

"Policing for the People"

Building safe communities - Rebuilding public confidence

Sinn Fein policy on Garda reform (2004)



 **Sinn Féin**

"Póilíneacht don Phobal"

An tógáil pobail shábháilte - Atógáil muinín an phobail

Polasaí Shinn Féin ar leasú na nGardaí (2004)

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Sinn Féin
Ard Fheis 2004

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Introduction

Every society needs a legitimate police service and every legitimate police service needs the support of the communities it serves. For that reason it is imperative that there is total transparency and trust between the police service and the communities.

The Garda Síochána has remained largely unreformed since its establishment 80 years ago. The Minister for Justice has rightly pointed out that his recently introduced proposals on Garda reform “represent the first major piece of legislative reform of the Garda Síochána since the foundation of the State.” With the Government’s acknowledgment that reform is necessary, we now have an opportunity to shape the policing of the future for the people of Ireland. It is critical that we get it right.

Sinn Féin wants to see an all-island police service established. In the interim, we want policing services North and South that can attract widespread support from, and that are seen as an integral part of, the host community as a whole. We want effective policing with local democratic accountability, shaped as a community service and imbued with that human rights ethos.

In recent times public confidence in the Garda Síochána has eroded. Currently there are two ongoing tribunals investigating serious complaints about Garda misconduct in Co. Donegal and the shooting of John Carthy. The Gardaí also have major questions to answer regarding their conduct of the investigation of the Dublin-Monaghan bombings and other incidents of collusion in this state, including the murder of Sinn Féin Councillor Eddie Fullerton. The Irish Council for Civil Liberties has

referred to “a culture of denial that has allowed impunity to spread” - and indeed there is evidence and allegations of Garda and Special Branch misconduct both individual and systemic dating back to the 1970s; off-duty criminal involvement in a range of serious offences including sexual assault; findings of fraud in relation to Garda contracts; and findings that Gardaí have adduced false evidence in Court. Public perception of impunity for misconduct has been confirmed by the repeated failures of the Garda Complaints Board. Working class communities know only too well that the Gardaí are not succeeding in making their communities safe. Many people in these communities are angry at the failure to respond effectively to growing localised crises, and misallocation of Garda resources.

The Good Friday Agreement promised for the Six Counties a new police service that would be “impartial, representative, free from partisan political control, efficient, infused with a human rights culture, decentralised, and democratically accountable at all levels.” The resulting Patten Commission recommendations for the future of policing involve the creation of community-based civic policing with human rights at its core, held accountable through democratic institutions and representative of the community it serves. We believe that citizens of this state deserve nothing less. Just as we believe in the Good Friday Agreement’s commitment to jurisdictional equivalence in equality and human rights protections, so too must police reform “harmonise upwards” using the Patten Recommendations as a template for reaching a minimum standard.

The Minister for Justice has dismissed Patten as irrelevant as a model because it was developed to deal

with a specific conflict situation. But that is not persuasive. The Patten Recommendations are also now recognised internationally as representing best practice.

A comprehensive Garda Reform package must support the Gardaí in their evolution towards a best practice service, one which can set the standard globally for efficient, effective and accountable policing with human rights at its core - a policing service enjoying an unprecedented level of community confidence, support, and cooperation. That is our vision. That is the policing service Sinn Féin wants to help realise for the people of this state.

In keeping with this, Sinn Féin recommends the following key interlocking measures for a reform package:

- **The setting up of an independent Garda Ombudsman**

- **The setting up of a civilian Policing Board**
- **The setting up of Community Policing Partnerships at Garda District level**

While we welcome the opportunity to make this submission, it is totally unacceptable that the Minister has not engaged in a proper consultation process on a matter of such huge public interest. This opportunity should not be lost.

Sinn Féin recommends that the Department hold a proper community consultation process on the issue, which should inform the final reform package. This public consultation must be comprehensive and inclusive, consisting of a national series of local public fora including community groups, representatives of marginalised sectors of Irish society, and those with “high contact” and/or special needs in relation to policing services.

Human Rights Ethos

Policing can and must make a positive contribution to the protection and promotion of human rights.

Best practice on human rights in policing requires not only human rights training and periodic upskilling, but also a pervasive human rights ethos underpinned by a specific code of conduct in line with international standards and reflecting a human rights-based philosophy of policing.

This opportunity for Garda reform must ensure that the policing service of the future is fully compliant with relevant international instruments on policing standards, as well as UN and EU best practice guidelines and codes of conduct.

We welcome as a start the steps that have been taken to date to extend human rights awareness and compliance in the Gardaí, including the establishment of the Garda Human Rights Initiative, the revised Declaration of Professional Values and Ethical Standards, the independent human rights audit authorised by the Minister and the Minister’s

undertaking to extend human rights training to all Gardaí including serving Gardaí.

Sinn Féin is recommending that the commitment to the promotion and protection of human rights should also be reflected in the proposed legislation as a core value, and given at least equal weight to others such as “efficiency and economy”.

The Minister’s draft legislation should be revised to reflect this human rights ethos, particularly in the Heads on objectives for the regulations and functions of the Garda Síochána (3(3) and 6(1)), the functions of the Commissioner (10(3)), and the Garda Attestation (15), all of which should make specific reference to the duty to protect and promote human rights.

Of course, getting the Garda complaints and accountability mechanisms exactly right is fundamental to ensuring that the culture of impunity becomes a thing of the past, replaced by a culture of full human rights compliance. The Sinn Féin proposals for an independent Garda Ombudsman (below) address this need.

Service and Equal Partnership Ethos

The Patten Commission rightly emphasised that the community is “the ultimate custodian” of policing services. In keeping with this, Patten recommended a governing concept of “policing WITH the community” that should be the core function of the policing service - at the level of every police station and every serving member.

Sinn Féin is recommending an equal partnership approach between police and community. This means that the police participate in the community and respond to the needs of that community, and the community participates in policing and supports the police. Together they can solve problems more effectively.

It has been noted that since the 1970s the Garda Síochána has been moving steadily further away from the concept expressed in its title - “Guardians of the Peace” - and its emphasis on community service and towards an overemphasis on security. As a result, in many areas the community has grown correspondingly estranged from the Gardaí. Unfortunately, this outdated security-oriented approach is also reflected in the Minister’s proposals. A community service and equal partnership re-orientation is needed if trust in the Gardaí is to be restored and enhanced. Such an approach also has the potential to contribute

substantially to increased community cooperation, and consequently to Garda effectiveness.

The Garda reform legislation should aid the evolution of 21st century policing as a service rather than a “force” - one which is fully accountable and guided by a service and community partnership ethos.

The Minister’s draft legislation should be revised to reflect this service and partnership ethos, particularly in the proposals on functions and distribution of Gardaí (Heads 6 and 7), functions of Commissioner (10), appointments of Commissioner, Deputy and Assistant Commissioners and Superintendents (9,13 and 14), setting of priorities by the Minister (18), Strategic Policing Plan (19), Annual Policing Plan (20), Provision of Information (28) and obtaining the views of the public (24), under Part 2 on Performance and Accountability of the Garda Síochána.

The Minister’s proposals in large part seek to clarify the relationship between the Minister and the Garda Commissioner, the Oireachtas and the Garda Commissioner, and the local authorities and local Gardaí. While this is welcome and necessary, the missing link is the need to elaborate the relationship and accountability between the Commissioner and the people, and local Garda command and the people they serve. Sinn Féin proposals to establish an independent civilian Policing Board and Community Policing Partnerships (below) seek to address this deficit.

A Garda Ombudsman

Sinn Féin recommends the establishment on a statutory basis of a fully independent Garda Ombudsman to investigate police misconduct. We welcome the growing consensus that only an Ombudsman can provide an effective complaints mechanism, and that nothing less than an Ombudsman can command full public confidence.

In line with the recommendations of the Irish Human Rights Commission, Sinn Féin proposes that a Garda Ombudsman must be:

- **An open, merit-based appointment, selected on the basis of published criteria**
- **Established separately from any body charged with a Garda management function, or with a mandate to review Garda efficiency and effectiveness**
- **Adequately resourced and staffed full-time**
- **Granted the necessary legal powers and resources to conduct independent investigations**
- **Allowed a scope of investigations that includes the Special Detective Unit, unless and until it is disbanded**
- **Authorised to question witnesses, compel document disclosure, and access locations at will**
- **Granted the same legal powers as Gardaí to arrest and hold criminal suspects related to its own investigations**
- **Empowered to determine breaches of the Garda Disciplinary Code (misconduct)**
- **Empowered to refer evidence of criminality to the Department of Public Prosecutions**
- **Empowered to resolve appropriate complaints informally, with the complainants' consent**
- **Empowered to resolve complaints formally by assigning penalties and remedies, including a recommendation for disciplinary action, dismissal, changes in policy or procedure, or compensation to the complainant**
- **Empowered to investigate systemic problems, including policies and practices, and make general recommendations to eliminate causes of classes of complaints; where determined necessary by the Ombudsman, this should include matters of national security**
- **Empowered to conduct independent investigations on matters of public interest on his or her own volition, or on the request of the Minister, without the need for a complainant - and that this would be compulsory in the case of certain violations involving loss of life, excessive force, ill-treatment in custody, discrimination, and political interference**
- **Granted retrospective investigative powers**
- **Required to produce an Annual Report for publication, including statistics, identified trends or patterns, analyses and recommendations**
- **Provided with a mechanism for effective interaction, sharing of information, and collaborative investigation that enables the Garda Ombudsman and the Police Ombudsman for the Six Counties to work together**

Any information that becomes available to the Department of Public Prosecutions which indicates Garda misconduct should be automatically referred to the Garda Ombudsman.

Gardaí under investigation should of course be afforded the full protection of due process rights.

Both parties should be afforded equal treatment before the law, including full disclosure and access to legal aid in cases where there is need and an opinion of sufficient merit.

The Irish Human Rights Commission has argued that this reform is not only necessary to respond adequately to the criticism of the existing complaints system and recommendations raised repeatedly by the UN Human Rights Committee and the European Committee for the Prevention of Torture over ten years, but is also required to conform with both European Court of Human Rights jurisprudence on standards of independence and impartiality in police conduct investigation and the Good Friday Agreement provisions on equivalent human rights protections

between jurisdictions.

Government commitments to establish an independent complaints procedure date back to 1973. This issue must be resolved and there can be no further delay.

While we welcome the Government’s recognition that the Garda Complaints Board has been totally inadequate and the decision to replace it, the Minister’s proposals for a dual-purpose Inspectorate fall far short of the requirements. Sinn Féin urges the Minister to reconsider and revise his proposals in light of the emerging consensus about the need for a separate, fully independent Garda Ombudsman’s Office with a sole investigative function.

A Policing Board

Sinn Féin recommends the establishment on a statutory basis of a fully independent civilian Policing Board, created as a separate entity from both the Garda Síochána and the Garda Ombudsman’s Office. The purpose of this Board would be to hold the Gardaí fully to account.

The Policing Board would act as the civilian body to which the Garda Commissioner is accountable. As such it would fulfil the other aspect of the remit of the Minister’s proposed “Inspectorate” - providing management oversight on issues of recruitment, qualifications, training standards, equipment, accommodation, organisation, methods, and best practice.

Sinn Féin proposes that the Policing Board must be:

- **Independent of Garda Management**
- **Representative: composed of 1/3 elected representatives (of a cross-party nature), 1/3 representatives of statutory bodies, and 1/3 representatives from the community/voluntary sector - each component group including at least 50% women and taking the need for other forms of social and economic representativeness into account**
- **Selected by a transparent, merit-based appointment process independent of the Gardaí, with the members and Chair to be selected and appointed on the same basis as the Ombudsman (elected representatives disqualified from holding the Chair)**
- **Empowered to appoint senior Gardaí on the basis of a transparent process, to review their performance, and to hold them accountable**
- **Required to meet monthly and in public with the Garda Commissioner and to receive his**

reports on operational management

- **Empowered to request and receive all kinds of information from the Garda Commissioner (if it is in the public interest that such information be kept confidential, it may hold in-camera sessions to deal with specific matters for this purpose)**
- **Empowered to request a report from the Garda Commissioner on any matter pertaining to policing**
- **Empowered to establish short-, medium- and long-term strategic priorities and objectives together with the Commissioner, as part of a process of agreeing a Strategic Policing Plan and Annual Policing Plan**
- **Empowered to monitor performance as well as budget management against the agreed Strategic Plan, Annual Policing Plan, or any other indicators**
- **Empowered to make recommendations on resource allocation or policy change to the Minister, who must take due regard of such recommendations**
- **Empowered to refer matters as appropriate to the Garda Ombudsman or Comptroller and Auditor General**
- **Empowered to establish an independent inquiry into any matter as it sees fit (provisions for such inquiries should be so as to emphasise the independence of the Board)**
- **Required to publish an Annual Report**

We welcome the emerging consensus on the need for independent civilian oversight in order to establish police accountability.

However, the Minister’s proposals will not deliver independent civilian oversight, and should be revised to include provisions for an independent civilian Policing Board.

Community Policing Partnerships

Sinn Féin recommends the establishment on a statutory basis of Community Policing Partnerships at District level throughout the State to increase Garda transparency, to promote community trust and cooperation, and to hold the Gardaí fully to account.

The relationship of accountability between District Superintendent and such Community Policing Partnerships would be analogous with the relationship between the Commissioner and Policing Board.

In this way, the Community Policing Partnership would have a liaison role between the District Commander and the local community, and thereby become a mechanism for both community accountability and cooperation.

Sinn Féin proposes that each local authority should establish Community Policing Partnerships, one per policing district, as committees of the council, on the following basis:

- **CPP membership must be elected by the local authority.**
- **The nomination process should be transparent and based on published criteria.**
- **As with the Policing Board, the final composition should be 1/3 elected representatives (of a cross-party nature), 1/3 representatives from local statutory agencies, and 1/3 from the local community and voluntary sector - each component group including at least 50% women - with a view to increasing diversity and representation to reflect as fully as possible the actual composition of the communities in the district.**
- **There should be monthly public meetings**

between the CPP and District Superintendent, at which he or she should present reports and answer questions.

- **The CPP members in turn should have the opportunity and responsibility to reflect community concerns and priorities, and to make recommendations.**
- **There should also be a mechanism for members of the public to address questions to the Superintendent at the public meetings, through the CPP Chair.**
- **The Superintendent should be required to take CPP views into account when formulating or implementing policing plans and strategies for the district.**

The CPPs should be based on the following principles:

- **Equal partnership approach between police and community**
- **Powers should not be unnecessarily limited**
- **Appointments to the CPP must be open to all without discrimination**
- **The CPP should be obliged by law to meet in public**
- **The CPP should provide a forum for public consultation at district level on Annual Policing Plans**
- **To improve transparency and public confidence, the Gardaí should make all requested information available for public scrutiny unless the CPP agrees that it is clearly in the public interest (not just police interest) to withhold such information**
- **There should also be a requirement on Garda command to give after-the-fact explanations for their actions**

Each CPP should publish an Annual Report

including recommendations, to which the Garda Commissioner should be required to have due regard in the operational management of the service. The Minister should also be required to take notice of CPP recommendations in the formulation of policy over which he or she has responsibility.

While the Local Policing Fora that have been piloted in some areas of Dublin are a welcome step, they do not provide the right model for community accountability as they are not based on equal

partnership. Existing Policing Fora should be converted into Community Policing Partnerships.

The Minister’s proposals on enhanced cooperation between local authorities and the Gardaí also represent an improvement on the present situation, but do not meet the same standards of transparency and community accountability as the proposed Community Policing Partnerships. Sinn Féin therefore urges the Minister to reconsider and revise his proposals for Local Policing Committees (at Head 23).

Other Recommendations for Reform

Sinn Féin recommends that the Minister consider and adopt the following additional measures which are necessary to comprehensive Garda reform, the vindication of human rights and justice, and the re-establishment of public confidence in the Gardaí.

Additional Human Rights Protections

- **Mandatory videotaping at all Garda stations of suspect and witness interviews should be rolled out immediately (this issue has been outstanding since at least 1979).**
- **The right of access to a lawyer at Garda stations must be brought into line with international best practice (as the Government has been “considering” since 1993).**
- **The Garda Ombudsman must initiate an investigation into the longstanding allegations that confidential client-solicitor meetings at Garda stations were routinely taped.**
- **The proposed compulsory human rights training for Gardaí must also include anti-discrimination training, and training on international standards; such training should be developed in consultation with the Garda Ombudsman, the Irish Human Rights Commission and the Equality Authority.**

Organisational Review and Operational Innovation

- **Garda reform legislation should be accompanied by a comprehensive review of resource deployment, equipment, training and procedure (including the Disciplinary**

Code) to ensure effective best practice policing and to complete a process of modernisation; such a review should have a public consultation component to increase transparency and public confidence.

- **There must be a separate review of recruitment and promotion practices with a view to increasing representativeness of the service and promoting gender equality.**
- **The Policing Board, Commissioner, and Minister should consider options for the civilianisation of appropriate Garda administrative posts.**
- **Fully trained Gardaí should be relieved of some static duties and a dedicated traffic corps under Garda supervision should also be introduced. However the Government has neither presented nor proven its case for a Garda Reserve Force. Moreover, a reserve force should never be considered a substitute for meaningful local involvement in decision-making and accountability. The enabling provisions (Heads 32-33) should therefore be struck from the Government’s proposals. The more appropriate and effective mechanism for community cooperation is the Policing Partnerships proposed by Sinn Féin.**
- **On general principle, policing services should not be privatised or “outsourced” to private companies. It must be made explicit in law that neither the Commissioner nor the Minister has the authority to privatise policing services.**
- **The Minister should publicly reconfirm that**

- Gardaí will not, in the normal practice, be equipped with firearms, as is the current case.**
- **The Minister must publish the report of the Garda Review Group on alternatives to firearms that includes recommendations on the use of “less-than-lethal” weapons by the Gardaí.**
 - **Crime and complaint pattern analysis should be introduced to provide an information-led, problem-solving approach to policing that addresses causes as well as consequences.**
 - **Crime statistics should be collected, analysed and made publicly available at station and district level, not just at regional or divisional level.**
 - **Gardaí should not be despatched on international missions except as part of an International United Nations Force (a force established and led by the United Nations). Gardaí should not be sent on EU-led Police Missions. An Garda Síochána should also be explicitly barred from cooperating with other state police forces that commit systematic human rights abuses. This must be reflected in revisions to the Minister’s draft provisions (Head 8).**
- Righting Past Wrongs and Clearing the Slate
- **The Minister must publish the reports of prior Garda Complaints Board and other internal inquiries.**
 - **The Special Detective Unit (Special Branch) should be disbanded and its officers redeployed only following completion of intensive human rights upskilling. For decades this “force within a force” has dominated both the ethos and the management structure of the Gardaí. Using the draconian Offences Against the State Acts, it has violated civil rights and diverted much policing time and resources away from real service to the community. It should be disbanded as part of an overall reorganisation of Garda structures, taking into account, in particular, the need to tackle organised drug crime.**
 - **The performance of the Emergency Response Unit to date should be reviewed by the Garda Ombudsman, and any conclusions and recommendations made public.**
 - **Immigration processing should be decoupled from the Gardaí, as immigration and seeking asylum from persecution are not crimes. The Garda National Immigration Bureau should only deal with associated security clearance procedures and investigations of suspected violations of the law.**
 - **A clear human rights-proofing mechanism must be established under the Human Rights Commission, to scrutinise all existing and future legislation conferring powers on Gardaí and bring forward any recommendations for change.**

“Póilíneacht don Phobal”

Polasaí Shinn Féin ar leasú na nGardaí (2004)

Sinn Féin
Ard Fheis 2004

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Intreoir

Tá seirbhís dhlísteanaigh phóilíneachta de dhíth ar gach sochaí agus tá tacaíocht de dhíth ar gach seirbhís dhlísteanaigh phóilíneachta ó na pobail a ndéanann siad freastal orthu. Tá sé práinneach ar an ábhar sin go bhfuil trédhearcacht agus muinín iomlán idir an tseirbhís phóilíneachta agus na pobail.

Mhair an Garda Síochána neamhleasaithe go mór ó bunaíodh 80 bliain ó shin é. Tharraing an tAire Dlí agus Cirt aird ar na moltaí a thug sé isteach le déanaí ar leasú na nGardaí á rá go “seasann siad don chéad ollphíosa de leasú reachtach an Gharda Síochána ó bhunú an Stáit.” Le haitheantas an Rialtais go bhfuil leasú riachtanach, tá deis againn anois todhchaí na póilíneachta a mhúnlú do mhuintir na hÉireann. Tá sé criticiúil go ndéanann muid mar is ceart é.

Ba mhian le Sinn Féin bunú sheirbhíse póilíneachta uile-oileánda a fheiceáil. Idir an dá linn, ba mhaith linn seirbhísí póilíneachta Thuaidh agus Theas a mheallfaidh tacaíocht leathan ón óstphobal mar iomlán agus a bheidh mar chuid riachtanach de. Ba mhaith linn póilíneacht éifeachtach le freagracht áitiúil dhaonlathach a bheidh múnlaithe mar sheirbhís pobail lán den eiteos sin um chearta daonna.

Tá muinín an phobail sa Gharda Síochána ag laghdú le déanaí. Tá dhá bhainse leanúnach ar siúl faoi láthair ag déanamh fiosrú ar ghearáin thromchúiseacha maidir le mí-iompar Gardaí i nDún na nGall agus le scaoileadh John Carthy. Tá ceisteanna ollmhór le freagairt ag na Gardaí freisin i dtaca lena stiúradh san fhiosrú ar bhuamála Bhaile Átha Cliath-Mhuineacháin agus ar theagmhais eile chlaonpháirteachais sa Stát seo agus dúnmhárú Eddie Fullerton, Comhairleoir Sinn Féin, san

áireamh. Tá tagairt déanta ag Comhairle na hÉireann um Shaoirse Shibhialta do “chultúr séanta a lig do shaoirse ó phionós leathadh” - agus tá fianaise agus líomhaintí ann leoga de mhí-iompar Gardaí agus Brainse Speisialta idir indibhidiúil agus sistéamach a théann siar go dtí na seachtóidí; páirt as-diúití choiriúil i réimse coireanna tromchúiseacha le hionsaí gnéasach san áireamh; cinneadh calaoise i dtaca le conartha Gardaí; cinneadh gur thug na Gardaí fianaise bhréagach ar aird sa Chúirt. Tá aireachtáil an phobail ar shaoirse ó phionós do mhí-iompar deimhnithe ag na teipeanna agus ateipeanna de Bhord Gearán an Gharda Síochána.

Tá a fhios go maith ag na pobail de chuid an lucht oibre nach bhfuil ag éirí leis na Gardaí lena gcuid pobal a dhéanamh slán. Tá fearg ar chuid mhór daoine sna pobail seo leis an teip chun freagairt go héifeachtach ar ghéarchéimeanna áitiúla méadaithe agus míroinnt d’acmhainní Gardaí.

Gheall Comhaontú Aoine an Chéasta seirbhís nua phóilíneachta do na Sé Chontae a bheadh “neamhchlaon, ionadaíoch, saor ó rialú páirtíneach polaitiúil, éifeachtúil, insilte le cultúr ceart daonna, díláraithe agus freagrach go daonlathach ar gach leibhéal.” Baineann moltaí an Choimisiúin Patten do phóilíneacht thodhchaí le cruthú de phóilíneacht shaoránach phobalbhunaithe a bhfuil cearta daonna mar chroí inti, a bheidh freagrach trí hinstiúidí daonlathacha agus ionadaíoch don phobal ar a ndéanfaidh sí freastal. Creidimid go bhfuil a leithéid seo de sheirbhíse tuillte ag saoránaigh an stáit seo. Mar a chreidimid i dtiomantas Chomhaontú Aoine an Chéasta do chomhionannas dlínse i gcomhionannas agus i gcosanta ceart daonna, caithfidh leasú póilíneachta “réiteach le chéile” agus Moltaí Patten a úsáid mar theimpléad chun íoschaighdeán a bhaint amach.

Dhíbh an tAire Dlí agus Cirt Patten a bheith neamhábharthach mar eiseamláir cionn is gur forbraíodh í chun déileáil le staid ar leith choimhlinte. Ach níl sé sin áititheach. Aithnítear Moltaí Patten anois ar bhonn idirnáisiúnta a bheith ag ionadú an tsárchleachtaidh.

Caithfidh pacáiste cuimsitheach ar leasú na nGardaí tacú leis na Gardaí ina bhforás i dtreo seirbhíse sárchleachtaidh, seirbhís a leagfaidh an caighdeán amach go domhanda do phóilíneacht éifeachtach, éifeachtúil agus fhreagrach a bhfuil cearta daonna mar chroí inti - seirbhís phóilíneachta a bhfuil leibhéal gan réamhshampla de mhuinín, thacaíocht agus chomhoibriú pobail aici. Sin í ár bhfís. Sin í an tseirbhís phóilíneachta a ba mhian le Sinn Féin a réalú do bhunadh an Stáit seo.

De réir seo, molann Sinn Féin na heochairmhiosúir chomhshnaidhmeacha seo a leanas le haghaidh pacáiste leasaithe:

- **Bunú d’Ombudsman Garda neamhspleách**
- **Bunú de Bhord Póilíneachta Saoránach**
- **Bunú de Pháirtíochtaí Póilíneachta Pobail ar leibhéal Dúiche Garda**

Cé go gcuirimid fáilte roimh an deis seo a ghlacadh chun an moladh seo a dhéanamh, tá sé doghlactha ar fad nach ndeachaigh an tAire i mbun próisis cheart chomhairliúcháin ar ábhar a bhfuil suim mhór phoiblí ann. Ní cóir go gcaillfí an deis seo.

Molann Sinn Féin go réachtálann an Roinn próiseas ceart comhairliúcháin leis an phobal ar an cheist a bheadh le feiceáil sa phacáiste deiridh leasaithe. Caithfidh an comhairliúchán poiblí bheith cuimsitheach agus uileghabhálach le sraith fhóram leis an phobal áitiúil ina mbeidh grúpaí pobail, ionadaithe ó hearnálacha imeallaithe de shochaí na hÉireann agus leo siúd a bhfuil “teagmháil ard” acu agus/ nó riachtanais speisialta acu ó thaobh seirbhísí póilíneachta de.

Eiteos um Chearta Daonna

Is féidir agus ba chóir go mbeidh páirt dhearfach ag póilíneacht i gcosaint agus i gcur chun cinn ceart daonna.

Ní amháin go bhfuil oiliúint cheart daonna agus uas-scileáil thréimhsiúil ag teastáil ó phóilíneacht ach tá eiteos forleatach um chearta daonna ag teastáil freisin atá buntacaithe le cód ar leith iompair de réir caighdeán idirnáisiúnta agus atá frithchaiteach ar fhealsúnacht cheart daonnabhunaithe de phóilíneacht.

Caithfidh an deis seo le haghaidh leasaithe Garda a chinntiú go bhfuil an tseirbhís thodhchaí phóilíneachta ag aontú go hiomlán le hionstraimí ábharthacha idirnáisiúnta mar aon le treoirlínte sárchleachtaidh agus cóid iompair de chuid na NA agus an AE.

Cuirimid fáilte roimh na céimeanna a glacadh go dtí seo mar thús chun feasacht agus géilleadh cheart daonna a fhairsingiú laistigh den Gharda agus bunú de Thionscnamh Cheart Daonna an Gharda san áireamh mar aon leis an Dearbhú athbhreithnithe um Chaighdeáin Eiticiúla agus Luachanna Gairmiúla, an t-iniúchadh neamhspleách ceart daonna a d’údaraigh

an tAire agus gníomhaíocht an Aire chun oiliúint cheart daonna a ofráil do na Gardaí uile agus Gardaí seirbhíseacha san áireamh.

Tá Sinn Féin ag moladh gur cóir go mbeadh an tiomantas do chur chun cinn agus chosaint cheart daonna léirithe sa reachtaíocht bheartaithe mar luach lárnach agus go dtabharfaí aird chothrom dó mar a thugtar d’ábhair eile mar “éifeachtúlacht agus geilleagar”.

Ba chóir go ndéanfaí athbhreithniú ar dhréacht-reachtaíocht an Aire chun an eiteos seo um cheart daonna a léiriú, go háirithe sna Ceannteidil ar fheidhmeanna agus rialacháin an Gharda Síochána (3(3) agus 6(1)), ar fheidhmeanna an Choimisinéara (10(3)) agus ar Fhianú Garda (15), ábhair uile ar chóir dóibh tagairt a dhéanamh don dualgas chun cearta daonna a chosaint agus a chur chun cinn.

Tá cur le chéile na meicníochtaí cearta gearán agus freagrachta de chuid an Gharda bunúsach i gcinntiú go bhfuil an cultúr de shairse ó phionós imithe as an sochaí ar fad agus cultúr de ghéilleadh iomlán ceart daonna curtha ina áit. Déanann moltaí Shinn Féin ar Ombudsman neamhspleách Garda freastal ar an riachtanas seo (thíos).

Eiteos Seirbhíse agus Comhpháirtíochta

Chuir an Coimisiún Patten béim cheart ar an ábhar gurb é an pobal “caomhnóir deiridh” na seirbhísí póilíneachta. De réir seo, mhol Patten coincheap rialaithe de “póilíneacht LEIS an phobal” a bheadh mar fheidhm lárnach na seirbhíse póilíneachta - ar leibhéal gach stáisiún póilíní agus gach ball seirbhíseach.

Tá Sinn Féin ag moladh cur chuige comhpháirtíochta idir na póilíní agus an pobal. Ciallaíonn sé seo go nglacann na póilíní páirt sa phobal agus go bhfreastalaíonn siad ar riachtanais an phobail sin agus go nglacann an pobal páirt sa phóilíneacht agus go dtugann siad tacaíocht do na póilíní. Thig leo fadhbanna a réiteach le chéile ar bhonn níos éifeachtaí.

Tá sé tugtha faoi deara go bhfuil an Garda Síochána ag bogadh go seasta ar shiúl ón choincheap atá luaite ina dteideal - “An Garda Síochána” ó na seachtóidí agus ón bhéim s’acu ar sheirbhís an phobail agus i dtreo iomarca béime ar shlándáil. Mar thoradh air seo d’éirigh na pobail i gcuid mhaith ceantar scartha ó na Gardaí. Ar an drochuair tá an cur chuige as dáta slándáilbhunaithe seo léirithe fosta i moltaí an Aire. Tá seirbhís pobail agus atreoshuíomh comhpháirtíochta de dhíth má tá muinín sa Gharda le bheith athbhunaithe agus méadaithe. Tá an acmhainneacht ag a leithéid seo de chur chuige a chur go mór le comhoibriú méadaithe pobail agus le héifeachtacht an Gharda dá réir.

Ba chóir go gcuideodh reachtaíocht leasaithe an Gharda le forás póilíneachta an 21ú céid mar sheirbhís in ionad “fórsa” - seirbhís atá go hiomlán freagrach agus stiúrtha ag eiteos seirbhíse agus páirtíochta pobail.

Ba chóir go ndéanfaí athbhreithniú ar dhréacht-reachtaíocht an Aire chun an eiteos seirbhíse agus páirtíochta seo a léiriú go háirithe sna moltaí ar fheidhmeanna agus ar dháileadh an Gharda (Ceannteideal 6 agus 7), feidhmeanna an Choimisinéara (10), ceapacháin Choimisinéara, Leas-Choimisinéirí agus Choimisinéirí Cúnta agus Cheannfort (9, 13 agus 14), leagadh amach tosaíochtaí ag an Aire (18), Plean Straitéiseach Póilíneachta (19), Plean Bliantúil Póilíneachta (20), Soláthar Faisnéise (28) agus ag fáil dearcadh an phobail (24), faoi Chuid 2 ar Fheidhmíocht agus Fhreagracht an Gharda Síochána.

Déanann moltaí an Aire iarracht mhór chun an caidreamh a shoiléiriú idir an tAire agus Coimisinéir na nGardaí, idir an t-Oireachtas agus Coimisinéir na nGardaí agus idir na húdaráis áitiúla agus an Garda áitiúil. Cé gur ní fáilteach agus riachtanach é seo, tá lúb ar lár ag teastáil chun an caidreamh agus an fhreagracht a fhorhíniú idir an Coimisinéir agus an pobal agus idir an Cheannasaíocht Gharda agus an pobal a ndéanann siad freastal orthu. Tá sé de rún ag moltaí Shinn Féin chun Bord neamhspleách saoránach Póilíneachta agus Páirtíochtaí Póilíneachta Pobail (thíos) a bhunú le freastal ar an easnamh seo.

Ombudsman Garda

Molann Sinn Féin bunú d’Ombudsman neamhspleách Garda ar bhonn reachtúil chun mí-iompar Garda a imscrúdú. Cuirimid fáilte roimh an chomhdhearcaidh méadaithe gurb é Ombudsman amháin ar féidir leis meicníocht éifeachtach ghearán a chur ar fáil agus gurb é an t-aon duine amháin ar féidir leis muintín iomlán phobail a athbhunú.

De réir moltaí Choimisiún na hÉireann um Chearta Daonna, molann Sinn Féin gur cóir d’Ombudsman Garda a bheith:

- **Mar cheapachán oscailte fiúntasbhunaithe, roghnaithe ar bhonn an chritéir fhoilsithe**
- **Bunaithe neamhspleách ó chomhlacht ar bith a bhfuil feidhm Gharda acu nó a bhfuil sainordú acu chun éifeachtacht agus éifeachtúlacht Gharda a athbhreithniú**
- **Acmhainnithe go maith agus foireann lán-aimseartha soláthraithe**
- **Bronnta leis na cumhachtaí cuí dlíthiúla agus acmhainní chun imscrúduithe neamhspleácha a dhéanamh.**
- **Ceadaithe le réimse imscrúduithe a chuireann Aonad na mBleachtairí Speisialta san áireamh ach amháin nó go dtí go mbeidh sé scaipthe**
- **Údaraithe le finnaithe a cheistiú, nochtadh cáipéise a ordú agus rochtain a fháil ar láithreacha ar a thoil**
- **Bronnta leis na cumhachtaí céanna dlíthiúla leis na Gardaí chun amhrasáin a ghabháil agus a choinneáil i dtaca lena imscrúduithe féin**
- **Cumhachtaithe le sáráithe cód araíonachta an Gharda a shocrú (mí-iompar)**
- **Cumhachtaithe le fianaise choiriúlachta a**

chur faoi bhráid na Roinne um Ionchúiseamh Poiblí

- **Cumhachtaithe le gearáin cuí a réiteach go neamhfhoirmeálta le toiliú an ghearánaigh**
- **Cumhachtaithe le gearáin a réiteach go foirmeálta trí phionóis agus leighis a shannadh a chuirfidh san áireamh moladh le haghaidh gnímh araíonachta, díbhe, athruithe i bpolasaí nó i ngnáthamh nó le haghaidh cúitimh don ghearánach**
- **Cumhachtaithe le himscrúdú a dhéanamh ar fhadhbanna sistéamacha mar aon le polasaithe agus gnáthaimh agus moltaí ginearálta a dhéanamh do chúiseanna cinéal na ngearán; nuair atá socraithe ag an Ombudsman, ba chóir go gcuirfeadh seo cúrsaí slándála náisiúnta san áireamh**
- **Cumhachtaithe le himscrúduithe neamhspleácha a dhéanamh ar chúrsaí a bhfuil suim an phobail iontu, dá d(h)eoin féin nó ar iarratas an Aire, gan ghearánaigh a bheith ann - agus go mbeadh seo riachtanach i gcásanna ar leith de choilleadh ina bhfuil cailleadh beatha, forneart iomarcach, ainíde i gcoiméad, idirdhealú agus cur isteach polaitíochta**
- **Bronnta le cumhachtaí siarghabhálacha imscrúdaithe**
- **In ann Tuairisc Bhliantúil a chur le chéile le haghaidh foilsíocháin ina mbeidh staitisticí, nósanna agus patrúin aitheanta, anailísí agus moltaí**
- **Soláthraithe le meicníocht d’idirghníomhú éifeachtach, roinnt faisnéise agus imscrúdú comhoibritheach a ligeann don Ombudsman Garda agus don Ombudsman Póilíní do na sé chontae oibriú le chéile**

Caithfidh eolas ar bith a thagann ar fáil don Roinn

um Ionchúiteamh Poiblí a léiríonn mí-iompar Garda a bheith curtha faoi bhráid an Ombudsman Garda go huathoibríoch.

Ba chóir, ar ndóigh, go dtabharfaí cosaint iomlán de chearta dleachtacha próisis do Ghardaí atá faoi imscrúdú. Ba chóir go dtabharfaí cóireáil chothrom don dá pháirtí os comhair an dlí chomh maith le nochtadh iomlán agus rochtain ar chúnamh dlí i gcásanna ina bhfuil sé de dhíth agus tuillte go maith.

Rinne Coimisiún na hÉireann um Chearta Daonna an argóint go bhfuil an leasú seo riachtanach chun freagairt go sásúil ar cháineadh an chórais reatha ghearán agus ar na moltaí a ndéantar go rialta ag Coimisiún na NA um Chearta Daonna agus ag an Choiste Eorpach um Chosc ar Chéasadh le deich mbliana anuas, ach caithfidh sé bheith de réir dlí-eolaíocht na Cúirte Eorpaigh um Chearta Daonna ar chaighdeáin neamhspleáchais agus

neamhchlaontachta in imscrúdú mí-iompair phóilíní agus de réir soláthair Chomhaontú Aoine an Chéasta ar chomhchosanta cheart daonna idir dlínsí.

Téann tiomantais an Rialtais chun gnáthamh neamhspleách gearán a bhúnú siar go 1973. Ba chóir an cheist seo a réiteach gan mhoill.

Cé go gcuirimid fáilte roimh aitheantas an Rialtais go bhfuil Bord Gearán an Gharda go hiomlán easnamhach agus níl an cinneadh chun bord eile a chur ina áit, mar Fhoireann Chigireachta déchuspóireach a mhol an tAire, incurtha leis na riachtanais. Iarrann Sinn Féin ar an Aire a mholtaí a athbhreithniú agus a athmheas mar gheall ar an chomhdhearcadh atá ag teacht chun cinn i dtaca leis an riachtanas d’Oifig aonair neamhspleách Ombudsman Garda ag a bhfuil feidhm aonair imscrúdaithe.

Bord Póilíneachta

Molann Sinn Féin bunú de Bhord neamhspleách saoránach Póilíneachta ar bhonn reachtúil a bheidh cruthaithe mar aonán ar leith ón Gharda Síochána agus ó Oifig an Ombudsman Garda. Is é a bheidh mar aidhm ag an Bhord seo ná go mbeadh an Garda go hiomlán freagrach.

Bheadh an Bord Póilíneachta ag feidhmiú mar chomhlacht saoránach as a mbeadh Coimisinéir na nGardaí freagrach. Chomhlíonadh sé gné eile de shainchúram molta an Aire de “Fhoireann Chigireachta” - agus chuirfeadh sé maoirseacht bhainistíochta ar fáil ar ábhair mar earcaíocht, cháilíochtaí, chaighdeáin oiliúna, threalamh, lóistín, eagrá, mhodhanna agus mar shárcleachtadh.

Molann Sinn Féin gur cóir don Bhord Póilíneachta a bheith:

- **Neamhspleách ó Bhainistiú Garda**
- **Ionadaíoch: ina mbeidh 1/3 ionadaí tofa (de bhunús traspháirtí), 1/3 ionadaí ó chomhlachtaí stáit, agus 1/3 ionadaí ón earnáil phobail/dheonach - beidh 50% de mhná ar a laghad i ngach grúpa comhpháirteach agus cuirfear san áireamh an riachtanas le haghaidh foirmeacha eile d’ionadaithe sóisialta agus geilleagracha**
- **Roghnaíthe ag próiseas ceapachán atá trédhearcah, fiúntasbhunaithe agus neamhspleách ón Gharda agus le baill agus Cathaoirleach le bheith tofa ar an bhonn céanna leis an Ombudsman (ní thig le hionadaithe tofa tabhairt faoin Chathaoirleach)**
- **Cumhachtaithe le Gardaí sinsearacha a cheapadh ar bhonn próisis thrédhearcaí, a bhfeidhmíocht a athbhreithniú agus freagracht a fhágáil fúthu**
- **In ann bualadh le Coimisinéir na nGardaí go poiblí ar bhonn míosúil chun a thuairiscí a fháil ar bhainistíocht oibríochtúil**
- **Cumhachtaithe le gach sórt eolais a fháil agus a**

iarraidh ó Choimisinéir na nGardaí (má tá sé do leas an phobail go gcoinnítear a leithéid seo d’eolas faoi rún, reáchtálfar seisiúin in-cheamara chun déileáil le cúrsaí ar leith don chuspóir seo

- **Cumhachtaithe le tuairisc a iarraidh ó Choimisinéir na nGardaí ar ábhar ar bith a bhaineann le póilíneacht**
- **Cumhachtaithe le cuspóirí agus tosaíochtaí straitéiseacha gearr, meán agus fadtéarmacha a bhunú in éineacht leis an Choimisinéir mar chuid de phróiseas a aontóidh Plean Straitéiseach Póilíneachta agus Plean Bliantúil Póilíneachta**
- **Cumhachtaithe le monatóireacht a dhéanamh ar fheidhmíocht chomh maith le bainistiú buiséid i gcomhair an Phleain Straitéisí aontaithe, an Phleain Bhliantúil Phóilíneachta agus táscaire ar bith eile**
- **Cumhachtaithe le moltaí a dhéanamh ar leithdháileadh acmhainní nó ar athrú polasaí don Aire, ar cheart dó aird cheart a thabhairt ar a leithéid seo de mholtaí**
- **Cumhachtaithe le cúrsaí a chur faoi bhráid an Ombudsman Garda nó an Ard-Reachtair Cuntas agus Ciste nuair is cuí**
- **Cumhachtaithe le fiosrú neamhspleách a chur ar bun i dtaca le hábhar ar bith a cheapann sé a bheith oiriúnach (cuirfidh an soláthar dá leithéid seo d’fhiosrú béim ar neamhspleáchas an Bhoird)**
- **In ann Tuairisc Bhliantúil a fhoilsiú**

Cuirimid fáilte roimh an chomhdhearcah atá ag teacht chun cinn maidir leis an riachtanas do mhaoirseacht neamhspleách shaoránach chun freagracht phóilíní a bhunú.

Ní dhéanfaidh moltaí an Aire maoirseacht neamhspleách shaoránach a sheachadadh áfach, agus ba chóir iad a athbhreithniú chun soláthar do Bhord neamhspleách saoránach Póilíneachta a chuimsiú.

Páirtíochtaí Póilíneachta Pobail

Molann Sinn Féin bunú de Pháirtíochtaí Póilíneachta Pobail ar bhonn reachtúil ar leibhéal Dúiche ar fud fad an Stáit chun trédhearcacht Gharda a mhéadú, comhoibriú agus muinín an phobail a chur chun cinn agus freagracht iomlán a fhágáil faoin Gharda.

Bheadh caidreamh na freagrachta idir an Ceannfort Dúiche agus na Páirtíochtaí Póilíneachta Pobail ar aon dul leis an chaidreamh idir an Coimisinéir agus an Bord Póilíneachta.

Ar an dóigh seo, bheadh ról idirchaidrimh ag an Pháirtíocht Phóilíneachta Pobail idir an Ceannasaí Dúiche agus an pobal áitiúil agus bheadh sí ina meicníocht d’fhreagracht agus chomhoibriú pobail dá réir.

Molann Sinn Féin go mbunódh gach údarás áitiúil Páirtíochtaí Póilíneachta Pobail, páirtíocht amháin an dúiche phóilíneachta, mar choistí na comhairle ar an bhunús seo a leanas:

- **Ba chóir go mbeadh ballraíocht na PPP tofa ag an údarás áitiúil.**
- **Ba chóir go mbeadh an próiseas ainmniúcháin trédhearcach agus bunaithe ar chritéir foilsithe.**
- **Mar atá leis an Bhord Póilíneachta, beidh an socrú deiridh mar seo a leanas: 1/3 ionadaí tofa (de bhunús traspháirtí), 1/3 ionadaí ó chomhlachtaí áitiúla stáit agus 1/3 ón earnáil áitiúil phobail agus dheonach - beidh 50% de mhná i ngach grúpa comhpháirteach - de gheall ar éagsúlacht agus ionadaíocht a mhéadú chun fíorchumadh phobal na dúiche a léiriú chomh cruinn agus is féidir.**
- **Ba chóir go mbeadh cruinnithe míosúla poiblí**

idir an PPP agus an Ceannfort Dúiche ina dtabharfadh sé/sí tuairiscí agus freagraí ar cheisteanna.

- **Ba chóir go mbeadh an deis ag baill na PPP tosaíochtaí agus buairimh an phobail a léiriú agus moltaí a dhéanamh dá réir.**
- **Ba chóir go mbeadh meicníocht ann le go mbeadh baill an phobail ábalta ceisteanna a chur ar an Ceannfort trí Chathaoirleach na PPP le linn na gcuinnithe poiblí.**
- **Ba chóir go gcuirfeadh an Ceannfort dearcaidh na PPP san áireamh agus é ag ceapadh nó ag cur i bhfeidhm straitéisí agus pleananna póilíneachta don dúiche.**

Ba chóir go mbeadh na PPP bunaithe ar na prionsabail seo a leanas:

- **Cur chuige comhpháirtíochta idir na póilíní agus an pobal**
- **Ní chóir go mbeadh cumhachtaí teoranta go neamhriachtanach**
- **Ba chóir go mbeadh ceapacháin chuig an PPP oscailte do chách gan idirdhealú**
- **Ba chóir go mbeadh sé de dhualgas dlíthiúil ag an PPP cruinniú go poiblí**
- **Ba chóir go gcuirfeadh an PPP fóram ar fáil le haghaidh comhairliúcháin phoiblí ar Phleananna Bliantúla Póilíneachta ar leibhéal dúiche**
- **Le trédhearcacht agus muinín an phobail a ardú, ba chóir go gcuirfeadh na Gardaí gach eolas a n-iarrfaí ar fáil le haghaidh mionscrúdaithe poiblí ach amháin má aontaíonn an PPP go bhfuil sé do leas an phobail (agus ní amháin do leas na bpóilíní) go gcoinneodh an t-eolas seo siar**
- **Ba chóir go mbeadh ar an Gharda míniú i ndiaidh an ghnímh a thabhairt ar a ngníomhartha**

Ba chóir go ndéanfadh gach PPP Tuairisc Bhliantúil a fhoilsiú a chuirfeadh moltaí san áireamh a dtabharfadh Coimisinéir na nGardaí aird cheart orthu i mbainistíocht oibríochtúil na seirbhíse. Ba chóir go dtabharfadh an tAire aird ar mholtaí na PPP ar cheapadh polasaí a mbeadh freagracht air as.

Cé gur céim fháilteach iad na Fóraim Áitiúla Phóilíneachta a cuireadh ar bun go pólótach i gceantair Bhaile Átha Cliath, ní sholáthraíonn siad an eiseamláir cheart d'fhreagracht phobail cionn is

nach bhfuil siad bunaithe ar chomhpháirtíocht. Ba chóir go ndéanfaí Páirtíochtaí Póilíneachta Pobail de na Fóraim reatha Phóilíneachta.

Léiríonn moltaí an Aire ar chomhoibriú méadaithe idir na húdaráis áitiúla agus an Garda feabhsú i gcúrsaí reatha ach ní dhéanann siad freastal ar na caighdeáin céanna trédhearcachta agus freagrachta pobail mar a dhéanann na Páirtíochtaí Póilíneachta Pobail molta. Iarrann Sinn Féin mar sin de ar an Aire a chuid moltaí do Choistí Áitiúla Póilíneachta a athbhreithniú agus a leasú (ag Ceannteideal 23).

Moltaí eile le haghaidh Leasaithe

Molann Sinn Féin go ndéanann an tAire machnamh agus cothú ar na míosúir bhreise seo a leanas atá riachtanach do leasú cuimsitheach Garda, do chosaint cheart daonna agus chirt agus d’athbhunú muinín an phobail as an Gharda.

Cosanta Breise Ceart Daonna

- **Ba chóir go gcuirfí stad láithreach le fístéipthaifeadadh sainordaitheach i ngach stáisiún Garda d’agallaimh amhrasán agus finné (tá an cheist seo le réiteach ó 1979 ar a laghad).**
- **Ba chóir go mbeadh an ceart rochtana ar dhlíodóir i stáisiún Gharda de réir sárchleachtaidh idirnáisiúnta (mar atá an Rialtas á “mhachnamh” ó 1993).**
- **Ba chóir go gcuirfeadh an Ombudsman Garda tús le himscrúdú ar na líomhaintí seanbhunaithe go ndearnadh téipthaifeadadh ar chruinnithe rúnda idir an cliant agus an dlíodóir sna stáisiún Gharda de ghnáth.**
- **Ba chóir go gcuimseodh an oiliúint mholta um chearta daonna don Gharda oiliúint fhrith-idirdhealaithe freisin agus oiliúint ar chaighdeán idirnáisiúnta; ba chóir a leithéid seo d’oiliúint a fhorbairt i gcomhairle leis an Ombudsman, le Coimisiún na hÉireann um Chearta Daonna agus leis an Údarás Comhionannais.**

Athbhreithniú Eagrúcháin agus Nuálaíocht

Oibríochtúil

- **Ba chóir go gcuimseodh reachtaíocht leasaithe**

athbhreithniú cuimsitheach d’úsáid acmhainní, trealamh, oiliúint agus gnáthamh (mar aon leis an Chód Araíonachta) chun póilíneacht shárchleachtaidh a chinntiú agus chun próiseas nuachóiriúcháin a chur i gcrích; bheadh gné de chomhairliúchán poiblí ag a leithéid seo d’athbhreithniú chun tréadhearcacht agus muinín an phobail a mhéadú.

- **Ba chóir go mbeadh athbhreithniú aonair ar chleachtaidh earcaíochta agus ardú céime de gheall ar ionadaíocht na seirbhíse a mhéadú agus comhionannas inscne a chur chun cinn.**
- **Ba chóir go ndéanfadh an Bord Póilíneachta, an tAire agus an Coimisinéir machnamh ar roghanna do shibhialtacht na bpost cuí riaracháin Gharda.**
- **Ba chóir go dtógfaí roinnt dualgas statach de Ghardaí atá lán-oiliúna agus go dtabharfaí isteach cór tráchta ar leith faoi mhaoirseacht an Gharda. Níor chruthaigh ná níor chuir an Rialtas cás i láthair le haghaidh Fórsa Cúltaca Garda. Ina theannta sin, ní chóir go ndéanfaí machnamh ar fhórsa cúltaca mar mhalartú ar bhaint fhiúntach áitiúil i gcinnteoireacht agus i bhfreagracht. Ba chóir go mbainfí an soláthair cumasúcháin (Ceannteideal 32-33) de mholtaí an Rialtais. Is iad na Páirtíochtaí Póilíneachta Pobail atá molta ag Sinn Féin an mheicníocht is oiriúnaí agus is éifeachtaí le haghaidh comhoibrithe pobail.**
- **Ar phrionsabal ginearálta, ní chóir go ndéanfaí foinsiú allamuigh ná príobháidiú ar sheirbhísí póilíneachta chuig comhlachtaí príobháideacha. Ba chóir go mbeadh sé soiléir de réir an dlí nach bhfuil an t-údarás ag an Choimisinéir ná**

ag an Aire seirbhísí póilíneachta a phríobháidiú.

- Ba chóir go n-athdhearbhódh an tAire go poiblí nach mbeidh na Gardaí, i ngnáthchleachtadh, trealmhaithe le hairm tine mar atá faoi láthair.
- Ba chóir go bhfoilseodh an tAire tuairisc an Ghrúpa Athbhreithnithe Garda ar roghanna eile ar airm tine a chuireann san áireamh úsáid arm atá “níos lú ná marfach” ag na gardaí.
- Ba chóir go dtabharfaí isteach anailís phatrúin choireachta agus ghearán chun cur chuige faisnéis-threortha agus fadhb-réiteach i dtaca le póilíneacht a ndéanfadh freastal ar chúiseanna chomh maith le hiarmhairtí.
- Ba chóir go ndéanfaí staitisticí coireachta a bhailiú, a anailísiú agus a chur ar fáil ar leibhéal stáisiún agus dúiche, ní ar leibhéal réigiúnach ná roinne amháin.
- Ní chóir go gcuirfeadh Gardaí chun bealaigh ó mhisin idirnáisiúnta ach amháin mar chuid d’Fhórsa Idirnáisiúnta na Náisiún Aontaithe (fórsa a bunaíodh ag na Náisiún Aontaithe atá faoi cheannas air). Ní chóir go gcuirfí na Gardaí ar mhisin phóilíneachta na Náisiún Aontaithe. Ba chóir go gcuirfí urchosc follasach ar an Gharda Síochána i dtaca le comhoibriú le fórsaí eile póilíneachta stáit a bhaineann mí-úsáid shistéamach as cearta daonna. Ba chóir seo a léiriú san athbhreithniú ar dhréacht-sholáthar an Aire (Ceannteideal 8).

Gharda agus ó fhiosrúcháin eile inmheánacha.

- Ba chóir go scaipfí Aonad na mBleachtairí Speisialta (An Brainse Speisialta) agus nach mbainfí úsáid as na n-oifigigh go dtí go gcomhlíonann siad dian-uas-scileáil ar chearta daonna. Tá an “fórsa seo laistigh d’fhórsa” i gceannas ar eiteos agus struchtúr bainistíochta an Gharda le blianta anuas. Ag baint úsáid as Acht Draganta um Chionta i gcoinne an Stáit, sháraigh sé cearta sibhialta agus d’atreoraigh sé am agus acmhainní póilíneachta ó sheirbhís cheart don phobal. Ba chóir go scaipfí é mar chuid d’atheagrú ginearálta struchtúr an Gharda agus aird ar leith a thabhairt do dhul i ngleic le coireanna drugaí.
- Ba chóir go ndéanfaidh an Ombudsman Garda athbhreithniú ar fheidhmíocht an Aonaid Phráinnfhreagartha go dtí seo agus go gcuirfí conclúid agus moltaí ar fáil go poiblí.
- Ba chóir go ndéanfaí próiseáil inimirce a dhíchúpláil ón Gharda cionn is nach coireanna iad inimirce ná tearmann ó ghéarleanúint a lorg. Ba chóir go ndéileálfadh Biúró Náisiúnta Inimirce an Gharda Síochána le gnáthaimh bainteacha um réiteach slándála agus le himscrúduithe ar sháraithe an dlí amháin.
- Ba chóir go mbunófaí meicníocht shoiléir de phrofú ceart daonna faoin Choimisiún um Chearta Daonna chun reachtaíocht thodhchaí a bhronnann cumhachtaí ar Gardaí a mhionscrúdú agus moltaí le haghaidh athruithe a thabhairt chun cinn.

Ag Ceartú Éagóirí a bhí agus Ag Tosú as an Nua

- Ba chóir go bhfoilseodh an tAire na tuairiscí ó iar-fhiosrúcháin de chuid Bord Gearán an



Building an Ireland of Equals

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