



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Code of Ethics for the Garda Síochána



The Policing Principles

established by the Garda Síochána Act 2005

Policing services must be provided:

- Independently and impartially,
- In a manner that respects human rights, and
- In a manner that supports the proper and effective administration of justice

Effective and efficient policing depends on securing the confidence, support and cooperation of local communities and engaging with those communities.

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Code of Ethics for the Garda Síochána



Garda Commissioner's Foreword

As Commissioner of An Garda Síochána, I fully endorse the Code of Ethics. My first action as Commissioner was to sign the declaration stating that I will adhere to the standards and commitments as set out in the Code of Ethics.

Ethical behaviour is based on a set of attitudes, beliefs and principles that guide an individual's judgement and decision making. In policing, we often have to make difficult decisions and complex choices. The Code of Ethics gives clear ethical standards to adhere to when making these decisions.

Since its foundation, An Garda Síochána, has consistently and proudly placed our high standards at the heart of the policing service we provide. It is the responsibility of all personnel to maintain Human Rights as a foundation for policing and to uphold the ethical standards as set out in the Code of Ethics. In doing so, we as an organisation continue our commitment to carrying out our duties in accordance with the nine standards and ethical commitments. It is incumbent that these standards and commitments are more than words on a page and must become embedded in the way we think and behave. It is our collective responsibility to enhance public confidence in our organisation.

I wish to personally acknowledge those who have attended workshops and signed up to the Code of Ethics, which is a powerful statement to our colleagues and to the public.

The Code of Ethics is a key mechanism for bringing about cultural reform. It supports the delivery of our cultural vision, where An Garda Síochána promotes an environment that engages, supports and listens to all personnel, through strong, visible and ethical leadership. An Garda Síochána will continue to embed and promote the Code of Ethics across the organisation to ensure every action and decision encompasses the standards of ethical behaviour, aspired to by this organisation. I encourage all personnel to fully engage with the Code of Ethics.

Drew Harris

Garda Commissioner

Authority Chairperson's Foreword

It was a signal achievement of the Authority's first year in office that it established a Code of Ethics for the Garda Síochána, as the legislation required. But its real significance lay in the fundamental importance that a Code of Ethics represents for a policing service in a modern democracy.

Society invests considerable powers in the Garda Síochána because it recognises the considerable responsibilities that attach to working with a police service and understands the frequent risks that can be associated with that work. The powers are very often exercised by individual Garda members and Garda staff who have to act on their own discretion.

It is the strength of these powers and the extent of the associated responsibilities that make it so important that there be a clear set of guiding principles, a Code, to assist both those who work in the Garda Síochána and the general public.

The Authority appreciated that in establishing the Code of Ethics it was not introducing ethical principles to the Garda Síochána for the first time. It specifically recognised in the Code that the standards it contains would "not come as a surprise" to anyone who works in the organisation. And it acknowledged the tradition of service, the solemn declaration on attestation and the internal codes, policies and procedures which, together, reflect values, set standards and guide behaviour.

The existence of, and active adherence to, a Code of Ethics are part of the measure and the meaning of being professional.

Such a Code is a testament of commitment to the public whom the Garda Síochána serves and from whom, ultimately, it derives its authority.

Not a month passes without convincing evidence of the vital role that a policing service plays in a democratic society.

Approaching its centenary year, the Garda Síochána can look back with real satisfaction at the role it has played in the life of this state. But it must, and does, acknowledge also that recent years have revealed many challenges that must be overcome as it addresses its future role.

Ireland is already a very different place from the world of ten or twenty years ago. It is more diverse. Its people have a clearer sense of their potential and a changing perception of the nature of authority. There are changing demands on policing. There are new obligations and opportunities in relation to community safety. Rights and responsibilities are understood in a new and more comprehensive way.

In all of these changing circumstances, the Code of Ethics speaks clearly to the Garda Síochána and to citizens alike. It binds everyone who works in the organisation. It is a statement of commitment to the public, to democratic values, to human rights and it presents a set of standards that will animate all who work in the Garda Síochána while offering assurance to all whom they serve.

For all of these reasons, the Code of Ethics must be a living part of the daily life of everyone at every level in the organisation; genuinely embedded in all that the Garda

Síochána does. No one in the organisation and nothing that the organisation does can be beyond its reach and its influence.

The Authority welcomes the Commissioner's manifest commitment to the Code and its values, his sustained emphasis on its importance and his making of it a central part of decision making.

For its part, the Authority will exercise its role in relation to the embedding of the Code through the independent, strong and open oversight of the Garda Síochána which has already become an indispensable part of contemporary public life.

Bob Collins

Chairperson of the Policing Authority

Introduction

The Code of Ethics for the Garda Síochána sets out guiding principles to inform and guide the actions of every member of staff of the Garda Síochána at every level of the organisation.

The Code is intended to inspire everyone working in the Garda Síochána to achieve high goals in daily work and life. Policing plays an essential and important role in the democratic life of the state and in the daily lives of its people. That is a high calling that merits clear, widely understood ethical standards. By promoting these standards, the Garda Síochána will build and maintain the trust of the public and contribute to a safe and peaceful society.

The standards contained in the Code will not come as a surprise to anyone who works in the Garda Síochána.

The tradition of service for almost a century, the solemn declaration made on attestation, the internal codes of the organisation – all of these articulate values and set standards. In addition, there is a wide range of Civil Service and Garda policies and procedures that reflect statutory provisions or guide behaviour. What is important about this Code is the clear statement it makes to the public, the fact that it has a statutory basis and that its implementation will be overseen by the Authority.

The Code sets out nine standards of conduct and practice for everyone in the Garda Síochána, each with a number of commitments. It has been developed by the Policing Authority in accordance with the Garda Síochána Act 2005, as amended in 2015. The Code has regard to the Policing Principles set out in that Act.

Those principles provide that policing must be carried out in a manner that is independent and impartial, that respects human rights, and that supports the proper and effective administration of justice. This Code does not apply in isolation. It should be read in the context of relevant national and international law, as well as applicable Civil Service and Garda policies.

Many working in the Garda Síochána have significant autonomy in their daily duties. They are required to exercise considerable discretion in fulfilling their responsibilities. They are on the spot; they respond to given situations; they make instant decisions. This Code does not change that. But this autonomy and

need for discretion means that ethical behaviour is an essential part of the work of everyone in the Garda Síochána.

This Code is at once a statement of the ethical requirements for everyone working in the Garda Síochána and a clear indication to the public of the norms of behaviour that they are entitled to expect. Policing is an honourable profession of which the public expect the highest standards of conduct and practice. While they adhere to the standards set out in this Code, those working in the Garda Síochána deserve the trust and support of the public.

Close co-operation and team spirit are essential for those who work for the Garda Síochána. However, the primary loyalty must be to the public whom the Garda Síochána are here to serve. As a result, there is a duty to the public and to the organisation to speak openly within the organisation about things that could be done better or should not be done at all. There is also a corresponding duty to respond with openness and encouragement to those who speak up, with a willingness to acknowledge error, to learn and to change. This will serve to improve the work and the reputation of the Garda Síochána.

Scope of Code

This Code applies to every person working in the Garda Síochána, at every rank or grade, including civilians, reserve Gardaí and sworn members. It applies both to interactions between persons working for the Garda Síochána and the public, and to interactions between colleagues within the Garda Síochána. It must be remembered that those within the Garda Síochána are entitled to the same rights and protections as those they serve.

Embedding the Code of Ethics

It is envisaged that the Code should permeate all areas of work of the Garda Síochána. The incorporation of the Code of Ethics into training programmes, including specialist training, will be important to ensure that this Code becomes a living document that guides behaviour and decision-making.

The Authority envisages that the Code should underpin processes such as recruitment, the evaluation of performance, and the assessment of suitability for promotion and appointment to specialist units. It should

also inform operational planning, the development of policies and the conduct and review of investigations. No area, however sensitive, should be beyond the reach of the Code.

The Code will co-exist with and support the Garda Discipline Regulations and the Civil Service Code of Standards and Behaviour. It does not replace them. As amended, the Garda Síochána Act 2005 no longer provides that a breach of the Code may be a breach of the Garda Discipline Regulations.

However, given the nature of the commitments in this Code, behaviour that is contrary to the Code will often also constitute a breach of discipline. Such behaviour, and in particular, serious or persistent failure to observe the Code's requirements may have consequences under the Garda Discipline Regulations or the Civil Service Code of Standards and Behaviour.

Where the failure to honour the Code is of a minor nature, the appropriate course of action may be for a manager or colleague to speak to the individual about the matter and to offer guidance and support where this is needed.

Because this Code establishes standards of conduct and practice for everyone

Policing is an honourable profession of which the public expect the highest standards of conduct and practice.

working in the Garda Síochána, it may be referred to in court and disciplinary proceedings. Everyone who works for the Garda Síochána is ultimately responsible for his or her own behaviour, and therefore are required to understand and adhere to the contents of this Code. The Authority expects that arrangements will be made for everyone to whom the Code applies to make a formal commitment to its observance.

The Code will be a living document that the Authority will review at least every three years and may revise as appropriate. The Policing Authority will also oversee the implementation of this Code. Observance of the Code should be the hallmark of everyone in the Garda Síochána and a reflection of each individual's commitment to service in the community and to the objectives of the organisation.

It must be remembered that those within the Garda Síochána are entitled to the same rights and protections as those they serve.

Ethical Standards and Commitments

This Code contains ethical commitments relating to the following standards:

Duty to Uphold the Law

Honesty and Integrity

Respect and Equality

Authority and Responsibility

Police Powers

Information and Privacy

Transparency and Communication

Speaking Up and Reporting Wrongdoing

Leadership

Duty to Uphold the Law

In a democratic society, the role of the police is to protect and serve society, keep the peace, enforce the law and ensure the safety of the community.

In order to achieve this, the Garda Síochána must enjoy the trust and confidence of the society which it serves.

It will gain and maintain this trust by acting, and being seen to act within the law and by applying the law fairly towards others. For anyone working in the Garda Síochána this is the starting point for all other commitments.

Commitment

- I will uphold and obey the law and fulfil my responsibilities in a fair and impartial way.

The Garda Síochána must enjoy the trust and confidence of the society which it serves.

The public, your colleagues, the courts and other organisations expect and rely on you to tell the truth. By acting with honesty and integrity, you gain and maintain their trust.

Honesty and Integrity

The honesty and integrity of the Garda Síochána are critical to the functioning of the criminal justice system and for our democracy. The public, your colleagues, the courts and other organisations expect and rely on you to tell the truth. By acting with honesty and integrity, you gain and maintain their trust.

To meet this standard, and to ensure the public can have confidence that you are acting impartially and fairly, you must not use your position to gain personal advantage or place yourself under an obligation which might influence you in the performance of your duties.

Commitments

- I will be honest and will act with integrity.
- I will always seek the truth by establishing and reporting facts in an honest and objective way.
- I will not abuse my power or position and will have the courage to oppose and report any such abuses by colleagues.
- I will act in the public interest and not allow circumstances to arise that might compromise, or appear to compromise, myself or the Garda Síochána.
- I will appropriately declare and manage any actual or potential conflict of interest that might impair my ability to carry out my duty or weaken public confidence in the Garda Síochána. This includes any conflict that might arise from a personal or business relationship outside of my work in the Garda Síochána.

Respect and Equality

Because you work in the Garda Síochána, you have the opportunity to play a fundamental role in protecting and defending the dignity and human rights of all people. This includes treating everyone with respect and fairness, and standing up against discrimination and unfair treatment. Certain categories of people, and in particular children, require special consideration because of their vulnerability. In addition, an active approach is needed to build a culture of trust and cooperation with communities who previously had limited or challenging relationships with the Garda Síochána.

These responsibilities relating to human rights and equality are underpinned by the Constitution, and human rights law including the European Convention of Human Rights. Irish equality legislation sets out certain grounds of discrimination. In order to defend the dignity and equal rights of the people you come into contact with, you should respect the fact that there may also be other examples of wrongful grounds for discrimination, and this standard reflects this.

Commitments

- I will recognise and respect the dignity and equal human rights of all people.
- I will treat people with courtesy and respect.
- I will treat everyone with fairness at all times, and not discriminate wrongfully.
- I will oppose and challenge any behaviour or language that demonstrates discrimination or disrespect, in particular with regard to vulnerable individuals or minority groups.
- I will be sensitive to the vulnerabilities of individuals, for example because of their age or a disability. I will be sensitive to the difficult circumstances individuals may find themselves in when in contact with the Garda Síochána.
- I will show appropriate understanding and empathy to people I come into contact with.

- I will make accommodation for an individual's particular needs where possible. Wherever possible, I will take steps to improve relationships with the public, in particular with individuals or groups that may have previously had a limited or challenging relationship with policing services.

Examples of wrongful reasons for discrimination

Age,
Disability,
Family status,
Gender,
Marital status,
Membership of the Traveller
Community,
Religion,
Race,
Colour,
Nationality,
Ethnic or National origins,
Sexual orientation,
Gender non-conformity,
Political opinion,
Residence status,
Social origin.

Authority and Responsibility

The authority that you have because of your position places a responsibility on you to exercise that authority and influence in a way that is lawful, proportionate, and ethical. It also places a responsibility on you to make sure that you can perform your duties to the best of your ability, for example by being prepared for work in every way.

When there is a power imbalance between you and another person, whether a member of the public or a colleague, you must be conscious of this and behave in a responsible and considered way at all times.

Commitments

- I will act with self-control, even when provoked or in volatile situations.
- I will take responsibility for my actions and omissions, and I will be accountable for them.
- I will support my colleagues to the best of my ability as they carry out their duties and responsibilities.
- I will only give instructions that I reasonably believe to be lawful and I will carry out lawful instructions to the best of my ability.
- I will challenge instructions that I believe to be unlawful or contrary to the principles set out in this Code.
- I understand that any decision not to follow an instruction needs to be fully justified.
- I will make sure that I do not take any substance, such as alcohol or drugs, that will make me unfit for work.

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- I will report to a supervisor if I am unfit for work for any reason.
 - I will use all information, training, equipment and management support I am provided with to keep myself safe and up to date with my role and responsibilities.
 - I will endeavour to ensure the proper, effective and efficient use of public money and resources.
 - I will not use social media and mobile communications in a manner that may be perceived as discriminatory, bullying, victimising or unprofessional.

I will support my colleagues to the best of my ability as they carry out their duties and responsibilities.

Police Powers

The Garda Síochána has wide-ranging, intrusive powers so that it can perform its functions. Members of the Garda Síochána have the discretion and authority to use significant police powers including powers to stop and search, detain and arrest people, use force, take samples and conduct surveillance. There will be times when law and public safety will oblige Gardaí to use these powers.

Individual members of the Garda Síochána will often have to make decisions about the use of these powers on the spot, sometimes in tense situations. The ethical standards set out in this Code should inform those decisions.

For the individuals affected, the exercise of those powers can be intrusive and can interfere with their human rights. For wider society, the improper use of those powers can have negative consequences for the relationship between the Garda Síochána and the community. For these reasons, police powers should not be used unnecessarily or unreasonably.

This standard will also apply to civilians and reserve members where they perform relevant functions.

Commitments

- I will respect the human rights of all people, including the right to life, to security of the person and bodily integrity; to freedom of expression; to freedom of assembly and association; to privacy; and to be free from arbitrary arrest or detention.
- When it is necessary to use police powers to achieve an objective, I will make sure that my actions are in accordance with the law and proportionate.
- Every time I make a decision as to whether or not to use police powers I will be prepared to account for my actions. Wherever possible, I will explain my decisions to individuals affected.
- When a situation requires me to use force I will, as soon as possible, make sure that the person I used force against is safe and receives any necessary assistance.

When it is necessary to use police powers to achieve an objective, I will make sure that my actions are in accordance with the law and proportionate.

Information and Privacy

To do its work, the Garda Síochána must collect, access and manage personal and other information, including sensitive information. To get information, the Garda Síochána relies on a range of people, including victims and witnesses of crime, accused persons, informants and state agencies.

You must treat information that is provided to the Garda Síochána with respect and in accordance with the law. This protects the rights of people who provide information and the rights of people to whom the information refers. It also ensures that the public feel safe in volunteering information to the Garda Síochána.

Commitments

- I will recognise and respect every person's right to privacy.
- I will interfere with this right only when it is lawful and necessary to achieve a legitimate objective.
- I will never hide, exaggerate, invent, interfere with or improperly destroy information or evidence.
- I will gather, retain, access, disclose or process information only in accordance with the law and principles of data protection.
- I will not improperly convey Garda information to the media or any third party.

I will recognise and respect every person's right to privacy. I will interfere with this right only when it is lawful and necessary to achieve a legitimate objective.

Transparency and Communication

By being open and transparent, you improve public trust and confidence in the services of the Garda Síochána and gain the trust of your colleagues.

Public oversight and scrutiny of the Garda Síochána help the organisation to learn and improve as a policing service.

Through your work in the Garda Síochána you provide a service to the public and are accountable to the public for your actions. The reasons for your actions may not always be understood by others, including the public. You must be prepared to explain them as fully as possible. This will help the people affected by your actions to see that they are being treated fairly.

Commitments

- I will communicate and cooperate openly and effectively with colleagues, the public and with other organisations as much as possible.
- I will give timely and truthful information as long as this is in accordance with the law and does not compromise an ongoing investigation. Examples of this include updating victims and witnesses about investigations.
- I will fulfil any duty to disclose information and records, including information for accused people or for the Garda Ombudsman, in accordance with the law and in a timely, truthful and transparent manner.
- I will make sure that victims of crime are made aware of their rights as soon as possible.
- I will make sure that I communicate information in a manner that is respectful, easy to understand and sensitive to the circumstances.

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- I will keep accurate, complete records, especially of all interviews and complaints.
 - I will make sure that, unless the nature of an assignment prohibits it, I will openly display my Garda identification when I am at work.

I will make sure that I communicate information in a manner that is respectful, easy to understand and sensitive to the circumstances.

Speaking Up and Reporting Wrongdoing

All organisations benefit from free expression of opinion and from an open environment where views are welcomed, valued and taken into account. This is particularly so for policing services such as the Garda Síochána because they play such an important role in society.

Speaking up against wrongdoing or poor practice identifies or prevents harm, fraud, corruption and injustice. It reassures the public that the Garda Síochána holds itself to the highest standards in all its work. A culture that promotes speaking-up also protects and reassures those within the Garda Síochána.

Everyone who works for the Garda Síochána is responsible for challenging and reporting wrongdoing. It is the particular responsibility of senior managers to set the example for how the Garda Síochána deals with wrongdoing, at whatever level, and to respond to matters raised by staff. All managers must support, encourage and facilitate speaking up at every level in the organisation, and ensure that everyone involved is treated fairly.

Commitments

- I will never ignore a colleague's unprofessional, unethical, illegal, or corrupt behaviour, regardless of the person's identity, role, rank or grade.
- I will protect the integrity of the Garda Síochána by rigorously opposing unprofessional, unethical, illegal, or corrupt behaviour. Where the seriousness of the issue warrants it, I will report, challenge or take action against such behaviour.
- I will support any colleague who speaks up in accordance with the law and this Code and challenge anyone who victimises a person for speaking up.

Additional commitments of managers

- I will encourage and facilitate speaking up and reporting wrongdoing at every level in the organisation.
- I will ensure that matters brought to my attention are considered, are investigated where necessary, and the appropriate action taken.
- I will be open to matters raised by colleagues and learn from feedback and from reports of wrongdoing.

Everyone who works for the Garda Síochána is responsible for challenging and reporting wrongdoing.

Leadership

Leadership is not a matter of rank or grade. Everyone who works in the Garda Síochána is responsible for demonstrating leadership and good example by making sure that everyone follows the standards of this Code.

If you have a more senior role, you have a greater opportunity to show good example. You will also do more harm if you fail to meet the standards of this Code

Senior managers in the Garda Síochána most visibly represent the values and culture of the Garda Síochána inside and outside the organisation. All managers are required to live this Code personally and uphold and promote this Code at every level of the Garda Síochána.

Commitments

- I will contribute to a positive and healthy working environment.
- I will maintain and promote professional standards and the standards of this Code.
- I will aim to behave in a manner which brings credit on the Garda Síochána and myself thereby promoting public confidence in policing.
- I will be accountable for orders or instructions I give to others, for the carrying out of those orders and for their consequences.

Additional commitments of managers

- I will strive to make sure that people I work with carry out their duties in a way that follows this Code.
- I will make sure that people I work with are effectively supported and guided in performing their duties and maintaining this Code.
- I will do whatever I can in my role to protect and support the physical and mental wellbeing of people I work with.

I will aim to behave in a manner which brings credit on the Garda Síochána and myself thereby promoting public confidence in policing.

Notes