



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Policing Authority Statement on the Report of the Commission on the Future of Policing

27/09/2018

The Policing Authority met yesterday (Wednesday 25 September) in advance of its regular monthly meeting to consider the report of the Commission on the Future of Policing in Ireland.

The Authority reiterated its welcome for the publication of the Report, noting that it is a comprehensive document, which needs to be read in detail to appreciate the richness of its contents. As observed by many others, several of the recommendations have been made before, including by the Authority, and in this context it is pleased at the strong implementation focus in the Report and in the statement by Minister for Justice and Equality.

The emphasis on human rights is commendable and right. The new definition of policing being more holistic, community focussed, with a strong emphasis on community safety and not just crime is most welcome. The Authority considers that the Report sets out innovative thinking in relation to national security, which has the potential to alter the balance in a positive way, and would appreciate having some further information in due course. The Authority would like to positively highlight in particular the following recommendations, which have the potential to be transformative, and which have not featured significantly in public comment to date:

- Education and Training: The Authority would put this very high on the list of priorities to be advanced while the Garda Síochána organisation is growing. It has the potential to be transformative and practical, and would not appear to have to await legislation;
- The recommended legislation to codify police powers of arrest, search and detention, with accompanying codes of practice would be enormously beneficial to Gardaí on the front line, and to the community;
- The Authority sees real merit in the recommendation to remove all prosecution decision from the police, as previously identified by the Garda Inspectorate, from the point of view of community confidence, integrity and efficient use of Garda time; and
- The full Implementation of Crime Investigation Report presented by the Garda Inspectorate in 2014, which is already on the Authority's oversight work Programme.

Oversight

The Authority is mindful that the service provided by the Garda Síochána is very different from other services in the extent of its coercive and intrusive powers, its potential impact on the rights and liberties of the individual and its responsibility to protect the community. With that in mind, the Authority needs to better understand where the recommendations relating to oversight and accountability will take policing and public confidence, bearing in mind the origins and policy underpinning for the establishment of the Authority.

The Authority has no interest in continuity for its own sake and had itself identified several areas where it considered that change would be beneficial. The Authority's focus has always been on enhancing public confidence by placing transparency at the heart of its oversight activity. It is not clear to the Authority how the public interest and the current level of transparency can be maintained, let alone enhanced, through the architecture of the proposed internal board given the usual fiduciary duties that attach to the board of a public body.

The Authority had expressed a view, which was echoed by the Joint Oireachtas Committee on Justice and Equality, that it might be worthwhile to consider ensuring a "single pair of eyes" on Garda performance for the avoidance of oversight gaps. It is somewhat surprising that the Commission proposes adding two further layers, and the Authority will be interested in hearing the detail of how this might work.

Next Steps

The Authority looks forward to the consultation process, which the Minister for Justice and Equality intends to establish in relation to the Commission's report, to providing its statutory advice to the Minister and to contributing to the implementation group in due course

In the meantime, the Authority will continue to exercise all its statutory functions. Following a successful public consultation process, the Authority is currently engaged with the Garda Commissioner in developing policing priorities and a policing plan for next year. A process to select Chief Superintendents is underway, and the Authority will continue to meet the Garda Commissioner in public in the months ahead with a view to ensuring that a focus is maintained on improving policing performance.

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