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Joint Committee on Justice

Report on Engagements on Policing Matters

February 2024

33/JC/51

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CATHAOIRLEACH'S FOREWORD

The Joint Committee on Justice was pleased to select the topic of 'Policing Matters' from its Committee Work Programme for further examination and discussion.

In selecting this topic, the Committee recognises that a strong and effective policing force is vital for the safety of the Irish public and noted ongoing commentary around the increase in resignations by members of an Garda Síochána and difficulties in recruiting sufficient numbers of Gardaí. Related to these issues, the Committee was also cognisant of media coverage on the safety of cities and towns in Ireland and around the lack of a visible Garda presence, particularly in Dublin city centre, and the impact that this is having on businesses and citizens.

In an effort to review and discuss relevant areas within this topic, the Committee invited written submissions, seeking the views of various stakeholders. Stakeholders were asked to comment, among other areas, on: the challenges relating to the recruitment and retention of members within an Garda Síochána and issues relating to rostering and general morale within the force; issues relating to policing of Dublin city centre, the perceived increase in street crime and whether the current policing approach is sufficient to tackle this issue; and the policing of protests and whether the correct balance is being struck between the right to assemble peacefully and the safety of the public.

Based on the evidence presented and the testimony from witnesses, the Committee has made a number of recommendations and a copy of this report and recommendations will be sent to the Minister for Justice. The Committee looks forward to working proactively and productively with the Minister to address the issues identified in relation to this topic.

Finally, I would like to express my gratitude on behalf of the Committee to all the witnesses who attended our public hearing to give evidence and those who forwarded written submissions to the Committee.



James Lawless TD (FF) [Cathaoirleach]
February 2024

COMMITTEE MEMBERSHIP

Joint Committee on Justice

Deputies



James Lawless TD (FF) [Cathaoirleach]



Colm Brophy TD
(FG)



Patrick Costello TD
(GP)



Alan Farrell TD
(FG)



Pa Daly TD
(SF)



Aodhán Ó Ríordáin TD
(LAB)



Mark Ward TD
(SF)



Thomas Pringle TD
(IND)



Niamh Smyth TD
(FF)

Senators



Robbie Gallagher
(FF)



Vincent P. Martin
(GP)



Michael McDowell
(IND)



Lynn Ruane
(IND)



Barry Ward
(FG) [Leaschathaoirleach]

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil on 3rd September 2020.
2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 25th September 2020.
3. Deputy Jennifer Carroll MacNeill elected as Leas-Chathaoirleach on 6 October 2020.
4. Deputy James O'Connor discharged and Deputy Niamh Smyth nominated to serve in his stead by the Fifth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 19th November 2020.
5. Deputy Michael Creed discharged and Deputy Alan Farrell nominated to serve in his stead by the Fifteenth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 28th June 2022.
6. Deputy Brendan Howlin discharged and Deputy Aodhán Ó Ríordáin nominated to serve in his stead by the Nineteenth Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 8th November 2022.
7. Deputy Jennifer Carroll MacNeill was discharged, pursuant to Standing Order 34, on 21st December 2022.
8. Senator Barry Ward was elected as Leas-Chathaoirleach at the Committee meeting on 15th February 2023.
9. Deputy Colm Brophy nominated to serve on the Committee by the Twenty First Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 7th March 2023.
10. Deputy Martin Kenny discharged and Deputy Mark Ward nominated to serve in his stead by the Twenty-Third Report of the Dáil Committee of Selection as agreed by Dáil Éireann on 26th April 2023.

COMMITTEE RECOMMENDATIONS

The following recommendations were made by the Committee in relation to the topic:

1. In supporting the stated commitment to maintain high-visibility policing in Dublin city centre, the Committee emphasises the need to increase the recruitment of Gardaí, to increase the number of Gardaí policing in Dublin city centre and to increase the numbers of community Gardaí.
2. The Committee recommends that the force be maintained at a sufficient standing strength so that a robust and visible presence is permanently maintained in urban areas.
3. The Committee recommends that the need to call-up reinforcements from further-flung districts should only arise in exceptional circumstances.
4. The Committee recommends that the monitoring of far-right groups and their activities be given greater priority.
5. The Committee recommends that an Independent Pay Review Body for an Garda Síochána (AGS) be established, to examine issues in relation to salary and pensions for Gardaí.
6. The Committee recommends that the potential to introduce a long-serving pay increment for those who serve over 20 years with AGS should be examined.
7. The Committee recommends that the requirement for retired Gardaí, who joined an Garda Síochána between 1995 and 2012, to claim their supplementary pension through jobseeker's benefit be amended.
8. The Committee recommends that progress on increasing the retirement age for Gardaí to 62 is accelerated.

9. The Committee recommends that a code of practice for minimum services requirements in the event of an industrial dispute be established.
10. The Committee recommends that the Operating Policing Model and that the '3 County Divisions' of Mayo, Roscommon, Longford and Louth, Cavan, Monaghan should be re-examined, with a view towards designating Mayo and Louth as separate districts. In general, districts should be geographically manageable.
11. The Committee recommends that a comprehensive and in-person training policy should be designed and put in place as soon as possible. Other issues relating to training, including the lack of driver instructor training and qualified drivers, should also be rectified.
12. The Committee recommends that a pursuit policy should be established for AGS, including significant further investment in instructors and appropriate training facilities. The powers available to Gardaí in pursuit situations should be clarified and placed on a statutory footing, if necessary.
13. The Committee recommends that relevant provisions under the Bail Act, 1997 be re-evaluated, to ensure that individuals who breach their bail conditions and commit further offences would be apprehended at an earlier point.
14. The Committee recommends that a forum between relevant bodies, educational institutes and local businesses should be established in any area in Dublin city where medically supervised injection facilities are provided, in order to allow dialogue between the different groups to take place.
15. The Committee recommends that the presence of medically supervised injection clinics in Dublin city centre be examined and the potential benefit of

moving any of these centres from the city centre to suburban areas be examined.

16. The Committee recommends that there should be more facilities and amenities for young people living in social housing in the city centre, e.g. late-night soccer leagues.
17. The Committee recommends that the Policing model, adopted for the city centre and surrounding areas, should be cognisant of the fact that high volumes of persons traverse the city centre daily, in the course of commuting to their work etc., and a purely community-based model may not reflect the volume of the transient population which moves through the areas on a regular basis.
18. The Committee recommends that other relevant agencies and stakeholders should collaborate with AGS to develop a society-wide approach for how to tackle issues in the city centre, including crime, homelessness and addiction.
19. The Committee recommends that the provision of public transport options into Dublin city centre be examined, with a view towards increasing the transport options available.
20. The Committee recommends that a dedicated policing service for public transport be considered as a priority.
21. The Committee recommends that peaceful crowd management training should be provided for all Garda members.
22. The Committee supports the introduction of further measures and equipment to support Gardaí in responding to public order incidents, including the use of force

by Gardaí in public order incidents, where it is necessary and appropriate, and in line with the training provided to them.

23. The Committee recommends that independent empirical research is undertaken in regard to the root causes of violence. Such research should examine the economic, societal, psychological and environmental factors that might influence engagement in such behaviours, as well as contribute to rates of recidivism.
24. The Committee recommends that legislation on the issue of Spent Convictions is prioritised and should be progressed in this administration.
25. The Committee recommends that the Minister, in pursuing future policy and legislation, would incorporate the recommendations of the Citizens' Assembly Report on Drug Use.
26. The Committee recommends that the National Anti-Poverty Strategy is updated; and that proactive, whole-of-Government work is undertaken to address the root causes of poverty, as a means to end violence and criminality.

SUMMARY

Having examined and scrutinized several pieces of legislation in relation to the operation and governance of an Garda Síochána throughout its term, the Joint Committee on Justice was pleased to facilitate an examination of the topic ‘Policing Matters’.

In selecting this topic, the Committee wished to explore in further detail the conditions for members of an Garda Síochána, elements of operational policing in the city centre and the management of protests by Gardaí, to ascertain what changes and improvements could be made to these areas and to ensure that Gardaí are fully equipped and supported in carrying out their duties.

The Committee was aware of recent media commentary around the recruitment and retention issues within an Garda Síochána, alongside the ongoing media focus on the safety of Dublin city centre, in light of a number of attacks and disturbances in the city centre over the last year. The Committee also noted a number of protests which had taken place in recent months and had contained elements of the far right and wished to explore further the approach taken by Gardaí when managing such protests.

Following its engagements with witnesses and the evidence presented to the Committee, it is clear that there are several significant issues affecting the retention and recruitment of Gardaí, including issues relating to pay, pensions, rostering, and training within the organisation. It was acknowledged that the conditions for Gardaí must be improved, as the need to significantly increase the recruitment levels of Gardaí and ensure high visibility of Gardaí within towns and in Dublin city centre was recognised as one of the central factors in decreasing anti-social behaviour and crime within the city centre.

During the engagements, witnesses and stakeholders examined the public sale and consumption of illegal drugs. Members highlighted the increasing number of charges being brought for possession of drugs for personal use and the closure of treatment centres across the country. Witnesses and stakeholders, with respect to the work

being carried out by the Citizens' Assembly on Drug Use, discussed the level of Gardaí resources being spent on charges for personal use and the importance of Community Policing and proactive measures.

Additionally, the riot that broke out in Dublin city centre on Thursday 23rd November 2023 highlighted further some of the issues discussed during the Committee's previous engagements on this topic and the Committee examined the operational approach towards managing protests and situations of disorder that was adopted by Garda management on this night, as part of further engagements on this topic.

It was noted during these discussions, that external influences may have formed a backdrop to the outbreak of violence in the city centre.

The Committee commends the bravery of the Garda members who were on duty that night and all the members who travelled across the country and volunteered to support their colleagues in managing the riot and returning order and peace to Dublin city centre.

The Committee also wishes to express its sympathy and solidarity with all those who were injured or affected by the knife attack that took place outside Gaelscoil Choláiste Mhuire on the afternoon of the 23rd of November 2023.

The discussion surrounding policing matters and potential solutions to the issues identified during engagements are outlined in the following section.

CHAPTER 1 - Engagement with Stakeholders

Introduction

The Joint Committee on Justice invited submissions from stakeholders on the topic of 'Policing matters'.

On 24th October 2023 and 7th November 2023, the Committee held a public engagement with several of these stakeholders, as laid out in the table below:

Table 1: List of public engagements with Stakeholders

Organisation	Witnesses	Date of appearance
Association of Garda Sergeants and Inspectors (AGSI)	Ms. Antoinette Cunningham, General Secretary Mr. Ronan Clogher, Deputy General Secretary	24 th October 2023
Garda Representative Association (GRA)	Mr. Brendan O'Connor, President Mr. Ronan Slevin, General Secretary	24 th October 2023
Restaurants Association of Ireland (RAI)	Mr. Adrian Cummins, CEO Mr. Sean Collender, Vice President	24 th October 2023
Mr. Anthony Gallagher	Risk Security & Event Manager with Ashtree Risk Group, Chairman of Dublin and Former Inspector of An Garda Síochána	24 th October 2023

Table 2: List of public engagements with Stakeholders

Organisation	Witnesses	Date of appearance	
An Garda Síochána	Garda Commissioner Drew Harris	7 th 2023	November
Ms. Helen McEntee, Minister for Justice		7 th 2023	November

The primary focus of these meetings was to allow for an engagement between the Members and stakeholders, to discuss some of the issues and challenges facing an Garda Síochána and to provide suggestions on how to address these issues.

This report summarises the engagements and the key points considered by the Committee when drafting the recommendations set out in this report.

A link to the full transcript of the engagements can be found [here](#) and [here](#).

CHAPTER 2 - Summary of Evidence

In the course of the public hearings, held on 24th October and 7th November 2023, a number of important points were raised. A summary of the main areas discussed in evidence to the Committee follows.

1. Challenges relating to recruitment, retention, rostering and general morale within an Garda Síochána

Witnesses stressed that there is currently a severe crisis in retaining members of an Garda Síochána (AGS), coupled with an inability to hire sufficient numbers of new recruits.

Witnesses said it is expected that at least 150 Gardaí will resign this year, and that as 2024 marks the 30th anniversary of the double intakes into the Garda college, there will be even more Garda members retiring from next year onwards. Alongside this, the Committee heard that recruitment targets have consistently fallen short, with a target of 800 trainee Gardaí in 2022 resulting in only 300 trainees entering Templemore in 2022.

Witnesses highlighted that this retention crisis has not solely arisen due to the pandemic but has been developing over the last few years, pointing out that there had not been a retention crisis when there were similar employment levels in Ireland during the Celtic Tiger.

The Committee heard that the retention and recruitment crisis puts pressure on the existing Garda force, in particular members in city centre stations who can be under immense pressure and face burnout due to the demands of policing in the city. It was also pointed out that Garda overtime is voluntarily, with the exception of Garda overtime for certain visits by high-profile individuals, meaning that it is not sustainable for the same Gardaí to be expected to continuously work overtime in order to make up for the current lack of Garda members.

The Committee heard that morale within the force is low. The Committee also heard that exit interviews with 40 individuals conducted by the GRA over the last 18 months

found that morale is currently the biggest factor for Garda members deciding to leave the force. Some witnesses argued that it is difficult to convince Garda Management that there are morale issues within the force, which makes it more difficult to try and tackle these issues.

Witnesses outlined to the Committee several issues and challenges that are impacting on the recruitment, retention and general morale within an Garda Síochána. These included:

Pay

Witnesses argued that the current pay for Garda trainees is insufficient and that even the proposed increase in pay from €184 per week to €305 per week in Budget 2024 will not be enough to ensure that members have an adequate standard of living. Witnesses made similar arguments in relation to the incremental pay scales for Garda members, stating that these salaries are not sufficient to attract new members and are in need of review. It was pointed out that the AGSI, GRA and other bodies are not trade unions and are therefore only attend negotiations by the Workplace Relations Commission (WRC) in relation to national pay talks on an *ad hoc* arrangement. Witnesses recommended that an Independent Pay Review Body be established, to examine the issues in relation to salary and pensions that relate to members of AGS.

Pensions

The Committee was told that the current pension scheme for Garda members is of concern to serving Gardaí and is a deterrent for new recruits, which is impacting on the vocational nature of the Gardaí, as changes to the pension regulations in 1995 and in 2013 have left members with less desirable pensions than before.

In relation to the pension entitlements for those who joined the Gardaí between 1995 and 2012, the Committee heard that, as Garda members are forced to retire at 60 years of age, retired Gardaí receive a two-thirds State pension and a one-third

supplementary pension from the Department of Social Protection, until they reach the age to claim to official State pension. However, an anomaly in this system means that, to claim the supplementary pension, members must make a declaration and claim it in the form of jobseeker's benefit. This system also deters members from taking on additional work after retiring, as they would not be entitled to the supplementary element of their pension. Witnesses recommended that this provision must be rectified by the Department of Social Protection as soon as possible.

In relation to the pension scheme for members who joined after 2013, the Committee was told that this scheme is now a single scheme, where members contribute based on their length of service. This poses difficulties, as individuals are now joining AGS at a later age than before, which reduces the length of time they can contribute to their pension scheme before the mandatory retirement age. Alongside this, there is a gap in their pension, between retiring at 60 and the age at which they can access the official State pension.

The Committee was also told that it has been calculated that the entitlement under this pension scheme will amount to only €10,000 or €12,000 per annum for many of these members. Additional pressures of larger mortgages and other financial pressures also results in some members joining the Civil Service at a later point in their career, where they can work for longer.

Rostering

The Committee was told that designing a satisfactory roster system, is a key element towards achieving a better work-life balance for members. Witnesses acknowledged that it can be difficult to design a roster which balances the needs of all, between the needs of the community and the need for predictability for members. Witnesses welcomed the continuation of the interim roster and of the negotiations towards designing a more permanent roster for members.

Excessive oversight within the organisation

The Committee heard that excessive oversight within AGS has a demoralizing impact on Garda members. One example by witnesses highlighted that investigations by the Garda Síochána Ombudsman Commission (GSOC) can continue for several years and that the length of time that these investigations can take has significant impacts on both the professional and private lives of Garda members.

Training

Witnesses highlighted the lack of training and training arrangements for members of AGS. The Committee heard that there has been very little in-person training since the pandemic and that much of the training now takes place online, with ongoing training in relation to new legislation being placed on the Learning Management System (LMS) portal for members. Witnesses criticised this approach, which is not suitable for many elements of training, as it does not facilitate any interaction or allow for questions to be asked. Members can also be expected to complete this training during their working day, without being allocated a separate time during their day to complete this training and while they must complete their other duties.

The Committee was told that training is lacking in several areas including:

- Driver instructor training, where witnesses stated that there is an over reliance on competency-based driver level 1 (CBD) 1 trainers and a lack of qualified drivers to activate the blue lights and sirens;
- There are issues around staff being released to provide training and witnesses recommended that these issues be resolved as soon as possible, so that a sufficient number of trainers are made available;
- The Committee heard that the lack of training has resulted in Gardaí not receiving essential certificates, including for the use of force and use of an ASP baton or pepper spray.

Operating Policing Model

Witnesses were critical of the Operating Policing Model, which they said has resulted in a less visible Garda presence. Witnesses highlighted that as part of this model, there remain two '3 County Divisions' of Mayo, Roscommon, Longford and Louth, Cavan Monaghan respectively. It was argued that it would be better for Louth and Mayo to be designated as separate districts, as these areas have distinct policing needs and issues, that would not be comparable to the other counties in their division. Witnesses highlighted that while '3 county divisions' had stemmed from a recommendation within the Commission on the Future of Policing in Ireland (COFPI) report, they believed that Irish society had changed since the report was published in 2018 and that the 3-country division should be revised.

Right to strike

Witnesses informed the Committee that Gardaí are not permitted to strike. However, the lack of a clear policy around minimum controls or emergency cover in relation to striking can be problematic, as it can lead to individuals or large numbers of Gardaí withdrawing their services during industrial disputes, creating vulnerabilities for communities and for Garda management. Witnesses recommended that a clear policy be drawn up around the right to strike and the minimum controls that should be in place for such occasions.

Garda Reserve

The role of the Garda reserve and the recently published updated regulations for the Garda Reserve was discussed. Some witnesses welcomed the role of the Garda reserve but stated that, in the first instance, the number of serving Gardaí should reach a sustainable level before looking to increase the number of Garda reserves. Others highlighted issues that managers have faced in utilising Garda reserve staff effectively, including the availability of Garda reserve members at key times, for example, during the GAA all-Ireland final and the issue of many Garda reserve volunteers also holding

full-time jobs and who may have used their mandatory voluntary rest periods during their working day and therefore being unable to be assigned to duty. The Committee was told that the role of Garda reserve members has shifted in recent times, from one of volunteerism to being viewed as a stepping-stone /fast-track route towards applying for a role as a Garda. Witnesses stated that the new regulations must be reviewed and the purpose of the Garda reserves clearly established, in order to ascertain what role they can best play within the organisation.

Bail conditions

Some witnesses stated that there is a group of approximately 20 or 25 offenders who are committing a significant number of crimes within the city centre but who continue to be released on bail and then continue to commit offences. Witnesses suggested that more needs to be done to tackle the issue of repeat offenders released on bail and recommended that relevant legislation around this area should be reviewed.

In reply to a question from the Committee, witnesses told the Committee that bail conditions are a matter for the courts and that while the PULSE system will record when a person on bail has presented at the Garda station, it does not necessarily provide an alert when a person has not signed on for bail. Witnesses said that Garda management may be better placed to answer questions around the bail management systems.

Recommendations

Witnesses suggested some of the following measures to tackle issues outlined in relation to recruitment, retention and morale for members of AGS:

1. It was recommended that an Independent Pay Review Body for an Garda Síochána be established, which could examine issues in relation to salary and pensions of Gardaí.

2. It was recommended that the potential to introduce a long-serving pay increment for those who serve over 20 years with AGS should be examined.
3. It was recommended that the requirement for retired Gardaí to claim their supplementary pension through jobseeker's benefit be amended.
4. It was recommended that progress on increasing the retirement age for Gardaí to 62 is accelerated.
5. Witnesses recommended that a code of practice for minimum services requirements in the event of an industrial dispute be established.
6. It was recommended that the Operating Policing Model and that the '3 County Divisions' of Mayo, Roscommon, Longford and Louth, Cavan Monaghan should be re-examined, with a view towards designating Mayo and Louth as separate districts.
7. It was recommended that a comprehensive and in-person training policy should be designed and put in place as soon as possible. Other issues relating to training, including the lack of qualified drivers, should also be rectified.
8. It was recommended that a pursuit policy should be designed for an Garda Síochána.
9. It was recommended that relevant provisions under the Bail Act, 1997 be re-evaluated, to ensure that individuals who breach their bail conditions and commit further offences would be apprehended at an earlier point.

In response to the points raised, the Commissioner / the Minister highlighted the following points:

Recruitment

The Minister acknowledged that recruitment targets are falling short and that both she and the Garda Commissioner believe it will be necessary to recruit more Gardaí than the target of 15,000 members set by the Government. The Committee was told that the intake and attestation of new Garda members is continuing, with 177 trainees having entered the college in October 2023, which is the highest intake of trainees since the beginning of the pandemic. It is expected that between 700 and 800 new recruits will have entered the Garda training college throughout 2023.

It was pointed out that difficulties in recruiting Gardaí in Ireland reflects similar recruitment difficulties being experienced by other police forces in the world, including the UK and Canada, and is part of an overall recruitment problem, which is also impacting the public and private sector across Ireland.

The Minister highlighted that, while Gardaí are leaving the profession at an earlier age than in the past, individuals are also joining AGS at a later age, which brings a range of different experiences to the profession. The Minister affirmed that, while the Minister for Public Expenditure and Reform is ultimately responsible for any decision to increase the retirement age for Garda members, engagements on this matter are taking place and it is hoped that a decision will be made in the near future to increase the retirement age.

The Commissioner and Minister pointed out that it is also intended to increase the age limits at which individuals can apply to join AGS from 35 years to 50 years for the next recruitment campaign, which will expand the range of individuals who will be eligible to apply.

The Minister highlighted that diversity within Garda members has also increased, stating that there are currently 4,000 serving female Gardaí, which is amongst the highest proportion of female police officers in Europe.

The Committee heard that a dedicated recruitment campaign for Clerical Officers within AGS was established and has received 7,400 applications so far. It was stated that the increase in clerical staff will help free up more Gardaí for operational duties.

Retention

The Commissioner highlighted that active work is being undertaken to evaluate the issues relating to the retention of Gardaí, with four group meetings having taken place so far to discuss this matter and that a recruitment and retention strategy is being compiled in conjunction with the Garda staff associations.

An internal audit also identified some issues within the organisation and an action plan has been developed to address these issues, for example, relating to the workload that may be assigned to individuals and supports they may receive from their managers.

There are also plans to establish online surveys to identify issues members are experiencing at an earlier stage in an effort to tackle these issues.

Exit interviews are also being undertaken and these allow for qualitative data to be gathered on the reasons expressed by members for their resignation. The Minister added that it is important that the results of exit interviews are analysed and that, where challenges are identified, which may be the cause of Gardaí resigning, these should be addressed to help stem the number of Gardaí that may be resigning.

The Minister also pointed out that people may also leave an Garda Síochána due to many factors, including the fact that Ireland has high employment levels and highly skilled workers are sought in other fields and that some leave for personal reasons. She also highlighted that the rate of Garda members exiting the force early stands at approximately 1%, which is lower than other police forces around the world, where the rate is approximately 3%.

Morale

In relation to issues with morale in AGS, the Minister and Commissioner acknowledged that working as a Garda has become a more challenging profession, between the types of incidents Gardaí may now encounter, the difficulties that the pandemic had on Garda recruitment, and the resulting pressure on existing Garda members.

The Minister commented that, as recruitment levels within the organisation progress and more Gardaí are hired, this should improve morale within the organisation.

The Commissioner stated that he does recognise the other issues reported by Garda members which are affecting morale, including the pressured workload and fatigue they are experiencing.

Despite ongoing morale issues the Commissioner also pointed out that many Garda members also feel a sense of belonging to the organisation and recognise the importance of their work to the public.

Budget 2024

It was highlighted that Budget 2024 has also provided additional resources to an Garda Síochána in the areas of

- Training, where the allowance for trainee Gardaí will increase by 66% to €305 per week;
- Overtime, which will increase the current budget by 25% to €131 million to allow for high-visibility policing;
- The Garda Vote for ICT, towards investments in Digital Capital Investment and IT
- Well-being, with €6m being provided for medical costs and *over 2,500 units of body armour*

Engagement between the Minister and Garda Representative Associations

In response to questions arising during the engagement, the Minister for Justice clarified that there are a number of different ways in which she engages with Garda representative unions, on both a formal and informal basis.

This includes attending the annual conferences held by the associations and meetings between the Minister and the Garda Commissioner to engage on / progress issues that are raised with him by the representative associations and regular meetings between officials of the Department of Justice and officials within AGS to discuss issues relating to the Gardaí.

The Minister stressed that the Garda Commissioner is the head of AGS and that the Commissioner and senior management within AGS would also meet with Garda representative unions on a separate basis.

Training

In response to questions around training, the Commissioner highlighted that the Garda College is responsible for the delivery of training and that a large amount of training now takes place online, a trend which was accelerated by the pandemic.

The Commissioner highlighted that there were 25,000 training days provided last year by the Garda college, and that a new online system established in March of this year has seen 30,000 logins per month of people accessing training courses.

AGS also provides funding for members to enrol in 3rd level degrees, having partially funded 125 and fully funded 24 programmes respectively over the last year. Members would generally complete these courses in their own time and it was stated that other members also enrol for and complete qualifications in their personal time, as part of their professional and career development.

Representatives acknowledged that Garda staff associations have flagged concerns about Garda members not being provided with specific time outside of their core duties in which to complete training. They highlighted their commitment to examine this issue

and that they have also asked line managers to facilitate members in completing this training, where possible, within the demands of the core duties.

Members also highlighted that additional legal training would be useful for Garda Members who appear in the District Court.

Garda Reserve

The Minister welcomed upcoming plans to increase the number of Reserve Gardaí, who provide additional support for essential police services.

Some of the changes proposed within the new Garda Reserve Regulations include broadening the areas that Garda Reserve can serve in and ensuring that the next Reserve recruitment campaign is inclusive to help members from under-represented or minority groups. It was pointed out that Reserve Gardaí can bolster the relationship of AGS with members of Ireland's 'new' communities, who may have not considered applying for a role within AGS.

A Garda Reserve Strategy issued by the Garda Commissioner will also examine the potential to devise an accelerated recruitment scheme for Reserve Gardaí, taking into account the operational policing experience they gain as Reserves.

The Minister highlighted that the Department is still awaiting the feedback from the Garda representative associations on the new Garda Reserve Regulations. The Minister anticipated that a recruitment campaign for the Garda Reserve, which will mark the first recruitment campaign for reserve Gardaí since 2017, would now take place at an early stage in 2024, alongside the planned Garda recruitment campaign in early 2024.

Bail Conditions

Relating to street crime and recidivist youth offenders, the Commissioner responded that a small number of individuals can have a disproportionate impact on the incidence

of street crime and that it can be difficult for the justice system to deal with repeat offenders.

While some may be kept in prison, the Commissioner welcomed other approaches to help these offenders, praising the work that has been carried out by youth workers, youth volunteers and by juvenile liaison officers in directing these young people from away crime.

Operating Policing Model

The Minister and Commissioner spoke to the benefits of the Operating Policing Model, the implementation of which is a key objective for AGS in 2024.

This model is intended to provide more efficient structures for AGS and to decrease the administration processes relating to divisions, as it has decreased the number of districts from 99 to 23 'divisions'.

The Commissioner outlined several of the benefits of the Operating Policing Model, including that

- It would release Garda members from their non-core duties and enable them to spend more time on operational duties.
- That front-line Gardaí will now have more supervision and support when on duty, as the model will have inspectors on duty 24/7 and has increased the number of available sergeants. This was recommended under the findings of a Garda internal audit in 2017.
- This model allows for more specialisation within Garda divisions in areas including serious and organised crime, cybercrime and domestic abuse.
- The model is based on community policing with a strong focus on smaller areas within a division, guided by an inspector, a sergeant and community policing team, who would be the points of contact for community members.

Employee supports / well-being

The Commissioner outlined some of the supports that are available to Garda members to help safeguard their well-being while undertaking their duties. These include, among others

- The provision of an externally based and confidential counselling service, Inspire, which allows Gardaí to access professional counselling supports.
- The provision of ongoing internal campaigns and to destigmatise mental health and encourage people to seek mental health supports at any earlier stage.
- The introduction of 'Wellbeing' Workshops and 'Mental Health First Aid' training by the Garda Employee Assistance Service.
- The assignment of 'Peer Supporters', run by the Garda Employee Assistance Service, whose role is to connect Garda members within the workplace.

2. Policing in Dublin city, the perceived increase in street crime and whether the current approach is working

Witnesses outlined current issues in relation to safety in Dublin city centre. The Committee was told that there are certainly issues relating to safety in Dublin city centre and that a red C poll conducted in July of this year demonstrated that there is a low perception of safety in Dublin, with only 20% of all adults stating that they believe safety and security in Dublin city is good, falling to 7% who believe that Dublin city is safe at night.

The Restaurant's Association of Ireland highlighted that a survey of their Dublin-based members found that all of them believe Dublin city is less safe now than it was before the pandemic and that many staff are often threatened at work, while some have experienced break-ins or incidents of theft.

The Committee was told that the perception that Dublin city centre is unsafe has an impact on local businesses, restaurants, pubs and cafés and also on tourism and hospitality.

The Committee was told that some of the issues contributing to crime in the city centre include:

The lack of visible policing presence in Dublin city centre

Witnesses and Members agreed that the visible lack of Gardaí policing the city centre is a significant issue in relation to street crime. The Committee was told that Ireland ranks 21st in Europe for the number of Gardaí per head of population, with 255 police per 100,000 people.

Benefits of community policing in deterring crime

The benefits of community police were also discussed. Members stated that the role of community police in building relationships with those in the community is vital in decreasing the incidence of crime and witnesses underlined that business owners

would like to have more frequent interactions with community Gardaí. In this regard, it was suggested that it may be beneficial, under future rosters to adopt an approach which facilitates a more frequent engagement with stakeholders and the wider community to enhance the effectiveness of the role.

The Minister stressed the need to support people at a younger age and acknowledged the Department's commitment in this regard. The Committee heard that work is underway to examine programmes that not only react to anti-social behaviour in young people but engage with them before they cross that threshold into the criminal justice system.

Issues around the proliferation of drug treatment centres in the city centre

Members and witnesses held differing opinions in relation to the provision of medically supervised injection facilities in the city centre, with some in favour of these centres and some expressing concerns with them. Witnesses who expressed concerns in relation to these centres recommended the need to review the efficacy of and the concentration of these drug treatment centres in the city centre and to examine whether it would be beneficial in some of these centres were located in suburban areas rather than the city centre. It was also recommended that a forum between the relevant bodies and local businesses should be established in any area where medically supervised injection facilities are provided, in order to allow dialogue between the different groups to take place.

Those in favour of medically supervised injection facilities being located in the city argued that evidence has demonstrated that these facilities decrease drug litter, decrease street injecting, decrease the visibility of drug taking and decrease the incidence of HIV infections, hepatitis C infection and overdoses.

Members also highlighted that issues relating to alcohol consumption and the consequent impact on anti-social behaviour must also be recognised and that the consumption of drugs is not the only substance which causes street crime.

Lack of amenities in social housing complexes

Some witnesses spoke of the need for there to be more amenities and facilities for young people living in social housing complexes, particularly in the city centre. Witnesses and stakeholders collectively rejected the idea that social housing was a contributing factor to crime and said that such stereotypes are offensive and create a larger issue. The Committee heard that, in relation to amenities in social housing complexes, this matter is not solely in policing, but rather social cohesion, social justice, education and empowerment.

Improving circumstances within the City Centre

Witnesses highlighted that street crime is not only an issue for AGS as it is a broad issue which affects all of society and is caused by several different factors. In this regard, it was recommended that other relevant agencies, local residents, youth workers and stakeholders should collaborate with AGS to develop a society-wide approach for how to tackle issues in the city centre, including crime, poverty, homelessness and addiction.

Witnesses made the following suggestions for how to improve the safety within Dublin city centre:

1. Witnesses recommended that there must be an increase in the presence and visibility of police in Dublin city centre, as this is an essential factor in deterring the incidence of crime. Alongside this, the availability of community Gardaí should also be increased, and that the roll out of community safety partnerships is prioritised. The Committee heard that the approach must be proactive, as opposed to reactive.
2. In relation to drug use in the city centre, it was recommended that a forum between the relevant bodies and local businesses should be established in any

area in Dublin city where medically supervised injection facilities are provided, in order to allow dialogue between the different groups to take place.

3. It was also recommended that the presence of medically supervised injection clinics in Dublin city centre be examined and the potential benefit of moving any of these centres from the city centre to suburban areas be examined.
4. It was recommended that there should be more facilities and amenities for young people living in the city centre, e.g. late-night soccer leagues.
5. It was recommended that other relevant agencies and stakeholders should collaborate with AGS to develop a society-wide approach for how to tackle issues in the city centre, including crime, poverty, homelessness and addiction.
6. It was recommended that the provision of public transport options into Dublin city centre be examined with a view towards increasing the transport options available.

In response to the points raised, the Commissioner / the Minister highlighted the following points:

The lack of visible policing presence in Dublin city centre

The Commissioner and Minister acknowledged that the visible presence of Gardaí in Dublin city centre is vital in deterring crime and they referred to current initiatives to improve the visibility and frequency of police in Dublin.

The Commissioner highlighted 'Operation Citizen' which is a high visibility and community focused operation which aims to tackle anti-social behaviour and public order issues, among others. The Minister underlined the additional €10 million that

has been made available to increase the presence of Gardaí at strategic locations in Dublin city centre.

Witnesses said that Gardaí do undertake proactive patrols in the city centre and that they try to target these patrols according to crime trends, to ensure that policing resources are allocated where they are most needed in the city.

Witnesses also welcomed the increase in the number of probationer Gardaí being placed in Dublin, due to the acute policing pressures experienced by the city.

In relation to the safety of Dublin city centre and surveys of the public on this matter, the Commissioner commented that crime statistics do not reflect a significant increase in the levels of crime since 2019.

Witnesses acknowledged the need to address the underlying causes of the issues, in order to improve the low perception of safety identified in recent surveys. It was pointed out that there is a collaborative approach between relevant agencies in relation to the management of issues arising in the city centre. For example, when Gardaí encounter vulnerable individuals in the city centre, a referral mechanism in place between AGS and relevant agencies allows these groups to intervene and provide the support required by these individuals.

Issues around the proliferation of drug treatment centres in the city centre

In relation to questions around the approach of Gardaí on policing the possession of drugs for personal use, the Commissioner stated that Gardaí support a health-led approach towards drug use and appreciate that addiction is primarily a health issue. However, Gardaí are responsible for tackling the criminals behind drug dealing and as some of these criminals specifically try to transit drugs through the route of single possession, the Commissioner suggested that this may have caused some of the increases in prosecutions for those found with simple possession in recent times.

The Commissioner supported the use of drug injecting facilities, as a public policy measure that has been identified to tackle drug use, highlighting that Gardaí will be responsible for policing the areas surrounding these centres.

In relation to drug policy generally, the Minister stated that she is working with the Minister of State to develop a health-led approach that Gardaí can apply when individuals are found with drugs for personal use.

Policing as a collective responsibility

The Commissioner echoed comments that policing should be a collective responsibility.

The Minister provided an example of a collective response to community safety by outlining the details of the community safety partnerships, which will replace the joint policing communities. The aim of these partnerships is to acknowledge that community safety does not rest only with Gardaí. It allows relevant stakeholders within communities to collaborate with one another and the Gardaí to design safety plans for their own communities, based on the local conditions and factors that are individual to their particular community. Local safety plans can include measures, for example, to increase the number of Gardaí or increase mental health support within the community. The Minister said that there are currently three pilot partnerships and it is intended for community safety partnerships to be established in all communities in 2024.

Witnesses and stakeholders highlighted the issue of recidivist offenders and sought clarity in regard to legislation on spent convictions. The Committee heard that individuals with convictions often feel better welcomed back into crime than into society or the workplace, which perpetuates engagement in violence and criminality.

The Minister noted that additional funding has been allocated to the Joint Agency Response to Crime (JARC) programme; a wraparound support service and monitoring system to work with prolific offenders. The key objectives of JARC are to;

- Develop and strengthen a multi-agency approach to the management of prolific offenders,
- Prioritise such offenders for targeted interventions and supports to address their behaviour, and to
- Reduce crime and victimisation in local communities.

The Committee heard that there are studies which support poverty as the main driver of violence and crime. It was suggested that where a country has a narrower wealth gap, there are fewer instances of violence and crime. The Minister acknowledged that a whole-of-government response was necessary to ensure communities are supported, and an examination on how the justice system can respond to the root causes of crime and take people out of these circumstances is undertaken.

Road fatalities / average speed cameras

In relation to questions around roads policing and the increase in road fatalities so far this year, witnesses commented that, while staffing in the roads policing unit is affected by the broader issues related to Garda recruitment and also due to the demand for staff and resources by other specialist units, Gardaí on the regular units are also active in enforcing roads traffic legislation.

Witnesses outlined the intention to make greater use of average speed cameras, which are used effectively in other countries in Europe, and highlighted that an additional €1.2 million will be used to fund GoSafe vans for the remainder of 2023 and towards the contract for GoSafe vans for 2024.

Witnesses spoke to the benefits of these cameras, which are effective in changing driver behaviours. Influencing driver behaviours is particularly important as, for example, there are many single-vehicle collisions, in which the use of excess speed is identified as the cause of the accident.

Concerns were raised in regard to the automatic number plate recognition, ANPR, system. The Garda Commissioner noted that the system in this jurisdiction differs to

that used in the UK, which led to incorrect information being provided regarding vehicles driving through Northern Ireland. The Committee heard the additional legislation is being sought in respect of ANPR; to identify vehicles without insurance and suspected of being used for crime.

3. Policing of protests and whether the correct balance is being struck in the context of the right to assemble peacefully

Questions were raised in relation to the policing of protests.

Witnesses commented that while operational matters, including protesting, would fall under the remit of the Garda Commissioner, there are several different approaches that can be adopted towards policing protests and events, such as a 'light touch' approach versus a more robust approach.

The Committee was informed that Garda members always follow the direction and guidance of the operational commander who is on scene at any protests and that generally, a phased response or deterrent response has been adopted by Gardaí when policing protests. This involves using communication, at the outset, to manage protests, followed by the public order unit being present at protests in soft caps.

Witnesses highlighted the impact that managing protests has on Garda members. The Committee was told that Gardaí are often criticised for their approach to protesting, whether they adopt a light touch or robust approach. Gardaí are also increasingly filmed while managing protests and have clips of them posted online and on social media without their consent. This has an impact on the welfare of members, who are often mocked or threatened as a result of these videos circulating online. Witnesses criticised the lack of any meaningful response from the Government to resolve this issue.

The Committee heard that it is essential that the welfare of Garda members is protected following protests and that AGS has improved its procedures around post incident debriefs in recent years, alongside increasing the availability of its welfare officers to members.

Witnesses highlighted that they often seek peaceful crowd management training for their members and underlined that the delay in introducing body-worn cameras for Garda members has also been disadvantageous, as most other European countries already use this technology.

In response to the points raised, the Garda Commissioner outlined that the operational policing of protests and the approach adopted by Gardaí is guided by provisions within the Constitution and the European Convention on Human Rights. The Commissioner and the Minister underlined that the right to assemble or protest peacefully is protected by the Constitution and it was pointed out that there are numerous examples of protests that take place throughout the year, which are managed effectively by Gardaí.

However, the Commissioner and Minister stated that while protests uphold a legitimate function in public life, there are scenarios where protests become unacceptable and any violence, intimidation or harassment that occurs during protests is not acceptable.

The Commissioner outlined that the approach of AGS in relation to protests is to facilitate these protests within the law but where protesters breach the law, it is the responsibility of Gardaí to address this. These infringements are addressed through a range of measures, which could include arresting offenders during the protest or else taking action subsequent to the protest, by investigating suspects, compiling a report and sending the file on to the Director of Public Prosecutions (DPP) for further action.

The Minister expressed her support for the use of a gradual response by Gardaí when policing protests, as this allows for legitimate forms of protest to take place, while allowing for Gardaí to intervene if protests breach agreed acceptable rules of conduct. She highlighted that, where members of the public believe that a Garda member acted in an inappropriate manner when policing protests, there is an independent complaints system where they can lodge a complaint about their experience.

The Minister referred to comments made by witnesses at the previous Committee engagement where it was alleged that a different approach is adopted by the Gardaí when responding to eviction notices. The Minister stated that while the Gardaí must allow the right to protest, they also have a role in supporting the enforcement of court orders and they must balance their approach to these situations by preserving public order and peace.

In relation to the safety of elected representatives, stemming from recent protests and incidents where representatives have been threatened or harassed, the Minister

pointed out that the Garda Commissioner has committed to undertake a new security and protection review of TDs, senators, staff and people working on the Oireachtas campus, to ensure that elected representatives will be protected when carrying out their duties. It is expected that Members will be provided the opportunity to engage and provide their feedback as part of this review.

The Commissioner also highlighted that a review of the strategic guidance in relation to protests is underway and that various groups that have been impacted by recent high-profile protests, including protests that took place outside libraries in Cork, have been contacted to provide their observations as part of this review.

The Commissioner and Members also discussed the need for Garda members to be protected and supported while policing protests and while policing in general. The Commissioner underlined additional, recent protections that have been provided for Garda members to help ensure their safety, including:

- Additional body armour provided for under Budget 2024;
- Updated equipment for the emergency response unit (ERU) and the Garda Armed Support Unit (ASU);
- The recent increase in the maximum sentence for assaults on Gardaí and other front-line workers, from seven to 12 years, under the *Criminal Justice (Miscellaneous Provisions) Bill 2022*.

The Commissioner also agreed that the introduction of body-worn cameras would be welcomed, as it would ensure that there is a record of the abuse that members face and of when members are recorded and put on social media.

CHAPTER 3 – Resumed Engagements

The Committee resumed its engagements on policing matters and invited the following witnesses into the Committee, to discuss the riot that broke out in Dublin city centre on the night of Thursday 23rd November 2023 and matters relating to operational policing during this riot.

Table 3: List of public engagements with Stakeholders

Organisation	Witnesses	Date of appearance
An Garda Síochána	Garda Commissioner Drew Harris	29 th November 2023
	Deputy Commissioner Anne Marie McMahon, Policing and Security	
	Assistant Commissioner Cliona Richardson, covering the Dublin Metropolitan Region	

Table 4: List of public engagements with Stakeholders

Organisation	Witnesses	Date of appearance
Ms. Helen McEntee, Minister for Justice		7 th December 2023

A link to the full transcript of the engagements can be found [here](#) and [here](#).

1. Operational Policing Approach adopted towards the riot of Thursday 23rd November 2023

Members and witnesses discussed the operational policing approach that was adopted towards protests and then the riot that occurred in Dublin city centre on Thursday 23rd November 2023.

Members asked some of the following questions:

- Whether Gardaí had lost control of the situation in the city centre on the evening of Thursday 23rd November 2023;
- The contingency plans an Garda Síochána (AGS) had to address serious events, such as the riot that broke out in Dublin city centre on Thursday 23rd November 2023 and whether AGS should have been more prepared for the riot to break out, given that similar protests that have taken place over the last year e.g. outside of libraries;
- How the communication to Garda members requesting their assistance on Thursday 23rd November 2023 had been issued and whether this had issued through a central command communication or through WhatsApp messaging;
- At what time the Garda Commissioner had first been in contact with the Minister for Justice in relation to the serious events that unfolded in the city centre.

In the first instance, the Commissioner and Minister for Justice both expressed their praise for the bravery and professionalism of Gardaí who had risked their own safety to protect Dublin city and citizens during the riots that took place on Thursday 23rd November 2023 and this praise was echoed by members of the Committee.

Witnesses outlined the timeline of events and responded with some of the following points in relation to questions around the policing operation carried out on Thursday 23rd November 2023.

The Garda Commissioner confirmed that he was first made aware of the knife attack in Dublin city centre at 2.19 p.m. and that he returned to Dublin from an event in Waterford. He stated he was first in contact with the Minister for Justice regarding the attack at 2.49 p.m. but that he was in frequent contact with officials at the Department of Justice during this period as well.

The Commissioner said that Gardaí had immediately been deployed to the scene of the crime following the knife attack outside of the school on Parnell Square and that 25 members of the Public Order Unit were present at the scene by 2pm. The Committee heard that a small but peaceful anti-immigration protest had formed around 3:30pm, but by 4:30pm a group of individuals had begun to stand on the Luas line and obstruct the Luas from passing and by 5:40pm a group of almost 200 individuals charged towards Gardaí and began to attack them.

In acknowledging the serious events that broke out around 6:30pm on the evening of Thursday 23rd November 2023, which included fire attacks on public vehicles, looting, rioting and fireworks being launched at Gardaí, the Commissioner rejected claims that the Gardaí had lost control of Dublin city centre at any point.

The Commissioner pointed out that a riot is, in general, an “uncontrollable event” which the Gardaí would be responsible for bringing back under control. He pointed out that by 4pm calls were being sent out to request assistance from all public order personnel in the Dublin Metropolitan Region and in the eastern region, while Gardaí present continued to try and prevent the situation in the city centre from escalating. By 8pm there were 400 Gardaí in the city and 250 public order Gardaí, which comprised the largest ever deployment of public order Gardaí.

While acknowledging the gravity and serious impact that the riots had in Dublin city centre, the Commissioner argued that where similar riots and disorder occurred in other capital cities, these cities would be shut down for several days. He pointed out that full order was restored to Dublin city centre by 11:30pm on Thursday 23rd November 2023 and that the city centre was open for workers by the morning of Friday 24th November 2023 thanks to the work by Gardaí, the emergency services,

Dublin City Council, public transport companies, the business community and many others.

In relation to the communication methods used to request the assistance of Gardaí, the Committee was told that WhatsApp is often used to send messages to Gardaí who are trained in public order and is also used in relation to seeking members for overtime. The Commissioner added that some individual Gardaí were also watching social media and seeing events developing in the city centre through and decided to come into town to assist of their own volition.

The Commissioner stated that the riot had been a spontaneous incident and argued that it could not have been predicted. While Gardaí were aware of the potential for a public order incident to occur, he told the Committee that there was no indication of how fast or to what extent misinformation would spread over social media and what would occur as a result of this.

The Commissioner also pointed out that there had been an increase in the deployment of public order units following previous protests, and that there had been a daily deployment of two public order units since the protest that occurred outside of the Dáil on the 20th of September 2023.

In terms of contingency plans, the Committee heard that the public order unit would complete scenario-based exercises in the Garda College to prepare them for events such as the riot on Thursday 23rd November 2023.

Finally, the Commissioner affirmed that an investigation had commenced into the riot on Thursday 23rd November 2023, with 38 individuals already arrested in relation to the riot at the time of the Committee meeting. He stated that the investigation will be assisted with CCTV footage and public reports, while a separate element of the investigation, under the Garda National Bureau of Criminal Investigation, will examine those who may have incited public order incidents or hatred on social media.

2. Changes to the operational policing approach for future protests or riots

The Commissioner acknowledged that the events of Thursday 23rd November 2023 had indicated the need for AGS to change their tactics and approaches in order to address future protests, riots or incidents of disorder.

The Commissioner and Minister highlighted the following steps and actions that will be taken to enhance the approach of AGS for future riots or volatile situations:

- **Operational debrief:** An operational debrief has been established, under the management of Assistant Commissioner Paul Cleary, to examine the response of AGS towards the riots on Thursday 23rd November 2023. The Commissioner is also engaging with the Garda unions to gather their feedback on the riots and a separate investigation into the events is being carried out by the Policing Authority;
- **High-visibility policing:** Since Thursday 23rd November 2023, there have been four public order units deployed in Dublin city centre, alongside high visibility policing including support from specialist units, as the dog, mounted, and air support units and this approach will be maintained into 2024;
- **Water canons:** The Commissioner highlighted that AGS have procured two water cannons from the Northern Irish Police Service that can now be used if situations of disorder break out again. It is also intended to submit a business case requesting the procurement of a further two water cannons;
- **Body-worn cameras:** It was highlighted that body-worn camera devices will be operational from mid-2024 rather than by 2025 as originally planned. There will also be a pilot programme using body-worn cameras in Dublin's inner city in early 2024, with use of these cameras guided by a code of practice, established in line with *the Garda Síochána (Recording Devices) Act 2023*.
- **Incapacitant spray:** All Gardaí will be provided with stronger incapacitant spray for their daily duties and more personal safety equipment;

- **Public order unit:** The following changes were recommended for the public order unit
 - The public unit will be expanded and 200 tasers will be provided to the members of this unit.
 - Public order tactics will be examined, to ascertain what additional equipment may need to be provided to this unit.
 - Consideration is being given to providing the public order units with smaller round shields and hand-held video cameras;

- **CCTV:** Changes to CCTV are proposed, in order to allow Gardaí to access audio and help them to identify crimes of incitement. Other changes to CCTV are proposed, to rectify issues that have prevented communities from putting up CCTV cameras.

- **Introduction of Facial Recognition Technology (FRT):** The Minister and Garda Commissioner discussed the intention to bring forward legislation to allow for the retrospective use of facial recognition technology (FRT) by Gardaí, in limited circumstances, to help identify offenders where serious offences have occurred. The Artificial Intelligence in this technology would establish the number of times an individual is seen in CCTV footage and the number of times they may have engaged in criminal activity and would save significant Garda resources and time, by removing the need for Gardaí to manually review all CCTV footage when investigating serious offences. This technology would also be subject to several safeguards, including oversight of its use by a High Court judge, to guarantee the protection of human rights.

- **Additional measures to strengthen AGS:** The Minister outlined several new measures she has introduced to strengthen AGS, including
 - Increasing the sentence for assaulting a Garda or emergency worker from 7 years to 12 years;
 - The rollout of new technology to Gardaí, with the rollout of Garda mobile devices and deployment of ANPR in Garda vehicles;

- The opening of a new Garda station on O'Connell Street, the opening of a new Garda control centre for the Dublin Region in Heuston Station and the re-opening of the Fitzgibbon Street Garda Station.

3. Clarity around the use of force by Gardaí

Members questioned whether there is sufficient clarity around the use of force that is permitted by Gardaí during situations of riots or protests. Some Members said Gardaí had told them that they do not always feel comfortable or confident in using the powers available to them, or knowing the appropriate response they may use and this can have a ‘chill factor’ on their willingness to use force in responding to incidents of public order.

Members stressed that Gardaí must feel supported and be enabled to protect public safety and react in a manner appropriate to control riots.

The Committee was informed that Gardaí adopt a graduated response towards managing protests, which balances the constitutional right of individuals to protest, with the need to protect other citizens and to prevent breaches of the peace or prevent crimes from being committed. While Gardaí should resort to the use of force as a last option in such situations, the Commissioner affirmed that Gardaí are permitted to use force to protect public safety. He highlighted that he had confirmed his full support for Garda members in their use of force on the day following the riot.

The Commissioner affirmed that, in situations where Gardaí are being subject to constant and ongoing abuse by members of the public while managing protests, arrests should also be made to manage these situations, where appropriate. Providing the Gardaí with improved equipment for violent or confrontational situations will also support them in handling these situations ([see Point 2](#)).

The Committee was told that the Minister had requested that the Policing Authority would advise of any additional measures that may support Gardaí in the exercise of their lawful powers, which includes the use of force, in light of the protests that occurred on Thursday 23rd November 2023. She said she had not requested the Authority to outline when or how Garda member should use force, but rather asked them to confirm their support for Garda members in using force where necessary / appropriate and in line with the training provided to them.

The Commissioner welcomed clarity on the use of force being provided by the Policing Authority, while highlighting that AGS also has its own decision-making

model based on a code of ethics and public order units would be aware of this model and its principles.

The Committee heard that the length of time it takes to complete investigations and complaints into Garda members has a negative impact on these Gardaí and can create stress within AGS. The Minister pointed out that the current manner in which the Garda Síochána Ombudsman Commission (GSOC) must investigate complaints can prolong the time it takes to complete its investigations. She pointed out that the enactment of the *Policing, Security and Community Safety Bill 2023* will help to shorten the timeline within which investigations are completed, by identifying at an earlier stage whether an investigation is a disciplinary or criminal matter and the action that should be taken as a result.

The Minister confirmed that the funding provided to GSOC has also increased over the last three years to allow the organisation to recruit more staff and that this should also help it to speed up its processes and reduce the delays associated with cases.

In addition, she pointed out that, while it depends from case to case, Gardaí who are under investigation by oversight bodies are not always suspended while these investigations take place.

4. Intelligence operations and monitoring of the far-right

Several members raised questions around the intelligence operations and monitoring that AGS conducts into members of the far-right.

Some argued that the Garda intelligence operation had not been effective in anticipating and preventing the riot that broke out in Dublin city centre on Thursday 23rd November 2023. Others argued that the increasingly violent and threatening protests by members of the far-right over the past few months were not receiving a sufficient response from Gardaí, highlighting for example, protests outside libraries where library staff were harassed, intimidated and threatened.

In response, the Commissioner pointed out that AGS has been aware of the threat posed by the far-right for the last few years. While specific details relating to AGS' intelligence operations are confidential, he assured Members that AGS takes seriously the threat posed by the far-right.

In relation to previous protests, the Commissioner affirmed that any incidents in which the law has been broken and complaints were received by the Gardaí, are being investigated. The Committee heard that an investigation file in relation to protests around libraries in Cork has been submitted to the Director of Public Prosecutions (DPP) and that 50 individuals were reported to the DPP in relation to his protest. An investigation in relation to the protest outside the Dáil on the 20th September 2023 is also underway.

The Committee was informed that efforts are also being made to investigate central figures within the far-right movement and to send the results of these investigations to the DPP for further action. Members of the Special Detective Unit (SDU) are involved in investigations into individuals who are associated with the far-right and that the Garda National Bureau of Criminal Investigation is also carrying out an investigation into individuals who incited hatred or violence online during the riots on the 23rd of November 2023. The Committee was told that AGS also monitors the engagement and contact between individuals associated with the far-right in Ireland and with similar groups in the UK and the EU.

The Committee was told that there are sufficient numbers of personnel in the intelligence operations sector for its current workload, however, this is an area in which AGS wishes to expand the number of staff in future.

The Commissioner pointed out that there is a significant amount of material on the internet relating to potential security threats which must be examined and that it can be challenging to analyse all of this material and ascertain which of these threats are serious and which are misinformation.

The Minister noted, on the definition of 'far right,' it is a political ideology or particular view that a person has. One Member stressed concern around collectively labelling individuals as 'far right.' The Committee heard that individuals who engage in such disturbances might not necessarily identify with the ideology, but rather feel failed by particular Governments or historically. It was suggested that these individuals start to relate to far-right ideologies or sentiments, coming together against what is perceived as 'a common enemy.'

The Committee is concerned at the increasing presence of far-right groups and their increasing use of violence and the policing response to these.

Similarly, there are a significant number of groups circulating in relation to the far-right and which contain far-right content and the Commissioner argued that it is not possible for Gardaí to monitor every one of these networks, while some of these networks can be very challenging to infiltrate. He encouraged members of the public to alert Gardaí to any such material they come across online which they believe Gardaí should be made aware of.

The Minister also highlighted that the current hate crime legislation does not address dissemination of hateful or violent content on the internet. She stated that when it is enacted, the *Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022*, should provide a stronger legislative approach towards tackling these crimes.

5. Need to maintain high-visibility presence of Gardaí in Dublin city centre

Several Members emphasised that the high-visibility policing, which was present in Dublin city centre in the weekend following the riot, must be maintained and that high-visibility policing must become the regular approach for Dublin city centre.

The Committee heard that Operation Citizen, which commenced in 2022, had seen an increase in the number of Gardaí on patrol in Dublin city centre with dedicated Gardaí assigned to this Operation.

The Commissioner confirmed that high-visibility policing would continue in the city centre in the weeks following the riots and that it would also be maintained throughout the Christmas 2023 period. He stated that while there are many demands placed on policing, particularly during the Christmas period, there will be a shift in prioritisation of resources, to ensure the high-visibility of Gardaí is maintained, over other areas of policing where necessary.

The Committee was also told that a cohort of 151 trainee Gardaí would also be attested in December, rather than January, to allow these trainees to be deployed on 16th December and help with policing demands over the Christmas period. A significant number of these trainees would be assigned to the Dublin Metropolitan Region, alongside other areas throughout the country and will then return to the Garda College briefly in January to complete their training, before being permanently deployed.

The Commissioner and Minister also highlighted the new Garda Reserve regulations, which aim to expand the role of Reserve Gardaí ([see Point 1](#)).

The Commissioner and Minister welcomed the upcoming Garda recruitment campaign which will take place in early 2024 and the onboarding of more Garda Reserve members, who would provide further support to the capacity of AGS.

CHAPTER 4 - Summary of Submissions

The Committee received submissions from the following Stakeholders.

- The Garda Representative Association (GRA)
- Association of Garda Sergeants and Inspectors (AGSI)
- Mr. Anthony Gallagher, Former Inspector of An Garda Síochána and Risk, Security & Event Manager with Ashtree Risk Group
- Restaurants Association of Ireland (RAI)

These submissions commented on three main areas including the challenges relating to recruitment and retention within an Garda Síochána; rostering and general morale within the force; policing in Dublin city, the perceived increase in street crime and whether the current approach is working; and the policing of protests and whether the correct balance is being struck in the context of the right to assemble peacefully.

1. Challenges relating to recruitment and retention within an Garda Síochána, rostering and general morale within the force

Outline of the challenges relating to recruitment and retention

Submissions argued that the difficulties in recruiting Gardaí are currently at crisis level. It was pointed out that, despite the fact there was similar high employment levels in Ireland during the Celtic Tiger, there were no similar difficulties in recruiting individuals for an Garda Síochána (AGS). Stakeholders disagreed with narratives that the recruitment crisis had been caused by the pandemic, arguing that this crisis has been developing over several years. In addition, many more members will be eligible for retirement in the coming years, which will add further pressure on the number of available Gardaí.

Submissions also commented on the growing resignation levels among members of the force and pointed to figures which showed that 107 members retired in 2022 and 106 members have retired so far in 2023. Stakeholders emphasised the importance of trying to retain members of the force, who have received significant training and experience and welcomed the formal introduction of exit interviews, conducted on members who choose to leave AGS. It was recommended that such interviews should adopt a positive and encouraging approach to try and discover the reasons members are choosing to leave the force and try to encourage them to stay. For example, suggesting a simple change of the location or duty of the member may help them reconsider their decision to resign.

Factors affecting recruitment, retention and morale

Submissions mentioned several factors which contribute to the retention issues, low morale and increased levels of resignations within AGS and include some of the following:

- **Pay:** Several stakeholders pointed out that the low levels of pay to Garda trainees, which is set at €184 per week for the 33 weeks of training in

Templemore, has a negative impact on the ability to recruit Gardaí. Submissions highlighted that many people now join AGS at an older age and have family responsibilities and mortgage payments and that the low wage paid to trainees can deter individuals from joining.

- **Pensions:** Submissions also pointed to the new pension regulations that were introduced across the public sector in 2013 and argued that the terms of Garda pensions are much less favourable than they were for those who joined before 1995. Stakeholders said that those who joined after this year have had to sign onto jobseeker's allowance for nine months before being eligible to access their supplementary pension and that the status of a supplementary pension for those who joined after 2013 is yet unclear. Some may also opt for a career in the private sector, where they receive a more favourable pension than with AGS.
- **Excessive oversight within the organisation:** Submissions were critical of the excessive oversight that has developed within the organisation, arguing that managerial monitoring tools, which are meant to be used to identify problems and help members, are being used to identify problems and blame or criticise members for these problems. Submissions also criticised the oversight of the Garda Síochána Ombudsman Commission (GSOC), regarding the significant delays in concluding investigations into Garda members and that complainants may submit vexatious complaints to GSOC, which are investigated without any penalties being applied against the complainant.
- **Suspension:** Stakeholders highlighted that there are currently 100 members of the organisation suspended, some of whom are suspended for many years, which has a devastating impact on their reputation and their careers. Stakeholders criticised the lack of transparency within the suspension system of AGS as there are no opportunities through which Gardaí can appeal these decisions.

- **Rostering:** Submissions highlighted the current negotiations over the Garda roster, where many Garda members wish to retain the current 'Covid' roster, where they work 12-hour shifts (of either 7am-7pm or 7pm-7am) over a four-day period and then have a four-day rest period. Stakeholders highlighted that the current roster has several benefits for members, among them a better work-life balance for members and more predictability over managing their rest periods. In addition, reverting to the old roster would result in members who had been moved to specialist units being re-deployed to front-line policing, leaving these units with few staff. Submissions stressed that, while any new roster must prove flexible to ensure that Gardaí may meet the policing needs of their community, it must also meet the work/life balance needs of Garda members, a factor which is of significant importance when trying to attract new recruits to the organisation.
- **Work-life balance:** Submissions highlighted the impact of the occupation on a member's work-life balance, as the requirement for members to be stationed over 80km from where they grew up and the requirement for more Gardaí to be deployed to stations in urban centres, where accommodation is increasingly unaffordable, results in more members spending a longer time commuting to their job.
- **No continuous professional development:** Submissions highlighted that there has been no in-person training for members on legislative developments over the last decade. When members inevitably make mistakes, they are disciplined for these mistakes, which contributes to Gardaí being afraid of performing their duties for fear of being disciplined.
- **Management and leadership:** Submissions highlighted that it is essential for management to provide strong and supportive leadership to frontline Gardaí. However, stakeholders criticised the re-structuring of management in recent times and that responsibility for decision-making has been delegated to members of lower ranks, e.g. under the new Operational Model where

managerial responsibility has been shifted from Superintendent to Inspector ranks in several areas.

- **Annual Leave:** Resourcing issues have impacted the ability of members to use built-up annual leave, to avail of career breaks or avail of leave during term time, with members becoming burnt-out as a result.

Stakeholders also highlighted that public statements made by the Minister for Justice and the Garda Commissioner asserting that morale is not an issue within AGS have aggravated the issue and have made Gardaí feel like their issues are being downplayed or ignored.

Recommended solutions to the issues outlined

Stakeholders suggested some of the following measures to tackle issues with recruitment, retention and morale with the force:

- In relation to pay, it was recommended that
 - An 'Independent Pay Review Body' be established for AGS, which could examine the salary, benefits and pension issues for those who joined the AGS after 1995 and how this may be impacting recruitment and retention within the force.
 - A 'Long Service Pay Increment' be introduced for Gardaí who have been working for over 20 years, to help incentivise these members to continue working with AGS.
 - That the training allowance for student and probationer Gardaí be revised.
- Submissions highlighted that the Report of the Commission on the Future of Policing in Ireland (CoFPI) has listed 30 measures on how to improve morale

within an Garda Síochána and recommended that these measures should be reviewed and the progression of these goals monitored.

- That a 'Right to Disconnect' Policy should be established for An Garda Síochána, including a stipulation that Garda mobility devices should be left in the workplace when members are off duty.
- That the potential to introduce statutory minimum sentences for assaults on Gardaí and other frontline workers be examined.
- That the promotion regulations introduced in 2021 be re-evaluated, as they were brought in without sufficient consultation with members and have discouraged individuals from progressing within AGS.
- It was recommended that the issue of the 'right to strike' for members of AGS is re-evaluated, to ensure a more coherent policy is in place and deter individuals from making individual choices about whether to withhold labour in given industrial disputes. Elements that could be re-examined include the limitations and restrictions of this policy and policies around minimum / emergency cover during strike days.
- That a review of the Operating Policing Model be undertaken on a regular basis and that a review of the current Suspension Policy of Garda members take place.
- A forum should be established for the consideration of rostering arrangements within AGS and to ensure that members are involved in active discussions in relation to rostering arrangements. The forum should meet twice a year, even when agreements have been reached to deal with rostering issues.
- It was recommended that the promotion courses syllabus for new Sergeants & Inspectors should emphasise the need for these staff to provide leadership to

front-line Gardaí, to inspire a police force who are working in a more demanding policing environment than previous.

- It was recommended that there should be mandatory counselling for members of AGS to remove the stigma attached with seeking counselling and that the rostering of employee assistance officers should also cover weekends and Bank Holidays, to ensure that Gardaí can access counselling during these periods when the most traumatic incidents occur.

2. Policing in Dublin city, the perceived increase in street crime and whether the current approach is working

Submissions stated that poor public perception of safety and a fear of experiencing crime or anti-social behaviour when in Dublin city centre has an impact on business owners in the city centre, as people are unwilling to shop or dine in the city as a result of these fears.

It was outlined that the public's perception of safety in Dublin city centre is low, referencing the findings of a Red C Poll from July of this year, which found that only 7% of adults believe that Dublin city centre is safe at night and only 20% of adults finding Dublin city centre safe during the daytime.

The impact of lesser footfall in the city centre also extends out to affect the growth of the hospitality sector as a whole and submissions highlighted that media reports of assaults in Dublin city centre also impacts on Ireland's international reputation as a tourism and hospitality destination.

Among the factors that are contributing to the increase in street crime in Dublin include:

- **Visible lack of Gardaí on patrol:** Stakeholders highlighted that the presence of Gardaí on patrol acts as a significant deterrent to those who may engage in criminality, and it was argued that the visible lack of Gardaí on patrol in Dublin city centre in recent times is a major factor which contributes towards the prevalence of anti-social behaviour in Dublin city centre.
- **Drugs and addiction:** Submissions outlined that the drug trade and drug addiction are also significant contributors to crime in the city centre. They stated that the public consumption of drugs can result in incidents of anti-social and violent behaviour, while the public sale of drugs also contributes towards a perception that there are no consequences for these crimes, as drug dealing occurs openly in the city centre. Stakeholders also commented on the presence of methadone clinics in the city centre and that addicts may congregate together

in the city centre after attending these clinics, which can unnerve members of the public or business owners.

- **Assaults:** Stakeholders argued that recent data released by AGS supports the public's perception that there has been an increase in street crime and assaults in Dublin city centre, with 2,353 assaults recorded in the Dublin Metropolitan Region from January to July 2023, including an increase in incidents of assault and obstruction against Gardaí.
- **Begging & shoplifting:** Submissions commented that the presence of people begging directly outside of shops or approaching people who are dining outdoors can deter individuals from going back to these businesses, while staff may also feel intimidated by these individuals or be concerned about the risk of them shoplifting.
- **Overconcentration of hostels:** Submissions commented that there has been a significant increase in the number of hostels in the city centre and an over-concentration of these hostels in certain areas. It was stated that many of the inhabitants of these hostels are former prisoners or addicts and that this environment is not conducive for these individuals to fully rehabilitate.
- **Lack of amenities in social housing complexes:** Some stakeholders argued that the rise in the number of young people engaging in crimes including shoplifting, assaults, or substance abuse can stem from the fact that there are few amenities for them in flat complexes in the city centre, which can result in them hanging around the city centre with friends and engaging in anti-social behaviour. Stakeholders said that these young people must be monitored and must also be sanctioned for committing anti-social behaviour.
- **Policing as a collective responsibility:** Stakeholders also pointed out that the (CoFPI) report stressed that policing is a collective responsibility, meaning that relevant agencies should engage and work together with AGS to help provide efficient policing services at local and national level. It was underlined that

policing Dublin city centre must also be viewed as a collective responsibility and that there should be more collaboration and a clearer strategy between AGS and all relevant stakeholders, in order to effectively tackle the issues impacting on the level of street crime in Dublin.

Stakeholders made several recommendations for how to improve the incidence of street crime in Dublin, including:

- To review the transport options into Dublin city centre, with a view towards increasing the number of public transport options and taxis available, particularly at night and to cater for the demand for public transport during busy periods or holidays.
- There should be greater investment into campaigns relating to the recruitment and retention of Gardaí and the potential to use members of the Garda Reserves in certain situations should also be examined. It was also recommended that a set number of Gardaí should be assigned to patrol in specific areas of the city with high footfall, to ensure that there is a visible Garda presence in key areas of the city centre.
- The ability of AGS to deal with the public sale and consumption of illegal drugs must be bolstered and that a review should take place to examine the effectiveness of the drug treatment centres located in the city centre and the possibility of moving these facilities outside of the city centres.
- It was recommended that public order legislation should be updated to address situations where individuals obstruct retail premises or beg outside licensed premises.
- Stakeholders recommended that the number of hostels in the city centre be decreased in the long-term, while the management of existing hostels should be strengthened in the short-term.

- Some submissions recommended that the housing of families in flat complexes in the city centre should be re-examined, in order to intercept cycles of anti-social behaviour that have perpetuated in some of these complexes. It was also recommended that there be more facilities for young people living in flats in the city centre, such as soccer leagues or recreational centres and that there should be a more 'hands-on' approach in relation to the management of these flat complexes.
- Some stakeholders recommended an increased role for Garda staff in intercepting anti-social behaviour in the city centre. For example, that the staff in Store Street & Pearse Street Garda Stations would be assigned to the Communications Rooms to monitor cameras and identify potential persons of concern, who they may then direct Gardaí towards pursuing. It was suggested that Garda staff could also support Gardaí with other administrative tasks as creating charge sheets, bail bonds or reports, to free the capacity of Gardaí and allow them to spend more time patrolling the streets.

3. Policing of protests and whether the correct balance is being struck in the context of the right to assemble peacefully

Submissions outlined several issues in relation to the policing of protests.

Many stakeholders highlighted the lack of adequate training for front-line members of AGS in how to police protests. While the Public Order unit are training to police these events, submissions pointed out that it is often front-line Gardaí that are tasked with responding to these events. Submissions underlined that these members of the force have received no training in relation to policing such events and that only long-serving members of the force received a few hours of training on policing protests, while they were still in Templemore many years ago; and that there is no-ongoing training for these members on how to police these events. As a result, stakeholders argued that Gardaí placed in these situations feel abandoned and without direction on how to adequately respond and manage these protests.

It was pointed out that current public order legislation, *the Criminal Justice (Public Order) Act, 1994* has been in place for almost 30 years and requires updating to address recent situations where the public, officials and Gardaí have been threatened during protests.

Submissions also highlighted the recent concerning trend of protesters intimidating, abusing and recording Gardaí and putting these images online. It was stressed that management must intervene and provide proper direction and guidance on the policy in relation to this issue and that adequate supports must be in place to help members deal with the stress and trauma arising from policing such protests.

Other solutions to better equip Gardaí to police protests include:

- While acknowledging the progression of legislation to introduce body-worn cameras, submissions highlighted that the current lack of body-worn cameras leaves Gardaí behind other jurisdictions where this equipment has long been used.
- It was recommended that there should be greater communication and involvement of staff associations in de-briefs that occur in relation to significant

protests, in order for these organisations to be able to pass on relevant information to their members and help address any issues raised with them in relation to such protests.

- It was recommended that there should be continuous training on how to manage crowds peacefully and that commanders of bronze, silver and gold level should be on-duty for all large-scale protests. Submissions recommended that there should always be a consistent approach towards policing protests and clear leadership from the top on this issue, so that there is an appropriate and proportionate response to protesting from Garda members.

APPENDICES

APPENDIX 1- ORDERS OF REFERENCE OF THE COMMITTEE

Standing Orders 94, 95 and 96 – scope of activity and powers of Select Committees and functions of Departmental Select Committees

Scope and context of activities of Select Committees.

94.(1) The Dáil may appoint a Select Committee to consider and, if so permitted, to take evidence upon any Bill, Estimate or matter, and to report its opinion for the information and assistance of the Dáil. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum, and may appoint a date upon which the Committee shall report back to the Dáil.

(2) It shall be an instruction to each Select Committee that—

(a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;

(b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;

(c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1)¹; and

¹ Retained pending review of the Joint Committee on Public Petitions

(d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

(i) a member of the Government or a Minister of State, or

(ii) the principal office-holder of a State body within the responsibility of a Government Department or

(iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.

Functions of Departmental Select Committees.

95. (1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—

(a) legislation, policy, governance, expenditure and administration of—

(i) a Government Department, and

(ii) State bodies within the responsibility of such Department, and

(b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.

(2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—

(a) stand referred to the Committee by virtue of these Standing Orders or statute law, or

(b) shall be referred to the Committee by order of the Dáil.

(3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—

(a) for the accountability of the relevant Minister or Minister of State, and

(b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.

(4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—

- (a) consents to such consideration, or
- (b) has reported on such accounts or reports.

(5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—

- (a) the Committee Stage of a Bill,
- (b) Estimates for Public Services, or
- (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

(6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.

(7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.

(8) Where a Select Committee proposes to consider—

- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
- (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
- (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
- (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings, the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:
 - (i) members of the European Parliament elected from constituencies in Ireland,
 - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (iii) at the invitation of the Committee, other members of the European Parliament.

(9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—

- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and

(b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.²

² Retained pending review of the Joint Committee on Public Petitions.

Powers of Select Committees.

96. Unless the Dáil shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

(1) power to invite and receive oral and written evidence and to print and publish from time to time—

(a) minutes of such evidence as was heard in public, and

(b) such evidence in writing as the Committee thinks fit;

(2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;

(3) power to draft recommendations for legislative change and for new legislation;

(4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—

(a) require any Government Department or other instrument-making authority concerned to—

(i) submit a memorandum to the Select Committee explaining the statutory

Instrument, or

(ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Dáil,

and

(b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;

(5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—

(a) policy, or

(b) proposed primary or secondary legislation (prior to such legislation being published),

for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;

(6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

(7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;

(8) power to require that a member of the Government or Minister of State who is officially

responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 197;

(9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—

(a) State body within the responsibility of a Government Department or

(b) non-State body which is partly funded by the State,
shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;

and

(10) power to—

(a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and

(b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 120(4)(a).'

APPENDIX 2 - LIST OF STAKEHOLDERS AND SUBMISSIONS

The Committee received submissions from the following stakeholders

- Restaurants Association of Ireland (RAI)
- Mr. Anthony Gallagher, Risk Security & Event Manager with Ashtree Risk Group, Chairman of Dubhlinn and Former Inspector of An Garda Síochána
- Association of Garda Sergeants and Inspectors (AGSI)
- Garda Representative Association (GRA)

[Submissions are available in the online version of the Committee's Report, which will be accessible at <https://www.oireachtas.ie/en/committees/33/justice/>].

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RESTAURANTS ASSOCIATION

OF IRELAND

**Policing Dublin City – Perceived Increase in Street Crime
– is the Current Approach Working?**

October 4th 2023

Introduction

1. The Restaurants Association of Ireland (RAI) and our members are increasingly worried about the impact that street crime and anti-social behaviour in Dublin city is having on hospitality and food-led businesses in the nation's capital city. The safety of a city centre plays a crucial role in influencing consumers' decisions to travel to support local food-led businesses such as restaurants, gastropubs and cafés. Regrettably, our members report that our current approach to policing Dublin city, while not the fault of the hard-working members of An Garda Síochána, is inadequate and is having a direct impact on the safety of the public and the vitality of the city's business community.

Public Perception

2. Despite wanting to support local businesses, customers are inevitably impacted by the risk of falling victims to street crime and anti-social behaviour and can become deterred from venturing into Dublin city for dining experiences as a result, particularly at night. The results of polling conducted by Red C on behalf of the RAI in July 2023 confirmed that serious issues exist around the public's perception of Dublin city's safety. The report found that only 7% of all adults think safety and security is good at night in Dublin city centre. This improves slightly during daytime, though is still worryingly low, with 20% of all adults finding safety and security good during the day. It is our belief that heightened concerns around street crime and anti-social behaviour among the public are not a new trend and have been brewing for a number of years.

3. We saw in July that additional funding of €10 million for Gardai in the Dublin region was announced by Minister for Justice Helen McEntee following the widely-reported attack of a tourist from the United States, Mr Stephen Termini, that occurred on Talbot Street in Dublin city. It should not have taken the assault of Mr Termini, along with the subsequent media coverage and a [warning](#) from the US embassy in Dublin advising visitors to avoid walking alone and to watch out for "potential pickpocketing, mugging and other theft", for long-warranted attention and funding to be provided. We also believe it is worth noting that news of the security alert issued by the US embassy in Dublin was reported on in the United States, the United Kingdom and elsewhere around the world, causing damage to Ireland's reputation as a top tourism and hospitality destination.

4. Concerns about personal safety and the safety of their belongings, such as vehicles or personal property, are among the factors that currently dissuade tourists and domestic consumers from making the trip to Dublin city after they hear about increased criminality. The subsequent decline in footfall not only affects businesses but also has broader economic consequences for the city. Restaurants and other food-led establishments are vital contributors to the local economy, providing jobs and stimulating tourism. Reduced patronage due to safety concerns leads to financial strain being placed on these businesses, the businesses that surround them and hinders the overall growth of the hospitality sector.

Figures Around Assaults

5. As is often the case, public perception (that street crime, including assault, is widespread in Dublin city) is grounded in reality. [Figures](#) released by An Garda Síochána revealed that, from January to the end of July of this year, there have been 2,353 assaults across the Dublin Metropolitan Region. In particular, the figures showed an increase in incidents of assault and obstruction against Gardaí and peace officers, something that is entirely unacceptable. Somehow, however, the figures are actually slightly less than last year, showing this year to not be an anomaly. Is it any wonder that consumers are now more hesitant to journey to Dublin city centre to support food-led businesses, particularly at night, when they are bombarded with media coverage of assaults occurring, and when the data proves these to not be isolated incidents.

Gardaí on Patrol

6. It is the belief of the RAI that the primary cause of the current prevalence of street crime and antisocial behaviour in Dublin city is a lack of visible Gardaí patrolling streets. Severe difficulties in the State's ability to recruit and retain Gardaí are not limited to Dublin, of course, but the level of visible Gardaí on the streets of Dublin city does not come close to rivalling other European capital cities. There is no stronger deterrent to engaging in criminality than the possibility of an active Garda on patrol being in the area to arrest. It is disappointing to see that Gardaí numbers seem to be [continuing](#) to decline as recruits offered places in Garda College have not taken them up and resignations are on the increase. On top of this, members of the Garda Representative Association have committed to not work overtime every Tuesday of this month as part of a row with Garda Commissioner Drew Harris. Investing in a recruitment and retention campaign for An Garda Síochána and examining possible uses for the 371 members of the Garda Reserve should be top priorities.

Shortage of Taxis and Public Transport Links

7. On top of investing in our Gardaí - who are doing the absolute best they can with the numbers and resources available to them - and ensuring greater numbers patrolling the streets of Dublin city, we also believe that a review of transport options is something that needs to be looked at. The current shortage of taxis and public transport options in Dublin city has customers and employees spending longer periods of time in the city centre than should be required after late-night venues close and during other times too. This issue becomes exacerbated during peak periods such as bank holidays and major events. We need to examine ways of increasing the numbers and availability of Dublin city's taxi fleet and also provide additional public transport routes to those who travel to work, dine and enjoy the nightlife of Dublin city, while ensuring that these routes are reliable and punctual, making it easier for customers to get to and from Dublin city's businesses safely in the process.

Drugs and Addiction

8. As a final point, as the Committee will be well aware, Dublin's well-documented addiction problem has also been plaguing the city's streets in recent years. The drug trade is proving the stem of much of Dublin city's street crime. Around the city's quays, the public sale and consumption of

illegal drugs has become commonplace. Activity of this nature, which is deeply off-putting for nearby citizens and consumers, is not limited to the quays, however, even taking place daily around the city's main thoroughfare, O'Connell Street. The public consumption of drugs is also leading to associated illegal behaviour including regular brawls and assaults involving those under the influence. Gardaí do not have sufficient numbers or resources to tackle the issue and the frequency of public sale and consumption of drugs in Dublin city centre is sending out a message that there are no tangible consequences for criminality. We cannot allow this to continue. While having empathy for those individuals struggling with drug addiction, the RAI also believes that a review of the efficacy of having a significant number of drug treatment centres based in and around the city centre is required.

As such, in response to the prevalence of street crime and anti-social behaviour in Dublin city, the RAI is calling for:

- The facilitation of an ongoing frank and honest conversation among political representatives and other stakeholders around the devastating impact that street crime and anti-social behaviour is having on the appeal of Dublin city. The RAI is particularly concerned by the consequences of this criminality for small and medium-sized food-led businesses in the area.
- Investments to be made in a recruitment and retention campaign to increase the number of members of An Garda Síochána in Dublin and around the country, as well as consideration of potential utilisation of the Garda Reserves.
- A review of the availability of transport options in Dublin city aimed at increasing the number of taxis and public transport routes available to those that travel to Dublin city centre, particularly at night.
- A strengthening of An Garda Síochána's capacity to deal with the public sale and consumption of illegal drugs, along with a review of the efficacy of the proliferation of drug treatment centres in the city.

9. We would be delighted to discuss the contents of this submission with the Committee and all other interested stakeholders, as we work together towards the creation of a city centre that is vibrant, prosperous and safe for residents and visitors alike. We will also be happy to furnish the Committee with the full findings of the Red C report conducted on behalf of the RAI into the public's perception of Dublin city.

GM_02



INVITATION FOR WRITTEN SUBMISSIONS TO THE JOINT COMMITTEE ON JUSTICE THE TOPIC OF POLICING MATTERS

Operational Policing Matters Discussed



OCTOBER 4, 2023

1. Challenges related to recruitment and retention; rostering and general morale within the force.

1.1 Recruitment.

It is important that An Garda Siochana would be an appealing a career to applicants and furthermore given the fact that the entry age is to be extended the €180 a week allowance whilst in training needs a serious reflection, roadcraft training should be the emphasis, learning on the job rather than a long spell at the Garda College and their first-year wage should commence at that point.

1.2 Retention

I was an early voice on stating that there should be exit interviews, if there is an application to resign or an application to retire when the applicant clearly could stay up to the mandatory retirement age then there should be an intervention in a positive and engaging way to determine why the member wants to leave. I would suggest that this should be from an HR function, the format should be a conducive environment to allow the member to give their reasons. The forum should allow for positive feedback and offer encouragement to remain, it may be that a change of location, a change of type of duty or some other issue in the workplace that has led to the decision to resign / retire. A significant amount has been invested in training the personnel and everything possible should be pursued to encourage a change of mind.

1.3 Rostering

The present Covid Roster was an exceptional restructuring of units, it was primarily designed to avoid unit cross-over times so that the covid was managed to avoid contagion. The strong learning point was that a 4 Unit system was better as the 5 Unit was already stretched and there was a lack of supervisory sergeants. It is noticeable that after a short number of years that Gardai on the core units will seek lateral movement to avoid the long tours associated with the core units and such a move usually involves working more than four days with a shorter working day, so it is inevitable community police and detective units should revert to non 12hr tours. The move to a six-day shift should not be at a financial loss and a detective allowance therefore needs to be revised.

1.4 Morale

The key to maintaining morale is strong and supportive leadership to the frontline, the midranks must be to the front to provide leadership and confidence to the Gadai, this is particularly relevant in protest situations. The promotion courses syllabus for newly promoted

Sergeants & Inspectors needs to have a strong emphasis on leadership at the frontline to inspire a young police force who are asked to police our streets in a more challenging environment.

2. Policing Dublin City – perceived increase in street crime – is the current approach working?

The current approach of policing under Operation Citizen is not consistently working. Garda resources must follow the footfall, if there are 100 million visitors to Dublin City each year then it is logical that the level of policing at city center stations needs to increase, lateral movement to specialist units has not helped this situation at a time of a staffing shortage, the frontline high visibility policing should be the priority.

2.1 Panhandling & Shoplifting

The upsurge in crime starts with panhandling. It is almost impossible to enjoy alfresco dining and drinks outside any premises without been intruded upon by panhandlers, the sight of addicts approaching customers more than once in an evening is enough to convince a diner not to return. It is also unsightly to witness panhandlers taking up a position directly outside high street shops, customers must step over them or walk around them to enter the shop. There is an undertone to this begging, the staff inside the shops are afraid of them as the same beggars also turn to shoplifting and impose themselves at coffee counters to help themselves causing hygiene issues, it is intimidating for staff.

Recommendation

The Public Order Legislation is almost thirty years old, this legislation needs to be updated to deal with obstructing retail premises and panhandling outside licensed premises.

2.2 Hostels

There has been a significant increase in the number of hostels in the city center and an over intensification in some areas of the city, most of the inhabitants are people with addiction issues, homeless families are even afraid to accept such placements when offered by a homeless service. It is of note that many of the inhabitants are people who have served terms of imprisonment, they quickly fall into a crime routine again as they cannot stay in the hostels throughout the day, such vulnerable persons will never learn to become self-sufficient in a city hostel, it is not an educational environment.

Recommendation

The number of hostels in the City Centre should be decreased and while this is a longer-term project, the shorter solution is to provide suitable management oversight in the existing hostels.

2.3 Methadone Dispensing Centres

Methadone dispensing centers are another issue and again these facilities are in the city center, addicts descend on the clinics, they do not go home when they have received a service at these locations, they roam the city and meet other addicts, the sight of such gatherings causes great alarm to the business community and invariably they also revert to crime.

Recommendation

Methadone Dispensing Clinic Services should be de-centralised and moved in to suitable suburban centres.

2.4 Social Housing

The presence of Social Housing in the form of flatland within a short radius of the City is another significant issue, young persons growing up in this type of accommodation have nowhere to go, there is no provision for recreational activity as a distraction so they will gather with their own peers and descend on the city, poor city planning has led to this situation. The rise in juvenile crime has been significant and continues to be, from shoplifting, assaults, antisocial behaviour, and substance abuse. This profile of offender needs close monitoring and offenders must know that there will be a sanction.

Recommendation

The housing of families generation after generation in the same inner city flat complexes needs to be revised, otherwise a cycle of anti-social behaviour will never stop as has been experienced of some of these complexes, the applicants have become too prescriptive as to where they should be housed.

Management of existing flat complexes needs a more hands-on approach and working with the residents to create facilities for young persons e.g late night soccer leagues, recreational centres and parks.

2.5 Policing

The General Post Office (GPO) in Dublin's O'Connell Street is a symbol of the founding of the Nation, it is a national focus point and tourists internationally identify with it. O'Connell St and the City Centre receives a footfall of approximately 100 million people a year and a substantial percentage of that number is tourism related. The method of policing of O'Connell Street is a barometer on how policing nationally is judged, if we are not capable of sufficiently policing our National Promenade this will have an influence on public opinion and the perception of safety.

The City Centre is a commercial, tourism and entertainment zone, people visit the city to enjoy the experience and it is legitimate for them to have a reassurance that they will be safe. Diners enjoy outdoor dining experience, they like to take in the view of a vibrant city and restaurants attract more diners because of outdoor seating.

Recommendations

- The City should be policed each day as though there was an event, a mandatory number of high visibility Gardai should be assigned to key areas where footfall is at its highest, this will deliver a perception of safety.
- Garda Staff (Non Gardai) should be assigned to the Communications Rooms / Camera Rooms at Store Street & Pearse Street Garda Stations, they will be the spotters identifying where gangs of youths or persons of concern are gathering, Garda Units will then be directed to these areas.
- Two Support Mobile Units (Personnel Carriers) should patrol the City Centre to support Gardai on beat patrols and they should frequently park up at strategic locations and deploy to the immediate area, such a measure will give a morale boost to the Gardai on foot patrols and create a strong visible presence reassuring retailers and businesses.
- Garda Staff at Garda station level should also be tasked to support operational Gardai in the administrative area of creating charge sheets, bail bonds and reports such support would ensure the trained Gardai will have a greater presence on the streets.
- Garda College Training should receive a complete revision, the emphasis should be on roadcraft learning, trainee Gardai should spend more time at Station level where they will receive real time and meaningful training.

Involving Garda Staff at an operational administrative level will create a recruitment stream into the Garda Síochána as they will develop an interest.

3. Policing of protests – is the correct balance being struck in the context of the right to assemble peacefully.

The balance has shifted with the rise of the extreme right, recent situations have involved the threat to public officials, Gardai and the public generally. This situation needs to be addressed and requires legislative support to deal with this new phenomenon, as stated earlier the current Public Order Legislation is almost 30 years old, this area requires a separate discussion.

GM_03



AGSI

Association of Garda Sergeants and Inspectors
Cumann Sairsintí agus Cigirí de'n Gharda Síochána

AGSI SUBMISSION

Submission to the Joint Committee on Justice on the
topic of Policing Matters.



4th October 2023

ASSOCIATION OF GARDA SERGEANTS & INSPECTORS

Introduction.

The AGSI has been invited by the Joint Committee on Justice to make a written submission on the topic of Policing matters.

The Committee has asked that the submission be structured under three themes and include suggested possible solutions.

The themes are:

1. Challenges related to recruitment and retention; rostering and general morale within the force.
2. Policing Dublin City – perceived increase in street crime – is the current approach working?
3. Policing of protests – is the correct balance being struck in the context of the right to assemble peacefully.

1. Challenges related to recruitment and retention; rostering and general morale within the force.

For ease, AGSI will break this down this area into three sub-headings.

1.1 – Recruitment & Retention

With reference to recruitment and retention, An Garda Síochána faces similar challenges to other police forces internationally around recruitment. Policing is a career that is challenging and testing, that requires resilience, tenacity and a sense of vocation.

The trade-off for those challenges, has traditionally been job security, a better pension and the ability to retire earlier as a recognition of the attrition attached to the role.

The difficulties attracting new recruits to join An Garda Síochána is one of the most significant challenges facing the Garda Organisation. The fundamental root causes of this problem are not being addressed by Government in our view. There is too much emphasis placed on the narrative that this problem with recruitment originated due to the COVID pandemic. However, the numbers applying to join An Garda Síochána have seen dramatic reductions in the last twenty years, with the most recent 2022 competition attracting approximately only five thousand applicants. It is clear that the general population and particularly young people, do not consider An Garda Síochána as an attractive career option in modern Ireland. An Garda Síochána throughout its one hundred year history has never experienced such a difficult recruitment environment, even in the midst of the Celtic Tiger when there was similar full employment figures. The Association of Garda Sergeants and Inspectors believe that the demise of the attractiveness of a Career in An Garda Síochána can be attributed to the following:

With the introduction of new pension regulations across the public sector in 2013 members of An Garda Síochána are now subject to career average pensions. This has significantly diminished the vocational nature of the role and means that newer recruits tend to see policing as potentially part of an individual's wider career as opposed to the whole of their career.

When this is coupled with external pressures such as affordability of housing in major urban areas [where, by virtue of population size most of the members of An Garda Síochána will be stationed], long commutes and the increased workload created by diminished resources you begin to see a pattern.

A further issue regarding recruitment are the levels of pay for student/probationer Gardaí. The majority of recruits these days are of an older age profile. Many have families and mortgages and the low pay while undergoing training, currently €184, is a barrier for many.

The cost factor of relocating or renting a second accommodation while in training is simply not financially possible for many.

The best recruiters come from within any Organisation and An Garda Síochána and its proud traditions have seen second and third generations carry a family tradition of service to the State. However, in recent times Serving Gardaí/Parents do not appear to be recommending a career in An Garda Síochána. An internal working Group in the Garda Organisation, established at the suggestion of AGSI, has been meeting in an effort to identify why there are recruitment and retention issues. Exit interviews are now formally established and while no findings are yet published, it is an important, evidence-based approach to learning why people leave the Organisation.

The second issue is the retention of our most experienced members. While the Minister for Justice has indicated some progress on the extension of the retirement age to 62, there is a cohort of our most experienced members that are leaving, and which is not being examined.

Retention issues include but are not limited to factors such as Excessive Oversight & Regulation with no accountability by GSOC and investigations often taking years to complete. Use and misuse of social media is also a factor and at almost every public interaction the Gardaí are now involved in, mobile phones will be used to film operational matters. These are often uploaded onto Social Media platforms, in the form of out of context clips resulting in members images being utilised without their knowledge or consent, threats frequently levelled at them, a mockery made of them, and frequently results in trial by social media for members legitimately carrying out their duties. The stress and welfare impact of this on members is huge and a lack of any meaningful Government response to acknowledge and resolve this issue is unacceptable. Those seeking to join the job or already in it, see the negative impact of social media misuse and simply don't want to be subjected to it.

Excessive Bureaucratic procedures accompanied by a lack of Resources mean members are more challenged in their day-to-day duties. More is being asked of less and the need to drive out change, appears greater at times than the impact of that change. Little consideration is given as to whether this change is for the greater good of the Organisation and is proven to better serve society. The APSFF (A Police Service for the Future) which sits under the Office

of An Taoiseach, has never interacted with AGSI since its establishment. This is shameful. This has left members of AGSI feeling excluded and isolated from the change process, it does not foster an inclusive environment and members feel devalued and that their opinions don't matter.

Pensions for those who joined between 1995 and 2013 is a major factor in retention of AGSI members. The continued uncertainty for Post 95 entrants regarding the supplementary pension has been a catalyst for a significant trend where members are leaving An Garda Siochana and joining the civil service, this is becoming prevalent at middle management level. The process for claiming this element of a pension is unacceptable, humiliating and false, whereby retired members have to declare they are available for work in order to claim this entitlement (immediately after retirement this payment is in the form of jobseekers allowance) is wrong and must be corrected. The fact that members will lose this Supplementary Pension if they take up further employment is a factor for many. Larger mortgages mean that members are financially stretched for almost all of their career and the desire to work until 66 in the Civil Service has been a lure for many because of a longer working life span and a stable salary.

Shift work by its nature, does not lend itself to carpooling or the use of public transport for members. In the past AGSI members, in the main, lived and worked close to their base stations. Members worked, socialised with their work colleagues and lived, mixed with their local community in the area they performed their duties. This is now, and to some extent may always have been, an idealised version of An Garda Siochana in the Community. This is now a rarity outside rural area. Members can no longer afford to live close to their workplace in large urban areas due to housing expense. The improvement in road and vehicle capabilities has resulted in members are being willing to commute further distances to the workplace. The desire/availability of members for overtime is waning, with people valuing time off to a greater extent than ever before.

Salary is always an important issue when exploring issues relating to retention. Currently within AGSI pay rates remain at precarious levels. Increases under current agreements are being constantly eroded by cost-of-living increases (Inflation, ECB Interest rate rises etc) and cost of housing. This remains an on-going concern. Comparisons are made to other jobs in the

Public Sector, however there is no other job comparable to An Garda Siochana in this Country. The oversight, discipling regulations, prohibited spare time activities, shift work, exposure to danger along with the requirement to utilise Garda powers even when off duty if an incident occurs, are unique. Governments efforts to recognise Garda related issues as different to other Public Servants are practically non-existent and access to National Pay discussions remains as an 'ad hoc' arrangement. This is completely unsatisfactory and the case for an Independent Review Body for Gardai should be explored as a matter of urgency.

In the case of our Association [AGSI] those leaving the Organisation are generally the most experienced members, are at the maximum of their pay scale in their rank and by virtue of their experience work in some of the most challenging but rewarding roles in the Organisation. This drain on experienced members who are the key drivers of mentoring and upskilling younger members should be concerning to all. Often, they are targeted by private industry for the skills and experience they have, and we are losing some of our best talent in this way, without any incentive to encourage them to stay.

1.2 Rostering

The formalisation of Rostering Arrangements in An Garda Siochana can be traced back to the Croke Park Pay Agreement in 2010, after which an internal Garda Agreed Report saw the establishment of the Westmanstown forum for Roster negotiations.

The pre-COVID and only current agreed Garda Roster and WTA came into being on 30th April 2012 and remained in place until March 2020 when the COVID Roster was introduced as an emergency measure only.

Between 2014 and 2016 a new Roster was negotiated at Westmanstown but ultimately it was not agreed and did not come into being. Towards the end of 2017 the forum met again after the Public Service Stability Agreement 2018 – 2020 made reference to rosters and rostering arrangements. In 2019, the Commissioner sought a review of Rosters and while the process began, it was hampered by a change of facilitators and COVID. In July 2021, a new Chair was appointed, and negotiations begun in earnest. This resulted in a set of proposals, known as the McHugh Proposals, being presented in August 2022. These were

rejected by AGSI after a ballot of its membership in 2022, mainly owing to the requirement to work many additional days and an inappropriate work/life balance for many members.

In March 2020, the WHO declared a COVID pandemic and AGSI moved overnight to a temporary Roster known as the 'COVID Roster'. This was done on the clear understanding and commitment to all Staff Associations, that once the emergency was over, we would return to the pre-covid 2012 6 on 4 off, Agreed Roster. 12 Hour Shifts were introduced for the first time, to avoid the cross-contamination of workers, and a new shift pattern of four days on four days off was introduced.

However, members have now seen benefits to working the 4 on 4 off Roster and have sought and mandated AGSI to prepare a proposal to Garda Management in this regard.

As all are aware, the issue of negotiating Rosters is a challenging one, and key to all Roster negotiations in An Garda Síochána are the following issues,

- Service requirements for the Public by the Organisation
- Efficiency and effectiveness of Rostering arrangements
- Work life balance, Health & Safety issues
- Time of shift and attendance on duty
- Earnings consequences
- Overall Financial Cost
- Adherence to European Working Time Directive
- Compensatory Rest and Leave Entitlements

A key requirement of any Roster is flexibility for Garda Management to meet the needs of the community and the demands of policing, while balancing the predictability for members in their work/life balance. Challenges in Roster design is also related to pay and allowances of members, where earning capacity and pension entitlements are linked to working unsocial hours. This means that Roster negotiations are complex, time consuming and while a proposal has been submitted by AGSI, a forum to discuss this proposal has yet to be established.

The uncertainty around Rostering has created strong emotive reaction within the AGSI workforce. This uncertainty has been there since 2020 and the frequent and short-lived extensions to the emergency COVID Roster have not helped. Certainty for members of when they are working and when they are off, is everything in work life balance, making family and other arrangements. For the new generation of employees that An Garda Síochána is seeking to recruit, a work/life balance is a priority need. A perceived unattractive and family unfriendly working roster will not entice potential new candidates. For current and established members of AGSI, the introduction of any roster that increases their cost of living by adding expense due to increased actual working days and poor work/life balance, has a serious effect on members and for many is a step too far.

A number of important reports make reference to Rostering in An Garda Síochána. These include two key **Garda Inspectorate reports**. The first report commissioned by the Inspectorate entitled '**Resource Allocation**' was published in October 2009. This report is the product of an inspection of resource allocation within the Garda Organisation. The inspectorate made 27 recommendations in total including five priority actions aimed at better Garda resource allocation and deployment. The Report can be accessed at <https://www.gsinsp.ie/resource-allocation-2/>

The second Inspectorate report entitled 'Changing Policing in Ireland; dated November 2015 examined the structure, organisation, staffing and deployment within An Garda Síochána. The report highlighted the need for extensive research on matching supply and demand to maximise the deployment of resources at peak times. Overall, the report highlights an overarching principle of the that one size does not fit all. The Report can be accessed at <https://www.gsinsp.ie/changing-policing-in-ireland/>

Recent references have been made in the media to the suitability/unsuitability of the 2012 Roster. These are generated from an Internal Garda Report titled the '**ROSTER REFORM PROJECT REPORT**' and produced by KPMG. As this Report is an Internal Document, we are not a liberty to provide same but perhaps the Committee could seek a copy from Garda Management.

The Report of the Commission on the Future of Policing in Ireland 'CoFPI' 2018 had also acted as a catalyst to re-initiate roster reform within An Garda Síochána, <https://policereform.ie/>

The seventh principle of the Commission on the Future of Policing Report was titled, 'The People of An Garda Síochána are its greatest resource'. All members of An Garda Síochána of every rank would strongly endorse this statement.

Chapter 23 paragraph 7 states the following in relation to rosters.

"While a comprehensive wellness programme will be of great benefit, it is not a substitute for engaged leadership and management who embrace the values of the organisation, inspire all employees by example, and energise the front line. Longstanding issues affecting the working conditions on the front line, for example rosters and uniforms, should be addressed as a matter of urgency".

The Organisation has since experienced a number of years disrupted by COVID where AGSI members continued to work in the most challenging of circumstances, in person and at significant risk to themselves. As stated earlier, the introduction of an emergency roster was complied with overnight without question by all of the membership of An Garda Síochána. This necessitated discipline, flexibility and a commitment to do what was best for the Communities we serve. It also required physical presence. Frontline policing during COVID could not be done remotely but was done without question.

Since March 2020, there have been a significant number of extensions to this roster while attempts to find a negotiated solution were explored. To date, that negotiated solution has not been achieved, despite the best efforts of AGSI.

In a meeting with the Acting Minister for Justice Simon Harris earlier this year he described how one of the objectives of Government was to build a more agile Garda Organisation.

Agile is a word used in business circles to describe the ability to 'respond rapidly and flexibly to customer needs.' AGSI cannot think of a better demonstration of that agility, than COVID, when our people who are our greatest resource, transitioned overnight to a completely new and uniquely challenging working environment. However, what worked then, is clearly not working now for Garda Management, and Rosters remain an emotive and complex issue, where Agreement by all parties remains the optimum solution. What we can never forget is

that service delivery along with maintaining public trust and confidence in the Organisation was a priority for AGSI members at that time and remains forefront in our minds today.

1.3 – General Morale within the Force

Morale is defined in the Oxford English Dictionary as 'the confidence, enthusiasm, and discipline of a person or group at a particular time'. The AGSI Conference in April 2023 signalled clearly that there was an issue with morale. Anecdotally, this was contributed to a number of factors including the following, however it has to be considered which internal and external factors are contributing to this issue.

Several decisions which negatively affect members in their daily work lives are recognised by Garda Management and well supported by them for change. When these are sent with positive recommendations for change, they remain at Government level with no progress for months and months. Examples of these include the restoration by 25% of Travel & Subsistence overnight rates, which currently sit at €107.69 (Civil Service rates are €167). This issue effects every rank in the Organisation, but especially those travelling for Criminal trials, examining scenes of Crime and other operational duties. It also includes a decision on an Extension to the retirement age for Gardai and recruitment into the Garda Band and new Promotion Regulations in 2021. The lack of progress and accountability by Government in these matters is having a massive negative impact internally in the Organisation.

Excessive Oversight within the Organisation. An unfortunate result of increased oversights, managerial metric/monitoring tools and systems (e.g. PAF, IMS) is the creation of a perceived blame culture within AGS. While these tools/systems should be utilised to monitor work, identify problems early and develop solutions, they are instead perceived by members to be utilised to being singled out for blame, criticism with fault being apportioned for mistakes and errors.

Management are increasingly developing modes of avoiding responsibility by delegating responsibilities downwards and avoiding decision making in our view. AGSI believe that this can be clearly identified in the new Operating Model where much managerial responsibilities

continues to be devolved from Superintendent to Inspector ranks, with little or no consideration for their current rank and role responsibilities. The Association has been firm in its view that the Operating Policing Model is not suitable as a singular model for Policing in Urban and Rural Ireland. It has created a less 'visible' Garda presence with the Public frequently commenting on the fact that they rarely see Gardai walking the beat. Recent reviews by Garda Management have recognised that the '3 County' Model did not work and changed some Divisions accordingly. However, Mayo, Roscommon, Longford, along with Louth, Cavan Monaghan remain as '3 County' Divisions, something which AGSI feels should be revisited as matter of urgency.

Oversight by the Garda Ombudsman Commission is another negative factor. There are numerous documented cases of members being investigated for years, decisions on investigations being delayed unreasonably and vexatious complaints being considered/investigated with no consequences to the complainant. Recent decisions by the DPP on GSOC recommendations to prosecute members has been overwhelmingly negatively received, and current matters before the Criminal Justice system prevent us from saying more at this point in time.

Health and Safety arises again and again in AGSI, and the membership do not feel protected by the State when assaulted or threatened by assault. Poor prosecution rates with perceived lenient court sentencing clearly display these concerns. Management have failed to develop any in person training around how to deal with conflict and threats to members for the majority of Gardai, and the State has failed to implement any form of protection for AGSI members. Social media and some elements within society have developed an apparent increased lack of respect for authority in all forms which also affects internal morale in the Garda Organisation.

In relation to Pay, AGSI are not a Trade Union and so are not members of or aligned to the Irish Congress of Trade Unions. This has left us as an Association fighting for the ability to negotiate the pay and conditions of our members. Recent years, after much advocacy on behalf of AGSI, have seen invitations for 'non ICTU affiliates' to be invited to pay talks facilitated at the WRC. Under no circumstances could it be agreed that negotiations are set on an equal footing when other Unions have the ability to go on strike and AGSI do not.

Industrial relations issues in the Organisation, therefore, often end up with individual members stating they will withhold labour, while a forum to explore the Right to Strike with agreed Organisational Protections would eliminate this course of Action.

The Right to Disconnect is a practice that we increasingly hear more and more about. Many AGSI members, will highlight that they are never off duty. The new 'Mobility Devices' mean that members are always 'on' and many state they will often frequently check emails and take calls while off duty, to ease the pressure when they are on duty. This eventually leads to stress, burnout and more recognition needs to happen internally within the Organisation in this area.

Internally also, simple matters that have affected Garda morale and pride, are matters such as investment in the Garda Band and the lack thereof. Our greatest asset to Community Policing is diminishing before our eyes, and processes between Department of Justice and DEPER, who are more concerned with cost than value, show the level of Bureaucratic systems that affect Operational matters. Shame on both these Departments for not addressing this issue.

In identifying some of the other issues affecting morale in general AGSI would observe that Chapter 23, paragraph 9 of the Commission on the Future of Policing Report identifies the following.

"An Garda Síochána must foster "psychological safety" – an environment in which people at all levels of the organisation feel able to share ideas on challenges, opportunities, problems, and issues of all types without fearing retribution or marginalisation. This new culture must start from the top of the organisation and be embedded at all levels".

However, for many there is a culture of fear in the Organisation with discipline being used as a teaching tool and a rush to follow process without any consideration of the specific circumstances of the problem at hand. Mentoring and Coaching of members is practically non-existent and with no alternatives to learn, discipline is often a default position.

Since 2018 and particularly after COVID there has been a Tsunami of Policy unleashed on members of An Garda Síochána. While clarity is welcome this has not been backed up with a

similar tidal wave of classroom-based instruction and face to face learning. Instead, the Policies are dumped on our internal portal and if we are lucky there may be some online learning modules to back it up. This has left our membership confused and perplexed. This means that members are trying to interpret Policies in which they are not fully trained. When they do make a genuine mistake in good faith they are then subjected to the use of discipline as a training tool.

Serious concerns have been raised about the proposed Policing, Security and Community Safety Bill by AGSI members. A previous submission to this Justice Committee has been made and little has been achieved by this. This Bill, in parts remains unconstitutional in our view, in particular with regards to proposed Conduct Regulations and feed into the current fear members have about over regulation of them in their roles.

Finally, an overarching issue with morale is the pace of change. Since the threat of Covid receded there has been a noticeable and marked ramping up of the implementation plan of the Commission on the Future of Policing. This is to comply with the timelines imposed in the implementation plan in many instances. Change fatigue has set in amongst members, who bear the brunt of project after project being rolled out with little or no analysis of how they are coping.

There is however a lack of consideration of the changed policing landscape in this country since the Commission reported. As stated previously our frontline personnel was to the forefront of the challenge of Covid for over 2 years. Recruitment and retention challenges mean that the number of personnel envisaged are not available. The rise of challenges such as that of the far right and the perception of increased public order issues post covid mean that we are being increasingly asked to do more with less. To be clear, this is not a financial 'less', the budget of An Garda Síochána is bigger than it has ever been but the limited human resources available means our people, who are our greatest resource, are tired and weary.

Possible Suggested Solutions to the Challenges related to recruitment and retention, rostering and general morale within the force.

While the preceding paragraphs paint a picture of unfortunate bleakness and negativity, AGSI believe the issues within An Garda Síochána are entirely redeemable. Inside An Garda Síochána there is a core of hardworking and proud members who are committed to the Organisation and all it stands for.

Garda management, at the upmost levels, must recognise that a continuous balance must be struck between Organisational needs and the needs of its workforce. Implementing changes, without due consultation and consideration of impact on the workforce, has created negative outcomes in many cases. True and meaningful consultation with the workforce on many of the issues must be enhanced. A willingness on the side of management to adapt their plans/policies to also meet the workforces' needs can resolve many of the current headline issues including the implementation of a new Roster, Operating Policing Model and IMS for examples. When these balances between Organisation and workforce are better met AGSI firmly believe that attractiveness of An Garda Síochána as a career and employer will be achieved. The following are offered as solutions,

1. Establish without delay an Independent Pay Review Body for An Garda Síochána, based on their unique needs and place in Irish Society which is different than any other Sector. Pay and benefits matter, and particularly the Pensions issues for those who joined between 1995 – 2013 and from 2013 onwards. The impact and effect of all of these issues and their effect on recruitment & retention could be explored within this Pay Review Body.
2. Amend immediately the current Training Allowance for Student & Probationer Gardai.
3. Revisit the 'Right to Strike' issue along with the constraints and restrictions that would be necessary. This would eliminate the individual withholding of goodwill and work and is the ending to all other IR Processes that other Public Servants have. Minimum and emergency cover during Strike days could be discussed and agreed.
4. Establish a 'Long Service Pay Increment', for those who go beyond 20 years of Service to encourage members to stay in the Organisation.
5. Examine legislation, including the introduction of minimum sentences for those who assault Gardai and other emergency workers in the course of their duty.

6. Re-examine the Promotion regulations, introduced by Government in 2021 without proper consultation and which have been a de-motivating factor for those wishing to progress within the Organisation.
7. Rostering and rostering arrangements should be an active and evolving discussion within the Organisation. Agreed Roster arrangements are of paramount importance and a forum should be established for Rostering arrangements in the Organisation, which meets Biannually, even when agreements are in place to deal with emerging issues.
8. Strict 'Right to Disconnect' Policies should be established, and a Policy where by all Mobility Devices should be left in a place of work while off duty should be implemented immediately
9. Page 89 of the Commission report approximately 30 levers to enhance motivation and morale are identified. These should be visited by both Garda Management & The Minister if they are serious about addressing the issue of Morale in the Organisation to see if progress in these identified areas has been achieved.
<https://policereform.ie/>
10. Continued review of the Operating Policing Model as a singular Model of Policing in Ireland.
11. A comprehensive and In person training policy to be developed and implemented without delay, and a review of the Current Suspension Policy are also suggested.

2. Policing Dublin City – perceived increase in street crime – is the current approach working?

The matter of Policing Dublin City is an Operational one and so it is outside of the remit of the Associations to comment on matters which are the responsibility of Garda Management.

Recently the Government gave €10 million for policing Dublin city centre. The allocation of money, while welcome, is not the simple answer and is a short-term solution only.

The 2018 Commission on the Future of Policing Report, <https://policereform.ie/>, at Chapter 22, spoke about the need for 'a new policing culture'.

1. The cultural lead must come from the top. Across government, in the Oireachtas, and at the level of the Policing and Community Safety Oversight Commission that we have recommended be established, it must be communicated clearly and repeatedly that policing is a collective responsibility. This means agencies working together with police, and being seen to work together, providing a collective public service, at both national and local levels. Collective responsibility at local level means engaging and partnering with police to solve problems – identifying people at risk, helping children and young people avoid becoming criminalised or victimised. The solution is not always to call the police for a law enforcement intervention.

Homelessness, vacant buildings, persons with addiction issues as well as children and young persons involved in crime are contributing to the issue. Responsibility for tackling the street crime **is** the responsibility of An Garda Síochána but **not just** An Garda Síochána. There needs to be consideration of a more defined and joined up strategy amongst all stakeholders.

3. Policing of protests – is the correct balance being struck in the context of the right to assemble peacefully.

The policing of Protests is an Operational one and as such is outside of the remit of Staff Associations. The Garda Commissioner is undertaking a review of the security and protection of the Oireachtas following recent protests there and that is welcomed.

The challenges around protests are similar to those faced by Police in a number of other countries. There are two distinct styles, the UK light touch and the French which can be 'more robust'. Neither are ideal but there is scope for a happy medium where protest is allowed but the scope of the protest is decided by those with responsibility for protecting society and not by those often intent on destabilising it.

There are however issues relating to the Policing of Protests that fall within our remit. These include training, resources, welfare and equipment.

The lack of Body Worn Cameras is one example of a lack of modern equipment available to members at this time. While we know Legislation has to be passed, and are aware of the work going on internally, we are years behind other jurisdictions in this area.

Training on Peaceful Crowd Management must be on-going and there needs to be Bronze, Silver and Gold commanders on duty for all these large scale protests, and clear consistent approaches need to be taken, with leadership from the top, this will assist members with their decisions and actions and ensure an appropriate and proportionate response is provided.

More liaisons and active involvement in de-briefs of major protests should take place with Staff Associations so we can assure members accordingly and deal with any issues that have arisen.

The intimidatory tactics used by protesters in abusing members and identifying them and putting them on social media is of major concern to our membership. While recent protests at Dail Eireann rightly brought the focus on the rights of politicians to enter their place of work safely and peacefully, the same focus was not placed on AGSI members who were abused, threatened and verbally and physically assaulted while on duty and in their place of work at Dail Eireann. The stress and post traumatic effect on members attached to policing protests of this nature should never be underestimated and appropriate supports must always be in place.

CONCLUSION

To conclude AGSI remain as an Association highly committed to serve the people of Ireland to the highest standards. While issues are identified in this submission, they are not insurmountable in any way.

Sir Robert Peel, set out, "The police are the public, and the public are the police. The police are paid to give full time attention to duties that are incumbent upon every citizen in the interest of community welfare and existence".



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GRA Statement

to the

Joint Committee on Justice

On behalf of the Garda Representative Association (GRA), I wish to thank you and the Joint Committee on Justice for the invitation to make a written submission on a number of policing matters.

Our submission will primarily focus on Items Nos 1 and 3. In relation to Item No. 2— policing of Dublin City, this is an operational matter for Garda Management to address but suffice to state that sufficient visible frontline Gardai should always be available on the streets of our Capital to maintain law and order and to protect our citizens and overseas tourists.

We are witnessing what only can be termed a crisis in both recruitment and retention in An Garda Síochána. With the advent of the Covid pandemic we are not securing sufficient numbers to-join An Garda Síochána despite Government approval to do so. The current age limit of 35 years means that many potential candidates are either married/partnered with mortgages and families and therefore cannot afford to commence training in An Garda Síochána at a paltry €184.00 per week for the first 33 weeks of training. In addition, many candidates have third level degrees and the potential to take up occupations in other fields is far more lucrative and family friendly/work life balance orientated.

Of particular concern to the GRA is the number of Garda members who have resigned from An Garda Síochána — 107 in 2022 and 106 up to October 2023. These are unprecedented numbers and give testament to low morale, bullying and harassment; fear of doing their job because of the threat of discipline/GSOC investigations; healthy work-fife balance, salary, work restrictions (minimum of 50 km from native home). Members are resigning from An Garda Síochána taking up

careers in the Civil and private sectors because of salary, work/life balance and the unfriendly working rosters.

The Covid roster introduced 12-hour shifts - four days on and four days off. The front-line uniformed members work shifts comprising of 7 a.m. to 7 p.m. and 7 p.m. to 7 a.m. while most other units operated 7 a.m. to 7 p.m. and 4 p.m. to 4 a.m. Now that the pandemic has dissipated and society has returned to normal, the Garda Commissioner in the absence of agreement with the Associations has directed a return to the pre Covid roster known as the "Westmanstown Roster" on the

6 November 2023 which would result in 10 hr shifts —6 days on and 4 days off. This development is at variance with the Garda Commissioner's views expressed to the Association in November 2022 that it was no longer viable as he did not have the resources for the fifth shift in the context of this roster. The Association has made, what it views, as a reasonable roster proposal that would meet the needs of the public, our members' work-life balance and Garda Management.

To date, we have arrived at an impasse on Garda rosters. The Association is available at any time to progress matters on negotiations on Garda rosters.

It is concerning that both the Garda Commissioner and the Minister for Justice have publicly denied that morale is low in An Garda Síochána with members of our Association. I want to highlight just some (not exhaustive) of the main factors affecting Garda morale. In relation to Garda pensions, the post 1995 members on retirement have to undergo the ignominy of having to sign on for job seekers benefit for the first nine months and thereafter must meet certain criteria to attain a supplementary pension. This is completely at variance with the pre 1995 pensioners. At present, there is no guarantee that the 2013 entrants will be entitled to a supplementary pension on retirement coupled with the fact that pensions on their retirement will be derisory.

The number of suspensions has increased exponentially over the last three to four years to the extent that it is now in excess of 100. There is an extraordinary delay in dealing with GSOC/discipline investigations resulting in members being on undue extended periods of suspension. There is scope that many of these members could be utilised internally in Garda stations (non-operational) thus releasing other members to operational duties. This is having a very demoralising affect on members in carrying out their duties. Members can be reluctant in proactive policing duties with the knowledge of GSOC/discipline looming over them.

Members absent from duty arising from an illness or injured on duty for a period of time are finding it extremely difficult to obtain appointments with the Garda Chief Medical Officer. Arising from the Public Service Management Sick Leave Regulations, members' pay is therefore negatively affected either half pay or Temporary Rehabilitation Remuneration (TRR).

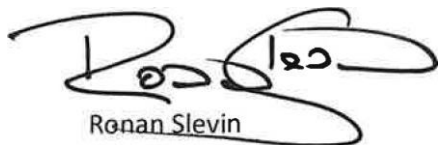
Members are finding it difficult to avail of annual leave due to lack of resources. This results in members being exhausted with burnout symptoms. There has been no classroom based Continuous Professional Development (CPD) for frontline Gardai on new legislation over the past decade. This can result in a member who makes a genuine mistake being disciplined (aversion training) through no fault of their own. With the amount of legislation that has and is being passed, CPD is vital for frontline Gardai as the public expect the Gardai to be proficient in enforcing legislation.

Restoration of subsistence and mileage rates have been sought since FEMPI reductions (25%) in 2009. The impact of a 25% cut in 2009 in effect reduced the rates to the 2002 rates. To date, rates have not been restored (25% cut) nor have rates increased in line with the Consumer Price Index (CPI). This is grossly unacceptable and an unfair treatment of our members.

Frontline uniform members of the GRA who, primarily have no public order training, are very often deployed at short notice in the first instance to police protests are ill-equipped both in training, briefing and direction to deal with an escalating and often intimidating situation. However, the Public Order units who generally operate in the background and out of sight, may have had adequate training.

Given the fact that the public have the right to assemble peacefully, Garda Management deploy members as they deem appropriate. It is about striking a balance between facilitating a peaceful assembly and ensuring that the public are not inhibited in going about their business. There can be a perception by the public as to why the Gardai did not arrest an individual(s) immediately at the scene but very often such a scenario can aggravate and agitate the assembled grouping and add to an already hostile environment. To date, it is our view that the Gardai have struck the correct balance.

The working environment of a Garda is unique and most challenging having regard to the dangers' members face on a daily basis not knowing whether they will survive the day and return to their loved ones. The job entails having to deal with all strata in society irrespective of class or creed without fear or favour. It is critical that members receive all the essential supports, including initial and ongoing Continuous Professional Development training, welfare/wellbeing, ICT and equipment to do the job as well as supervisory and management support throughout their career from Garda Management.

A stylized, handwritten signature in black ink, appearing to read 'Ronan Slevin'.

Ronan Slevin

General Secretary



GM-04(1)

GRA Submission to the Joint Committee on Justice on a number of policing matters

5 October 2023

Challenges related to recruitment and retention within An Garda Síochána.

1. Recruitment.

1.1 International research on why people leave their jobs states that while getting paid is the main reason why people work, it is no longer their top priority when deciding whether or not to stay with an organisation. In fact, Gen Zers (defined as those born between 1996 and 2012) put the highest value on a healthy work-life balance with over 60% of that group stating it was the most important factor when considering new job opportunities - An Garda Síochána cannot currently offer a competitive salary to potential applicants, nor can it offer a healthy work-life balance, as outlined in our submission on rosters.

1.2 Potential Garda applicants are offered a training allowance of €184 per week for the first 33 weeks of training. This is significantly lower than the current job seekers allowance and means that potential applicants who have a mortgage or dependants would need significant savings behind them in order to consider a career in An Garda Síochána. From this allowance they are expected to pay for a Garda College tracksuit (€70), a self-defence suit (€100) and a pair of parade shoes (€30).

1.3 On attestation, Garda members can expect to receive a salary of €34,571.50 per annum. Current predicted pensions for post 2013 applicants also pose a significant barrier to attracting potential applicants, who compare those figures unfavourably to those of private sector companies.

1.4 The Garda Code instructions are clear in that Garda members must serve a minimum of 80 kilometres away from their home Divisions – this is a significant deterrent in attracting potential Garda applicants who cannot afford to rent or buy homes in the urban centres where policing demands are greatest and where new probationer Gardaí are predominantly sent to, regardless of their personal commitments or circumstances. This, in addition, to the above pay rates means that work-life balance is of vital importance.

2. Retention.

2.1 An Garda Síochána are currently experiencing an unprecedented crisis with regards to retention of its members at rank and file level. In 2022, 107 Garda members resigned. To date, in October 2023, 106 Garda members have resigned from the organisation – these are levels unseen in the Garda organisation before.

2.2 Retirements are continuing at rates of approximately 250 per year, and 2024 marks the 30-year anniversary of double intakes into the Garda College, meaning more members will become eligible for retirement in 2024. The issues regarding a satisfactory work-life balance and morale will play a major role in determining if the numbers retiring increase over the forthcoming years.

2.3 An Garda Síochána commissioned a cultural audit of its members in 2022.

<https://www.garda.ie/en/about-us/publications/research-publications/ags-culture-audit-2022-summary-of-findings-report.pdf>

Some of the findings of this study include:

- Levels of wellbeing and emotional energy are low in the organisation - low emotional energy levels are manifested by both physical fatigue and a sense of feeling psychologically and emotionally drained at work.
- Feelings of organisational support are low – this refers to members’ beliefs regarding the degree to which the organisation values their contributions and cares about their wellbeing.
- Hindrance stressors are high, particularly at Garda rank – (bureaucratic barriers, administrative difficulties, poorly designed work processes which do not provide individuals with the opportunity for personal gain and in fact, prevent achievement of goals)
- Feelings of justice and fairness are low – refers to how decisions are made with regards promotion, rewards, appointment to specialised units etc.
- Perceived Senior Leadership effectiveness - low levels here which refers to members perception that senior leaders can be trusted to make appropriate decision for the organisation’s future, demonstrate competence in leading the organisation and show understanding of the needs and views of members of the organisation.
- 52.2% of Garda members indicated that they had experienced high levels of fatigue in the two weeks before completing the survey. 16.5% of Garda members indicated that they had experienced very high levels of fatigue – fatigue is associated with a reduced capability to cope with work demands and stress, increased absence, reduction in communication skills and decision-making ability and an increased likelihood of receiving complaints from the public about their performance.

2.4 The Garda Representative Association commissioned its own study of 40 resigned members in 2023. (Unpublished Study).

This study found that there is a significant problem with morale within An Garda Síochána with 100% of participants citing same. Resigned members feel burned out, stressed, victimised, bullied, and unsupported in their roles. They are suffering significantly with mental health issues because of their roles as Gardaí and feel the fear of discipline in their day-to-day decision making. Most of these individuals would not consider returning to An Garda Síochána and would not recommend a career in the organisation to a friend. They feel weighed down by heavy administrative and bureaucratic systems and an overwhelming number state that they did not have the necessary tools, resources and working conditions to be effective. They are also critical of the standard of training they have received throughout their careers. It is also worth that of the forty (40) interviewees, six had less than two years' service and 17 had between two and five years' service, meaning that in total, 23 interviewees had less than five years' service. This accounts for 57.5% of all participants.

All participants cite the differences in their personal lives with regards their work/life balance and their mental health since resigning from the Garda organisation. They describe new occupations with support systems in place and more flexible working patterns, as well as significant numbers stating they are on better salaries. The research is summed up by a participant who states that they are happier now having resigned from An Garda Síochána which they described as 'a toxic, abusive relationship.'

Challenges related to Rostering and General Morale within the Force.

3 Rostering.

3.1 Background In 2012 the Westmanstown roster was imposed by the then Commissioner. A Working Time Agreement (known as the WTA 2012) was agreed between all staff associations and Garda Management soon after. Utilising the Westmanstown process, (the only agreed process to discuss and agree rosters within An Garda Síochána) a number of different rosters were agreed for specialised units with AGS.

These rosters were in operation until March 2020, when after the worldwide Covid pandemic started, the Commissioner and the Staff Associations agreed the current roster governed which would be governed by the Working Time Agreement 2012. This consisted of 12-hour shifts for all but some small sections, where the goal was to limit units crossing over and risking the spread of Covid 19.

The front-line uniformed units worked 7am – 7pm and 7pm – 7am, with the pre-tour briefing being incorporated into the shift by agreement. Most other units operated 7am – 7pm, and 4pm – 4am.

The effect of this was to maximise the resources within AGS by changing from a 5-unit structure of 10 hours shifts to 4 units of 12-hour shifts.

The immediate effect of this was to increase the resources working at any time from 20% to 25% of the workforce. This roster is currently in force.

3.2 Negotiations on new Roster

Just prior to the Covid pandemic, Westmanstown had been reconvened to discuss a suitable roster to replace the Westmanstown roster of 2012, at the request of Garda Management as the 2012 Roster was stated in COPFI and Inspectorate reports as being unfit for purpose. These negotiations were suspended initially at the beginning of the Covid pandemic and there were a number of on and off periods of negotiations before discussions recommenced.

Garda Management made a proposal at the commencement of the negotiations as did the GRA. After periods of negotiations, it became clear there was an impasse between both proposals. The GRA then modified their proposal in an attempt to find agreement between all the parties.

The proposal maximises resources on the front line by having 12-hour shifts based over 4 units, thus ensuring that 25% of resources were available at all times. (There is an option where Non-Core units would work 12-hour shifts with later starting times for early shifts and earlier starting time for late shifts so Garda Management could ensure that during peak hours that there would be a concentration of resources when required).

For the specialist units the GRA proposed 10-hour shifts based over 4 units. This again ensured that resources were maximised every shift, and with flexible start times allowing for flexibility across the varying specialised units.

A number of additional suggestions were offered by the GRA to ensure that Garda Management has sufficient resources across the demand curve of policing and in addition ensuring that there was no cost increase or to ensure any increase was less than Garda Management's proposal.

This proposal was the only proposal presented to the Chairperson of Conciliation in an attempt to find a resolution and agreement by all parties.

3.3 Rational of GRA's Proposal

The basis of the GRA's proposal was based on the current recruitment and retention crisis in An Garda Síochána. We acknowledged that the Organisation had 1,000 less members than when the 2012 roster was introduced. The proposal was made on the knowledge that any new recruits entering training would take 12 months before they would be operational (8 months training, 4 months observing in live environment). The GRA were also conscious of the current recruitment challenges and the continuing missing of targets. Less than 300 recruits in 2022, projected less than 800 in 2023 and the requirement of a new recruitment campaign for 2024.

The challenging retention crisis is having a negative impact on recruitment, where in 2022 retirements and resignations numbered nearly 400 and the projected number for 2023 is to match if not exceed this figure. Additionally, 2024 marks the 30-year anniversary of double intake classes in the Garda College which means more members becoming eligible for retirement. If issues affecting member's morale are not addressed, the belief is that retirement figures will continue to increase as will resignations, which will match if not surpass recruitment.

3.4 Current position

A commitment to return to the pre-covid roster was sought at the commencement of the pandemic. In November 2022 the Commissioner informed the staff associations that this was no longer viable specifying that he didn't have the resources to implement it and if the force was to implement it, the public would suffer service issues, specifying domestic abuse investigations.

Garda Management in utilising the extra members who were now working on the frontline units began to fill specialist roles within An Garda Síochána, thus reducing the number of members on the frontline to similar numbers pre Covid. Consequently, these members are now spread over 4 units not 5, so the number of members attached to core frontline units decreased to approximately 80% of pre covid levels.

The GRA recognises that circumstances have changed from when the Commissioner made the commitment to revert back to the pre Covid roster in March 2020. In light of the correspondence received from the Commissioner in November 2022, the Association was of the understanding that the 12-hour Covid roster would continue hence we did not object to the reduction of members on the frontline. In July 2023 we were informed by the Commissioner, without consultation, that as of the 6th November 2023 he intends to implement the Westmanstown roster and revert to 5 units.

3.5 Westmanstown Roster

The effect of this is that the resources currently allocated to frontline units will be divided over 5 units. This will have an immediate effect of reducing the number of members working by 20% at all times apart from 6 hours daily between Monday to Saturday. On Sundays 7am-11pm (bank holiday weekends included) the working unit will be reduced by 33% of the working units (Sunday's split shifts).

To counteract the lack of resources that will be on the frontline if this move goes ahead, the plan is to redeploy members who are not appointed to specialist units back to the front line. This means that members who are working with community policing, drug units, road policing and various task forces will be moved back to frontline duties. This move will decimate these units leaving a token number to ensure they aren't disbanded.

For country stations ghost units are being created. This means where a large area is covered by two or more centres, some stations will have 2-3 units filled with nobody on the other 2. The other station will have members on the opposite units only. This means that when there is a ghost unit, calls will be covered by the other centre which can normally be anywhere between 30-60 minutes away, leaving members with a long stressful driving response when responding to calls and the knock on effect of delayed assistance to the public. This will result in increased health and safety issues for members and an obvious reduction in service to the public and the withdrawal of services to the community. This is particularly worrying as there are a large proportion of untrained drivers who are not permitted to activate blue lights or exceed the speed limit even for emergency calls.

More supervision will be required if there are 5 units, which will result in more promotions which will further reduce the number of members on the frontline.

4. Morale

The following issues have all contributed to morale levels within rank and file members of An Garda Síochána.

4.1 Pensions

Issues with the post 1995 and 2013 pensions. Post 95 pensions should revert to the same terms and conditions as pre-95. Currently the Supplementary Pension payable on retirement to members who joined after 1995 and before 2012 is treated as a benefit, not an entitlement, and is lost if the retired member takes up further employment. The Post 2013 Pensions should be entitled to a Supplementary Pension on retirement, as the current predicted pension is less than 15,000 p.a. Pensions are a critical issue with new members and is one of the reasons as to why members may be deciding to resign. This needs to be addressed immediately to retain members.

4.2 Welfare.

There are 12 employee assistance Officers employed in An Garda Síochána. They work Monday to Friday, (9-5). They do not work weekends or Bank Holidays when most traumatic incidents occur and therefore are not available when needed most (through no fault of their own). This must be reviewed to give better cover so that members involved in traumatic incidents have timely access to the EAO's. Mandatory counselling should also be introduced to get rid of the stigma for members of attending counselling.

Gaining access to the Chief Medical Officer for certification of injuries/illness is impossible. Appointments are taking up to 12 months and in some cases in excess of this. Members are being pay affected as a result of this delay causing unnecessary extra stress, exacerbation of medical conditions and unnecessary financial strain.

4.3 Suspension

The number of members currently suspended is in excess of 100, some of whom are suspended for years on end with no advancement of their cases. These members standing in their communities and the role as Gardai within that community is decimated. Members being investigated are witnessing double standards within the AGS on how they are treated. Investigating Gardai would be disciplined if investigations dragged on as these internal investigations do, but there is no recourse open for the members and no avenue to appeal. There is absolutely no transparency within the system.

4.4 Information Technology shortfalls/Civilianisation.

Purported modern systems (Integrated Management System IMS) that are failing miserably. Compiling paper-based files that must be uploaded onto a computer system that isn't fit for purpose and lacks the capability to do same. A computer system that demands exhaustive box ticking to progress incidents having already carried out the investigation and compiling a paper-based file. Different computer systems don't interact with each other creating unnecessary work and confining members to administration duties.

We do not believe that there is any improvement to our workload arising from the additional 2,000 civilian staff. No duties have been relieved from members; if anything extra administration has been introduced. Decisions are taking longer to be made as there are more layers of bureaucracy and box ticking.

4.5 Annual Leave - ongoing inability to avail of annual leave due to resource issues.

Restrictions introduced during Covid has yet to be fully reversed and members can't avail of built-up annual leave. There is also a difficulty in accessing term time leave or career breaks due to lack of resources. No system is in place to backfill members who avail of leave is exacerbating the issue despite this being a recommendation of the Labour court agreement of 2016.

4.6 No Continuous Professional Development/Training-Discipline.

There is currently no in-person classroom-based training for frontline Gardai on new legislation over the last decade. This results in any member making a legitimate mistake, due to lack of training, being disciplined (aversion training) through no fault of their own. This results in Gardai being fearful of carrying out their duties in case they face discipline. In person classroom-based training must be restored immediately. The result of this is that discipline is being used as a training tool which was identified as an issue by the Policing Authority in 2022. Additionally, members who have gone through the discipline process, to appeal stage, where the Board of Appeal made up of an independent barrister, a representative from the relevant association and the Commissioner's representative, (Assistant Commissioner rank or higher), hears the case and administers a ruling, usually unanimous, and reinstates a member, the Commissioner is then refusing to accept the ruling. This undermines the process and members are of the view that due process and fair procedures are being ignored or circumvented by the Commissioner. A large number of members are uncertified in use of force, and there is also a substantial lack of trained drivers.

4.7 Rosters.

In November 2022 the Commissioner stated that he couldn't revert to the 5-unit roster stating that it was ***"no longer feasible and would result in a significant reduction in service delivery in areas such as domestic abuse investigations, Divisional Drug Units would be depleted and would lead to a reduction in numbers in the National Bureaus"***. In 2019 Garda Management commissioned a report which concluded that the 5th unit was unsustainable and had to go. Notwithstanding this the Commissioner made an executive decision a number of weeks ago stating that he was returning to the very roster that he said wouldn't work and would leave shortfalls in service to the public.

(See also point 3 above for greater briefing details on rosters).

4.9 Subsistence/Travel-Claims.

An Garda Síochána have a separate scheme regarding subsistence and travel, due to the unique circumstances surrounding how members can be deployed for prolonged periods of time. This scheme was reduced in 2009, but since then no increase in line with CPI or restoration has taken place. The scheme currently reflects the rates that were applicable in 2002. The effect of this is when members are directed to travel for work, their expenses exceed what they are entitled to claim.

Members redeployed due to the Covid Pandemic are still awaiting payment of their claims or undertaking made by Garda Management for loss of earnings, with the GRA having to advance these issues via the WRC. The impression given to members by this is that their work is undervalued and unappreciated.

4.10 Morale

This is encompassed by all the above and more. One of the main issues is that the Commissioner and the Minister for Justice refuse to accept that morale is an issue, publicly stating that morale isn't an issue. This exacerbates the problem. Members feel undervalued and ignored.

The combination of all the issues listed above, having regard to the ever-decreasing work force trying to police an even increasing population, in an environment where mistakes will be made but are punished by discipline, means that the Garda workforce continue to feel as they don't matter, and their issues aren't being addressed. If this is allowed to continue retirements and resignations will continue to increase, and we fear that recruitment will continue to struggle.

Policing of Protests.

5. Protests

5.1 It is our contention that the members of the GRA who are deployed to police these events are ill-equipped both in training, briefing and direction to deal with an escalating and often intimidating situation. The Public Order units may have had adequate training but often it is ordinary, frontline members of AGS who are directed to attend and police these events at short notice. In fact, in most cases, most members policing these events have received NO public order event training at all, whereas some long-serving members may have received just a few hours of training back in Templemore over 20 years ago. Currently there is zero ongoing training available to our members and many feel completely abandoned and powerless when directed to police such protests whether that be the recent cases outside the Dáil, other anti-immigration protests, library protests, court-directed eviction events and protests even taking place INSIDE garda stations where our members have been shouted at, filmed, and had their images posted online. This new phenomenon of our members being filmed, threatened, and intimidated is a matter of extreme concern for our members and one that we need urgent intervention by management with regard to proper training, direction and policy guidelines.

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