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December 2017/January 2018

To /

Commission on the Future of Policing in Ireland

Submission

Having read through your published Terms of Reference in this regard, I now submit a brief synopsis of what I consider of relevance and may be of assistance to this Commission.

As the terms referred to are quite wide-ranging I intend to make a brief submission on the following points only.

1. Management of our Police force
2. Division of Responsibilities
3. Command and Control
4. Structures as they presently exist – proposed changes
5. Oversight and accountability
6. International comparison of Policing models
7. Public input arrangements/Community Alert

Introduction

As you are aware An Garda Síochána was founded in 1923 and for its era, was no doubt sufficient in its design to deal quite effectively with the policing issues of the day. As the years have elapsed, the 1923 model has, in my view, struggled to keep pace with the changes society has presented. It is my view, that the present model is out-dated and in urgent need of change. Why has this taken so long one might ask? Following controversy after controversy it has become patently obvious that this model was not working and it is the case “it is now broken, so together let’s fix it”. As with other modern Police Forces around the world, the concept has changed and modernised to reflect the needs of today. I start by suggesting a name change, to **Seirbhís an Gharda Síochána**. By its very nature, the work undertaken by Gardai is a service to the community in which they operate. In its present form, the name, Garda Síochána has become outdated. The public who seek

assistance (as with other state agencies/organisations) should see it as another state service.

1. Management of our police Force

I believe that the office of Commissioner should be retained into the future, but that this office should be divided into “Joint Commissioners” – similar to the U.S Military model of “Joint Chiefs of Staff”. This provides an immediate system of checks and balances between both parties to the office. Gone are the days when one individual should be expected to lead a Police service, as in The Gardai. One of these could be a civilian. Their expertise, when used collectively, would easily resonate throughout the force

2. Division of Responsibilities

I suggest that the role of “intelligence” be assigned to a dedicated State Agency. We have international models to compare with, MI5 & CIA etc. etc. Reporting directly to the COBRA team/Minister for Justice & Taoiseach and sharing int. with relevant persons at County or Regional Policing Board level.

Routine policing operations to be performed by Gardai/GCSO’s/Reserves etc and accountable as already mentioned

3. Command and Control

Currently achieved through the Sub-District / District / Division / Regional /National - via Garda/Sergt./ Supt, / Chief Supt & A/Commissioner – Deputy & Commissioner.

This structure of command is perfectly fine. I propose that we align those Garda divisions fully with Local Authority boundaries (which has happened in many cases) E.G. Galway County Council & Galway Garda Division. It might mean two Co Councils join together for this purpose E.G Roscommon/Longford etc etc.

Following from this, replace the present Joint Policing Committee system with a Policing Board. This board starts at each Co Council level *Municipal District Policing Board
*County Policing Board *Regional Policing Board *National Policing Board.

4. Structures

Boards at local level comprise of relevant stakeholders i.e. for example....

Garda Supt./Chairperson of Co Council Municipal District/Chairperson of local Chamber of Commerce/Rep from Courts Service (Court Clerk)/Rep from Probation Service/Community Alert Chairperson/Rep from Business Community/Rep from Farming Community etc. etc.

(Expenses to be paid to voluntary members)

This a cross section of interested parties. Monthly meetings conducted similar to any other Committee structure....Agenda circulated/Minutes of previous meeting/Proposals AOB etc. etc. The Chair introduces results of last meeting and seeks adoption of same. A *Work Programme* of the Policing needs for the month ahead is then proposed/discussed and agreed. At the next meeting, “tangible” and transparent statistics to be made available to that meeting by Supt. Where targets are met – no problem. Where they are not, an explanation, to the satisfaction of the remaining Board Members to be given by the Supt.

This Municipal District system should be replicated at County and Regional level. This system, I believe, would lend itself to a greater input by the public and in turn provide a better service, where the public can see results of their involvement through their nominated Stakeholders on those Boards.

At the end of each month no one person is expected to deliver the results which have been agreed by the Board, but from its collective input better results can be achieved.

White Collar Crime

Under this heading I feel it is important to mention the not insignificant matter of “white collar crime”. As we are all too well aware of the enormous potential loss that can be caused under this heading alone, it deserves a place of its own in the new plan for policing into the future. From recent times it has been clearly shown, that the office of Director of Corporate Enforcement in its own right is not sufficient to deal with this broad topic. I suggest that this facet of crime be given adequate time in your deliberations, so as to arrive at a new structure that can prevent a repeat of the financial carnage that struck us like a tsunami. We and our offspring will pay the price for years to come. So whatever about the “ordinary” work of the Gardai in the future, there is an URGENT need to give them some “extraordinary” work – that is policing the White Collar Criminals. CAB was a great initiative for its remit, but a structure similar to this is needed to tackle this type of “posh” crime. The “small-time criminal” stealing the 5 euro bottle of wine is clearly identifiable, but the person intent on committing a large-scale fraud may not be as noticeable in Irish society (he will probably live in a wealthy location and drive a nice car) Golly Gosh, “you would never think he could do that”, “sure he does not look or act like a criminal” (but will fool you all in a very subtle and covert manner). Yes, we have the Garda Fraud Squad etc., but this does not reach far enough into the complex web that can be designed by this type of criminal. We have recently found out to our dismay and cost, what deceitful transactions were taking place, almost under our noses, but did not know until someone blew the whistle. So now the principle of detection follows. Why not look at prevention here. I suggest, that state accounts be further scrutinised by specialist detectives in the newly formed unit. As part of the normal accounting & auditing process it should be another mandatory step to (a) declare and (b) produce accounts (to this new unit) in advance of signing off by auditors. Now these accounts can be screened for “possible fraud” and any other form of criminal manipulation. A very high level of training would be required for those who might be

employed in this unit. (1) He/she must be a member of the Gardai (2) Must hold a degree in law (3) Must hold a professional qualification in accounting/auditing etc. With this combination of talent it might be possible to “unravel the web” created by those with intention to defraud. The operator must have a vested interest in the outcome of his /her work. That is to say, his/her primary goal is to both detect and prevent crime, and not merely act as a book-keeper for the state. If this unit was adequately resourced it could eliminate some work already being carried out by PAC/Comptroller & Auditor General/Revenue. The state must place a “positive duty” on those who hold positions in the financial services area. This could be a starting point e.g..... On January 1st 2020 All accounts, before final submission, must go through a “fraud screening” process in this unit first.

4 (a) Proposed changes to structures

Personal Development Plans similar to that already in use in the greater civil & public service should be the model used in the force. This will highlight areas that require improvement and also those aspects of the job where the member has excelled – this could be used in future selection for promotion. Continuous career development will lead to more competitive behaviour within the ranks, thus allowing the potential of each member to be fully realised.

The current recruitment model requires review. I suggest an element of on-site assessment be introduced. Here the aspiring candidate could engage in a simulated event and could be easily tested on his/her (a) powers of observation (b) ability to perform the task” under pressure” and their general suitability for the post. Bring in the candidates to a training centre and put him/her into a simulated role (of which many can be devised and based on real on-the-job situations) Policing is unique in terms of career path and so are the candidates to be selected. Yes, the present requirements are necessary, but this would add a further element to the overall selection process. The current model of recruitment includes an element of competency based appraisal. Fine, but I believe this may not be fully relevant and appears to be based on the model in use throughout the Civil Service. The role of a Garda is vastly different to e.g. a staff officer in the Civil Service and so should the criteria for entry be.

Currently we have a dedicated National Police service – An Garda Síochána. And we have the Garda Reserve, which (GR) was quite novel in its concept. I propose that the Garda Reserve continue into the future, as it can be a vital resource if the need arises. However, I propose the introduction of Garda Community Support Officers (GCSO) (similar to the UK) & (Reserve GCSO’s) (in the event of a large scale emergency). And, that appropriate rank structures are included in the formation of GCSO. And, pro-rata payment for hours of duty performed. These should be drawn from and representative of almost every townland/parish in the state. They could become a whole new intelligence gathering machine and represent “boots on the ground”, (and eyes and ears) a facet of policing in

Ireland today, which has almost vanished. Furthermore, could some provision be introduced, whereby those retired members of the Gardai/Military Police/Military could, if the need arose urgently, be deployed to carry out some basic stewarding type tasks (for example at a time of National Emergency) in aid to the authorities. There is a vast swathe of knowledge and experience here, I'd say, just waiting to be tapped!

GCSO's can be trained/authorised and paid at a different level to fulltime members of the Gardai. And, their functions limited. E.g. at large gatherings (football matches) GCSO's could easily be deployed to perform basic tasks such as Traffic & Crowd control. We do not need highly trained persons to perform these routine tasks. Having said this, it is the case that a quota of "full members" would need to be present (in the event of serious incidents arising). E.G. crowd expected to attend =20,000 persons. Deployment of fulltime members = 20 = 1 per 1,000. Deployment of GCSO's = 60 = 3 per 1,000. In this example - 1 Garda on patrol with 3 GCSO's etc.

Figures used are only estimates of numbers that may be required. If the tasks were divided between both, there would be a significant cost benefit to the taxpayer, while at the same time the functions required could be adequately performed.

Also, similar to British Police Services (and the recently formed PSNI – POLICE SERVICE OF NORTHERN IRELAND) These, have both Support Officers and Special Constables, why not do the same here.

5. Oversight and Accountability

Currently we have in existence a number of oversight bodies. GSOC, Police Authority, Garda Inspectorate, P.A.C., Dept. of Justice, Minister for Justice. I suppose, each of these see their functions as being entirely separate. Maybe some aspects need to be. I propose the amalgamation of all, but Minister for justice (who is elected by the people in the first instance). Surely our experts can see the clear need to streamline the constitution and functions that this oversight fundamentally requires. I see the present system as being too broad and possibly too difficult to manage and with some overlap.

As with the afore-mentioned Boards, why not establish a whole new and streamlined oversight body (possible name – **Seirbhis An Garda Siochana (Policing) Board of Ireland**). This could be assembled and constituted similar to Boards of Management, with structures as already mentioned above. And, one of the Joint Chiefs-of Staff (Commissioner Operations) could provide ongoing input to this Board. This, I feel, would decrease the possibility of issues becoming "old chestnuts" and possibly (as in today) requiring a tribunal to sort out legacy issues at some other future time.

Fundamentally, the Minister for Justice should retain final control of all policing functions in this state and indeed, the ultimate final control over the "newly" proposed **State Intelligence Agency**.

6. International comparison of Policing Models

Policing can be viewed from many perspectives.....What are our Policing goals/objectives. These include...Law Enforcement/Crime Prevention & Detection/Protection & Safety of our Citizens/State Security. No matter how we view Policing around the globe, the basic and general concept/operations/systems have much in common, albeit delivered in a different manner in different jurisdictions.

This is a huge sub-topic and I cannot do this justice in this submission other than to summarise my proposals.

Police services/forces throughout the civilised world have similar difficulties to our own and I propose that a member of your Commission assign a Researcher/Researchers to this very topic. Look to the jurisdictions of UK/USA/Australia/New Zealand/China/France/Sweden. Why not invite Reps. from these locations to contribute to your Commission's work!

It may seem like an impossible task, but why not consider picking the "very best segments" of other international models – join them all together and transpose them into our own Irish system. No reason exists to my mind, as to why this cannot happen. This is a time for originality and is a *Golden Opportunity* in our modern history – name The Plan.....
"Serving the Policing needs of Ireland 2100".

There has never been a more appropriate time in our recent history to make a new start in terms of Policing and relevant matters, no stone should be left unturned. As a nation we are renowned for many things – why not do it again here, let our Police Service (Seirbhís an Gharda Síochána) be the envy of other nations and in so-doing, consider the requirements of our current multi-cultural and multi-ethnic make-up.

7. Public input arrangements/Community Alert

Of the people, for the people, by the people. Not always the case in terms of our current system. As in the afore-mentioned Policing Boards, the public have some input, but not enough in my opinion. Household surveys/questionnaires should be sought and completed monthly by all those members of the public who wish to have their say on issues of Policing that affect them ordinarily.

Community Alert schemes are somewhat ad- hoc in distribution and make-up. I propose that CA schemes take on a more significant role in "assistance" to Gardai/GCSO's.

Each County should appoint *One Fulltime (paid) Community Alert Co-Ordinator & Support staff (Clerical). Possibly one part-time (paid) per Municipal District.* He/she could monitor the activities of all CA schemes in the County/Districts. Collate all relevant info and share with relevant Garda/GCSO's as appropriate. CA' should be re-introduced on a legislative

basis. The numbers who make up the membership of such schemes nationally, are but volunteers, we need to regulate and control all aspects of this activity. Training/Vetting require greater consideration. Use by Gardai of CA schemes generally could be expanded.

It is also my view in terms of this Commission's work and significant task given to it, that other Govt. Depts. should be feeding in to this work also. E.G. - Dept. of Housing (man's most basic need) – according to Mazlow. Have we not clearly seen the close link between depravation and crime (poverty/homelessness) + “broken windows” syndrome, that so much needs to be done in early identification of apparent vulnerabilities!! There are many examples of this in New York City (Projects) and for that matter in our own country also.

Conclusion

This is merely a summary of some of the important issues that arise from the Terms of Reference. My submission is intended to merely focus your attention on some possibilities, as I see them. This task if fully exhausted could well make for a Thesis at Masters level.

My thanks to you for reading and maybe even considering some of the points raised herein.

If you require any further expansion or clarification on any items included here, please feel free contact to me if you see fit.

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