



**Cllr. Roderic
O'GORMAN**
Dublin West

Ms. Kathleen O'Toole,
Chairperson,
Commission on the Future of Policing in Ireland.
31/01/18

RE: Green Party/Comhaontas Glas submission to the Commission on the Future of Policing in Ireland

Dear Ms. O'Toole,

Please find below the submission from the Green Party in response to the call from the Commission on the Future of Policing in Ireland. This submission deals with a number of issues that have been highlighted within the Green Party as needing immediate consideration – it does not purport to be a full list of all potential reforms needed by An Garda Síochána. We have attempted to broadly highlight the issues and propose potential means of resolving these in each case.

We look forward to any further opportunities to engage with this process, prior to the final completion of the report

Yours sincerely,

Cllr Roderic O'Gorman,
Green Party Spokesperson on Justice

☎ 087 417 9777

✉ rodericogorman@gmail.com

🏠 27 Millstead, Mill Road, Blanchardstown Village, Dublin 15

🐦 @rodericogorman

💻 www.rodericogorman.com

**green
party**
comhaontas glas 

Introduction

In making these recommendations for reform within An Garda Síochána, we believe that the following objectives need to be achieved:

- Restore confidence in An Garda Síochána, in the figures they supply to the public and their accountability at both a national and local level.
- Ensure that An Garda Síochána nurtures a culture of respect for human rights, equality and the rule of law amongst all its members.
- Recognise the difficulty and importance of the job that members of An Garda Síochána do, and to provide them with the necessary training, equipment and technology to do this.
- Build relationships between individual Gardai and the immediate community that they police and permit greater scrutiny of their performance at local level
- Provide An Garda Síochána with the capacity to address complex national and international criminal activity.

Open Data

Both the breath testing scandal and the delay by the Central Statistics Office in releasing the national homicide figures raise questions about the reliability the method in which An Garda Síochána produces statistics. This potentially undermines public confidence in the force, and inhibits meaningful analysis being undertaken on their success in achieving goals. It also undermines accountability, both nationally in the Oireachtas and local before JPCs.

Since 2009, police forces in England and Wales began to make crime maps and information openly accessible to the public. In 2011, the Police.UK website was launched, and became extremely popular with heavy site traffic. This allows for street level information on both crimes and subsequent action taken to be provided.

The Green Party recommends that An Garda Síochána should move to an open data model, where records of criminal acts and subsequent follow-up would be made publicly available online for anyone to use. The Data.Police.UK site could form a model for this. Such data would be available for local areas, rather than just at a district level.

Local Accountability for Policing Delivered

If we recognise the importance of the Gardai providing a policing service to their local community, then there must be a mechanism whereby that local community can raise questions about the effectiveness of that policing service. Since the establishment of Joint Policing Committees (JPCs) under the Garda Síochána Act 2005, local authorities have been given a small role in providing a forum whereby local statistics (provided by An Garda Síochána) can be interrogated. They are comprised of councillors appointed by the local authority, some local Oireachtas members,

community representatives, senior officers of An Garda Síochána and invited representatives from other stakeholders such as local drugs task forces.

The Green Party believes that JPCs and local authorities can make an important contribution to creating greater local accountability of An Garda Síochána regarding both monitoring its effectiveness and guiding the establishment of policing priorities within local authority areas. In order to achieve this, *the Green Party recommends a number of changes to the operation of JPCs.*

- *Oversight of local policing activity should be clearly listed as a reserved function of local authorities*
- *Operations of JPCs should be standardised across all local authorities.*
- *Meetings should be treated on par with meetings of the county council: broadcast live online, full minutes of meetings should be accessible to the public online within a reasonable time period and the public should be entitled to attend.*
- *Meetings should be held at least every second month*
- *Members of JPCs should receive training to allow them undertake their role more effectively*
- *Statistical data needs to be provided to members of a JPC independently of the local Garda stations*
- *Where the JPC identifies issues, there should be a clear mechanism whereby the Gardai at local level set out their response and what way they plan to address the issue. If the issue cannot be addressed at local level, there needs to be a clear method of escalating the concern to higher levels within Garda Síochána, and there should be obligations to provide responses to these escalations.*

The local area at which scrutiny is most effective can be difficult to establish, as it is seldom that the boundaries of local authorities and Garda divisions align. Dublin City Council has a city-wide JPC, but also uses area sub-committees where all local councillors can interrogate the statistics for that particular area. While creating another layer of meetings, this does allow for scrutiny at the lowest level of local government.

The Green Party recommends that local subcommittees of JPCs should be used in councils with large populations for the discussion of statistics local to that area. This will allow the primary JPC for the council to address more strategic matters. There should also be a nominated liaison member of An Garda Síochána and each JPC committee, so members can follow up queries. This liaison Garda would facilitate a regular flow of information for members of the JPC between meetings, so that members of the JPC are being kept informed about local developments at all times, and not solely at meetings.

Cost Recovery

While it is appropriate for An Garda Síochána to supply some policing support for non-public duty events such as sporting, musical or other large events, it is known that the redeployment of manpower for such events can significantly impact on normal policing duties.

The Green Party looks forward to the review of the charging criteria and the production of a draft policy on this issues, which the Minister for Justice stated should be completed in the first quarter 2018.

The Green Party recommends that the practice whereby no charge is imposed on private operators when members of the Garda Reserve are deployed should be reconsidered, as they too could be deployed on other, public duties.

Equipment & Information Technology

The Garda Inspectorate Report (2015) outlined the “... challenges faced by the Garda Síochána in developing and fully utilising technology to deliver a modern police service”. As part of the response to this, the Garda Modernisation and Renewal Programme 2016-21 (MRP) set out a range of technological advances that have to be made to enhance An Garda Síochána’s ability to fight crime. The Government’s Capital Plan commits to the investment of €205 million in Garda ICT infrastructure between 2016 and 2021. Despite the significant level of ring fenced capital funds, the 4th Report on the implementation of the MRP by the Policing Authority noted “ a number of significant underlying barriers has inhibited the prioritisation and pace of Modernisation and Renewal Programme ICT projects”.

The Green Party recommends that extra priority must be given to the implementation of those elements of the MRP regarding introducing new information technology systems. This may require a more regular review of progress than the current quarterly reporting system.

The Green Party recommends that the new Capital Investment Programme would provide similar levels of capital investment so An Garda Síochána can continue to modernise its IT capabilities.

Use of Smartphones & Tablets

One area where the ICT deficiencies of An Garda Síochána are particularly acute is in the failure to officially adopt the use of smartphones and tablets. In New Zealand, the use of 7,000 smart phones and 4,100 tablets with the police force is credited with allowing officers spend less time behind the desk and created productivity gains which are estimated at 30 minutes per officer per shift, totally at more than half a million hours a year.

Body Camera's

Internationally, there is a growing trend that on duty police officers wear body cameras. The Met Police in London are currently rolling out 22,000 cameras for police officers. Benefits include people more likely to plead guilty to crimes that they have committed. Research indicates that complaints regarding police officers have decreased by up to 93% following implementation of body cameras, suggesting that they have a behavioural effect on police attitudes and behaviour (Criminal Justice & Behaviour, 2016).

The Green Party recommends rolling out body cameras for on-duty members of An Garda Síochána, subject to the retained footage being appropriately stored and deleted after a period of time.

Crime Reporting

The Crime Reporting Line (CRL) was introduced in New Zealand to improve the reporting of non-immediate criminal acts. Prior to its introduction, members of the public primarily had to go to a police station to report a historical crime (e.g. a burglary discovered upon return from a holiday). The CRL provides a professional victim-focused service to the public who want to report historical volume crime by phone. Nationwide, victims of historical crimes can provide full details by phone, rather than having to visit a police station in person. New Zealand has an office dedicated full time to the CRL. Victims can also send supporting evidence (photographs, documents) to the CRL via a web portal. CRL staff provide the victim with a Complaint Acknowledgement Form and Victim Support Referral where appropriate.

The Green Party recommends the creation of a telephone/online service whereby historical or non-immediate criminal acts can be reported by members of the public.

An Garda Síochána Website

The An Garda Síochána website should be updated and brought into the modern sphere. The website is still out of date, confusing, cluttered and inconvenient to navigate. While nationally, An Garda Síochána make good use of Facebook and Twitter as mediums of engagement, the website is still a vital go-to area; it needs to be clearer and more accessible.

The Green Party recommends a complete redesign of the An Garda Síochána website is undertaken, with a focus on improving its provision of information and by integrating a mechanism whereby the public can report non-immediate crimes online.

The Green Party recommends that divisions or stations should start to use social media to engage with their local community and provide information.

Community Policing

Community Policing, whereby individual Gardai have responsibility for a specific geographical area and are provided with the time and resources to undertake high visibility foot of bike based patrols, needs to be a core focus of An Garda Síochána responsibility. Too often, Community Gardai get removed from their duty in response to non-critical incidents such as event policing, etc.

The Small Area Policing model undertaken in Dublin's North Inner City offers an example of a concerted effort to prioritise the use of Garda hours for Community Policing purposes. The scheme is regarded by the local Gardai as having proved successful in reducing medium to low level criminal activity in the area for a period of time.

The Modernisation and Renewal Programme proposes the creation of Community Policing Teams, which are now being piloted in locations around the country. Experience from the use of Neighbourhood Policing Teams (NPTs) show that the investment in a more structured and team-based approach to Community Policing has been successful.

The Green Party recommends the rapid rollout of Community Policing Teams across the country.

The Green Party recommends that Community Policing Officers should only be withdrawn from their roles in particularly urgent situations. Policing of large sporting or musical events should not warrant their withdrawal.

Implementation of this Report and Previous Reports

An Garda Síochána will face a huge task in implementing whatever recommendations this Commission brings forward. This is at a time when they are already clearly struggling to implement the recommendations of the Modernisation and Renewal, particularly as revealed in the quarterly reports from the Policing Authority in the area of the new ICT programme. These factors raise questions about the capacity of An Garda Síochána to both undertake the huge changes necessary while at the same time, provide the normal policing service for the country. While the Policing Authority has oversight on progress, it does not and cannot have a hands-on role in operational matters.

One of the recommendations of the Patton Commission was the creation of a time limited position of 'oversight commissioner' who would have responsibility for supervising the implementation of recommendations.

The Green Party recommends that an Oversight Commissioner should be appointed for a period to work with An Garda Síochána to ensure that the recommendations of the Commission for the Future of Policing are fully implemented

Improving Child Protection Practice

Joint interviewing of victims

Proper protocols and arrangements must be put in place for joint interviewing of victims of child sexual abuse by Gardaí and social workers. In the past social workers have been trained in the required forensic interviewing that would enable the interview to stand up in court, however this resource has not been used by An Garda Síochána in any meaningful way. The Child Care Law Reporting Project has identified numerous examples of poor co-ordination between Gardaí and Social workers in this area and has shown that it leads to poorer case outcomes for the abused children.

The Green Party recommends that Gardaí and social workers must begin joint interviewing in a meaningful way with clearly established protocols.

Enhanced Interagency Communication at all Levels

Poor interagency communication is highlighted in many reports in relation to failures of the child protection system. The Child Care Law Reporting Project also details many cases and shows the difficulties such lack of communication leads to in court and the problems for the young persons who have been the victim. Currently notifications of child abuse between An Garda Síochána and social work departments are delivered in a slow and bureaucratic way with senior management on both sides requiring notifications to move upwards internally before being transmitted across, leading to delays and poor communication.

The Green Party recommends that, communications at all levels between An Garda Síochána and social workers in the context of child protection should be reviewed with a focus on promoting interagency communication and allowing more effective activity at front line level.

Co-location with social workers in District Protection Units

The two issues outlined above and other issues of poor communication could be resolved by the co-location of social worker and Gardai, along with other professionals. The Minister for Children has spoken of her desire to set up a “one stop shop” service in relation to child protection, with the co-location of social workers and Gardai. Internationally this kind of service has a variety of names, such as Branahus in Nordic countries, or Child Advocacy Centre in America, and have been shown to provide a better service and support better working. The development of such centres was also one of the recommendations of Geffory Shannon in his recent report on use of Section 12 of the Child Care Act, 1991.

The move by An Garda Síochána to develop District Protection Units is welcome and such units would provide the perfect place to locate social workers in order to create a similar service in Ireland. Replies to parliamentary questions appear to indicate that these will remain An Garda Síochána units only. The Gardai should be proactive and draft a clear plan to engage with Tusla and to include social workers and allied professionals in the district protection units.

The Green Party recommends the co-location of social workers, Gardai and other relevant professionals related to child protection in District Protection Units

The Green Party recommends that An Garda Síochána takes proactive steps, approaching the DCYA and Tusla before the units are rolled out so this colocation can be included from the beginning.