



AN TÚDARÁS PÓILÍNEACHTA  
POLICING AUTHORITY

**Statement regarding reports published by the Garda Síochána resulting from its examination of the FCPN System and recording of breath-tests at MAT checkpoints.**

The Policing Authority notes today's publication by the Garda Síochána of two reports outlining the results of its examinations of issues identified relating to the fixed charge penalty notice (FCPN) system and the recording of breath-tests at Mandatory Alcohol Testing (MAT) checkpoints.

The Authority had previously expressed its alarm at the scale of the discrepancies disclosed between actual alcohol tests administered and the numbers recorded by Gardaí and its serious concern about management and supervision in the Garda Síochána, echoing findings of the Garda Inspectorate, Judge O'Higgins and others. The Authority welcomes the Commissioner's acknowledgement today of the serious failures in the Garda Síochána systems, processes, supervision and management and her commitment to ensuring that the required changes are made.

As previously announced, the Authority contracted Crowe Horwath to carry out an independent review of (a) the reporting of breath tests and MAT checkpoints and (b) the issuing of FCNs and summonses in respect of FCN offences. The Authority has already provided both Garda Síochána reports to Crowe Horwath for it to assess as part of this independent review. These reports will also be considered further by the Authority at its meeting on September 28th.

06/09/2017

END

**Notes to Editor**

On March 23 2017, the Garda Síochána held a media briefing during which it identified two issues that had arisen and which it wanted to bring to the public's attention. These were:

- the overstatement of the number of mandatory alcohol tests carried out at checkpoints over a number of years; and
- the prosecution and wrongful conviction of persons in respect of offences which should have been disposed of by way of a fixed charge notice.

The scale and consequences of these matters caused the Authority considerable concern that was echoed across Government, statutory agencies, the media and the general public, not least given the impact of these matters on public confidence in the service provided by the Garda Síochána

On 27 March 2017, the Authority decided to engage external expertise to assist it in conducting a quality assurance review on the remedial actions taken by the Garda Síochána in response to the issues arising in relation to:

- the reporting of breath tests and Mandatory Alcohol Test (MAT) checkpoints; and
  - the issuing affixed charge notices and summonses in respect of Fixed Charge Penalty Notice (FCPN) offences.

The Authority is particularly keen to be assured, and to assure the public, that the remedial action is sufficiently robust to prevent any recurrence. The scope of this decision was expanded to take account of a formal request received from the Minister for Justice and Equality in accordance with 5620 (6) of the Garda Síochána Act 2005 to examine these matters following a government statement.

The Authority required a professional service firm to carry out an independent systems audit of (a) the reporting of breath tests and MAT checkpoints and (b) the issuing of FCNs and summonses in respect of FCN offences. The service provider was expected to report to the Authority within eight weeks of the commencement date of 31 July 2017. However in view of the timing of the receipt of the Garda Síochána reports, there is likely to be some slippage in this timetable.

The Authority required the systems audit to incorporate all 6 Regions of An Garda Síochána and requested the Tenderers to outline their proposed methodology in order to provide reports and assurances to the Policing Authority. The purpose of the audit is to understand the processes involved, how these issues occurred, any failure to identify problems at an earlier stage and what took place once the issues came to light. The audit will consider any weaknesses in the control and governance environment that facilitated the issues occurring. The audit will examine the measures put in place to prevent a recurrence of these issues and consider whether any further changes or actions are required in order for the Authority to be assured in its oversight role that robust measures have been put in place to prevent future failures of this nature.

Following a procurement competition run in cooperation with the Office of Government Procurement (OGP), a professional services firm, Crowe Horwath, was selected to undertake this project. This was done under the Office of Government Procurement Framework Agreements for the Provision of Accounting, Audit & Financial Services, allowing for a shorter, restricted tender process to firms which have been pre-cleared through the framework.