



Garda Representative Association

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Mr Alan Guidon,
Príomhchléireach,
An Coiste um Dhlí agus Ceart,
Seirbhís Thithe an Oireachtais.

10.02.2022

Re: General Scheme of the Policing, Security and Community Safety Bill

Opening Statement by the Garda Representative Association to the Joint Committee on Justice on Tuesday 15th February 2022

10.2.2022

Cathaoirleach and Members of the Justice Committee, I am to thank you for your invitation to the Garda Representative Association (GRA) to meet you today.

The General Scheme of the Policing, Security and Community Safety Bill has caused great concern to our members for several serious reasons. I have outlined our concerns in our submission presented to you already.

It is noteworthy that I was required to raise concerns previously with the failure to acknowledge the GRA, the largest body representing rank and file members of An Garda Síochána when drafting Bills that can have a significant and sometimes catastrophic impact on their employment.

Our submission again details the failure to recognise the GRA under numerous Heads of the Bill and we emphasise the importance of rectifying this matter as the Bill progresses.

Head 8(1)(f) is unduly onerous and too ambiguous and ought to be removed.

Head 11 noting the role of the Board of An Garda Síochána should also recognise the role of the GRA as a relevant stakeholder in representing our members within the parameters of our functions as set out in Head 48.

Head 18 should include Garda members having the opportunity to be appointed in providing services to the Board of An Garda Síochána.

Head 36 requires the recognition of the GRA as a stakeholder in accordance with our functions as set out in Head 48 and the relevant Regulations.

It is alarming that the Inquiry detailed under Head 40(1) is not held in private. Statements made may require the protection afforded under Head 40(5) and therefore privileged statements are envisaged.

In the interest of fair procedure and natural justice there is a need in Head 41 to clearly define in the legislation or in Regulations made under the legislation, the procedure followed in forming an opinion about a member's conduct, before making a negative decision against that member.

When compared to other professions, the opportunities for our members are very limited. It is important in maintaining motivation within a disciplined force that opportunities for career progression are not restricted further. Therefore, promotion to ranks below that of Chief Superintendent in Head 41.2 should be confined to current members of An Garda Síochána.

Efforts to date under the Workforce Modernisation has resulted in agreement between the stakeholders regarding the reporting relationship between members and more senior Garda members. The provisions of Head 43 introduce risk in destabilising industrial relations and the GRA objects to any requirement that may result in a Garda member being required to account to a member of Garda Staff of any grade. The agreed reporting relationships have served An Garda Síochána well.

It is noted in Heads 139 – 156 that the powers of the Garda Ombudsman are extensive, but with no provision for oversight. The operation and exercise of these powers requires oversight, given the nature and extent of the powers of the Garda Ombudsman.

Head 225 should be reviewed to ensure the Reward Fund is maintained. The Fund is an extremely valuable and important resource and should continue to operate as it is.

I again wish to thank you Cathaoirleach and members of the Joint Committee on Justice for this valuable opportunity to present our concerns on behalf of the Garda Representative Association.

Philip McAnenly,

Interim General Secretary,

Garda Representative Association.