

## DÁIL ÉIREANN

*Dé Máirt, 2 Feabhra, 2010*  
*Tuesday, 2nd February, 2010*

2.30 p.m.

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### GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

*Fógra i dtaobh leasú ar Thairscint : Notice of Amendment to Motion*

**82.** “That Dáil Éireann:

notes with grave concern:

- the fact that five gangland gun murders have taken place in the first three weeks of 2010;
- the fact that criminal gangs are gaining a greater foothold in communities throughout the State;
- the drug abuse afflicting communities throughout the State;
- the involvement of criminal gangs in people trafficking and prostitution;
- the fact that a large number of vacancies have emerged in the senior ranks of An Garda Síochána but replacements are not being appointed;
- the fact that community Gardaí make up only 6% of the Force;
- the pathetically low conviction rate for gangland gun murders;
- the absence of any convictions to date under anti-gangland legislation introduced in 2009;
- that in situations where gangsters are incarcerated they continue to direct their operations from within our prisons through use of mobile phones;
- the wholly inadequate measures in place at ports, airports and along the coastline to prevent massive quantities of illegal drugs from flowing into the jurisdiction; and
- the consequent fear and anxiety of communities where gangland violence is commonplace and the havoc that drugs are wreaking on our communities;

calls on the Minister for Justice, Equality and Law Reform to:

- immediately fill senior Garda vacancies;
- introduce a mandatory minimum life sentence of 25 years for gangland gun murders;
- introduce measures in prisons such as full body scanners for visitors to prevent gangsters from operating from within prisons;

- increase community policing by implementing Fine Gael’s policies on quotas and incentives; and

calls on the Minister for Finance to significantly enhance the Customs presence at ports and airports, and in particular at small and private airports.” — *Charles Flanagan, Enda Kenny, Richard Bruton, Bernard Allen, James Bannon, Seán Barrett, Pat Breen, Ulick Burke, Catherine Byrne, Joe Carey, Deirdre Clune, Paul Connaughton, Noel J. Coonan, Simon Coveney, Seymour Crawford, Michael Creed, Lucinda Creighton, Michael D’Arcy, John Deasy, Jimmy Deenihan, Andrew Doyle, Bernard J. Durkan, Damien English, Olwyn Enright, Frank Feighan, Terence Flanagan, Brian Hayes, Tom Hayes, Phil Hogan, Paul Kehoe, George Lee, Pádraic McCormack, Shane McEntee, Dinny McGinley, Joe McHugh, Olivia Mitchell, Denis Naughten, Dan Neville, Michael Noonan, Kieran O’Donnell, Fergus O’Dowd, Jim O’Keeffe, John O’Mahony, John Perry, James Reilly, Michael Ring, Alan Shatter, Tom Sheahan, P. J. Sheehan, David Stanton, Billy Timmins, Leo Varadkar.*

*Leasú:*

*Amendment:*

1. To delete all words after “Dáil Éireann” and substitute the following:

- “ — condemns all unlawful killings and the criminal disregard for human life they demonstrate and expresses its sympathy to the families of the victims of all such killings;
- strongly supports the work of An Garda Síochána and its specialist units such as the Organised Crime Unit in their determined fight against gangland crime and notes the significant successes they have had in this regard;
- notes that Garda numbers stand at historically high levels, with the force numbering over 14,500 members at the end of 2009, compared with 14,412 at the end of 2008 and 13,755 at the end of 2007;
- commends the record provision of new prison places in recent years and the provision of over €29 million for further capital works in 2010 including an extension to the Midlands Prison, in contrast to the failure of the last Fine Gael and Labour Government which failed to provide any additional prison places during its term;
- commends the decision to maintain record funding levels for the Criminal Assets Bureau (CAB) and Operation Anvil despite the economic downturn;
- notes that the recently published crime statistics for 2009 show decreases in nine of the fourteen crime groups;
- wholeheartedly supports the Government in its ongoing determination to confront criminal gangs head-on by introducing tough legislative measures to make significant new powers available to An Garda Síochána to detect criminal behaviour and to make its prosecution more efficient and effective before the courts;
- notes in this regard the extensive legislation introduced by this Government in recent years to target those involved in serious and organised crime, including in 2009 the Criminal Justice (Surveillance) Act, the Criminal Justice (Amendment) Act and the Criminal Justice (Miscellaneous Provisions) Act;
- notes that An Garda Síochána has been making full use of this legislation since it has been enacted to build up criminal cases against gangland figures and that a number of investigation files have been submitted to the Director of Public Prosecutions;
- notes further proposals by the Government to strengthen the criminal law, including the Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010 and the Criminal Procedure Bill 2009;
- notes the difficulties for An Garda Síochána in obtaining evidence in shootings which

- are the result of gangland activities;
- notes that the mandatory penalty for murder is life imprisonment and for manslaughter the penalty is up to life;
  - notes that existing policies mean that those convicted of gangland gun murders serve their full sentences in accordance with the law;
  - notes that no prisoner convicted of such murders has been released early by the current Minister or his immediate predecessors;
  - rejects the implication that such prisoners should have an expectation of release after serving 25 years in prison;
  - commends the Government's commitment to enhancing security measures in our prisons and places of detention through the introduction of a wide range of additional security measures which are showing significant results;
  - commends the Government's continued commitment to the modernisation of the prison estate and the continued development and roll out of a wide range of therapeutic services for prisoners;
  - welcomes the recent approval by the Government of a significant number of promotions across all ranks of An Garda Síochána;
  - notes that the service provided by all members of An Garda Síochána is driven by a community policing ethos;
  - welcomes the increase of 67% between 2007 and 2009 in the number of Gardaí specifically assigned to community policing;
  - welcomes the decision by Government to develop a White Paper on Crime;
  - welcomes the success of CAB in seizing nearly €7.5 million of the proceeds of crime and collecting just over €6 million in taxes and interest in 2008;
  - welcomes the continuing focus of CAB on the assets of both the leaders of criminal gangs and their middle ranking members;
  - acknowledges the ongoing development within An Garda Síochána of the Asset Profiler Network which is providing vital local knowledge to CAB;
  - recognises that the global problem of drug misuse as experienced in Ireland must continue to be tackled in an integrated manner across the different pillar headings of the National Drugs Strategy through a co-operative partnership approach involving the statutory, community and voluntary treatment sectors;
  - wholeheartedly supports the Government on their implementation of the Interim National Drugs Strategy 2009-2016 and their development of a new National Substance Misuse Strategy from 2010, which will incorporate drugs and alcohol into the one Strategy;
  - notes that the Customs Service is continuously engaged in the analysis and evaluation of drug seizure trends, routes and smuggling risks, international trends and best practice with a view to targeted operations against those involved in such activities;
  - congratulates the Customs Service on the success of Operation Samhna in making the largest seizure of smuggled cigarettes recorded in the EU to date and welcomes the international co-operation that supported the operation;
  - warmly commends the co-ordinated efforts of the Irish Drugs Joint Task Force and the Lisbon-based Maritime Analysis and Operations Centre (Narcotics) to interdict drugs destined for Ireland and for the EU;

- recognises the importance of international multi agency co-operation in the fight against drug trafficking and other forms of organised crime;
- welcomes the establishment of the Anti-Human Trafficking Unit as an Executive Agency of the Department of Justice, Equality and Law Reform and the publication of the National Action Plan to Prevent and Combat Trafficking in Human Beings; and
- welcomes the commitment of the Minister for Justice, Equality and Law Reform that the criminals involved in trafficking of human beings will be brought to justice.” — *An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.*