

Statement following the Policing Authority Meeting with Garda Commissioner regarding the O’Higgins  
Report

- The Authority expressed
  - Serious concern at the impact on victims and at the systemic performance and management failures
  - Dismay at the familiarity of performance failures through various Inquiries and Reports
  - Deep unease at the organisation and management culture including the environment for speaking out as evident in the Report
  - A need for an urgent response by the Garda Síochána to the findings and recommendations
  - Concern that good work being done by Gardaí every day can be set to nought while doubts remain about these issues.
- The Authority have decided to hold two meetings in public with the Garda Commissioner in June for more detailed discussion on the issues

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The Policing Authority at its plenary meeting today (26 May 2016) considered the O’Higgins report and related matters which was referred to it in its oversight capacity by the Minister for Justice and Equality.

The Policing Authority believes that the performance issues raised by the Report are fundamental to effective policing performance. These issues include service to victims, culture, training and formation, issues of governance, management and supervision. The Authority expressed its serious concern at the reoccurrence of the performance failures identified by previous inquiries, including in particular the Morris Tribunal and various Garda Inspectorate Reports.

Today, the Authority began an examination of these issues in a broad Garda context i.e. not confined to the Cavan / Monaghan Division. These are serious issues which will take several Authority meetings and indeed Committee meetings to examine fully.

#### Meetings in Public

The Authority decided that in the interests of transparency and community confidence in the Garda Síochána a more detailed examination of specific issues arising from the Commission Report needs to take place in public and, due its urgency and breadth will hold two meetings in public on the 13th and 30th of June.

The agendas for these meetings are likely to focus on service to victims, protected disclosure and culture, and may also examine the O’Higgins recommendations in the context of other reviews such as those of the Garda Síochána Inspectorate.

At these meetings, the Authority will connect the issues arising in the O'Higgins report with its ongoing focus on the current Garda Síochána Policing Plan for example by placing item 2.2 from that Plan, "*Make victims central to the service we provide*" on the agenda.

In the meantime, the Commissioner was advised that:

- The Garda Síochána Protected Disclosure policy should be published at the earliest possible date
- The Garda Síochána Public Attitude Survey which has been referenced in many meetings should be published immediately
- As a baseline from which the impact of the Commissioner's modernisation and renewal plan can be assessed, the Gardaí should engage an external provider to carry out an independent culture audit
- The Policing Authority also expects to see a formal Garda Síochána response to the findings and recommendations made by Judge O'Higgins
- This response must then be reflected in the Garda Síochána Strategy Statement 2016-2018 which will come to the Authority for approval in the coming weeks, and likewise in the Policing Plan for 2017

### Policing Performance

The unacceptable level of service to victims, which had such devastating consequences for them, poor individual performance, poor supervision and related management responsibility were raised with the Garda Commissioner. In relation to the treatment of victims, the Commissioner described the reforms which have been implemented over the past 12 months including the victim liaison offices and the improved incident management system. Mindful of the impact on rank and file Gardaí, the Authority welcomed that particular attention has been paid to the current staff in Bailieboro by Garda management.

### Culture and Protected Disclosure

In the view of the Policing Authority, the pressing performance and public confidence issue which arises from the current public discussions of "transcripts" relates to the Protected Disclosures Act, the treatment of disclosers and the culture of the Garda Síochána. In response to questions, the Commissioner outlined the legal constraints within which she is operating. The meeting of Garda officers in Mullingar, which we believe was addressed by the Tánaiste in the Dáil today, was also discussed.

The Authority sought a detailed description from the Commissioner of the existing Garda Síochána Protected Disclosure policy. The Commissioner elaborated on her public statement regarding the work which she has put in hand with Transparency International and the appointment of a Protected Disclosure Manager. The Authority Code of Ethics Committee will seek details of the role and expertise of the manager, and will wish to meet him/her and Transparency International to inform itself more fully of the extent of the steps being taken

The Commissioner was questioned on the steps which senior Gardaí take on an ongoing basis to encourage and facilitate ‘speaking up’ about wrongdoing in the Garda Síochána. This latter matter is of particular relevance to the Authority as it prepares a Code of Ethics for the Garda Síochána.

Speaking after the meeting the Policing Authority chairperson Josephine Feehily said

*“The recurring deficiencies in policing performance evidenced in the O’Higgins final report are deeply troubling. We wish to express our particular concern for the impact on the victims of crime who were entitled to expect a professional and competent service from the Garda Síochána and who didn’t get it. We welcome the Garda Commissioner’s apology to victims, her immediate acceptance of the Commission findings and her acknowledgement that there are many lessons to be learned.*

*However in exercising its oversight role, the Authority will seek evidence of a tangible response to those lessons including at the two forthcoming public meetings in June. Today was just a first step in this oversight process and there is clearly a lot of work to be done.*

*We also welcome Commissioner O’Sullivan’s commitment to work to provide a safe protected environment in which wrongdoing in the Garda Síochána can be disclosed. We will actively oversee that work on an ongoing basis.*

*Changing culture in a large long established organisation is one of the hardest tasks of leadership, which is why the Authority has asked the Garda Commissioner to engage an external firm to carry out an independent culture audit so that progress can be measured.”*

Earlier on a separate agenda item, the Authority considered the structure of the Garda Síochána. The members of the Garda Inspectorate attended to discuss the structure recommended by them in “Changing Policing in Ireland”. The Authority also had an opportunity to explore the Commissioner’s proposed structure with her and her colleagues.

The Commissioner also briefed the Authority about the current situation in relation to serious and organised crime which is having such an appalling impact on community confidence.

The Policing Authority also noted the Programme for Partnership Government and looks forward to working with the Government and the Minister for Justice and Equality to advance the Programme in the interest of the community. The Authority welcomes the commitment to resourcing the Garda Síochána, to community policing and to support for the Policing Authority’s work. The Authority will want to examine further how the Garda Síochána organisation will develop its capacity to recruit and train any additional resources, while at the same time meeting existing skills deficits, performance management and supervision challenges including those identified in O’Higgins and other reports.

## **Note to Editors:**

The Policing Authority is an independent agency established to oversee the performance of An Garda Síochána in relation to policing services in Ireland. The Authority was established by the enactment of the [Garda Síochána \(Policing Authority and Miscellaneous Provisions\) Act 2015](#) which amends the Garda Síochána Act 2005.

The Act provides for an extensive range of functions for the Authority, some of which were previously the responsibility of Government or the Minister for Justice and Equality.

The overarching role of the Authority is to oversee the performance by the Garda Síochána of its functions relating to policing services including:

- Keeping under review:
  - the performance by the Garda Síochána of its functions
  - the arrangements and strategies in place to support and enhance the performance of those functions;
  - the adequacy of:
    - (i) the corporate governance arrangements and structures within the Garda Síochána;
    - (ii) the arrangements for the recruitment, training and development of the members and members of the civilian staff of the Garda Síochána;
    - (iii) the mechanisms in place within the Garda Síochána for the measurement of performance and accountability of such members and staff; and
    - (iv) the arrangements for managing and deploying the resources available to the Garda Síochána so as to ensure the most beneficial, effective and efficient use of those resources;
- Monitoring and assessing measures taken by the Garda Síochána in relation to recommendations made in a report of the Garda Síochána Inspectorate;
- Establishing a Garda Code of Ethics within 12 months of the establishment of the Authority i.e. by end 2016;
- Issuing guidelines to Local Authorities and the Garda Commissioner concerning the establishment and maintenance of Joint Policing Committees (JPCs) and convening meetings of JPC chairpersons for the purpose of coordinating or facilitating the performance of their functions;
- Promotion of the policing principles and public awareness of matters relating to policing services and support the continuous improvement of policing in the State.

Under section 26(3) of the Garda Act 2005, the Garda Commissioner is accountable to the Minister for Justice and Equality for the performance of the Commissioner's functions and those of the Garda Síochána.

Full details of the Authority's functions are available on the Authority's website at [www.policingauthority.ie](http://www.policingauthority.ie).