

AGSI SUBMISSION

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

Opening Statement.

20th October 2023

ASSOCIATION OF GARDA SERGEANTS & INSPECTORS

AGSI is a Garda Staff Association representing approx. 2,500 middle ranking Sergeants & Inspectors in the Garda Organisation.

Our opening statement represents some of the main points made highlighted in our submission.

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.

The reality is 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 only approximately 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:

Following 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 no longer see a policing career as a viable long term option and are instead using it as a stepping stone leading to a more attractive career in other sectors.

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 experienced members are leaving An Garda Síochána 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 current arrangements that members will lose this Supplementary Pension if they take up further employment is a significant 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.

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.

The best recruiters come from within any Organisation and , this has historically been particularly evident within 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 Gardai/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, who feel they have much more to contribute to the Organisation.

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. This is completely unacceptable to members who remain in a limbo state, for months and years, while their professional and private lives are affected.

Use and misuse of social media is also a factor and at almost every public interaction the Gardai 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 An Garda Síochána 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 and

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.

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.

As all are aware, the issue of negotiating Rosters is a challenging one, and key to all Roster negotiations in An Garda Siochana 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 we are currently establishing the TOR for negotiations to take place which is welcome.

On the issue of Morale, several decisions which negatively affect members in their daily work lives are recognised by Garda Management and well supported by them for change. These include, for example, changes to travel and subsistence and matters relating to current strength of the Garda band. 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 negative impact internally in the Organisation.

The Association has been firm in its view that the Operating Policing Model is not suitable as a singular model for Policing in both 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.

Serious concerns have been raised about the proposed Policing, Security and Community Safety Bill by AGSI members. A previous submission to this Justice Committee by AGSI has been made and little has appears to have been achieved by this. This Bill, in parts remains unconstitutional in our view, in particular with regards to proposed Conduct Regulations and

reinforces the current fear members have surrounding oppressive regulation of them in their roles.

Finally, an overarching issue concerning morale is the pace of change. Since the threat of Covid receded there has been a noticeable and significant ramping up of the implementation plan of the APSFF garda Reform Agenda. This is to comply with the timelines within in the implementation plan in many instances. Change fatigue is now firmly embedded in amongst members, who bear the brunt of project after project being rolled out with little or no analysis of how they are coping. Members believe that efficiency and effectiveness within An Garda Síochána has been sacrificed in meeting the need for change implementation. There is a lack of consideration of the changed policing landscape in this country since the Commission reported in 2018 and if the recommendations contained in that Report still remain valid and appropriate today.

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.

The followed are offered as solutions,

1. Establish without delay an Independent Pay Review Body for An Garda Siochana, based on their unique needs and place in Irish Society which is different than any other Sector. Pay and benefits matter, and particular 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 highlights 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.