

SUBMISSION ON THE FUTURE OF POLICING IN IRELAND

In Ireland, when we ask for directions we may be told ‘well, I wouldn’t start from here’... and that’s how I feel about this Submission – policing in Ireland is in a very sorry state at present and it appears we hear about a new scandal weekly. So it seems a very bad time to be making this Submission. However, it seems that because we have got to this point, we need to make a Submission. We can only hope that the Submissions the Commission receive and the wholehearted embrace of those recommendations by Government and the Policing Authority will bring about the type of changes required – right across the spectrum of policing practices.

Confidence in our Garda Síochána is at an all-time low and does not enjoy the confidence or respect of the public. Since the inception of the Organisation in 1922 there have been many changes and many scandals over the years. It has grown into a monster which appears intent on destroying itself and listening to current events in the various Tribunals one can only wonder how long they can survive in their present form.

The Police Force in any country can be a force for good or otherwise. We see many examples in many countries and the days when we held our own non armed police force up as a model of good practice are long gone. We seem to be on a downward spiral with no end in sight. The Gardai must be above reproach but the short-comings and bad behaviour of many members of the Force only calls into question the viability of the Force as an entity. They have become ungovernable and appear to be a law unto themselves.

I am 72 years of age and over my lifetime have witnessed many instances of deplorable practices by members of an Garda Síochána and the attached personal story should be a salutary lesson in what can happen when young, apparently inexperienced, poorly trained gardai, with little or no supervision, turn into a pack of wild animals and treat a person with disabilities and his family in such an abhorrent manner. It should be held up as an example of deplorable practice.

The Freedom of Information request to An Garda Síochána regarding our son’s treatment and detention was heavily redacted so much so that it made no sense and indeed the file itself was very slim given that SIX Gardai had come out to deal with the terrible ‘crime’ our son had committed. The response was delayed and no reason given, Six Gardai and almost nothing written down and the outcome was that despite all the trauma our son and our family endured, he had done nothing wrong and that was the end of it. There is so much wrong with this system.

So it is left to families of disabled people who have been traumatised like we have been to:

- (a) put up and shut up
- (b) complain to GSOC
- (c) take a civil action – how many people with disabilities can afford to do that? And even if they did – what would be the outcome – no accountability, maybe a slap on the wrist and it would just heap injury upon injury
- (d) send in a submission like this in the vain hope that things might change for the better

It is because of this incident and other poor practices observed that I feel it is incumbent on me (and other like me) to speak up at this time for what is right to ensure that the next generation will be better served. I hope that, poor and all as it is that it will make a difference.

We could use many pages enumerating the many scandals and issues that have come to light over the years and some are still ongoing – such as the whistleblowers scandal and the fallout from that in the current Tribunal of Disclosures... and related matters. When I recently researched Garda scandals it came up in pages – one thing after another – some which we had forgotten about...

The Kerry babies scandal is now going to be revisited (to vindicate that poor woman, Joanne Hayes) - she can never be compensated for what was done to her – and the trauma for her and her family will continue if all this starts up again - in the name of justice of course. A ‘day late and a dollar short for them’. We have no idea how many other scandals remain waiting to be revealed.

So the future of policing in Ireland which is at the heart of our democracy is not in very good shape. We talk about a ‘root and branch’ approach and another new Commissioner, new accountability and so on – but we have been here before – GSOC was set up with such high expectations but it is a useless, toothless body which does not enjoy the confidence of the public and after our experience with them, we wouldn’t advise anyone to make a complaint to them. They do not investigate. They report back what the Gardai tell them as fact (these same Gardai who are at the centre of the problem). Their lack of cooperation with GSOC has been well documented. There is no sense of transparency or independence. I don’t believe that GSOC has the confidence or the backing to stand up to the Gardai and find anyone culpable and bring them to account. When all those involved back each other up and say the same thing, what can you do? The evidence is there on display now in the Tribunals for all to see.

The recruitment and training of Gardai needs to include a module in working with members of the public who have disabilities in the multitude of roles that are available in this field. They need to recognise and deal with hidden disabilities and learn how to help a person rather than traumatise them. They should intern for part of their training in some human rights organisation.

They should learn about their responsibilities and obligations as public servants under the Constitution, The UN Convention on Human Rights, the UN Convention on the Rights of Persons with Disabilities, to name but a few of the main human rights instruments that should inform and underpin their work.

They need to go abroad as part of their training to observe good practice in other jurisdictions where such good models of policing practices exist.

There needs to be a better age, gender and cultural mix and a sea change in philosophy and values as discussed. They have taken the whole meaning of Esprit De Corps to a new level and not a good one – We have travelled the world with our disabled son and not even once have we had an issue of any type with any policeman anywhere – they were in fact overwhelmingly helpful and polite, which begs the question, I wonder if we get any tourists with disabilities and if so what has been their experience if they had occasion to deal with Garda Síochána?

We see how Templemore Garda Training College was run and the recent financial scandals there – so how can we expect models of good training practice to emerge from such a quagmire of corruption and deceit. It functioned in an environment where corruption and deceit were everyday practices for those in charge and the fuller details have yet to emerge on that.

In this environment our young Garda recruits are being trained in the philosophy and ethos of An Garda Síochána – which it appears to be to put their interests first, the public second. What are they learning there – and who is teaching and training them?

What core values and philosophies are being instilled into them – is it the code of ‘omerta’ and look out for ourselves or ‘protect and defend’ the public (who pay their salaries

It is hard to imagine how a young officer in his 30s, now fully indoctrinated into the ethos of ‘us before them’ and the ‘go along to get along’ culture can change – Garda Stations need a good shaking up with a good sprinkling of highly qualified ethical personnel leading them and showing them how good policing is done. There should be closer supervision of young officers and they

certainly should not be allowed out ‘in a pack’ to terrorise disabled people in the future. They should be able to stand up when they see wrong being done by their colleagues and be supported instead of excluded and vilified.

How can that change – the people we dealt with had no training in working with people with disabilities and when we asked to speak with a disability liaison officer it was treated as a joke. There were no facilities for disabled people and our son was treated like an animal (no, I wouldn’t treat an animal like that).

People well versed in the area of human and disability rights need to come in and train new officers in this area and ensure they understand their obligations under the Irish State and under international human rights instruments. They appear totally ignorant of these matters. I tried to explain to the Gardai in our son’s case that he is disabled, unable to make decisions and has dense memory loss; that he is a Ward of Court and we were his Guardians (and they just laughed at me).

How can the public express confidence or satisfaction with that – the people looking on the scene with our son were horrified and just couldn’t take it in.

If new recruits are properly trained and grounded in these desirable ways, they will then be contaminated by the chain above them and their standards and values will be eroded by what happens on a daily basis and they will be expected to back up their superiors. Who will lead from the front to a better service for all citizens and where the force will regain the confidence and respect of the public? Listening to the various officers who are interviewed and who speak at Oireachtas Committees and Tribunals, the standard across the board is indeed very low.

Will these young recruits who started out as idealists become clones of those who have gone before them – will they be expected to turn a blind eye to bad practices, falsify information or manipulate statistics – in the name of what? The people?

No one is held accountable, no one gets punished, Government Ministers and Commissioners have bitten the dust but the people at the heart of this corruption remain there until they collect their fat pension or move on to greener pastures leaving a mess behind them.

Each section or part of your terms of reference needs to be underpinned by a human rights approach and proper training and accountability. Officers should not be afraid to speak out when they see wrong doing and who would put their heads above the parapet when we saw what happened to the recent whistleblowers!

I hope that others have made more structured and cogent submissions to you. However, because of what has happened to us, I felt a responsibility to have our voices heard.

I wish you every success in your work and a successful outcome – for the sake of our country.

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Incident

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