



POLICING WITH THE COMMUNITY IN 2009

Sinn Féin submission to the Garda Policing Plan 2009
September 2008

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1. INTRODUCTION



Sinn Féin welcomes the opportunity to make a submission to the Garda Policing Plan 2009.

This is our second time to make a submission to the annual Garda plans, the first being one year ago. This process of consultation of political parties, commenced by An Garda Síochána last year, has been a very positive experience. Sinn Féin was pleased to conclude that the Garda Policing Plan 2008 was a marked improvement on plans for previous years and to note that some of the positive elements contained in it mirrored aspects of our own submission. We trust that this submission will be equally well received.

We want to see an all-island police service established. And we hope that the Policing Plan 2008 and all future policing plans and corporate strategies will work towards the establishment of an all-Ireland policing service.

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 a human rights ethos.

Our submission aims to build-upon and add to the positive elements of the Policing Plan 2008. It also learns lessons from a number of developments in 2008 including the Morris and Hartnett reports and makes recommendations arising out of those. Our sound and realistic proposals are grounded in the views of communities themselves gleaned through a year-long process of participative consultation with urban and rural communities in every province.

This year's submission again puts a substantive focus on serious drug and gun crime and on anti-social behaviour and public order offences. A new section expressly focused on rural policing recognises that while many policing needs are common to both rural and urban settings some needs may be particular to, or more pertinent to, rural communities. Likewise a further new section makes proposals specific to policing services for older people, people with disabilities and ethnic minorities.

All of our proposals and recommendations are made in the context of recession and of the resultant tightening budgetary constraints. It is our belief that measures can be taken to deploy Gardaí more effectively and efficiently within current funding provisions.

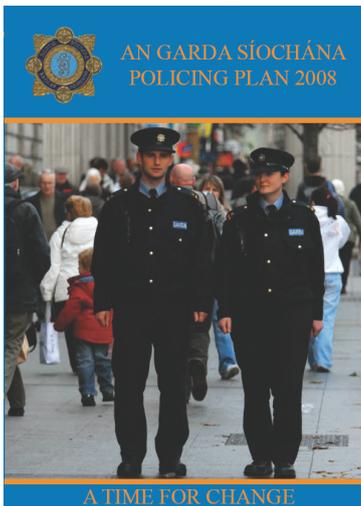
Our submission points to the potential of a re-prioritisation of policing missions accompanied by the redirection of resources to match those priorities. We discuss the cost of overdependence on Garda overtime and the potential for new rostering arrangements to address this. And we again demonstrate the need for a process of civilianisation to be expedited to a level equivalent with our neighbouring jurisdictions in order to quickly and cost-effectively free-up fully trained Gardaí.

A handwritten signature in blue ink, appearing to read 'Aengus Ó Snodaigh'.

Aengus Ó Snodaigh TD,
Sinn Féin Spokesperson on Justice, Equality and Human Rights

2. GARDA POLICING PLAN 2008

The publication of policing plans and the decision to accept submissions to same is good practice and is a positive example of progress made by An Garda Síochána in recent years. That said it is important that the plans be subject to ongoing review and independent evaluation and we hope the Garda Ombudsman



Commission, Inspectorate and the Joint Policing Committees amongst others will play important roles in this regard.

From Sinn Féin's perspective the priorities determined by the Minister for Justice, Equality and Law Reform and contained in the Policing Plan 2008 are significantly better than those of previous years. We were pleased to find that many of the priorities

determined greatly reflect the main points contained in Sinn Féin's submission made during the development of that plan.

Positive examples relate to the areas of: gun crime, organised crime and drugs; Joint Policing Committees; deployment; and crime prevention and reduction.

In relation to gun crime, organised crime and drugs a commitment was made to make greater use of the Criminal Assets Bureau to target those engaged at any level of drug dealing and to enhance the activities of drugs units and the force to focus on places where drug dealing and use are likely.

In terms of the Joint Policing Committees, a commitment was made for Gardaí to participate fully in Joint Policing Committees and forge local partnerships to address issues.

As to deployment, the plan pledges to increase the proportion of Gardaí on operational duty including through civilian support, develop a Garda Charter including target response times, and increase the level of high visibility patrols. Unfortunately in terms of the high visibility patrols commitment it only stipu-

lates through the greater use of marked cars. Sinn Féin would advocate greater use of foot patrols and bicycles and our research in the community affirms this preference.

Finally in relation to crime prevention and reduction the plan promises to prioritise monitoring registered sex offenders in particular in co-operation with the PSNI, to co-operate with COSC to curb domestic violence and to expand the juvenile liaison scheme and the Garda Youth Diversion Projects (GYDP). Unfortunately in the main body of the plan it stipulates that the number of Juvenile Liaison Officers is to be increased by just 7 and while it expresses a commitment to identify locations for GYDP expansion it does not stipulate a minimum number of additional projects that this will actually entail.

On the negative side the sole focus of the Public Order priority as determined by the Minister is punitive i.e. ASBOs, behaviour warnings and on-the-spot fines. This is in contrast to the more balanced approach advocated by Sinn Féin which also emphasises the importance of prevention through risk identification and early supportive intervention and the effective potential of restorative justice responses (as outlined in [Section 7 'Anti-social Behaviour and Public Order Offences'](#) which follows).

The Garda Policing Plan 2009 should ensure that the positive elements of this year's plan, identified above, are implemented, enhanced and built-upon. It should also incorporate the many effective, constructive and realisable proposals detailed in each section of this submission.

3. IMPORTANT DEVELOPMENTS IN 2008

There have been a number of important developments in 2008 of which the Garda Policing Plan 2009 must take full cognisance. These include: the publication of the Morris Tribunal 6th Report; the Report of the Hugh Hartnett SC Inquiry into the case of Brian Rossiter who died following a period of Garda detention; an important, albeit rejected, recommendation from the Garda Síochána Ombudsman Commission to the Minister for Justice in relation to the policing of protests; and the commencement of a study by the Garda Inspectorate into resource allocation and a Garda Charter.

The Morris Report and the Hartnett Report

Both the Morris Report and the Hartnett Report raise issues of general concern to An Garda Síochána. Morris expressly recognised that his findings raise issues that “are not peculiar to Donegal” and Hartnett also points to systemic failures that cannot be unique to Clonmel either. Some of these are now compensated for by the establishment of the Garda Ombudsman Commission others remain to be addressed through a combination of Ministerial and Garda action. While certain issues will require a legislative response others can start to be addressed in the up-coming policing plan for 2009.

Both Hartnett and Morris highlight failures in relation to ‘members in charge’ and the keeping of custody records. The member in charge in a Garda station at any given time is responsible for ensuring that all procedures under the regulations governing the treatment of persons in Garda custody are fully complied with. They are responsible for ensuring that the rights of detainees are respected and vindicated.

In the tragic case of 14 year old Brian Rossiter successive members in charge failed even in their most basic duty to keep accurate records of custody and to question the arresting officer as to whether any attempt had been made to find an alternative to keeping the child in custody – something which should only have been considered as a last re-

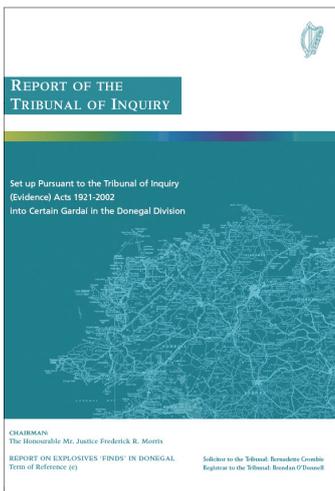
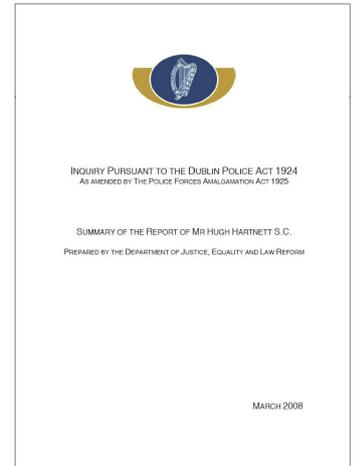
sort given that there was no power of detention in relation to the public order offence for which he was arrested. The first member in charge on that occasion was double-tasking with the additional responsibility of acting as public interface for the station, answering the phone etc. Hartnett stresses that the responsibilities of the member in charge to those held in custody must take priority against all others. This also evidences the urgent need for greater civilianisation, an issue which is dealt with in [Section 5 ‘Deployment and Resourcing Priorities’](#) of this submission.

Morris points to a need for cultural change. He argues that the role is not currently vested with sufficient respect and authority. He advises that a member in charge should be a Garda of considerable experience and of Sergeant rank at least. He recommends “training and refresher courses for members in charge and senior officers with a view to ensuring that the independence, power and authority of the member in charge is recognised and re-established”. Sinn Féin is advocating that the Garda Policing Plan 2009 should give effect to this recommendation.

Garda Síochána Ombudsman Commission request

In addition earlier this year the Garda Síochána Ombudsman Commission requested permission from the Minister as per Section 106 of the Garda Síochána Act 2005 to conduct a general investigation into the policing of protests in order that they might make recommendations aimed at significantly reducing the number of complaints against Gardaí arising from such policing. The Minister inexcusably vetoed their request.

Sinn Féin has long recognised the need for a review to be conducted into the current approach to the policing of demonstrations. This review should be carried out by an external body with human rights expertise and a new human rights compliant approach must be developed. To this end, last year we included this proposal in our submission to the Garda Policing Plan 2008 and in addition during the course of a meeting with the Garda Inspectorate we urged that body to undertake the examination.



It was the Garda operation at Bellanaboy Co. Mayo that prompted the Garda Síochána Ombudsman Commission (GSOC) to seek to undertake a broader investigation. The approach to policing at Bellanaboy was summed up by the Superintendent in charge there Joe Gannon. In an interview published by Garda Review magazine he said "There were no arrests. That was part of our Strategy; we did not want to facilitate anyone down there with a route to martyrdom. That has been our policy ever since". That policy resulted in 70 complaints to the GSOC because the Garda approach substituted lawful arrests with brute enforcement including assaults on protesters.



The Ombudsman Commission is in agreement with Sinn Féin that a review of the Garda approach would help to reduce future abuses and complaints. Unfortunately the deeply flawed legislation allowed the Minister to prevent this from happening. Despite this the Gardaí should take steps themselves to arrange for a review to be undertaken and recommendations made by an external human rights-focused body. A commitment to engage and cooperate with an appropriate body in order to commence this work should be contained in the Policing Plan 2009.

Garda Inspectorate study

Finally also this year the Garda Inspectorate has been tasked with conducting research and reporting on the allocation of Garda resources and the development of a Garda Charter. It is expected that this work will conclude towards the end of this year. It is clear that the findings of the Inspectorate will have important implications for policing in 2009 and beyond. This work includes examining the current system of managing resources for frontline policing; analysing the distribution of demand for policing services time wise and geographically, examining the use of rostering and overtime; and advising on the development

of a Garda Charter including targeted response times and levels of service that the community should be allowed to expect.

The lessons from Donegal, Clonmel and Bellanaboy must be learnt by An Garda Síochána as a whole and the out workings given effect by the Policing Plan 2009. In addition the plan must be informed by the findings of the Inspectorate's study and it should be reviewed and revised in light of those findings should the plan precede their publication.

4. PUBLIC FORUMS AND FOCUS GROUPS

Sinn Féin believes it is essential that each policing plan strongly reflects the views and priorities of communities. In early 2007, in preparation for our submission to the current Garda Policing Plan 2008 Sinn Féin Átha Cliath conducted a survey of 852 respondents at 21 locations across Dublin. The objective of this was to identify the particular behaviours that were causing serious problems and to determine some of the most effective responses from the perspective of local people. The findings of that survey were detailed in last year's submission and greatly informed the recommendations made therein.

In contrast to last year's quantitative approach, this year Sinn Féin has employed a qualitative approach to identifying the priority issues and Garda responses preferred by communities. And in addition we took our research efforts beyond Dublin.

Sinn Féin representatives hosted and attended numerous public forums and focus groups in an effort to ascertain the priority crime and public order issues impacting on communities and to learn what works, what hasn't worked and what might work in terms of Garda responses from local people's perspectives.

Those organised by Sinn Féin included a meeting of residents associations, community groups and a senior citizens action forum in Waterford, public meetings in Drimnagh and Blanchardstown and a national youth forum held in Dublin city centre. Those attended by Sinn Féin representatives and organised by Joint Policing Committees and other groupings included a JPC public meeting in Letterkenny, Safer Ballymun and Ballyfermot Community Policing Forum.

In each setting the priority issues identified and proposed solutions suggested were familiar and typical. The priority issues identified included:

- Break-ins
- Older people living alone
- Family feuding
- Drugs
- Anti-social behaviour such as vandalism, verbal abuse, stone throwing
- Noise such as dogs, house parties, cars, fireworks
- Joy-riding/boy-racing and old cars bought cheaply for the purpose

- Drunken behaviour
- Young people loitering
- Intimidation of older people and people with disabilities
- Problems associated with entertainment zone such as drunk and disorderly conduct, on-street violence and the high volume of people on the streets
- Car damage and theft
- Bicycle theft
- Attacks on young people by gangs
- Youth perspective on getting drunk as cool
- Drugs even cheaper than night out drinking
- Taxis delivering alcohol and even drugs to young people
- Fear of making complaints against anti-social neighbours
- Perception of zero Garda follow-up
- Garda failure to return phone-calls
- Abuse of powers of arrest and mis-direction of Garda resources to suit statistical targets
- People giving up on reporting incidents to Gardaí
- Communities not familiar with local Gardaí and vice versa
- Community Gardaí often not available



- Difficulties attempting to establish community policing forums
- Difficulties getting Garda assigned to neighbourhood watch scheme
- Positive plans agreed with the community are vulnerable to any change in Garda personnel
- Difficulties forming residents associations due to modern living styles and work pressures
- Need for Garda response to compensate for the inability of local authorities to deal with anti-social behaviour on the part of owner-occupiers

Proposals expressly articulated by participants included:

- Senior Gardaí should report back to the community every 3 months
- Constant Garda presence should be maintained through small on-the-beat patrols
- Increase the number of Gardaí on foot patrol
- Increase the number of community Gardaí
- Improve response times
- Develop a work practice to insulate plans agreed with the community from any adverse affects due to change in Garda personnel
- Improve the mechanism to record calls and monitor responses to issues raised
- Every complainant should be provided with an incident number to enable them to track Garda progress on their complaint and periodic meetings could be held between Resident's Associations and Gardaí to review these numbers
- Gardaí should pursue greater inter-agency co-operation in particular to enable early intervention by the health authorities with families at risk
- The huge drain on garda resources of entertainment zones could be addressed through a collaborative forum with the Gardaí, Vintners, night-club owners and other stakeholders
- Identify levels and patterns of crime and develop and implement appropriate responses
- Put in place arrangements for Gardaí to inform private landlords of any anti-social behaviour on the part of tenants
- Encourage the reporting of boy/girl racer related offences
- Continue to work with resident associations and neighbourhood watch schemes to address issues that arise

- Consider introducing a scheme from Chicago suburbs involving alarm buttons for reporting under-age drinking
- Encourage longer-term stationing of Gardaí, and profile community Gardaí in local papers
- Ensure Gardaí are available to meet groups after normal working hours
- Increase direct positive engagement between Gardaí and pupils in schools
- Undertake initiatives to reduce anti-social behaviour on buses including through targeted presence of uniformed Gardaí
- Gardaí must demonstrate an acute awareness of road safety and their paramount responsibility to pedestrians and other road users when engaged in high speed driving

The issues identified as priorities by local communities and detailed above must be given due consideration and afforded appropriate priority in the 2009 Policing Plan. And moving forward the Joint Policing Committees should facilitate direct community input into the District and Divisional Policing Plans for 2009. In addition the operation of those plans should be evaluated and reviewed by the community via the JPC periodically throughout the year.



5. DEPLOYMENT AND RESOURCING PRIORITIES

It is essential that all deployment and resourcing provisions detailed in the Policing Plan 2009 reflect and respond to the priorities identified and the proposals emanating from communities themselves as articulated by the forums and focus groups outlined in the previous section.

In addition 2009 commitments relating to the allocation of resources must be informed by the up-coming report of the Garda Inspectorate once that is available (see section 3 'Important developments in 2008'). Relevant provisions within the Policing Plan 2009 should be reviewed and revised in light of that report should the publication of the policing plan pre-cede it.

The focused efforts by Sinn Féin to consult the public directly, in relation to their safety, over the last two years allow us to make the following specific proposals in relation to deployment and resourcing on their behalf:

- The Policing Plan 2009 should contain strong actions and performance indicators aimed at reversing poor public expectations of the Gardaí both through quicker routine response times and the communication to residents of follow-up actions undertaken
- The plan should prioritise participation by Garda members in public meetings hosted by JPCs, Community Policing Fora and others.
- It should also provide for the extensive roll-out of regular Garda clinics based in the community
- A commitment from Gardaí to work with communities, local authorities and statutory agencies, such as the HSE, to develop and implement comprehensive crime prevention strategies at a local level should be contained in the Policing Plan 2009
- It is essential that the plan's actions and indicators prioritise those measures which have been deemed by communities to be most effective in terms of tackling crime and anti-social behaviour and in building community trust and confidence relative to others e.g. more Gardaí on foot patrol and bicycles and more Juvenile Liaison Officers.

The key priority for 2009 must be to realise more Gardaí on foot and on bicycles patrolling anti-social behaviour hotspots and residential areas with greater frequency and particularly during the hours when

problematic and criminal behaviour occurs. And interacting positively with the community while they do so.

The additional Garda resources necessary to implement the above proposals can be achieved through a combination of ending the current mis-direction of resources and through the civilianisation of appropriate tasks.

Matching spending to priorities

The 2008 Estimates provide for a total Garda budget of €1.6 billion. Unfortunately, despite the clear priorities of communities, each year a significant portion of Garda resources are mis-directed into Garda operations of questionable value. Just a few examples of this include the Garda operation in defence of Shell at Bellanaboy County Mayo. According to the Minister in May 2008 the cumulative cost of that operation stood at €8.9 million but in August it was reported that it has cost €11 million in Garda overtime alone – this is more than half of the €20 million budget ring-fenced for Operation Anvil the intended focus of which is organised crime. The cost of policing at Shannon Airport in 2006 was €3.85 million with the cost of each refuelling stop by President Bush coming in at over €150,000 even on occasions where he does not in fact land. The cost of policing construction at Lismullen County Meath was €160,600 for 7 months. And the Estimates provide funding for the Garda Reserve to the tune of €1.3 million in 2008, the significant opportunity cost of tying up full time members in supervisory roles is also expended, despite the fact that an overwhelming 95.2% of residents, who participated in a survey conducted by Sinn Féin Átha Cliath, would prefer full-time Gardaí in their area to members of the Garda Reserve.

Signed in 1998 the Good Friday Agreement commits both jurisdictions in Ireland to security normalisation. We have enjoyed 10 years of peace yet despite this new dispensation the size of Garda Special Branch has not been reduced correspondingly. Garda Special Branch spend much of their time and Garda overtime budgets maintaining an unjustified and damaging presence at peaceful political demonstrations and republican commemorations. The Branch routinely divert resources away from real services to the community. Garda Special Branch should be disbanded and, after completion of intensive human rights up-skilling and training, its officers re-deployed.

The Policing Plan 2009 should provide for an evaluation of all operational spending with a view to

achieving a greater match with established community priorities, this should be conducted in conjunction with the JPCs. In particular in formulating the Policing Plan 2009 Garda management should consider whether the capacity really exists to channel local Garda resources into the supervision of a very small number of reservists and the opportunity cost of this demand on full-time members.

Cost of compensation claims

Over the past three years Garda wrong-doing has cost the state €24 million in compensation payments and legal costs. The compensation claims arose from incidents of false arrest, malicious prosecution, physical beatings at the hands of Gardaí and breaches of privacy. A new culture where such wrongdoing simply would not be tolerated, human rights proofing of all policies and mandatory re-training where necessary, proper oversight and accountability should all be introduced to minimise the incidence of abuse in the future. Not only would this save money but more importantly it would help to protect basic human rights and enhance the reputation of An Garda Síochána. Likewise the high cost of compensation payments to Gardaí and legal fees in relation to injuries sustained while on duty, €32 million over the last three years, must also be tackled through strengthened health and safety provisions.

Over-time over-runs

An overtime budget is an important mechanism which must be open to Garda management to facilitate the conduct of specific operations requiring a deployment of Garda members who would not otherwise be available. However an ongoing, heavy dependence on over-time by any organisation is an indication that the organisation is not functioning as it should. The Garda overtime situation highlights deeper problems in terms of the management of resources. In 2007 the estimate provided by government for spending on overtime was €89 million but the actually spend was €138 million, €49 million higher. For 2008 the government provided an increase on the previous year's estimate bringing the estimate for 2008 to €107 million, €18 million higher than 2007. What is actually being spent on overtime and the true cost of dependence on it in 2008 remains to be seen.

It is essential that ample numbers of Gardaí are available during the hours that they are needed but rather than continuing to cultivate a dependence on over-time An Garda Síochána should be looking to radically revise rostering arrangements and to civilianise appropriate posts.

In the main Gardaí work in a three-relief system of rotating eight hour shifts but this may not amount to the optimum or most effective use of resources. An Garda Síochána should engage with an examination of alternative rostering possibilities drawing on national and international evidence. A variety of shift patterns are in operation across police forces and emergency services in Ireland and elsewhere. In a 2007 report the Garda Inspectorate pointed to the potential for greater use of a separate two-relief flexi-shift system between the hours of 10 a.m. and 2 a.m. Police in the 6 counties operate a 10 hour variable shift pattern. Flexible rostering involving six, eight, 10 and 12 hour shifts are employed by the Health Services and other emergency services. Hospital and nursing staff often work 12 hour shifts. The Dublin Fire Brigade work to a four week roster involving 9 hour days and 15 hour nights. And some Australian and American police forces operate 12 hour shifts. On a surface reading each pattern involves pros and cons in relation to work-life balance, management of sick days and holidays, numbers available for patrolling at any given time and health and safety. The Garda Policing plan 2009 should provide for action on the back of the upcoming Report from the Garda Inspectorate on resource allocation.

Civilianisation

In its 2007 report 'Policing in Ireland – Looking Forward' the Garda Inspectorate deemed civilianisation "the quickest and most effective means of putting extra trained Gardaí on the streets". Since the 1980's international police forces have accelerated civilianisation with civilian staff levels in England, Wales, Scotland, the United States and Sweden rising to between 30% and 40%. At the time of the publication of the Inspectorate's report civilian support staff made up just 10% of An Garda Síochána. Today they amount to 17.5% and this is welcome progress. However, An Garda Síochána should hope to attain civilianisation at equivalent levels to our neighbouring jurisdictions. This would result in a further 3,000 fully trained Gardaí becoming promptly available for re-deployment onto the streets. Public sector recruitment embargos must not be allowed to hamper progress towards this goal.

The Policing Plan 2009 should expedite a further extended process of civilianisation of administrative tasks and of the Garda traffic corps thereby freeing up fully trained Gardaí to be redeployed into much needed patrolling duties and ultimately to fight crime.

Finally the Policing Plan 2009 should include a commitment on the part of the Gardai to determine Divisional and District resourcing priorities, including the manner of deployment and shift arrangements, in partnership with communities via the JPCs and Community Policing Fora.

6. SERIOUS DRUG AND GUN CRIME

As in previous years it is essential that the Policing



Plan 2009 includes actions with performance indicators relating specifically to targeting serious drug and gun crime and to the implementation of the National Drugs Strategy. The new National Drugs Strategy 2009-2016 is currently being developed and publication is expected towards the end of the year. Relevant provisions within the Policing Plan 2009 may need to be reviewed and revised in light of the new strategy should the publication of the policing plan precede it.

We appreciate that taking a justice approach alone to the drugs issue will be of very little value and it is essential that the government prioritise and resources prevention, treatment and rehabilitation alongside supply reduction.

The Policing Plan 2009 should prioritise the following:

- Activities focused on disrupting illegal drugs supply chains and on eliminating the proceeds of drug-related crime.
- Co-operation with the Criminal Assets Bureau with the focus on proceeds of drug-related crime.
- The continued and increased pursuit of major drug traffickers and lower level dealers in addition. We need a more aggressive pursuit of major drug traffickers by the state, ensuring that the bigger players are caught, tried and receive appropriate and consistent sentences. In conjunction with this the Gardaí must develop a new strategy, in partnership with communities, to ensure that these big fish are not merely replaced by others.
- One factor contributing to the high number of offences committed while on bail is the length of time spent on bail awaiting the commencement of a trial. The Policing Plan 2009 should contain targets and performance indicators aimed at ensuring that no unnecessary delays are arising from the Garda end

of the investigation and prosecution process. In conjunction the government must resource the State Pathology service and the DPP to ensure that all delays that can be avoided are avoided.

- The resources available to Garda Drug Units should be at least doubled and at all times they should strive to operate at full capacity with dedicated personnel (in the past positions in the drugs units have sat vacant and members of drugs units are frequently diverted away from this work in response to other policing needs). Community input should be sought via JPCs and community policing fora or like bodies, where these exist, into the use of these resources.
- The resources and members freed up by a disbandment of Special Branch could be redeployed to properly tackle serious drug-related crime.
- Develop and keep under review regulations and standards in line with best international practice governing dealings with informers or 'intelligence sources' to ensure that no informer is allowed to amass a criminal empire on foot of a Garda decision to deprioritise their crimes in favour of a possible bigger fish. As recommended by the ICCL in their publication 'Implementing Morris: An Agenda for Change' "Garda policies on informer handling and covert policing methods should be human rights proofed; Garda covert policies and practices should be subject to external scrutiny by, for example, a High Court judge; Members of the Gardaí who are engaging in activities involving the use of covert policing should undergo training on new policies in this area" (2006:8).
- In his subsequent 6th report Morris found "there is little or no legal or ethical guidance given to An Garda Síochána by statute or statutory instrument, or in the Garda Síochána Code, concerning covert surveillance whether by Gardaí in person or audio/visual electronic devices or recorders ... General guidelines should be formulated by the Garda Commissioner covering best ethical practice in the carrying out of surveillance. The reason for any decision to carry out surveillance should be clear and the level of intrusion should be proportionate". A time-frame for the development of these guidelines and for the provision of training on same should be contained in the Policing Plan 2009.
- Morris' recommendations in relation to suspect interviewing models should also be given full consideration and specialist training and refresher courses for interviewers, supervisors and managers delivered.
- An Garda Síochána should remain routinely unarmed and those Gardaí carrying arms must be properly trained to do so. Garda Firearms instructors themselves recognise a deficit in terms of tactical

training. They are critical of the basic training afforded to armed Gardaí. They have pointed out that in terms of initial training the PSNI undergo 90 hours while the Gardaí are trained for just 25 hours. Their facilities currently do not allow them to deliver the tactical training which is necessary in real crisis situations rather they are limited to little more than target practice. Steps must be taken and facilities made available under the Policing Plan 2009 to ensure that all armed Gardaí undergo the highest standard of training available internationally including robust target, tactical and judgement training.



- Increase Garda profile in areas experiencing chronic problems of public drug dealing and use through higher frequency of targeted patrols on foot and bicycles in particular
- At the end of 2007 An Garda Síochána had just six dogs skilled in drugs and firearms residue detection. In addition An Garda Síochána must often rely on assistance from Customs' detector dogs. However, the primary responsibility of those dogs is to detect drugs as they enter the states i.e. ports and airports. The Garda dogs do great work in terms of intelligence-led seizures but their scarcity means that it is rarely possible to deploy them on foot of more general objectives. For example, in other jurisdictions sniffer dogs accompany police officers on patrols of entertainment zones to assist in the detection of drugs on persons and to act as a deterrent to drug use. The number of sniffer dog and handler teams skilled in the detection of drugs and firearms should be increased in order that they be available to every Garda Division to undertake valuable demand and supply reduction work including but not limited to intelligence led operations. The Policing Plan 2009 should set a target number and timeframe for this much needed increase.

- Intoxication whether by alcohol or by drugs impairs driving and results in significant loss of life on Ireland's roads. Random breath testing is a welcome detection and deterrent measure aimed at drink driving. But more must be done by An Garda Síochána and others to address drug-driving. In February 2008 Gardaí in Donegal, Cavan and Monaghan undertook a unique operation in which sniffer dogs were borrowed from Dublin and deployed at random breath testing check-points. Operations like this may result in prosecutions for possession of illegal drugs and the prospect of a random encounter with a sniffer dog is also likely to act as a strong deterrent to drug driving. The number of sniffer dogs must be increased if operations such as this are to be rolled out.

- The evidence suggests that cocaine is now widely in use in public houses, nightclubs and music venues. In 2009 Gardaí should endeavour to negotiate an arrangement with Vintners, nightclub owners, security providers etc. aimed at achieving permission for Garda sniffer dog teams to randomly enter and conduct searches of licensed premises. The cost of the operations to be jointly met by the state and by the entertainment industry itself.

- Co-operate with the promised state-wide roll-out of the 'Dial to Stop Drug Dealing' initiative. A non-Garda phoneline for reporting drug related crime that was successfully piloted in Blanchardstown, Dublin.

7. ANTI-SOCIAL BEHAVIOUR AND PUBLIC ORDER OFFENCES

While 'anti-social behaviour' may have a variety of legal definitions, it is a popular blanket term commonly understood to cover a variety of different anti-community behaviours ranging from criminal behaviour (for example assaults, drug dealing, joy riding and vandalism) through to non-criminal and



nuisance type behaviour (such as loitering, verbal abuse including racially motivated abuse and excessive noise), we believe that it is crucial to distinguish between criminal and non-criminal activities. In the interests of safe communities and the effective resolution of community conflict, criminal behaviour must be properly policed and prosecuted and non-criminal behaviour must also be responded to appropriately.

See [Section 5 'Deployment and Resourcing Priorities'](#) the content of which, along with the proper implementation of the Children Act 2001, is crucial to tackling anti-social behaviour and instilling public order.

The fourth strategic goal of the Policing Plan 2008 is public order. That plan states that in order to proactively target groups and individuals involved in anti-social behaviour the Gardaí will inter alia increase the number of targeted Public Order Patrols by 10%. This commitment was very welcome, however the method and style of patrolling is equally important to the actual number of patrols. Sinn Féin believes that in order to build and sustain essential positive relations with communities patrols on foot and bicycles would be preferable to patrols inside Garda cars.

The Policing Plan 2008 also contains a Garda commitment to identify and target local public order 'hot spots' in consultation with community and statutory groups and elected representatives through weekly review and to put in place responsive actions and plans. Sinn Féin believes this has great potential and would advocate that it be carried forward into the Policing Plan 2009. The emphasis should be on multi-agency co-operative action plans in order that both the symptoms and causes of problematic behaviour be tackled. In addition the number of 'hot spots' identified and responded to at District level should be increased.

Actions and performance indicators in the Policing Plan 2009 should include the following:

- A commitment to increase the rates of enforcement and prosecution of public order offences, drug and alcohol related offences, joy riding/boy racing type offences, criminal vandalism, provisions relating to dangerous dogs and noise pollution.
- A commitment to co-operate with and participate in community restorative justice (CRJ) initiatives, to train Gardaí in the principles and practice of CRJ and mediation and to ringfence part of the Garda budget for same.
- Provision for the implementation of a recent recommendation from the National Commission on Restorative Justice that a restorative dimension be applied to the Adult Cautioning Scheme by an Garda Síochána together with the Probation Service on a pilot basis.
- A detailed, time-framed commitment to significantly expand and further develop the Garda Juvenile Diversion Programme and Youth Diversion Projects. In December 2007 there were a total of just 93 Juvenile Liaison Officers (JLOs) out of a total force of around 14,000 members. The Garda Policing Plan 2008 committed to increase the number of JLOs by just 7 this year. The Garda Commissioner has given a commitment to appoint an additional 28 JLOs by 2010 bringing the total to 121. This figure is insufficient, the number of JLOs should be increased further and without delay. In relation to the Garda Youth Diversion Projects (GYDPs) the Policing Plan 2008 makes a commitment to identify locations for the GYDP to expand to however it does not commit to a minimum number of locations that this will actually entail. In April 2008 there were a total of 100 projects in operation. The Programme for Government commits to increase this to 168 during its lifetime. This commitment is again insufficient and lacks a clear timeframe

for delivery. The Garda Policing Plan 2009 should include a detailed timeframe for delivery of this expansion.

- Development by the Gardaí in consultation with others of a national and local level youth strategies aimed at advancing appropriate Garda services for children and young people. This must include greater supervision, and mentoring where possible, of high risk offenders.
- A commitment to increase the number of Gardaí employed full-time on community policing and to address the difficulties involved in filling such positions with the right candidates. The high turnover in this post needs to be reversed by changing Garda perceptions of its status through, for example, alterations to current norms governing promotions and career development in an Garda Síochána.

- Commitment to target recruitment to the Gardaí from urban working class communities. The Garda

Policing Plan 2008 purports to ensure that An Garda Síochána is representative of the community it serves. This is a very worthy goal and indeed one of Sinn Féin's own priorities. However the measures contained in the 2008 plan address ethnic minorities only. What is glaringly

absent is any measure targeting recruitment from urban working class communities. This deficit must be prioritised and addressed by the Policing Plan 2009 if the service is to be truly representative.

- A commitment to instigate and maintain regular 'walkabouts' along with the Council, community groups and elected representatives and to maintain regular contact with same.
- Specific measures to tackle rising numbers of alcohol-related public order offences. Alcohol plays a significant contributory role in the rising number of public order incidents both in domestic and community settings. There are a number of commitments aimed at curbing the harm caused by alcohol which the Policing Plan 2009 should contain. While the deployment of Black Maria's to the locations of public order incidents e.g. town centres after closing time may be necessary, any presumption that this will have a calming impact is dubious. It would be better if shift and deployment arrangements were matched to need in terms of known peak locations and times with sufficient on foot presence early enough to

increase prevention of full blown public order fracas. In addition the number of licensed premises inspected by Gardaí each week should be increased to ensure compliance with all legal restrictions on the sale of alcohol including restrictions on age and the prohibition of sale to a person who is already intoxicated. And as advocated by the Government Alcohol Advisory Group Gardaí should "target dial-a-can and similar delivery services with a view to prosecuting offending licensees".

- Gardaí should work towards the introduction in large town centres of a multi-agency scheme similar to the SOS Bus in Belfast which offers a safe haven for people socialising, medical staff for those persons sustaining injury/illness and generally staff to deal with issues affecting persons' well-being, inability to get home or emotional distress etc.

- Arrange for an evaluation of the effectiveness of existing CCTV schemes in the community in terms of crime prevention, reduction, investigation and suitability for admission as evidence. Work with local authorities to ensure that all CCTV schemes are objective-driven, fit for purpose technically and in terms of lighting and monitoring. And also to ensure that CCTV is not abused to unnecessarily invade privacy or breach data protection rights.

- A commitment to act on the recommendations of Joint Policing Committees and community policing fora.



8. RURAL POLICING

While many of the policing needs documented in this submission are common to both urban and rural settings the Garda Policing Plan 2009 should be cognisant of the needs particular to, or more pertinent to, rural communities. In its 2007 report 'Policing in Ireland – Looking Forward' the Garda Inspectorate found that "in many instances small rural stations were serviced by one officer answering to a district headquarters, but mostly operating alone, without ready access to supervisors, an official car or Garda IT systems". The Inspectorate recommended the implementation of "a consistent rural policing model that enhances visibility and makes best use of Garda resources in serving local communities".



The Garda Policing Plan 2009 should further progress this recommendation and in implementing a subsequent National Model for Community Policing (both urban and rural) particular attention should be paid to a number of matters highlighted as priorities by rural communities. These include:

- a perception that Gardaí are trained to work in big towns and cities as opposed to rural settings and the need for both initial and ongoing training to be sensitive to the differing contexts in order to allow Gardaí better acclimatise themselves with their work setting and the community to whom they must be accountable;
- as is the case in urban areas the need for greater involvement with the community is a key demand;
- new housing developments that have greatly increased populations in some areas have not been matched with local Garda resources, in fact many ru-

ral Garda stations have closed or are run part-time. Closing stations and operating stations with one officer only serves to reduce Garda visibility in rural areas. Garda stations must be kept open and sufficiently staffed and equipped to allow for both in-station services and acceptable call-out response times;

- in rural settings, as elsewhere, the importance of Gardaí having sufficient equipment and accommodation that is fit for purpose cannot be over-stated including secure digital radio, satellite navigation systems, internet and email access and suitable transportation;
- sufficient resources must also be made available to respond to crime phenomena such as cannabis cultivation in isolated houses by organised criminal gangs, the horrific break-ins and attacks on elderly people and the fear these inculcate in communities;
- the existence of the border presents particular difficulties for policing in the counties adjoining it which must be addressed through greater co-operation between each jurisdiction all aspects of which must be subject to proper and robust civilian oversight and accountability at local and national level.

9. DOMESTIC AND SEXUAL VIOLENCE



The prevalence and gravity of crimes of domestic and sexual violence is often not recognised and neither domestic nor sexual violence featured in the Policing Plan 2007 at all. This was despite the fact that:

- An estimated 1 in 5 Irish women experience domestic violence at some point in their lives.
- Of 126 women violently killed since 1996, 81 were killed in their home and just under 50% of victims whose cases have concluded were killed by their partner or ex-partner.
- In 2003 on average more than 23 incidents of domestic violence were recorded by Gardaí each day compared with an average of 11 other assaults recorded.
- Between 2001 and 2007 the number of victims of rape or sexual assault accompanied to the Sexual Assault Treatment Unit in the Rotunda Hospital by Dublin Rape Crisis Centre volunteers increased by 100%.
- Crimes of sexual violence in Ireland have very low conviction rates and very high attrition rates.

It is absolutely essential that domestic violence, rape and sexual abuse crimes are named as crime priorities in Garda policing plans. Domestic violence and sexual crimes were finally featured in the Policing Plan 2008. Actions with performance indicators in the Policing Plan 2009 must include:

- A commitment to work towards an effective sanctioning system. This is essential if the incidence of domestic violence is to be reduced. Therefore law enforcement bodies and agencies involved in the administration of justice, including An Garda Síochána, must prioritise the prosecution of domestic violence

crimes on indictment where possible rather than simply as breaches of orders.

- A commitment to address the variation in Garda practice across the state and within stations. This is a serious problem and can impede women from making complaints or even undermine the cases that are brought forward. Therefore the existing Garda policy on domestic violence and practice must become subject to monitoring, support and supervision to ensure it at least achieves the level of response expected and set down by that policy.

- Consideration should be given to the appointment of an Assistant Commissioner within An Garda Síochána tasked with ensuring domestic violence is treated as a serious criminal matter.

- Greater investment to be made in specialised training and ongoing in-service training for Gardaí given the distinct nature of crimes of domestic and sexual violence. The Policing Plan 2009 should provide for the replication of an initiative by Mayo Women's Support Services whereby a number of Gardaí work with a local domestic violence frontline service for a fortnight involving direct engagement with victims including for example sitting in on meetings between the service and women in crisis situations thereby contributing to a better understanding within An Garda Síochána of the experiences of victims and why they can be reluctant to report abuse.

- The Rape Crisis Network Ireland (RCNI) made sound recommendations in their document 'The Investigation of Sexual Violence: Priority Recommendations' published in April 2007. RCNI made proposals in relation to initial and ongoing training and specialisation of expertise. RCNI also recommended that the Domestic Violence and Sexual Assault Investigation Unit model be rolled out across the state to ensure regional specialisation of investigation. Finally RCNI also recommend the introduction of a dedicated sexual violence officer for every victim of sexual violence to provide the immediate response and to be a single point of contact throughout the criminal justice process. All of these recommendations must now be acted upon by an Garda Síochána and included in the Policing Plan 2008.

- The 2008 Policing Plan contains a commitment to monitor the arrival of high risk sex offenders into the state in conjunction with external police forces. We would like the 2009 plan to work towards the establishment of an effective all-Ireland sex offender's register and arrangements for appropriate post-release supervision of sex offenders across the island.

10. POLICING FOR OLDER PEOPLE AND OTHER VULNERABLE GROUPS



Older people, people with disabilities, ethnic minorities and other vulnerable groups are often disproportionately affected by societal problems such as crime and anti-social behaviour and as a consequence have particular policing needs.

An increasing number of older people are living in isolation loneliness and fear. A number of socio-economic changes have contributed to this particularly house prices which often force grown-up children to move away. Lengthy daily commutes reduce the time available to call on family or neighbours and there is a declining sense of community. While society must respond comprehensively and holistically to the situation of older people living in isolation, An Garda Síochána must also increase its efforts to address the fear factor.

The Policing Plan 2009 should contain provisions for Gardaí to enhance and step up their links with groups representing older people nationally and locally. Special efforts should be made by Gardaí to assist with the establishment and running of residents associations in areas where the population is predominantly elderly and the Safe at Home Scheme involving a socially monitored pendant alarm and smoke detector linked to a call centre should be extended state-wide. Funding shortfalls must not result in any older resident requiring this service being left without it.

People with disabilities also have particular policing needs. Gardaí should work with the disability sector to establish what those needs are and to develop ac-

tions and plans for delivery. One such need relates to emergency services for deaf people. The Policing Plan 2009 should contain a timeframe within which greater emergency access for deaf and hard of hearing people to An Garda Síochána will be facilitated including through the introduction of a dedicated text messaging service for instances of emergency. Garda recruitment strategies should also actively target and accommodate people with disabilities where this is possible.

In an increasingly diverse society it is important to note and respond to the experiences of ethnic minorities. The Gardaí's own annual public attitude survey usefully documents some of those experiences. The 2007 survey (latest available) found that crime victimisation rates of travellers, migrants and refugees are almost double that of the general population. When compared to the general population, a disproportionately lower percentage of ethnic minorities expressed satisfaction with Garda responses and with being kept informed by Gardaí of progress. A similarly low percentage found their local Gardaí to be approachable. And a disproportionately higher percentage of ethnic minorities reported unacceptable behaviour by a Garda with disrespect being one of the primary sources of complaint. Higher rates also fear for their personal safety.

The provisions contained in the Garda Policing Plan 2008 including commitments on recruitment, to develop a diversity strategy, to enhance the capability of the Garda Racial and Intercultural Office, to develop best practice guidelines on delivery to specific minority groups and to train all community Gardaí as Ethnic Liaison Officers are all to be commended.

The 2009 Policing Plan should build on 2008 commitments by including provision for greater interpretation facilities. The potential conflict in the duties of Gardaí to victims of crime against their responsibilities as immigration agents must also be addressed.

11. OTHER PRIORITIES

A number of other objectives and actions which should be included in the Policing Plan 2008 follow:

- Establish an all-Ireland missing person's helpline and website that are adequately resourced, properly run and widely advertised.
- Roll out routine CCTV recording throughout Garda Stations including interview rooms, holding cells and corridors.
- Review existing approaches and develop new human rights compliant approaches to policing at demonstrations. Seek external human rights expertise to roll-out training for all Gardaí engaged in such policing. Endeavour to engage positively with the organisers of demonstrations prior to them taking place so that demonstrations may be facilitated by a low key Garda presence.
- Increase resources to the Garda vetting service to cover all adults working with substantial access to children including the voluntary sector and to ensure that vetting is conducted in a timely manner. In addition work towards the speedier turnaround of clearance checks for local authorities on prospective social housing tenants.
- The relationships between the Gardaí and the media must be examined. These relationships are important and must be employed where it is in the public interest to do so such as to seek information and possible witnesses to an incident or to promote crime prevention, for example to flag the danger of fraud or identity theft to the public. However other more informal relationships between anonymous Garda sources and certain elements in the media can result in the names of innocent individuals being tarnished. Also certain coverage arguably increases tensions in the criminal world and sensationalises violent crime prompting heightened violence. This whole area must be fully examined and all practices that are contrary to the public good and to the principles of natural justice must be brought to an end.
- The traffic corps should be civilianised but remain publicly accountable and under Garda supervision and no aspect of road safety enforcement should be privatised including the operation of speed cameras. In addition, speed cameras should not be so heavily concentrated on motorways rather they should instead be deployed strategically at identified places of

highest risk i.e. black spots. Local communities should have an input into this process. Training for police services in detecting and proving drug-impaired driving should be rolled out, a Safe-Cycling education programme should be incorporated into the Road Safety Programme and public information campaigns should be introduced highlighting common misconceptions about road traffic law.

