to fulfil the role. The agency would log the demand, allocate an identification number, classify the demand (i.e Garda intervention required; non Garda matter), determine its priority, assign the demand to a specific Garda Unit and record the initial result. This

would allow for the calculation of the precise number and nature of demands made on the Garda Service and permit evaluation and modification of the existing system to cope with such demands.

There is another element to responsibility that is the capacity of the Garda Síochána to legitimately divest itself of responsibility that ought to lie with other agencies. The Garda Síochána interacts with many agencies. When this interaction involves the deployment of Garda resources to carry out functions for other autonomous agencies then the matter of remuneration comes into question. If such functions are to be conducted without formal remuneration then the drain on Garda resources ought to be compensated by engaging/employing additional personnel to the Garda Síochána to take account of this additional unremunerated drain on Garda resources. All such functions ought to be subject agreed protocols and service level agreements. If the other agency ought to perform the function itself then a mechanism ought to be put in place to advise why the function will not be performed by the Garda Síochána (unless remunerated). The Garda Síochána perform functions for the Road Safety Authority, the Coroners Service and the Courts Service to mention but a few. If such functions are to continue they ought to be put on a legislative footing and Garda numbers increased to take account of functions performed for other agencies. None of the agencies mentioned can be called upon to supplement Garda numbers. I suggest that the deployment of the Garda Síochána in photocopying files for transmission to the State Solicitor, service of summons (either Garda generated or other agency generated), providing personnel as security guards at Courthouses, transporting prisoner to prisoner on remand, seizing driving licences for the Road Safety Authority are represent hidden and unrepresentable costs to the Garda Síochána. The acquiescence of the Garda Síochána in such matter without adequate recompense ought to be discontinued.

In summary it is essential to the reform of the Garda Síochána that all erroneous assumptions are dispelled. The role and function of each rank and grade must be defined not with a view to inflexibility but to ensure that responsibility is taken at appropriate levels and that any attempt to deflect or abdicate responsibility is censured. There can no longer be an assumption of competence. Even if the Policing Authority impacts positively on the selection process the need for periodic assessment of competence and capacity at each grade and rank is an essential element in any accountability process.