

## **Commission on the Future of Policing**

This is a submission related to the terms of reference of the Commission on the Future of Policing in Ireland.

### **Structure & Management Arrangements**

Currently An Garda Síochána (AGS) operates under a unitary model that includes State Security and Immigration. Some police services have moved towards a greater focus on their core policing functions and this certainly should, and undoubtedly will be, considered by the Commission. The Commission could give consideration to some of the following issues:

- Immigration functions should be removed from AGS and a new or existing agency given responsibility for this area. This should include all investigative functions associated with Immigration.
- The terrorism threat (including Cyber-terrorism) that is now evident is likely to continue into the future. The unitary Policing and State Security function of AGS has, in my opinion, served the country well in the past. It is a matter for the Commission to decide if it is best to establish a new State Security Agency, separate from AGS, to serve the country and its citizens into the future.
- The Garda Inspectorate proposed a Divisional functionality policing model to replace the current district model. The Modernisation & Renewal Programme aims to implement this model. There is, in my opinion, a need for a new approach to service delivery (there is also a pressing need to establish what the service demands are in each District/Division – including the hidden demands on members such as: file preparation; court disclosure; victim engagement; continuous & relentless data updating; needless paper exercises; dealing with issues that are the responsibility of other organisations). The organisation is mostly operating on the Unit Beat Policing (UBP) model or standard policing model of reactive response to crimes/issues after the fact. Whatever model (or combination of models) is implemented there needs to a strong proactive approach towards crime and problem solving. This will, most probably, require strategic problem solving units within Divisions or Regions – as we

know, solutions that work in one community/area may not transfer easily to another without in-depth analysis of the problem(s).

- Whatever organisational structure emerges, it should have a renewed focus on the core policing regular units. For example, these units should have the best vehicles, high quality modern uniform that instils pride, enhanced opportunities for promotion, and a career path that rewards service in uniform.
- The approach to discipline should be considered. Currently the arrangements largely place responsibility on the rank of Superintendent, usually an already overburdened District Officer. It is not appropriate, in my opinion, to ask District Officers to investigate discipline & criminal matters while also having to manage a district & policing plan. Consideration should be given to the creation of a Specialised Internal Affairs Investigative Bureau to investigate alleged discipline breaches, leading to a consistent approach across the organisation and driving up standards of behaviour towards the public.
- There should be a review of all the specialised bureaux to establish the most appropriate structure to meet the challenges of the future. In particular, there should be some evaluation in relation to the required number of personnel needed in each bureau and the skill sets required, coupled with the necessary technology to achieve the organisations goals.
- The role of District Officer needs to be reviewed urgently. It is bordering on absurd the numerous responsibilities that are placed on these office holders, particularly in busy Districts.
- Resources must be deployed in accordance with service demand.
- The current 'one-size fits all' roster may not be the most appropriate for an organisation that have various and competing demands across the country. Consideration should be given to each Division implementing its own unique roster, with the agreed of at least 70% of staff, to meet the needs and demands of the communities within each Division.
- Co-location of services is worthy of some consideration. Rather than having public offices in stations open 24-7, services could be provided by the organisation in conjunction with other agencies/services.

- Each Division should have a specific detention centre. Members in charge should be of Sergeant Rank and have specialised training in the area of the treatment of persons in custody and related legislation. To assist the member-in-charge, highly trained civilian custody assistants could be employed by the organisation. The custody record should become an electronic document.

### **Leadership & Management Capacity**

In terms of leadership and management capacity it may be worth considering some of the following matters/issues:

- Management & Leadership educational courses for members to enable them develop
- Fast-track promotion system for those identified as having management & leadership potential. This could include talent & succession management. Currently members of more senior ranks are retiring or being promoted from Districts with no replacements for considerable periods of time. This has considerable implications in terms of workload on members who are already overburdened with their own work portfolios. A very reasonable, and understandable, managerial response is to place another member in the role on a part-time basis. However, this does have longer-term implications as it has the potential to undermine the perceived fairness of any future application process.
- Police leaders should received accredited training in evidence-based policing (EBP). There is a need for resources to be deployed in the most efficient and effective way. EPB could assist leaders in deploying their resources in the public interest.
- Direct entry to leadership/managerial ranks should be considered. It may also be necessary to consider direct entry in relation to specific skills sets to support the organisations prevention and investigation functions, eg. Cyber investigation skills etc.
- In order to further expand the experience of leaders/managers secondments to the private sector or other organisations should become more frequent to build capacity. This could also be made available to supervisors.

## **Management & Supervisory Systems**

The Commission could give consideration to some of the following management & supervisory systems to support operational policing

- A system needs to be developed that can help supervisors and managers collect and use data in the organisations possession to improve effectiveness and more focused policing initiatives. For example, sexual offences where the DPP directs no prosecution; the reason for no prosecution should be recorded thus enabling some form of analysis to establish if there are common trends/patterns arising. The organisation can then consider options/ideas to address/remedy these issues/matters.
- Supervisors should have real-time access to an electronic database relating to member's skill-sets enabling supervisors to put the right people in the right place at the right time.
- Promotion processes should incentivise ethical behaviours over competencies; thereby, sending an explicit message to staff what the important organisational values and expectations are. This approach should result in the promotion of right (ethical) leaders and advocate the highest standards. In addition, the promotion process should be designed to motivate members to remain in operational front-line policing roles. Member of An Garda Síochána taking up administrative, back-office roles/functions to advance their careers should be disincentivised as a matter of urgency.

## **Composition, Recruitment & Training of Personnel**

The Commissions could give consideration to some of the following in terms of composition, recruitment & training of personnel

- Criminal Justice Agencies need to re-think the approach towards public prosecutions in order to provide a more professional, efficient and effective service to victims of

crime. Consideration needs to be given to the creation of a Public Prosecution Service for the District/Circuit Courts or an expansion of the existing State Solicitor Service eg. Assistant State Solicitors. Defendants are represented by fully qualified solicitors/barristers whereas victims are represented by members of An Garda Síochána at Sergeant/Inspector Rank. This is a disparity that should be addressed. One could imagine the outcry if there was a role reversal in this disparity. In general, members representing the State are not, in my opinion, suitably qualified to provide victims with the service they require and are entitled to, in terms of legal representation by the State. This non-core policing function also presents considerable corporate risk for An Garda Síochána. Alternatively, if the Commission decides that this non-core policing function should be retained by AGS, members assigned to this role need to be fully trained and qualified to represent the State & victims to the educational/professional standards of the legal profession.

- Specialised recruitment of those with essential skills in the field of Cyber crime & Cyber security. The rank system may present a problem here as the organisation must compete with the private sector regarding re-numeration.
- Driver training is an area that requires some innovative thinking; the current practice is not providing the organisation with the required number of suitably qualified drivers. Outsourcing needs to be considered.
- The complexity of crime investigations continues to evolve and increase. This can, depending on each particular Districts demands, require the deployment of considerable investigative resources to Investigation/Incident Rooms for multi-annual secondments, or even permanently. These members are usually unavailable for proactive investigations or operational deployment as a result. Consideration should be given, as to whether it is appropriate, to employing civilians with appropriate investigation skills to coordinate/manage major/serious reactive crime investigations eg. White collar crime investigations. Police powers are not an essential requirement to coordinate investigation/incident rooms. Such an approach may enable the redeployment of highly skilled police investigators to return to proactive 'intelligence-led' investigations into organised crime, or, address complex community problems. Another area of the complex crime investigation dilemma is the need to consider 'Hybrid' investigations teams consisting of multi-agency professionals; for example

criminal asset profilers/accountants/computer experts/telecommunication experts/social workers/dedicated family liaison officers/probation officers/counsellors etc.

- The civilianisation or outsourcing of Continuous Professional Development units in Divisions is worthy of consideration. This would allow for the redeployment of members to front-line policing functions.
- Procedural Justice training should be considered as an option to assist with embedding the Code of Ethics into front-line policing and improve the organisations legitimacy.
- Human Rights training needs to be a continuous endeavour. Also, current procedures need to be re-viewed to establish if they are Human Rights compliant. Procedures seem to focus on justifying actions rather than changing practices; in essence a bureaucratic exercise.
- As followers emulate the behaviour of their leaders it is vital that a bespoke ethical training programme is delivered to District Managers and Supervisors. Real-life policing challenges and dilemma's need to form part of this programme to enable members to understand the Code of Ethics and how they can embed it into their work activities.
- Frontline supervisors are vital in influencing behaviour. Therefore the organisation should devise and implement a continuous career leadership development programme, aimed at empowering and supporting these leaders through ethical, flexible and balanced leadership styles based on the social learning theory and value-congruence.
- There needs to be appropriate training provided to members and staff, across the board, in the area of vulnerable victims.

### **Recruitment methods in staffing**

The Commission could give consideration to some of the following in relation to recruitment methods in staffing:

- Competency based recruitment needs to be examined to establish if it is providing the organisation with the right people for the job. Recruitment may need to be more focused on the character of the applicant. The organisation can train the applicant, if successful, to be competent.

### **Professional Development for all personnel to meet challenges of modern policing**

The commission could give consideration to some of the following in relation to professional development for all personnel to meet the challenges of modern:

- Accredited Investigator development courses for those members performing investigations. Currently this only takes place for members of Inspector rank or above, in the role of Senior Investigating Officer.
- The organisation need to consider providing Inspectors and Officers, or those members of staff dealing with workplace issues, in certified Mediation training. This could help the organisation address workplace issues, early and at a local level.
- The potential for professional development of staff is limitless and needs to be embraced by the organisations leadership.

### **Culture/Ethos**

The commission could give consideration to the following in relation to Culture/Ethos:

- Negotiating Policing Plan with local communities to create realistic expectations as opposed to the current national plan approach where local plans must then fit into the various categories. No two communities are the same.
- In order to reform police culture towards an 'ethics culture' the organisation needs to embrace the factors that accommodate cultural change. This requires the communication of a rationale for ethical policing that operational-level members

accept and desire, rather than implementing rigid rules and regulations. Such an approach should enable the transfer and reinforcement of a new ethical cultural tradition through work socialisation.

### **Structures of governance, oversight & accountability**

The Commission could give consideration to the following in relation to structure of governance, oversight & accountability:

- Policing Authority promotion competitions must be more transparent, eg. Publication of lists on the Garda Portal, provision of detailed feedback that is specific thus enabling candidates to identify areas for improvement for future competitions.
- Accountability should have a focus on the ethical approach to service delivery. The achievements of some initiatives are hard to convert into numerical figures but are really beneficial to community safety. In this regard, the organisation and those other organisations it is in partnership with need to have systems in place to properly evaluate programmes both qualitatively and quantitatively.
- Policies are, by and large, burdensome. They need to be more practicable and user friendly in an operational context.
- In order to embed ethical policing any oversight system needs to drive performance based on ethical standards not numerical targets
- Unfortunately, policing is inherently political and will remain so. Given the political backdrop whatever structures of oversight and accountability emerge after this Commission, the organisations leadership need to be open and honest about issues, such as manpower, that are affecting the organisations ability to deliver its service, without fear that their careers will be damaged as a result.
- The Garda Inspectorate should have the power to oversee the implementation of their recommendations once accepted by the organisation.

### **Service Delivery Models**

The commission could give consideration to the following in relation to service delivery models:

- In my opinion, Unit Beat Policing is the prevalent Model of Policing in this jurisdiction routed firmly in reactive endeavours. This model requires that uniformed members contend with the bulk of investigations in addition to response. This enables members with an interest in investigation to develop their experience; however, dependant on each particular Districts demands, the workload can be horrendous and does result in premature 'burn-out' that persists for years and is detrimental to the organisation in the long-term.
- A variety of policing models exist and consideration should given to a blended model that includes Response policing, Intelligence-led policing (ILP), Community oriented policing (COP), Evidence-based policing (EPB) and Problem oriented policing (POP).
- If the Divisional functionality model is expanded across the organisation, Divisional Crime Management Teams must have distinct proactive and reactive capacity. In my experience, crime units spend the vast amount of their time in reactive mode. I believe the organisation can be more effective if it has a proactive capacity to target those causing the greatest harm in local communities, supported by a modern crime management system.

### **Closing Remarks**

I have no agenda, other than hope, in relation to this submission; hope that the Commissions work will led to a better tomorrow for those of us dedicated to our policing function. The ideas and suggestions outlined are exactly that: ideas and suggestions.

For me, it is time for the public, through the Commission, to decide what they want from An Garda Síochána. The organisations remit is vast and unwieldy. Clarity on the organisations

core functions is needed; all non-core policing functions should be removed and placed with more appropriate agencies.

The appetite for change does exist within the organisation and I wish to Commission every success in their task. Hopefully the Commission's recommendations will not 'gather dust' on a shelf like so many other reports that have proceeded your work.

Kind Regards

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