

Title: Submission to the Commission on the Future of Policing in Ireland.

1. Personal experience of AGS:

As a victim crime, my experience of the Gardai is that they were very responsive, sensitive and supportive towards me. It was a positive experience of Gardai in that context. However, Gardai appeared to be over-worked, under-resourced and expected to deal with unreasonable workloads.

In the general community setting of West Dublin, my experience of Gardai would be less positive. Younger and inexperienced Gardai are often defensive, suspicious and intolerant of any challenge towards their actions. Deference is often sought by Gardai in their interactions with the public, particularly if there are other Garda colleagues present. If deference is not forthcoming then the member of the public is at greater risk of provocation by Gardai and as a result being arrested especially if the Garda is a young male officer. This can result in the criminalization of behavior, particularly of young people, which in other contexts would be understood as normal and age-appropriate behavior.

While community policing emphasizes the underlying causes of crime rather than detection of crime, defensive policing is over-reliant on a simplistic understanding of crime which is devoid of reflection and often coloured with cynicism. This results in a community policing which is confrontational and a service-oriented approach which becomes eclipsed by the crime-focused approach.

2. Cultural Ethos:

The greatest challenge to reform of AGS is its cultural ethos. The significant number of scandals of the past 30 years up to present day gives a strong indication that the occupational culture of An Garda Síochána is in tension with and at times actively works against organizational reform. The scandals suggest that cultural ethos reflected through unwritten codes of loyalty, norms and values seek to undermine the rule of law, governance frameworks and reform agendas. While this form of cultural ethos may be a coping mechanism to deal with the demands of policing, it is indicative of a fundamental element of AGS which has remained steady over decades and is still present today.

3. Recruitment:

The low age limit for joining AGS is something which should be reviewed. Other policing jurisdictions have a higher age limit and thus benefit from the life experience of recruiting older individuals into policing.

4. Policing and Security:

AGS is both a policing body and a security agency. While it is difficult to demarcate the boundary between security and policing because of the inter-relationship between both, a clearer definition of what national security is and the separation of security from policing into a separate security service would enhance both policing and security. The main reasons for this separation is to prevent the abuse of power, to develop greater analytical and other relevant expertise, and a greater scope for governmental control of the security agency. The requirement for a closely co-ordinated police-security response will still be necessary. However, the concentration of power as it currently is in AGS of both power of arrest, search and seizure, along with the powers of its security and intelligence section presents a very powerful institution. This powerful institution does not appear to be matched by equivalent mechanisms for accountability, transparency and protection of individual rights. There are numerous examples from other jurisdictions to guide a discussion on the separation of policing and security and suggest alternatives to the current situation.

5. Policing by consent:

The principle of policing by consent could seem to be under threat in Ireland. There is a view that this principle is being gradually eroded as allegations of corruption and wrong-doing present a more complex picture of policing. The continuing legitimacy of policing in Ireland requires that there be greater transparency, integrity and accountability.