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MANAGEMENT JOURNAL

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A M G A R D A S Í O C H Á N A

community



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Protecting Dignity and Human Rights in the Community – *Context, Principles and Guidelines for Garda Managers*



Pat Murphy

Superintendent Pat Murphy

All human beings are born free and equal in dignity and rights

UNIVERSAL DECLARATION OF HUMAN RIGHTS – ARTICLE 1

INTRODUCTION

The protection of human rights is a matter of interest, concern and responsibility for every person of our society regardless of race, colour, descent, nationality, ethnic origin, gender, disability, age, religion, class, sexual orientation, economic circumstance or other status. An Garda Síochána has a core public service role and responsibility in this regard. We are the chief governmental agency charged with day-to-day authority and responsibility for community safety through prevention activities, law enforcement and other leadership and influencing actions. Consequently, we have a legal duty and a moral obligation to protect and support the human rights of every person within our jurisdiction.

As managers responsible for the delivery of community based police services, Garda Management have an important leadership responsibility to ensure that we have the organisational capability, staff competence, disposition, and commitment at operational level, to respect, support and actively engage in the protection of the human rights of every person.

This paper aims to provide Garda Officers with awareness raising management information, and professional insights and guidelines, relating to best practice in the development and delivery of effective human rights compliant Garda services.

HUMAN RIGHTS PROTECTION - CONTEXT

At international and national levels there is a growing emphasis on human rights and effective human rights protection. This emphasis is underpinned at a global level by the work of the United Nations (UN) and in particular, the UN High Commission for Human Rights, including moves toward the establishment of an International Criminal Court. The ongoing UN human rights campaign against racism culminated recently with the UN sponsored World Racism Conference in South Africa renewing the global community's determination to root out and defeat the destructive poison of racism.

At a European level the Council of Europe, with the support of its forty-three (43) member States, including Ireland, is active in the promotion of human rights protection, chiefly through promoting the full implementation of the provisions and spirit of the European Convention on Human Rights (ECHR). Alleged breaches of the Convention by member States are litigated in the European Court of Human Rights in

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Strasbourg (e.g. Norris -v- Ireland). The Council of Europe is active in promoting human rights protection in public policing through its "Policing and Human Rights Programmes", of which An Garda Síochána is an active member.

The Council also conducts audits in member States, to ensure that they and their agencies are complying with their international obligations under human rights law and standards. The results of these audits are fed back to the States and public agencies concerned with a view to continuous improvement. The CPT¹ and GRECO² have commissioned audits of Garda practice in the recent past.

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In Ireland, developments following the Belfast Agreement have led to the establishment of Human Rights Commissions in Belfast and Dublin and moves in the Oireachtas to incorporate the provisions of ECHR into Irish law (see the European Convention on Human Rights Bill, 2001). It is expected that this Bill will become law later this year. Subject to the provisions of the Irish Constitution, the effects of the promulgation of the provisions of the ECHR into Irish law, insofar as policing is concerned, are:

1. the provisions of ECHR in relation to human rights protection will be directly applicable in the Irish courts;
2. judgements, precedents, etc. of the European Court of Human Rights will apply and will be arguable in Irish jurisprudence;
3. litigants who establish that their protected human rights have been breached will be eligible for compensation in Irish courts;
4. existing legal provisions and precedents in Irish law, which impinge on established human rights and are deemed repugnant to the provisions of ECHR and its attendant case law and precedent, as established in the European Court of Human Rights, may become inoperable, e.g. the self-incriminating aspects of section 52 of the Offences Against the State Acts, 1939/85;
5. **greater emphasis on the duty of public bodies, including An Garda Síochána, to actively support and work to vindicate the dignity and human rights of all people, and in particular communities and individuals who are subject to or at risk of discrimination (Article 14 – ECHR);**

¹Report of the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (1999).

²GRECO (Group of States Against Corruption) evaluates through a dynamic process of peer pressure, the compliance with undertakings contained in the legal instruments of the Council of Europe to fighting against corruption.

6. increased focus on the imperative to adhere to the principles of legality, proportionality and necessity in managerial decision-making, policing strategies and operational activities that impinge on the rights of individuals and communities.

Even though the primary responsibility for the protection of human rights rests with governments and their public agencies, there is convincing evidence that governmental agencies have been responsible for human rights breaches. Non-governmental organisations (NGO's) such as Amnesty International, Human Rights Watch, The Irish Council for Civil Liberties, the Red Cross, etc., play unique and valuable roles in human rights protection. This is achieved through: awareness raising and campaigning in relation to cases of suspected human rights breaches by governments and State institutions; conducting research and publishing findings; campaigning for reform in laws and practice; and, working in cooperation with governmental agencies for the achievement of the common goal of human rights vindication and protection.

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GARDA COMMITMENT TO HUMAN RIGHTS PROTECTION

An Garda Síochána is committed to upholding and protecting the human rights and respecting and vindicating the dignity of every human person regardless of race, colour, descent, nationality, ethnic origin, gender, disability, age, religion, class, sexual orientation, economic circumstance or other status.

Our *Mission Statement, Organisational Values, Customer Service Commitments and Declaration of Professional Values and Ethical Standards* reflect the Garda Commissioner's and the Garda Síochána's commitment in this regard.

GARDA MISSION & PROFESSIONAL VALUES

The Mission of An Garda Síochána is to achieve the highest attainable level of:

- Personal Protection
- Community Commitment
- State Security

PROFESSIONAL VALUES

- Respect for people and their needs
- Human rights protection
- Service to the community
- A caring service culture
- Closeness to the people
- Policing responsiveness
- Policing performance
- Individual responsibility

A central tenet of our operational policing philosophy, operations and behaviours is commitment to upholding the rule of law, according to which all persons are equal before the law and are entitled to the equal protection of the law. Our application of this core legal principle is mediated by incorporating the concepts of pluralism, diversity and equality as key influencers of our managerial approach and service delivery practice.

A comprehensive law and standards framework, consisting of national and international law and standards, protects the dignity and rights of individuals. Some of the principal provisions of this framework, insofar as public policing is concerned, are shown at Table I. While it can be argued that improvements are required in existing human rights protection legislation, especially in the area of hate related crime, adherence to and committed enforcement of existing legal provisions is sufficient to enable An Garda Síochána to deliver on our public duty and commitment to human rights protection.

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TABLE I: HUMAN RIGHTS LAW AND STANDARDS FRAMEWORK

IRISH LAW & STANDARDS	INTERNATIONAL LAW & STANDARDS
● Bunreacht na hÉireann	● International Covenant on Civil and Political Rights
● Prohibition on Incitement to Hatred Act, 1989	● International Covenant on Economic, Social, and Cultural Rights
● Criminal Justice (Public Order) Act, 1994	● UN Convention on the Elimination of all Forms of Racial Discrimination
● Employment Equality Act, 1998	● European Convention on Human Rights (ECHR)
● The Equal Status Act, 2000	● European Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (ECPT)
● Human Rights Commission Act, 2001	● UN Code of Conduct for Law Enforcement Officers
● Treatment of Persons in Custody in Garda Stations Regulations, 1987	● Charter of Fundamental Rights of the European Union
● Garda Síochána (Complaints) Act, 1986	● EU Anti Racism Directive
● European Convention on Human Rights Bill	
● Universal Declaration on Human Rights	

RACISM AND HUMAN RIGHTS PROTECTION

In the context of the fast developing multi-cultural society in Ireland, the emerging reality of racism represents a significant human rights protection challenge for Garda managers. UNESCO's description illuminates the pernicious and dangerous nature of racism:

ANY THEORY WHICH INVOLVES THE CLAIM THAT RACIAL OR ETHNIC GROUPS ARE INHERENTLY SUPERIOR OR INFERIOR, THUS IMPLYING THAT SOME WOULD BE ENTITLED TO DOMINATE OR ELIMINATE OTHERS, PRESUMED INFERIOR, OR WHICH BASES VALUE JUDGEMENTS ON RACIAL DIFFERENTIATION, HAS NO SCIENTIFIC FOUNDATIONS AND IS CONTRARY TO THE MORAL AND ETHICAL PRINCIPLES OF HUMANITY.

The Garda definition of a Racist Incident reflects the emphasis which the Garda Commissioner places on the harm caused by racism to the dignity and rights of the injured party:

A RACIST INCIDENT IS ANY INCIDENT WHICH IS PERCEIVED TO BE RACIALLY MOTIVATED BY THE VICTIM, A MEMBER OF AN GARDA SÍOCHÁNA, A PERSON WHO WAS PRESENT AND WHO WITNESSED THE INCIDENT OR A PERSON ACTING ON BEHALF OF THE VICTIM.

Racism is an attack on the very notion of human rights. It systematically denies certain people their full human rights just because of their race, colour, descent, ethnicity, caste or national origin. The Garda Commissioner's commitment to human rights protection, as articulated in Garda policies and public pronouncements, requires Garda managers to play an active leadership role in the fight against racism.

Three other developments lend urgency and a compliance requirement to their leadership role. Firstly, Irish legislation will shortly require it. (The Human Rights Bill 2001 requires greater emphasis on the duty of public bodies, including An Garda Síochána, to actively support and work to vindicate the dignity and human rights of all people, and in particular communities and individuals who are subject to or at risk of discrimination, Article 14 – ECHR). Secondly, the number of racist incidents is now one of the Garda Síochána's performance indicators and, thirdly, the Public Attitudes Survey being commissioned by An Garda Síochána in January has a number of important questions designed to identify the extent of racism in each Garda division and amongst An Garda Síochána.

THE HUMAN RIGHTS PROTECTION CHALLENGE

Providing leadership in the protection of human rights represents a significant challenge for Garda Officers. The complexity and diversity of contemporary society dictates that traditional approaches to the delivery of Garda services may be no longer sufficient. *In addition to ensuring that the law is enforced in a fair manner, Garda managers must adopt a strong prevention and protection stance to ensure that Garda policies, strategies, practices, operations and behaviours respect and promote individuals' entitlement to equality in dignity and rights.* This new philosophical orientation in police management discloses significant challenges for Garda leaders in some core areas:

- *Lack Of Trust Between The Police And Marginalised And Disadvantaged Communities.*

There is considerable evidence of lack of trust between official public agencies and the communities they profess to serve. Such distrust is exemplified where diverse values and inequalities in terms of power, status, economic advantage, etc. prevails. Such circumstances lead marginalized individuals and communities to believe that they are being 'policed on' and discriminated against, for the advantage of the



privileged. In the field of public policing, there is evidence that police have acted in consort with other public bodies and economically advantaged citizens, to undermine the dignity of individuals and breach their human rights. Where such perceptions prevail, police legitimacy is severely undermined and such communities tend to ignore the rule of law and dispense 'justice' in their own way. This issue is being addressed in An Garda Síochána.

- *Prevention, Recording, Investigation And Prosecution Of Racist Incidents And Crimes*

Evidence from other jurisdictions show that police officers who emanate chiefly from the dominant culture in such jurisdictions, have a poor track record in promoting, supporting and vindicating the rights of ethnic and minority peoples who are subject to racially motivated crime. On the contrary, the evidence tends to show that many such individuals are dismissed or treated with indifference by the police. The Stephen Lawrence murder in the UK is a poignant example in this regard. The emerging evidence in Ireland³ is that ethnic and minority peoples here may be experiencing similar indifference. Garda planning and result evaluation, performance indicators, our *Anti-racism in the Workplace Campaign*, our EU prizewinning anti-discrimination project – and articles such as this – all underline our commitment to preventing, recording, investigating and prosecuting racist incidents.

- *Use of Force and Management of Persons in Garda Custody*

Despite the reforms and minimum standards of care for persons in Garda custody⁴, there are still reports of ill treatment of persons in our care. The latest report (1999) from the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (CPT) highlights cases for concern in relation to excessive use of force by Gardaí at the time of arrests and subsequent ill treatment of prisoners while in Garda custody. It calls on Garda managers to show increased vigilance and challenges us to improve. There are still cases of self-mutilation and suicide by prisoners in Garda cells.

When we consider that a Garda Station ought to be the safest place for any person and that the primary duty of An Garda Síochána is the protection of human life, then the leadership challenge in relation to the protection of human rights in this context is illuminated.

- *Prevention of Corruption in An Garda Síochána*

Police corruption can manifest itself and undermine the integrity of

³See 'Racism in Ireland: The Views of Black and Ethnic Minorities', Amnesty International, September, 2001.

⁴ Treatment of Persons in Custody in Garda Stations Regulations, 1987.

public policing in many ways – acceptance of bribes, gratuities, etc. from individuals who wish to gain pecuniary advantage or avoid prosecution for crimes or offences; police officers knowingly and deliberately engaging in activities which breach the human rights of individuals; manufacture, planting or suppression of evidence by corrupt or misguided police officers who wish to pervert the course of justice; the subversion of vulnerable police officers by members of organised criminal gangs with a view to facilitating organised crime; and Gardaí engaging in criminal activity, which is facilitated by the privileges of their office (power, knowledge, trust, etc.).

The Garda Code is being revised, new Professional and Ethical Standards are drafted and are being agreed, a review of our gifts policy has been produced, Gardaí are subject to both the civil and criminal law just like everyone else and Gardaí have been investigated, arrested, convicted and fined or jailed for corruption. Corrupt activity has been more marked by its absence in Irish policing than by its presence. There is no tolerance of corrupt activities in An Garda Síochána.

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GARDA HUMAN RIGHTS PROTECTION ROLE

An Garda Síochána has a positive duty to provide for the safety and security of all people living within our jurisdiction. In exercising our powers, authority, leadership and influence, we must give special consideration to safeguarding and promoting the rights of minorities, the disadvantaged and those at risk.

In the delivery of this special consideration, we have a positive duty to promote equality and to undermine prejudicial and discriminatory attitudes and behaviours, especially racist behaviours, at individual, institutional and societal levels. This special leadership consideration must be exercised with equal emphasis and determination within our workplaces as well as on the public streets. There can be no tolerance of discriminatory attitudes or behaviours, especially racist attitudes or behaviours. The challenge for Garda Managers is to role model and champion the concepts of pluralism, diversity and equality, as essential tenets in the development and delivery of effective human rights compliant, Garda services.

Garda managers' primary duties relating to racism, racial discrimination xenophobia and other forms of discrimination, are concerned with the development and deployment of rights promotion and protection strategies using prevention and law enforcement mechanisms. Such strategies include: comprehensive engagement with ethnic minority communities and other 'at risk' individuals and groups, with a view to building mutual trust and confidence; systematic recording of all racist incidents, to accurately gauge the extent of the problem and enable fact

based decision making; rigorous and committed investigation of suspected racially motivated crimes and offences; proactive prosecution of racially motivated crimes and offences employing commonly used legal provisions – breach of the peace, assault, robbery, etc; actively supporting ethnic minority and other ‘at risk’ groups who seek to establish and enjoy their rights in accordance with the provisions of the Equal Status Act, 2000.

GUIDING PRINCIPLES AND PERSPECTIVES FOR GARDA MANAGERS

In managing the development and delivery of human rights promoting public policing services, Garda managers must be guided by the principles of:

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- *legality;*
- *proportionality; and*
- *necessity.*

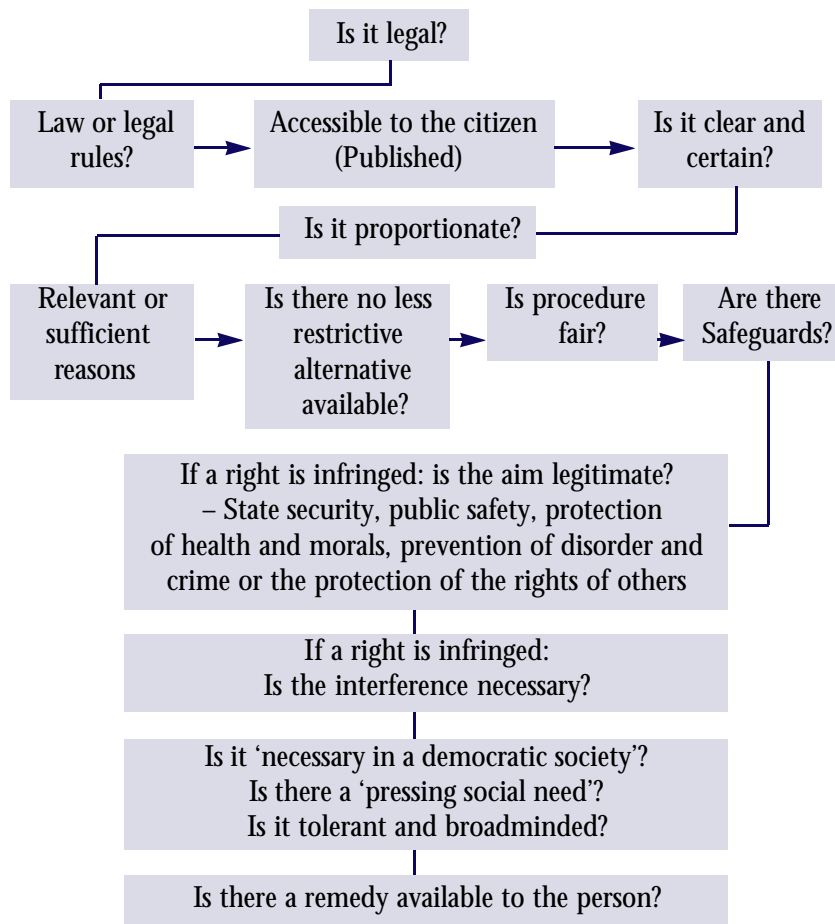
In effect, this means that managerial decisions and actions, which impinge on the rights of others, must be enabled and guided by the *rule of law*. Garda managers must interpret and apply the rule of law both as an enabler and as a constrainer of their decisions and actions: each perspective being adhered to with equal vigour and commitment. The effects of managerial decisions must be *proportionate* in terms of the effect(s) on individuals and communities, bearing in mind their lawful purpose. Actions must be fair with no lesser intrusive alternatives being reasonably available. Managerial decisions and strategies, whose infringements on the human rights of the communities or individuals are disproportionate to the lawful purpose to be achieved, must be avoided.

Planned actions must be *reasonably necessary* and appropriate. Even if the proposed action is legal and the means to be applied are proportionate in the circumstances, the action should not proceed unless it can be shown that it is legitimate and necessary in the social context (see *Amann v Switzerland* (2000) 30 EHRR 843). The prudent application of these three principles to managerial decision making processes (see Figure 1 over) have the combined effect of helping to ensure that human rights are observed, human dignity is respected, and that community consent and support are assured. In the absence of such *consent and support*, effectiveness wanes and Garda *legitimacy* diminishes in the eyes of the people.

For Garda managers to be effective in the application of the principles of legality, proportionality and necessity, they must take a multi-perspective approach to informing their decision-making processes. Providing leadership in this regard is essential for two reasons; firstly, it represents best managerial practice in the successful leadership and management of

modern organisational life (see EFQM Excellence Model), and secondly, it helps ensure that the pluralistic nature of modern Irish society, including public policy, is reflected in our approach to public policing.

**FIGURE 1: CORE HUMAN RIGHTS PRINCIPLES:
FRAMEWORK FOR MANAGERIAL DECISION MAKING**



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SOURCE: NEYROUD, P., BECKLEY, A., (2001), POLICING, ETHICS AND HUMAN RIGHTS.

In practice this means that, at operational and tactical levels, managers must explore and understand public policing issues and challenges from many perspectives including:

- the individual(s) immediately affected;
 - broader community issues and concerns;
 - Garda staff involved;
 - public resource allocation;
 - Garda policy and public policy;
 - learning, change and improvement;
 - results achievement
 - other ...
- Multi-Perspective Management**

Such exploration and consideration affords Garda managers a comprehensive and robust understanding of all of the issues, enables them to consider alternative strategies and to gain a better insight into the ongoing and long term effects of Garda activities.

MANAGERIAL CHALLENGES FOR GARDA OFFICERS

Consideration of the continuing changes and increasing complexity in the context and reality of professional public policing in Ireland discloses the following managerial challenges for An Garda Síochána:

1. to build an internal organisational culture and ethos based on inclusivity, equality and diversity, and supportive of established human rights principles and standards;
2. to enhance and assure Garda legitimacy in the eyes of the broad community and minority and vulnerable groups and individuals by contributing to the creation of an opportunistic 'even playing pitch' for all;
3. to develop organisational capability and staff competencies which contributes to and responds to emerging societal complexity and change.

WHAT SHOULD GARDA MANAGERS DO?

Garda Managers must take positive and assertive initiatives and actions to:

- Ensure that the dignity of each member of staff is respected and protected.
- Prohibit the use of prejudicial and/or discriminatory language, symbols, behaviour and attitudes in the work place.
- Promote equality of status and opportunity for all.
- Champion the value of diversity as an enabler of superior performance and goal achievement.
- Provide a physical and psychological work environment which allows diverse team members achieve their personal and professional potential in a comfortable and supportive work environment.
- Establish, enable and support a communication and reporting network which monitors and supports ethical behaviour and exposes corrupt or improper conduct.
- Commit publicly to supporting and protecting minority and vulnerable people in the community.
- Provide minorities with information and guidance relating to Garda services and how to access such services.

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- Establish consultation mechanisms with the representatives of minorities with a view to gaining a more complete picture of their particular service needs.
- Develop an auditing system to measure the comprehensiveness and effectiveness of Garda services in the light of ongoing or changing needs.
- Work to eliminate identified service gaps.
- Appoint liaison personnel with specific agreed terms of reference, relating to mutual trust and confidence building.
- Engage in joint problem-solving activities as a method of gaining community commitment and building community trust and support.
- Record and monitor the numbers and frequency of racist incidents, abuses, attacks, and other discriminatory acts towards ethnic and other minorities.
- Use incident data analysis to uncover trends, identify hotspots, and ‘at risk groups’, with a view to deploying preventative strategies.
- Monitor prosecution levels vis-à-vis incident trends.
- Develop a victim and witness support strategy (see Garda Victims’ Charter).
- Record and monitor the level of law enforcement on minority/vulnerable groups/individuals vis-à-vis the principles of legality, proportionality, and necessity
- Act to eliminate discriminatory Garda behaviours and practices.
- Benchmark the quality and outcomes of Garda investigations, where ethnic or other minority individuals are injured vis-à-vis the quality and outcomes of similar investigations where individuals from the majority community are injured.
- Audit and inspect (using the multi-perspectives approach) the treatment of persons in Garda custody.
- Take proactive steps to prevent deaths and self-mutilation in Garda cells.
- Recognise the potential for and dangers of Garda corruption. Conduct a risk analysis and develop and incorporate corruption prevention strategies as part of your managerial practice.
- Investigate fully reports of discriminatory, racist, xenophobic or illegal behaviour by Garda staff with a view to disciplinary and/or criminal prosecution
- Provide awareness raising, skills development and competency building training for operational staff.

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- Promote the (forthcoming) Garda Declaration of Ethical Standards and Professional Values and the definitive guide to professional standards, performance and behaviours.
- Build your own professional knowledge in relation to prejudice, discrimination, racism, and xenophobia in society.
- Consider the needs of minorities and vulnerable groups from different perspectives – minority, non-governmental organisations, majority community, Garda, public policy, etc.
- Conduct regular coaching and awareness raising workshops at local level, in the light of emerging information and local trends.
- Develop action plans, with clear goals, agreed milestones and performance indicators as part of local policing plans and strategies.
- Assign supervisory responsibility and accountability and circulate outcomes achievements, etc. at local level.

CONCLUSION

The excellent training capability of An Garda Síochána will have a key role to play in turning the level of knowledge outlined here into a higher level of applied knowledge and practical application. As in so many other aspects of human endeavour a positive attitude is the essential starting point towards continuously achieving the highest professional policing standards. Guaranteeing the Human Rights Declaration – ensuring that all human beings are born free and equal in dignity and rights – is being embedded ever-deeper in Irish legislation and in Irish policing.

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The Garda Síochána Training College

College Administration



Pat Murray

Superintendent Pat Murray

INTRODUCTION

The Garda Síochána College is the national training and education centre of An Garda Síochána and is a designated third level educational institution under HETAC (Higher Education Training Awards Council) and is mandated to provide a continuum of training, education and development for all members from initial student training right up to senior management level. In addition to providing a wide and varied range of short courses, the Garda College also provides a diploma course in Police Studies for all newly recruited Garda Trainees, and a degree course, a BA in Police Management, for senior Garda Officers.

HISTORY

The Garda Síochána College was originally an army barracks, built by the British Army, and handed over to the Irish Provisional Government and re-named McCann Barracks after the Mid-Tipperary M.P., Pierce McCann. In 1963, the Government designated McCann Barracks to be the new Training Centre for An Garda Síochána. The Gardai assumed occupancy on 14th February, 1964.

Between 1989 and the current year the College has undergone four major renovation and building programmes resulting in a police training college which is widely recognised as one of the best in the world. There is a constant stream of visitors arriving to learn from best practice in facilitating and delivering excellent police training and education. Total expenditure to date on building and infrastructure modernisation stands at £30m. Furnishing, technology, other teaching aids and equipment adds another £5m. Government and the Department of Justice, Equality and Law Reform have invested wisely in the College and that investment is paying off in the form of a new generation of highly skilled and highly knowledgeable Gardaí who improve the quality of life in every community throughout the country. The commitment to raising Garda strength to 12,000 is both a challenge and an opportunity.

The Garda College was designated an Institute for Higher Education by the National Council for Education Awards (NCEA) in November, 1992 and awarded the Student Probationer Education Training Programme, a National Diploma in Police Studies in September, 1993.

The National Council for Education Awards issued the College with a Certificate of Course Approval to commence a degree programme in Police Management in 1996. (First course commenced in Sept. 1998). There has been a high uptake for this course and while confined to senior management at the moment consideration is being given to extending it.

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SCOPE OF MANAGEMENT ROLE

The scope of the role of administering the operation that is the Garda College is a mammoth task on a grand and complex scale and it is appropriate to set out, briefly, the staffing structure, the on-campus facilities and the number of people – predominantly members of An Garda Síochána – who use them on a daily basis.

Overall responsibility for Garda Training, Education and Development rests with the Assistant Commissioner, Human Resource Management. A Chief Superintendent who is Director of Training and Quality Service heads the College. A management team of six Superintendents support him. The staffing table below gives a breakdown of our staffing structure. The variable numbers of staff shown in catering, housekeeping and maintenance services represents the flexible nature of our staffing model.

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Staff	Numbers
Management	8
Administration	36
Teaching	114
Support Services	19
Catering	20 – 35
Housekeeping	24 – 36
Maintenance Services	11 – 15

During 2000, over 4,000 people attended courses at the College. Some were from external agencies, some were colleague police officers from member states of the European Union and others from further afield. The vast majority were, of course, members and trainee members of An Garda Síochána.

The College has residential accommodation for 522 people, an increase of 92 rooms following completion of our most recent building development. The accelerated recruiting programme, in operation since July, 1996, placed significant extra demands on all sectors – demands that were far in excess of the College’s capacity to cope as a stand alone entity. We have managed to maintain our training targets with the co-operation and support of the people of Templemore who made their homes available to our Student Gardaí. The Student ‘living-out’ programme, which has frequently numbered in excess of 400 a week, has enabled the College meet its commitment to the in-service training side of our business and provide an uninterrupted service to our Management, Promotion, In-Service and Specialist Schools.

The College’s education and training facilities are generally regarded as being amongst the best available. The addition of three new lecture theatres in the current year has increased theatre capacity by 360 bringing total such capacity to 480. In addition we have 25 conventional type

classrooms as well as purpose built facilities to cater for technical training, court practicals, station procedures, language training, PULSE training and basic PC skills. The College also has its own Audio Visual Production Unit (A.V.P.U) where training modules are provided for all ranks on presentation and communication skills, interviewing techniques for senior personnel as well as inputs on 'door-step' interviewing and preparation for media appearances.

Physical education is a core course subject on the student/probationer curriculum. To facilitate education and training and promote fitness and a healthy lifestyle significant investment has been made in this whole area, which incorporates sporting and leisure activities as well as the core business of physical education. The College can now provide all its course participants with a wide range of physical fitness opportunities in its multi purpose physical education centre, fully equipped gym, ball alleys and swimming pool. There are three fully serviced playing pitches with the most modern changing, showering and physiotherapy facilities. A nine-hole golf course and state of the art clubhouse stand adjacent to our recently developed tennis courts, one of which has been designed to meet both national and international competition standards.

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Having outlined the facilities and the people using and delivering them, we will look at the specific responsibilities and some of the major programmes which fall within the managerial remit of the College Administrator:

- Finance and Business Programme,
- Upkeep, maintenance and development programme,
- Accommodation management,
- Catering, shopping and recreation facilities,
- Security of the College,
- Conferencing and event management,
- Medical and support services.

FINANCE AND BUSINESS PROGRAMME

Budget preparation at the Garda College is made somewhat easier by the fact that when we sit down to plan our year from a financial perspective there are a number of certainties. We know, for example, there will be four Student Intakes, four Attestations, four Graduations and one Conferring in the financial year. Having circularised the Headquarters and Regional Branches and consulted the College Schools as well as our wider customer base we get a picture of what the education/training demands and requirements will be. In December we put together a schedule of courses. How the schedule works in practice is dependent, to an extent, on operational policing priorities – the current year is a prime example, when we experienced the Foot and Mouth Disease Prevention

C E N T R E

LESSONS IN MANAGING CHANGE IN POLICING

Organisational and environmental stability is not stability. This paradox is true. Crime has been relatively stable for over twenty years between 81,000 and 102,000. But crime has varied enormously in type, offending patterns, victimisation and offending locations over that twenty years. Within stability movement is always present, improving or disimproving, and the sigmoid curve drawn below shows that the timing of change is vital. If you change at the top of a very high level of achievement you are too late – you are already on the slippery slope. The time to change is when things are still improving. That will prevent a downslide.

Change is constant. Our response to constant change must be well-informed, appropriate, affordable and well-timed. Change can be instantaneous, incremental, discontinuous, or variants of these. Discontinuous change in the New Zealand police service has been problematic. A successful change programme requires strong leadership, a clearly communicated sequence of events and a swift break from the past. Seven recommendations for successful change programmes are tabulated and explained clearly in Table 1 (opposite page).

The ambitious change programme embarked upon by the New Zealand police did not capture the imagination and support of those most affected – front-line officers. If change agents fail to align the vision with the culture in a consistent manner through communication and leadership a change programme will be perceived as contradictory to the needs of an organisation – regardless of whether it is in the public or private sector. Without a shared desire for change at individual and organisational level the individual perception that change will fail will override all positive aspects of a change programme and failure will emerge as a self-fulfilling prophecy. Because of communication misperceptions the NZ change programme was plagued by ongoing delays and problems (particularly technological) that resulted in a crisis in policing that included staff shortages attributed to stress and programme associated changes. When the issue came into the public arena the programme was shelved, and many change agents including the Commissioner of Police resigned.

GARDA CHANGE PROGRAMMES

PULSE and SMI are two large-scale change programmes in An Garda Síochána and the seven change lesson in Table 1 have been a part of both programmes throughout.

An Garda Síochána did not get everything right every time, but the key communication lessons above have always been prioritised and an enormous organisational effort has gone into ensuring that everyone is well informed on where we are going. This effective communication effort is accompanied by one of the organisation's largest ever training programme to ensure everyone is familiar with PULSE, and can access and input to it effectively.

Peter Fitzgerald, Editor



Then and Now



Marketing in public services

How much safer?

P O I N T

TABLE 1: SEVEN CHANGE PROGRAMME RECOMMENDATIONS

1. Institutionalise change through a shared mindset
Leaders motivate and encourage ownership of the change process and outcomes
Gain acceptance of the vision underlying a change programme
Communicate through a commonly understood dialect. (Kotter 1995; Strebels, 1996)
2. Disassociate change from past efforts
Change initiators must separate new changes from past efforts
Must be marketed as new, innovative, relevant and sincere attempt to better the cause of the organisation and individual (Dunsing and Matejka, 1989)
Communication must convince that previous experiences and current schemata will change.
3. Develop a desire for change
A sense of urgency must be created with the development of a change-receptive environment.
Existing dissatisfaction will help this.
Complacency and resistance to change will hinder this.
4. Develop change leaders
Change must be championed by a figurehead, supported by strong executive leadership. New blood at strategic level, a strong leader, can align the new with the old by verbalising the vision and acting as a focus for, and focusing the organisation upon, change.
5. Align support and reward systems with change
The organisation's support structure and reward systems must adapt to complement the change.
Procedural change forces the renegotiation of personal compacts creating a context for change.
Support systems must change to co-ordinate and commit desired organisational competencies.
6. Communicate change clearly
Inadequate communication, both transmission and feedback, limits the ability of individuals and change agents to reflect upon the consequences of change. This introduces uncertainty and stress to the workplace, and creates rumours and opinions predominantly detrimental to the change process. (Kanter, 1992; Bartunek & Moch, 1987; Kanter, 1983; Azumi and Hage, 1972)
Factual and relevant information must be delivered in a clear and appealing way.
7. Change with consistency
For change to be widely accepted change agents must send consistent signals to the organisation, with each goal and action serving to reinforce the aims of the other.



How much safer?

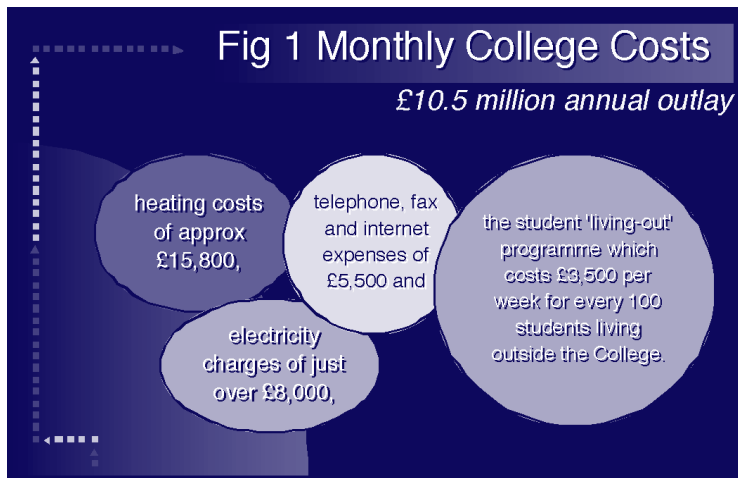
	A	B	C
COSTS			
OVERTIME			
TRANSP			
JAN		12,000	78
FEB		10,000	42
MAR		11,500	25
APR		8,600	27
MAY		14,360	33
JUN			

Garda Internal Audit Section

Programme. Courses were postponed and deferred. Thankfully, we have been able to re-schedule and by year's end the College will have delivered on all its commitments to the organisation.

Annual running costs for the Garda College average £10.5 million. Like all sectors of our service, salaries and allowances account for the bulk of expenditure. In our case these costs amount to 86.5% of the total budget. The remainder goes on day-to-day expenditure involving upkeep and maintenance, purchases and contracts. From the £200,000 monthly public Imprest Account the Administrator must meet routine expenses which include the monthly costs in Fig. 1

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The Garda College business plan must cater for our commitment to continuously improve the range and quality of the services we provide for our internal and external customers. Structural, recreational, leisure, cultural and aesthetic improvement projects are funded by finances generated from College enterprises – Restaurant, Shop and Clubs. In this regard the fruits of such projects can be enjoyed in our Social Club, Millennium Gardens, flood lit Tennis Courts, Golf and Leisure Club, Sports Fields and fully serviced 200 space car park provided for staff, students and visitors.

The Catering and Shopping services are private College enterprises and our business plan must also cater for our employment contract obligations to all catering staff. In this regard, wages and salaries apart, strategic provision must be made for redundancy funds, public and employer liability insurance, staff training and development and pensions.

UPKEEP MAINTENANCE AND DEVELOPMENT PROGRAMME

To ensure the College is maintained to a high standard we operate a maintenance programme which includes painting and decorating on a

rotational basis thus ensuring that the entire College is completely decorated internally and externally at least once every five years. This maintenance challenge necessitates close liaison with the Office of Public Works, Headquarters Finance Branch and our Housing Officer, with a view to drawing up works specifications, agreeing public tenders, awarding contracts and managing implementation. A core team of maintenance staff is charged with the responsibility for day-to-day maintenance of all college facilities. These include grounds work, swimming pool hygiene, living and training facilities, equipment maintenance, and support services for education and training staff. Adopting a team approach and active leadership of such projects and duties enables us achieve and maintain high standards of excellence.

ACCOMMODATION MANAGEMENT

Our on-campus accommodation, training and leisure facilities are maintained on a daily basis by a team of 24 housekeeping staff under their own supervisor. The relationship we have carefully fostered with the people of Templemore has helped us ensure that we, as in the past, continue to meet all our education, training and development needs. The students reside in 185 households participating in our 'living-out' programme. The householder provides sleeping, study and washing facilities five nights each week. The College provides all meals. The numbers living outside the College have, at times, exceeded 400. However, the recently completed accommodation block together with a levelling off in the size of student intakes – down from over 650 to 500 a year – has allowed us stabilise the 'living out' programme which is now running at 150-200 per week depending on the demand for in-service training courses.

CATERING, SHOPPING AND RECREATION FACILITIES

The Garda College restaurant is recognised within An Garda Síochána as a provider of a high quality, value for money service. The restaurant is a College public/private partnership enterprise. The College Administrator employs the staff and has full responsibility for the management of the catering function. The Department of Justice, Equality and Law Reform pay the restaurant a weekly allowance for each student during Phase I and III of initial Garda Training. College Staff, Probationer Gardaí and personnel on continuing education/training courses pay as they go. While not unique within the public service, this public/private partnership works very well and has the added benefits of allowing restaurant management flexibility in terms of cost base and customer services. For example we maintain a flexible staffing model – a core team of experienced permanent staff, supported by whole-time and part-time temporary staff - which caters for fluctuating service needs. On average, between 600 and 800 people use our restaurant facilities each day.

The shop is a market driven College enterprise providing a wide range of goods and services to its customer base. Services at the shop were extended following major renovations in 2000. It is open between the hours of 9.00 am and 10.00 pm.

Recreation forms a core and valued part of our customers' experience at the Garda College. In addition to the sporting and leisure facilities, we support student groups who run the College Registered Club and the wide range of social, professional, academic and cultural activities, which are synonymous with modern college life.

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SECURITY OF THE COLLEGE

The safety and security of our students and staff are of prime concern in the administration of our College. While an open and relaxed atmosphere prevails, it is essential that all residents and visitors to the College experience and feel a sense of safety and security. The College has its own Security Unit, which is staffed on a 24-hour basis. The unit is responsible for maintaining the security of the campus, safety of all personnel, conducting fire drills and attending reception outside of office hours. As part of their education/training course, our students also spend some time on security duty.

CONFERENCING AND EVENT MANAGEMENT

Responsibility for preparation of conferences, seminars, graduations, conferrings, attestations and other significant events rests, by and large, with Administration. As Administrator, I feel very strongly about the importance of presenting our College in a highly professional light. It is, therefore, essential that the complacency that can sometimes arise from arranging and running such events on a regular basis be avoided. Consequently, I insist that every event be prepared for and organised on a continuous improvement basis. We hold management team meetings and every team member will have their role agreed with individual and collective responsibility emphasised and re-emphasised.

MEDICAL AND SUPPORT SERVICES

An essential aspect in the management of quality of life at the Garda College is the provision of excellent medical and support services for all our personnel. The College has its own Medical Centre staffed by a Sergeant and Clerical Officer. Our College doctors hold two surgeries each day, at 9.00 am and 12.30 pm as well as providing an on call service. All students undergo the Hepatitis B vaccination programme during Phase I of their course. Those coming within the scope of the Meningitis 'C' programme (under 23 yrs.) also have this vaccine administered. Welfare support and counselling referral services are provided in recognition of the many and varied personal needs of our customers.

QUALITY CUSTOMER SERVICE

Providing a quality service is a core value of our administration team. We believe that learning and professional development is best facilitated in an atmosphere which is person friendly and tailored to meet the needs and expectations of our customers. In reality this means adopting a continuous improvement approach to everything we do. For our staff it means applying quality service principles in each and every facet of our service delivery – housekeeping, restaurant, security, education and training facilities, recreation and leisure opportunities as well as medical facilities. We place enormous value on feedback in every aspect of our service delivery process. Informal mechanisms coupled with structured and semi-structured feedback mechanisms provide the College Administrator with the information needed to support the continuous improvement process.

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To facilitate the achievement of our Human Resource Management training targets we endeavour to ensure flexibility in terms of accommodation and other essential customer requirements. This flexibility enables us fulfil our education/training mandate and deliver a cost conscious quality service to all our customers.

The vision and values of the Garda Mission Framework are key guidelines in the day-to-day administration of our College and we are very conscious of our commitment to our community in Templemore and beyond. Interaction with the community is evident in all areas of College life – Garda and civilian staff working and achieving in the public interest, school children and community groups making use of and enjoying the benefits of College sporting and leisure facilities, second level students from all parts of the country engaging in work experience as part of their transition year education, adults participating in work experience programmes, while undergoing FÁS training courses, in preparation for re-entry to the work force as well as voluntary and special needs groups engaged in leisure and recreation visits.

The Garda College aims to be a good neighbour and a valued contributor to the social and economic development of our local community in Templemore. We provide significant employment for local people at the college and our college enterprises give priority to supporting local businesses in the provision of goods and services to our College. In this regard, we expend in excess of £0.75 million in the local economy each year directly and the personal spending of our staff multiplies this many times.

CONCLUSION

To ensure value for money, the Garda College operates at maximum capacity. Working here requires a high level of commitment and dedication to the education, training and development function. The

success of what we do is best measured in terms of the quality of our customers' experience at the Garda College and ultimately by the performance, at operational level, of those members of all ranks who undergo the various courses. All our education/training courses are carefully researched, structured and administered to meet the training, supervisory, management and leadership requirements of a modern and progressive police service.

To ensure we provide a quality service to our customers and best value for public money invested in our education training system, the effective administration of our College is a priority. As can be gleaned from the foregoing, consistency of purpose and active leadership in the management of College resources is essential. Such consistency and commitment ensures that a broad range of integrated services are developed, deployed and implemented for the benefit of our police service and the public we serve.

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Internal Audit

Internal Control in the Garda Síochána



Michael Lernihan

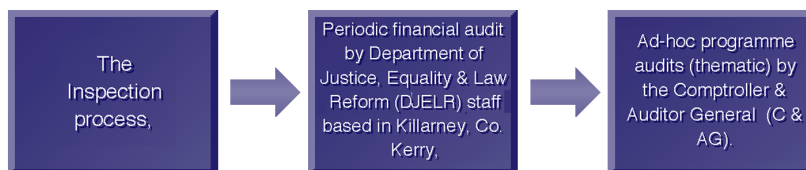
Superintendent Michael Lernihan

INTRODUCTION

The establishment of the Garda Internal Audit Section in July 2001 has focused attention on one of the most critical of all business attributes – internal control. This attribute is clearly linked to the survival and success of any organisation in terms of profitability, value-for-money and operational efficiency.

Up to the present, internal control in The Garda Síochána has relied on the Garda Code, policy documents and HQ Directives as well as relying on the integrity and the experience of Garda managers to outline what exactly the controls actually are within the organisation. High professional and ethical standards and a strict discipline code assisted internal control.

The controls in operation within The Garda Síochána heretofore depended on three methods to ensure the adherence to management policies, the safeguarding of the assets of the organisation as well as the ensuring of the completeness and accuracy of the records. These are



In addition to the inspection process in Figure 1 above, the level of accountability now expected by Garda stakeholders for their every action has increased. The continued reliance on this process will need to be examined to ensure that:

1. The Garda Síochána receives and records all revenues to which it is entitled and that all assets are properly recorded and safeguarded as well as ensuring that the processes are in place to ensure all expenditure is properly authorised and that all liabilities are discharged within legal timeframes, are functioning effectively.
2. The organisation is capable of providing the records (crime, personnel, financial, assets etc...) that will form a reliable basis for the preparation of organisation wide statements (district, divisional, regional, specialist, functional and national) and that any areas identified as requiring attention will be disclosed,
3. The Garda Síochána selects the appropriate strategies at district, divisional, regional, specialist and functional levels within The Garda Síochána to address the needs of the organisation as well as the stakeholders directly affected by the adoption of these local and national strategies.

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The nature of The Garda Síochána is such that the known previous incidence of the misappropriation of monies and the misuse of organisational goods/services is extremely low. Whilst acknowledging that this may remain the case into the future, the principle of accountability now demands that The Garda Síochána operates at the very highest standards of performance bringing transparency to its financial, crime and personnel management capabilities.

In this regard the following eight (8) elements of internal control are critical to the proper functioning of The Garda Síochána and to the carrying out of audits and reviews:

TABLE 1: ELEMENTS OF INTERNAL CONTROL

<p>1 SEGREGATION OF DUTIES: Separation of the duties that do not allow one person (Garda or Civilian) to record and process a complete transaction. This includes the custody, authorisation and recording of a transaction as well as involvement in systems development and subsequent operation.</p> <p>2 ORGANISATION: The definition of the roles and responsibilities, the delegating of these and the clear lines of reporting required within the organisation</p> <p>3 AUTHORISATION AND APPROVAL: A requirement that all transactions require authorisation or approval by an appropriate person.</p> <p>4 PHYSICAL ASPECTS: An assessment of the custody and use of the assets of the organisation – are they limited to authorised personnel etc...? This is especially important with regard to the valuable, portable and usable assets of which The Garda Síochána possess many.</p> <p>5 SUPERVISION: Supervision is a vital element in internal control allowing those charged with responsibility a view of the day-to-day transactions and operations of The Garda Síochána.</p> <p>6 PERSONNEL: The personnel appointed to positions of responsibility have to have the capabilities to perform the function assigned. This includes the selection, qualification, training requirements and the innate personal characteristics of the individual selected.</p> <p>7 ACCURACY: A control that checks the records/transactions for authorisation and accuracy.</p> <p>8 MANAGEMENT: The controls exercised by Sergeants, Inspectors, Superintendents etc... i.e. the carrying out of inspections, audits and the comparison of lagging and leading indicators proactively with comparable locations etc . . .</p>

The establishment of the Internal Audit Section within The Garda Síochána is designed to oversee as well as to supplement the Inspection/Audit process in that, by the adherence to the above elements in a structured fashion, the performance of the organisation as a whole should increase and leave The Garda Síochána with an ability to predict, identify and address areas of concern.

AUDIT COMMITTEE

The personnel attached to the Garda Internal Audit Section will be operating under the authority and direction of the Garda Commissioner and an Audit Committee chaired by Deputy Commissioner, Strategic and Resource Management. All books, records, databases and information relating to any area of Garda activity will be open to examination by the Internal Audit Section. The authority, independence and access rights accorded to the Garda Internal Audit Section must guarantee its capacity to operate freely and objectively. Independence is best achieved by having an audit committee of sufficient authority in place within the organisation.

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The main functions of the Audit Committee is to provide guidance and approval of work programme for the Internal Audit Section, to receive and consider internal audit reports and issue directions on same and ensure that the Section's independence is not compromised.

ROLE OF THE GARDA INTERNAL AUDIT SECTION.

The Garda Internal Audit Section (GIAS) will have the central role of ensuring that periodic and systematic audits of locations (District, Divisional, Regional, Specialist and Functional) within The Garda Síochána are conducted. The role as presented herein is quite broad and can be interpreted as narrowly or as broadly as the situation requires:

- To provide the Commissioner (via the Audit Committee) with a series of analyst/assessment reports outlining the performance of divisional, specialist and functional segments of the Garda Síochána as well as on individual programmes/initiatives.
- To carry out reviews subsequent to the above analyses/assessments and comment constructively on the management function operable at each level.
- To liaise with the Director of Finance, the Department of Justice, Equality & Law Reform auditors and the Comptroller and Auditor General's Office with regard to areas of common interest without compromising the central aim and mission of the Garda Síochána and the Garda Internal Audit Section.

The nature of The Garda Síochána is such that the known previous incidence of the misappropriation of monies and the misuse of organisational goods/services is extremely low and whilst acknowledging that this may remain the case into the future, the principle of accountability now demands that The Garda Síochána operates at the very highest standards of performance bringing transparency to its financial, crime and personnel management capabilities.

In this regard the following eight (8) elements of internal control are critical to the proper functioning of The Garda Síochána and to the carrying out of audits and reviews:

TABLE 1: ELEMENTS OF INTERNAL CONTROL

1 SEGREGATION OF DUTIES:

Separation of the duties that do not allow one person (Garda or Civilian) to record and process a complete transaction. This includes the custody, authorisation and recording of a transaction as well as involvement in systems development and subsequent operation.

2 ORGANISATION:

The definition of the roles and responsibilities, the delegating of these and the clear lines of reporting required within the organisation

3 AUTHORISATION AND APPROVAL:

A requirement that all transactions require authorisation or approval by an appropriate person.

4 PHYSICAL ASPECTS:

An assessment of the custody and use of the assets of the organisation – are they limited to authorised personnel etc...? This is especially important with regard to the valuable, portable and usable assets of which The Garda Síochána possesses many.

5 SUPERVISION:

Supervision is a vital element in internal control allowing those charged with responsibility a view of the day-to-day transactions and operations of The Garda Síochána.

6 PERSONNEL:

The personnel appointed to positions of responsibility have to have the capabilities to perform the function assigned. This includes the selection, qualification, training requirements and the innate personal characteristics of the individual selected.

7 ACCURACY:

A control that checks the records/transactions for authorisation and accuracy.

8 MANAGEMENT:

The controls exercised by Sergeants, Inspectors, Superintendents etc... i.e. the carrying out of inspections, audits and the comparison of lagging and leading indicators proactively with comparable locations etc . . .

The establishment of the Internal Audit Section within The Garda Síochána is designed to oversee as well as to supplement the Inspection/Audit process in that by the adherence to the above elements in a structured fashion, the performance of the organisation as a whole should increase and leave The Garda Síochána with an ability to predict, identify and address areas of concern before being subjected to in-depth audits by external agencies. This assumes greater importance when considering issues surrounding the vast array of activities undertaken by The Garda Síochána.

AUDIT COMMITTEE

The personnel attached to the Garda Internal Audit Section will be operating under the authority and direction of the Garda Commissioner and an Audit Committee chaired by Deputy Commissioner, Strategic and Resource Management. All books, records, databases and information relating to any area of Garda activity will be open to examination by the Internal Audit Section. The authority, independence and access rights accorded to the Garda Internal Audit Section must guarantee its capacity to operate freely and objectively. Independence is best achieved by having an audit committee of sufficient authority in place within the organisation.

The main function of the Audit Committee is to provide guidance and direction for the Internal Audit Section insofar as it will guide its operations on the basis of the audits and reviews performed as well as ensuring that the Section's independence is not compromised.

ROLE OF THE GARDA INTERNAL AUDIT SECTION.

The Garda Internal Audit Section (GIAS) will have the central role of ensuring that periodic and systematic audits of locations (District, Divisional, Regional, Specialist and Functional) within The Garda Síochána are conducted. The role as presented herein is quite broad and can be interpreted as narrowly or as broadly as the situation requires:

- To provide the Commissioner (via the Audit Committee) with a series of analyst/assessment reports outlining the performance of Divisional, Specialist and Functional segments of The Garda Síochána as well as on individual programmes/initiatives.
- To carry out reviews subsequent to the above analyses/assessments of Divisional, Specialist and Functional segments of The Garda Síochána to measure improvements or otherwise of reported weaknesses/gaps in performance.
- To liaise with Departmental Auditors (Justice, Equality & Law Reform) and the Comptroller and Auditor Generals Office with regard

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- To monitor on-going trends in national and international best practice in this area by developing contacts/networks with practitioners.

The role of the Internal Audit Section may alter as the Section matures and operates in line with its longer-term objectives. The Audit Committee will propose any additional services it requires from the Garda Internal Audit Section to the Commissioner.

GOALS OF THE GARDA INTERNAL AUDIT SECTION

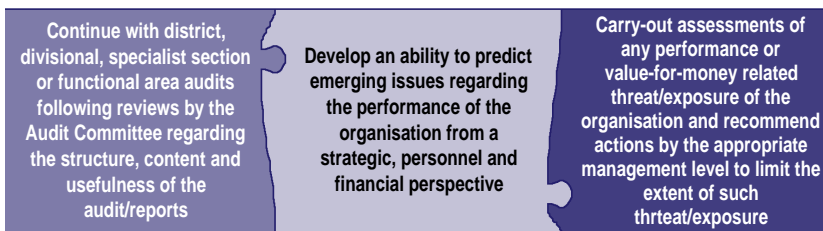
The prime goals and targets of the Garda Internal Audit Section will be:

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- To provide the Commissioner through the Audit Committee with unbiased and independent assessments of divisions, specialist sections and functional areas.
- To audit each division, specialist section and functional area at least once every three years.
- To constructively comment on the management function operative in each district, division, specialist section and functional area.
- To undertake ad-hoc investigations into specific themes to ensure that value-for-money principles are adopted and applied.
- To assist senior management in districts, divisions, specialist sections and functional areas to address any weaknesses identified.
- To undertake reviews of processes and procedures within the organisation and where necessary recommend redesigning or reengineering them.
- To make recommendations to the Audit Committee on emerging issues in relation to internal audit developments in both the public and private sectors, nationally and internationally.

LONG-TERM OBJECTIVES OF GIAS.

The long-term objectives of the Garda Internal Audit Section will be three-fold:



FORMAT OF THE AUDITS/REVIEWS

The audits undertaken by the GIAS will follow a systematic plan whereby the Regional or Branch Commissioner who is in charge of a number of divisions, specialist sections or functional areas will be notified in advance that an audit of a location within their zone of responsibility will take place. On and off site work will be carried out by the Internal Audit Section in accordance with the following chronology:

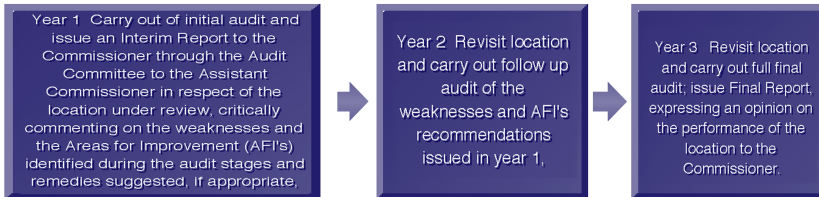
TABLE 2: CHRONOLOGY OF AUDIT

NUMBER	OBJECTIVE	LOCATION
Stage 1	<ul style="list-style-type: none"> ● Plan and control the audit ● Review and amend as necessary 	Off-site
Stage 2	<ul style="list-style-type: none"> ● Understand and record the system (Information gathering stage) 	Off-site
Stage 3	<ul style="list-style-type: none"> ● Confirm the understanding 	On-site
Stage 4	<ul style="list-style-type: none"> ● Evaluate the Internal Controls ● Record any weaknesses ● Carry out Compliance Tests 	On-site
Stage 5	<ul style="list-style-type: none"> ● Carry out Substantive Tests 	On-site
Stage 6	<ul style="list-style-type: none"> ● Confirm that records are in agreement 	On-site
Stage 7	<ul style="list-style-type: none"> ● Review the Audit with local management or as appropriate 	On-site
Stage 8	<ul style="list-style-type: none"> ● Issue report and express opinion 	Off-site

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The Audit of the location under examination will adopt a multi-annual approach that will span two years and will follow the format displayed below:

In this regard, the GIAS will focus on the conduct of the District, Divisional and Regional Inspections/Audits by Superintendents, Chief Superintendents and Regional Commissioners as to their frequency,



accuracy and relevance to the overall aims and objectives of the location under scrutiny. The audits performed by the GIAS will balance the stated position of the inspections/audits performed by local personnel with the documentary records, data and other material, which are available in various sections throughout the Garda Síochána.

CONCLUSION

The establishment of the Garda Internal Audit Section was first mooted in the Garda Corporate Strategy Document issued in April 1993. The section has been established by reference to the clear need for the organisation to be accountable for its actions before the many public fora now charged with ensuring the delivery of public services within a legal and value-for-money framework.

The Garda Internal Audit Section will become a feature of future Garda activity. All members of the Garda Síochána throughout the country and

beyond will be made aware of what services the section can provide to them to assist in increasing effectiveness. Value for money and eliminating sub-standard performance will thereby ensure consistency across all sections of the organisation with regard to the many complex tasks performed on a daily basis.

Hundreds of thousands of interactions take place between people and their local Gardaí each year. Only a very few of these interactions fail to meet the highest professional and ethical standard and very few internal decisions fail to meet the highest standard of accountability, effectiveness and value for money. The role of the Garda Internal Audit Section is to make that few fewer still.

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Road Safety and Strategy within An Garda Síochána

Commune bonum

Chief Superintendent Denis Fitzpatrick



Denis Fitzpatrick

The purpose of any road safety strategy is to reduce the levels of fatalities and injuries that result from road traffic collisions. Approximately 43,000 roads users are killed annually on the roads of Europe. On average 460 persons have died on the roads of Ireland each year for the past 12 years. While the rate of fatalities in Ireland has been decreasing since the highs of the early 1970s (640 died in 1972), 415 people died last year. It is estimated that over 100 people are directly affected by each fatality. The ultimate tragedy in road safety is the loss of any life but there are also over 12,000 road users injured every year many of whom are either physically or mentally disabled for life.

The majority of road deaths are as a result of human behaviour, consequently they are preventable and avoidable. We may still have collision, but we can avoid the carnage that has been persistent in the previous decades. An Garda Síochána are committed to making a difference, but unless the responsibility is shared by all we cannot succeed.

The argument for improved road safety is not simply an emotional and health toll on the human level. Road collisions represent a serious economic burden with estimates of the costs of such collisions amounting to 4% of GDP in some countries, (OECD, 2001). The estimated cost of a road fatality in Ireland is £783,000 and the estimated total costs for collision fatalities in 2001 will be £310 million, (National Safety Council, 1999).

Increased investment in road safety can show tangible results. It is estimated that over the period of implementation of the Government Strategy *The Road to Safety 1998 to 2002* the benefit cost ratio will be 4.5:1 rising to an annual benefit cost ratio of 8.3:1 after the implementation of the strategy is completed. Thus, if the goals of the strategy are achieved an investment of £120m over the period will give rise to an estimated economic benefit of over £536 million over the period. These benefits would result from loss of productivity of those killed and injured and the reduced medical costs from fewer collisions (National Safety Council, 1999).

ROAD SAFETY STRATEGY

The traditional approach to road safety proposes that a multi-organisation strategy centres around the "three Es" – education, engineering and enforcement (Davis, 1993). This approach is the basis for road safety strategy in Ireland, (Government Strategy 1997). Under the High Level Group on Road Safety, all the main road safety agencies meet to harmonize and coordinate their stratagems. This level of cooperation has made a major contribution to the reducing death on our

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roads. Each agency has their own objectives, but these objectives consider the remit of the other agencies involved (Costelloe, 1997).



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EFFECTIVE ENFORCEMENT

The main objective of any road safety strategy is achieved by deterring road users from committing offences that are related to road collisions, (ETSC, 1999). This enforcement can be persuasive, preventive or punitive, (Brosnan, 1996). The most successful means to achieve such deterrence is by effective enforcement (Cameron, Newstead, Gantzer, 1995). The theory of deterrence is that if punishment is swift, sure and tough the rate of occurrence of the offence will be correspondingly low (Homel 1988). Research has shown that the greatest deterrent factor is the fear of being caught for committing an offence and the severity of the likely punishment that results (Central Research Unit 1997). Drivers consider the probability of a collision is practically zero (Bjornskau and Elvik, 1992) and this factor has little impact in improving behaviour.

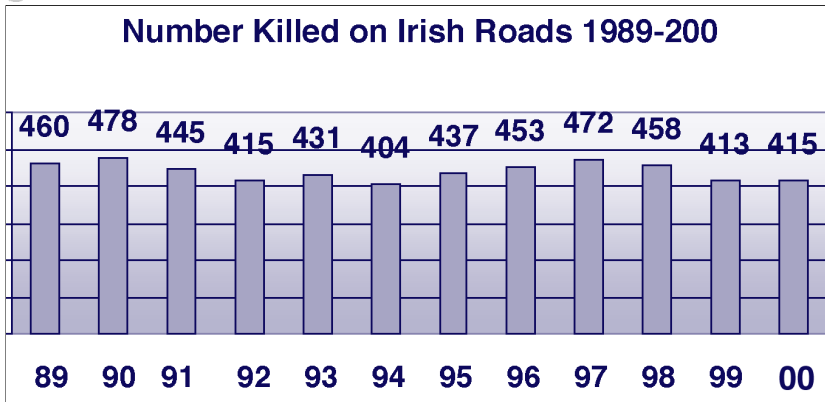


The concept of road users changing behaviour as a result this fear is called "general deterrence". In general deterrence the potential offender does not have to be apprehended, but his perceived risk of being caught is greater than the actual risk of being caught (Rothe 1994). The perception that changed his or her behaviour comes from the notion that it is more likely that they will be caught because more road users are actually being caught. It is the role of the Gardaí to create that increasing fear of being caught through increased enforcement and constantly communicating the level of increased communication (Ben-Ari, Florin, and Mikuliner, 2000). This role is termed "specific deterrence" and its what the Garda Siochána has done, will do, and will be seen to do.

There are other factors that will influence general deterrence. These include publicity, knowledge and perception about the increasing level of enforcement (Cameron and Harrison, 1998). Once increased

enforcement and more expressive publicity are put in place secondary factors can then enhance general deterrence. Moral commitment to refrain from aberrant behaviour and positive peer pressure can assist in the achievement of general deterrence. Experience has shown that visible Police enforcement with appropriate sanctions is undoubtedly the greatest deterrence of all. That increased level of enforcement has been achieved and the graphs show that road deaths have fallen in response.

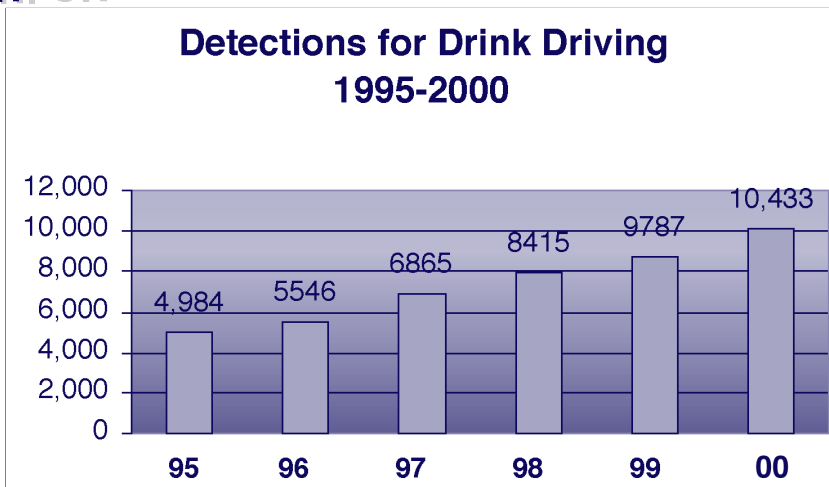
ROAD DEATHS DOWN 12% 1997-2000



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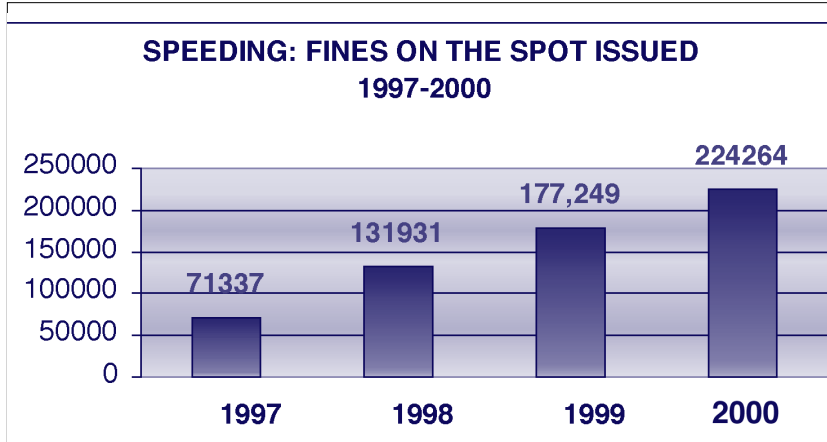
SOURCE: THE ROAD TO SAFETY – THIRD PROGRESS REPORT OF THE GOVERNMENT STRATEGY FOR ROAD SAFETY 1998-2002

ENFORCEMENT DOUBLED . . .



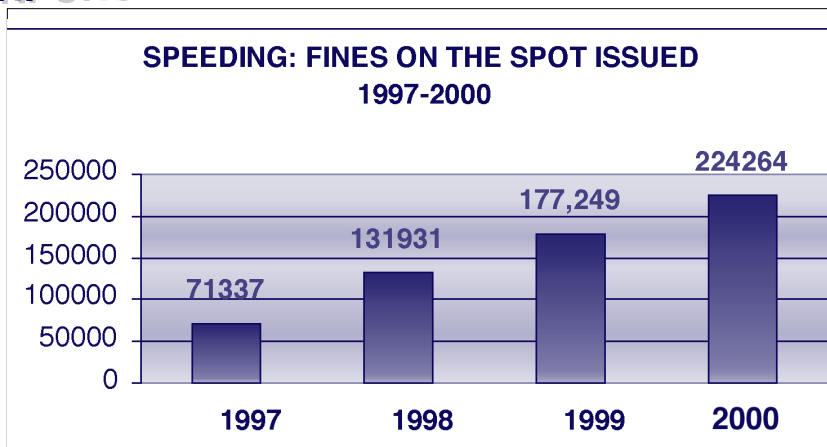
SOURCE: THE ROAD TO SAFETY – THIRD PROGRESS REPORT OF THE GOVERNMENT STRATEGY FOR ROAD SAFETY 1998-2002

ENFORCEMENT TREBLED . . .



SOURCE: THE ROAD TO SAFETY – THIRD PROGRESS REPORT OF THE GOVERNMENT STRATEGY FOR ROAD SAFETY 1998-2002

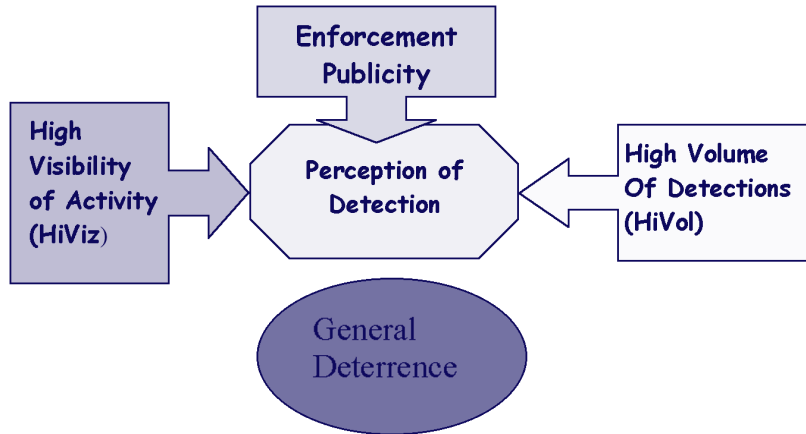
ENFORCEMENT UP SIX TIMES . . .



SOURCE: THE ROAD TO SAFETY – THIRD PROGRESS REPORT OF THE GOVERNMENT STRATEGY FOR ROAD SAFETY 1998-2002

Obtrusive traffic law enforcement can have two effects (De Waard and Rooijers, 1994). Firstly, there is a preventive effect: passing road users notice enforcement activity and most are deterred from inappropriate speeding and non-wearing of seat belts. Secondly, there is the repressive effect of being apprehended for the detected offender. The offender is dealt with in situ, by means of a fixed charge. An Garda Síochána can choose to optimise one of these two effects. High visibility (HiViz) policing will enhance deterrence but will reduce detection. Use of obtrusive speed measurement will achieve high volume (HiVol) of detections but will be less noticed.

To achieve the maximum intensification of a perceived risk of detection a balanced HiViz/HiVol principle must be adopted.



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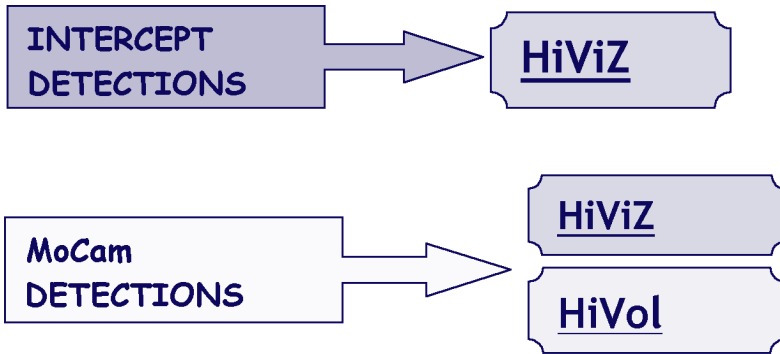
An Garda Síochána will increase their specific activities until satisfactory general deterrence is achieved. However, increasing levels of traffic enforcement is likely to be subject to diminishing returns to scale (Elvik, 2001). Beyond a certain point, it is likely that the additional benefits of further increases in enforcement could become very small compared to the benefits that other, alternative, road safety measures would produce. Once that desired level of general deterrence is achieved that level of police enforcement should remain constant. The theory that specific deterrence can be reduced and that general deterrence will be maintained is not one that is accepted in this strategy (Bjornskau & Elvik, 1991). Accepted levels of effective enforcement will remain at least constant over any future government strategy.

The basic aspect of specific deterrence is to apprehend offenders. The issues of fine on spot for offences of excessive speeding and non-wearing of seat belts and the arrest of those who drive while intoxicated are the focus of effective road safety enforcement (HMIC, 1998). These road safety offences are the main focus of Operation LIFESAVER, the key Garda Síochána road safety strategy.

The apprehension of offenders will incorporate two specific methodologies; **intercept** detections and **MoCam** detections. Intercept detections relate to a Garda interfacing with the offender as he commits the traffic law violation. This will generally be in the form of issuing a fine on spot (fixed charge). This is the most effective form of specific deterrence (De Waard and Rooijers, 1994) (Corbett and Simon, 1999). It is immediate in that it related to a very recent event. It also allows the Garda to point out the possible risk associated with the activity to the offender. On the negative side it is human resource intensive and takes longer to operate.

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MoCam detections are those where it is either not safe to detect offences because of the nature of the environment, or where the object of the methodologies is to increase volume of detections. The recording of traffic violations on camera and the subsequent posting of fixed charges to the offender is the basis of MoCam detections. It lacks the interface with a Garda. However it allows a greater number of offenders to be caught (Hooke, Knox, Portas, 1996). Remember increased volumes strengthen the notion of 'general deterrence'. It increases the perception of being caught. MoCam detections are very efficient in that the human resources required is far less than 'intercept' detections. The use and adoption of modern technology as an aid to enforcement is a useful tool that provide extra options to law enforcement Officers.



To achieve an effective balance between intercept detections and MoCam detections the following criteria will be applied. Research has shown that intercept detections can be up to 19 times more effective in changing road users behaviour than MoCam detections. The basis for this criteria is that intercepts are more effective in that they involve actual interface with a Garda, advice can be given and explained and the effect is further enhanced in that the interaction is immediate. The delay in covert MoCam means that the time delay in sending a notice can reduce its effectiveness and the offender may not be precisely able to recall the offence. Depending on the level of disposable income available to the offender, the letter is often treated as just another bill reminder rather than a reminder of unsafe behaviour that needs to be changed.

The basis for this strategy is that it is intelligence based. Garda activity will be based on accurate information that will be effectively analysed and then acted upon. The Garda will target two specific locations where collisions take place for "Operation Lifesaver", namely:

- Collision Prone Locations (CPL), and
- Points of High Visibility (POV).



CPLs will be identified through the Collision Prevention Programme (CPP). District Traffic Safety Teams (TST) will examine collision locations and examine those that fit the criteria to be a CPL. Once these CPLs have been established remedial action where related to enforcement or engineering will be identified for action. CPLs should be short-term entities that should no longer exist where the appropriate action has taken place.

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The second location for this effective enforcement strategy will be at POVs (Points of High Visibility). These locations will be where the greatest volume of traffic travels within each Garda District. Each District Officer will identify a number of these POVs for his/her respective district. POVs locations will provide the maximum exposure of effective traffic law enforcement to road users. It is assumed that road users who drive inappropriately at CPLs behave in a similar fashion at POVs (usually the better roads). Thereby their increased apprehension at POVs will change their behaviour and they will accordingly act more responsibly and more safely.

This strategy is based on the assumption that all members of an Garda Síochána are totally committed to the concept of specific deterrence. It is vital that every member of the organisation regardless of rank actively demonstrates his or her commitment to road safety. The general public who demand such safety must be supportive of all the agencies that have road safety as part of their remit. Public support is vital to all aspects of policing and together working with the community is the basis of modern policing (Reiner, 1992).

For any strategy to be effective it must be appropriately resourced. Effective enforcement requires human resources, equipment resources and legal support (DETR 2000). The allocation of Garda personnel to traffic enforcement will need to be constantly monitored by Garda Management to ensure that the enforcement is effective in its deterrence targets.

The main deterrent factor that changes road users behaviour is the fear of being caught, and that fear is only realistic if appropriate and relevant

sanctions are subsequently imposed. The Road Traffic Bill 2001 – by introducing more severe penalties, increased offences that can be dealt with by fixed charge, more powers to breathalyse and the introduction of penalty points – will rationalise and increase that sense of fear of being caught that will change road users behaviour for the better. This legislative support is essential to the pursuit of effective enforcement for road safety.

History has taught us that road fatalities and casualties are rare, random, multi factored and, as a result, are difficult to predict either when or where they will happen. What is well known, is that human error is the major cause of them. Human error can be drastically reduced if road users improve their behaviour (James and Nahl, 2000). The Gardaí through effective enforcement of traffic laws will reduce inappropriate behaviour and improve road safety.

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market orientation as a *culture that influences how employees think and act*. Marketing can be categorised as either transactional or relationship. Berry (1983) sums up relationship marketing as *attracting, maintaining and in multi-service organisations enhancing customer relationships*. Kotler *et al* (1999) point out that relationship marketing is not suitable for all occasions and therefore there are times when transactional marketing is more suitable; for instance when customers have fleeting encounters with the service provider. Indeed, most of the services provided by the police resemble transactional marketing, e.g. once off encounters such as being stopped at a checkpoint or reporting suspicious activity. Relationship Marketing focuses on building up long term relationships/partnerships with customers based on trust and commitment. This is the basic tenet of community policing which is very much in vogue with most police services in the developed world. The primary belief behind community policing is that the greater the co-operation and integration of the police and the community the more successful the policing of that specific area from a crime prevention, crime control and crime detection point of view. Everybody benefits. Firstly, the public enjoy a better quality of life, lower crime levels and better relationships with the police. Secondly, the police also benefit from lower crime rates and better relationships with the community, etc.

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PRODUCT TO SERVICE

When marketing was first introduced, it very much applied to commercial products but not commercial services. It then extended to include commercial services. This was essential as the entire service industry has grown exponentially in the last two decades, so much so that it accounts for 60%-80% of national output in most developed countries. Shostack (1977) summed up the late conversion of the service sector to marketing by pointing out that the whole industry of marketing was itself "myopic" because for years it concentrated on products to the total exclusion of the service industry. Indeed for years after its introduction in the service industry, Shostack identified that marketing was often treated as "peripheral" to the real work of the organisation and again this has relevance in policing.

When looking at service marketing, the definition and characteristics of services are important. Writers such as Booms and Bitner (1981) Magrath (1986) merely extended the traditional 4 P's (product, price, promotion and place) associated with commercial marketing by another three for services marketing, to include:

- Participants -all parties to the exchange process
- Physical evidence -environment in which the service is delivered
- Process – procedures and systems which facilitates the delivery of the service.

Kotler *et al* (1999) in defining services stated that they were *"activities/benefits that were essentially intangible and did not result in the*

ownership of anything. "They discussed the danger of seeing marketing as merely selling a product and not providing a solution to meet a need, which is what policing is predominately about.

NON-PROFIT SERVICES

As early as 1969, Kotler and Levy identified that marketing should not be confined to mere commercial transactions be they products or services and advocated that the concept be extended to "social activities" (1969). Throughout the 1970's, Kotler continued to preach the message of marketing to non-profitmaking organisations and he was assisted in his endeavours by other reputable marketing theorists such as Zaltman (1971) and Shairpo (1973). By the eighties, other luminaries in the marketing field were advocating its worth for non profit service organisations including Weinberg (1980), Kotler and Roberto (1989) and Weinberg and Lovelock (1989). When talking of the reform measures that swept through most public sector organisations in the nineties, Dixon et al (1998) summed it up as applying the *private sector solution to the public sector problem*.

There is no doubt that in the more recent times, the public sector has become a convert to marketing and this has been triggered to a great extent by the major change programme that is ongoing in the public sector. Two key elements have driven this change process (i) efficiency (ii) customer focus. In 1991, while Kotler and Andresean found little evidence of marketing oriented goals in public sector organisations, Scrivens pointed out that some public sector organisations to themselves were in fact engaged in marketing when he said :

If services are adopted to meet public or user needs, or require communication programmes to explain their activities to generate public support, then marketing is taking place. ...any activity which involves concern about behaviour or opinions of the general public is a marketing activity. (1991).

It has been suggested that it is easier for public sector organisations to concentrate on the customer as they are not as preoccupied as private sector organisation with profit margins or other financial considerations. Thompson (1993) elaborated somewhat on this theory and stated that in a profit driven organisation, the importance of the customer was determined by the financial contribution that the customer made to the organisation. Therefore, the more valuable a customer to such an organisation, the greater the customer care extended. As this element was missing in public sector organisations, there was less of an onus on the public sector to be customer oriented.

Chapman and Codwell (1998) discussed the absence of marketing in the public sector and ascribed it to the indirect nature of many of the exchanges that took place, the absence of competition within the public service per se and the notion of "free" services. Therefore, the production outlook predominated the public sector approach to the market.

McKevitt (1998) describes this as the *You'll take what you are given* attitude. Accordingly, organisations adopted a provider culture in that they determined the product delivered. By the nineties, it was well recognised that the public sector had become much more receptive of techniques heretofore associated with private sector and marketing was to the forefront in this conversion.

Some writers contend that a marketing orientation should not be that difficult for a public service organisation to pursue, whereas others contend that transposing a marketing concept into the public sector is difficult. Nowadays, almost all non-profit organisations have widely accepted the value of marketing to their ongoing survival and success and this is identified by Kotler and Andersean (1996). While this may be true for American and indeed British organisations, Mc Kevitt (1998) did acknowledge that the role of marketing had increased in the Irish public sector but pointed out that a lot more needs to be done. By 1997, Kotler and Andresean stated boldly in the first line of their book entitled "Marketing for Non Profit Organisations" that *"applying marketing principles to non-profit organisations works"* (1997: 1).

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POLICING AND MARKETING

Very few police services have openly embraced the marketing concept. Cleveland Constabulary is one of those few. It has appointed a marketing manager and developed a marketing strategy (1996)

Marketing is the means by which an organisation matches its finite resources (human, financial and physical) with the requirements of its customers/consumers in order to meet its objectives.

More recently other police services in the UK have recognised the worth of marketing for the promotion of different initiatives, e.g., Nottinghamshire are currently marketing a road traffic accident reduction strategy.

Read (1995) sums it up neatly when he says what a marketing orientation could do for a police service, *"participative, responsive service, attentive to public wants and needs where possible but equally informative and supportive where not"*. Keeling and Moore (1995) contend that the present emphasis on community policing sits well with a marketing orientation whereby customers preference are sought and the police aim to address the needs and wants of customers. While An Garda Síochána has no formal marketing department *per se*, yet unknown to itself, it is continuously engaging in activities that fall neatly into the marketing category. For instance, what is community policing? Several definitions have been put forward, Eck and Rosenabum (1994), Kusow *et al*; (1997), Dietz (1997), Reisig and Giacomazzi (1998) and Carter and Radlett (1999). Regardless of the preferred definition, one of the basic tenets of community policing revolves around getting police out there into the various communities and focusing to some extent on the expectations and needs of the citizens. In addition, the organisation has significant resources assigned to Public

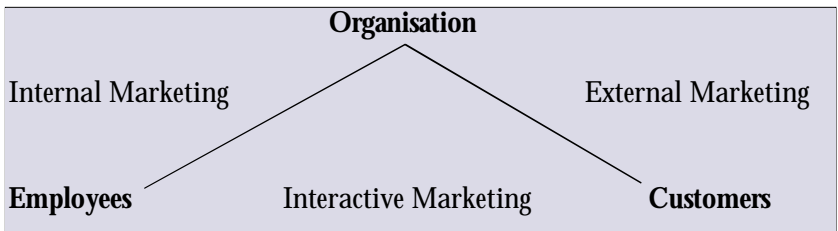
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Relations and a Press Office whose main objectives are to promote An Garda Síochána. More recently it has put in place a National Customer Panel and twenty three Divisional Customer Panels. These all focus on addressing the needs and expectations of the customers. In addition, Garda Síochána has in the last decade conducted a number of surveys of both its internal and external customers.

THE RELEVANCE OF MARKETING TO AN GARDA SIOCHANA

Kotler et al (1999) sets out three types of marketing that occurs in service organisations. These are depicted in **Figure 1**. An Garda Síochána, like most service organisations engages in the three types of marketing. Several examples exist of internal marketing, including the process employed to promote and implement the new IT system in An Garda Síochána. This process has been ongoing for the last three years and apart from a major in-house promotion scheme, an educational programme has also been part of the process. An Garda Síochána actively engages in external marketing from time to time, promoting different schemes, such as "Crimestoppers" "Freephone" numbers and "Racism in the Workplace". Interactive marketing is an ongoing feature in An Garda Síochána. Each time an encounter occurs between a Garda and a customer, there is an opportunity for marketing.

FIGURE 1 MARKETING IN SERVICES ORGANISATIONS



* ADAPTED FROM KOTLER, ARMSTRONG, SAUNDERS, WONG, VERONICA. (1999) *PRINCIPLES OF MARKETING*. PRENTICE HALL, EUROPE. 2ND ED.

CONCLUSION

The principles of marketing discussed have significant relevance to a modern day police service. The recent emphasis on "customer focus" in all public sector organisations is a welcome progression and fuels the idea of marketing orientation. Putting in place the structures and systems that promote customer focus in a police service can only contribute to better relationships with the community. An Garda Síochána has proceeded down this road with its much renowned community policing model and its pursuit of a Quality Initiative that puts the customer very much centre-stage. However the process is not without its shortcomings. Heretofore, the traditional bureaucratic, top down and insular nature of police management coupled with a somewhat overwhelmed and oftentimes disempowered and uninformed operational core, together with a public population that may at times, on some important issues, appear indifferent, all militate against the views of the customer being

accurately on board and subsequently fully reflected in police strategies/policies, etc. In recent times we have marketed new initiatives effectively. We have listened and learned what the community we serve wants us to do for them. We have done this through public attitude and other surveys, through our customer service panels, and on a one-to-one basis – and Garda to Community basis – on a broad range of fora throughout our 703 stations, 109 districts and 26 divisions. Accordingly, adapting a customer focus in policing requires commitment and a significant alteration in the mind-set of the key stakeholders, and we have taken an important step in internal marketing with the recent Garda Staff Climate Survey. We have much to do. We have much done.

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Jim Herlihy

Christmas Policing

Issues at the Foundation of An Garda Síochána, and now

Garda Jim Herlihy

INTRODUCTION

"The men are delighted with their new quarters at the Phoenix Par Depot. They, the new Civic Guards celebrated Christmas with hearty conviviality and the strains of music and song floated across the barrack square from many of the rooms on Christmas night." Thus read a short paragraph in The Irish Times on 27 December 1922.

Christmas time is essentially a season of festivity, of gaiety and enjoyment, but below the spirit of rejoicing runs an undercurrent of sadness, accentuated by our treasured memories of the past. Such memories lie dormant within us, but by some touch, insignificant in itself, but reminiscent of the past, they become a living force, and carry our thoughts back to pictures of bygone times. The annual observance of Christmas customs, occurring with such regularity, forms an outstanding feature of each year, and act as milestones in our lives. We cannot resist pausing at each to rest and think upon the course of events between the stones. We hide from others those precious "thoughts which lie too deep for tears," but surely such memories are not to be shunned on that account for "our sweetest songs are those that tell of saddest thoughts." Our Christmas memories may thus be tinged with sadness, but we must not let them dim the present. Each Christmas leads to the dawn of another year, and with that dawn comes the birth of a new hope.

In that context we look at issues affecting the three police forces of the Irish Free State in its formative years; their individual origins and roles and sacrifices; and following their amalgamation, the vast array of duties they were obliged to adopt by the end of the first decade.

CIVIC GUARDS

The Irish War of Independence from 1919 was ended by a truce on 11 July 1921 and talks between the British and Irish Republican delegation culminated in the Anglo-Irish Treaty which was signed on 6 December 1921 and ratified by Dail Eireann on 7 January 1922. Agreement was also reached in January 1922 by the British and the newly formed Provisional Government to disband the Royal Irish Constabulary, and on Thursday 9 February 1922 a meeting was held at the Gresham Hotel, Dublin to establish a police force to replace the RIC. The Civic Guard was so formed on 22 February 1922 and renamed the Garda Síochána on 8 August 1923. The Civic Guards were initially armed and trained at the Royal Dublin Society Showgrounds, Ballsbridge, Dublin and transferred from there to Kildare Military Barracks on 25 April 1922. Following a mutiny in Kildare the first commissioner, Michael Staines, T.D. tendered his resignation on 18 August and he was succeeded as Commissioner by General Eoin O'Duffy on 10 September. Dublin Castle and nearby Ship Street Barracks was taken over by the Civic Guards on 17 August 1922. It was here that 19 year old Charles Eastwood, Civic Guard 1017 was

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accidentally shot dead by a colleague, Leo Herde, Civic Guard 1498 on 20 September. It was decided that the Civic Guards would henceforth be an unarmed police force. On 28 October 1922, the Civil War claimed the first life of a Garda when Garda Henry Phelan was shot dead in Mullinahone, Co. Tipperary when he was mistaken for his brother, a former member of the RIC. In the same month the Gardaí moved to Collinstown, Co. Dublin and then to the Phoenix Park RIC Depot which was vacated on 17 December 1922.

A NEW JUDICIAL SYSTEM

In August 1922 no courts of any kind were sitting in Cork City due to the Civil War. Four hundred prisoners were in Cork Prison in 250 cells (360 military and 40 civilian prisoners). On 11 August 1922 a deputation of three members of Cork Corporation together with members of the Chambers of Commerce and other public bodies were appointed to wait on Major-General Emmett Dalton of the National Army, in reference to the formation of a police force for the City of Cork. Interviews were held at Cork Courthouse on 14 August and 30 members of the Cork City Police, otherwise called the Cork Civic Patrol took up duty on 16 August. A total of 104 were recruited. They were unarmed but had the aid of the National Army in the performance of their duties which embraced the conducting of the city traffic, the arresting of looters, and the supervision of public houses, the proprietors of which were requested to close their premises at 10pm until normal conditions were restored. The police duties were so arranged as to provide for all-night patrols. Major offenders arrested by the C.C.P. were brought to Cork Prison and looters were taken to Moore's Hotel.

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FIRST OFFENCES

On 9 November 1922 the first contingent of Civic Guards arrived in Cork by boat and were billeted in the School of Music as the former RIC barracks at Union Quay had been burned by the Anti Treaty forces following its evacuation. On 20 December 1922, the Adaptation of Enactments Act (Act 2 of 1922) became law by which Justices of the Peace and the Resident Magistrates were deprived of their powers, which were thenceforward exercised by District Justices (Section 6 of the Act). Superintendent Eamon Cullen on his arrival in Cork City in a report dated 19 December 1922 to the Commissioner of the Civic Guard he outlined the appointments of Mr. O'Sullivan and Mr. Troy as justices in Cork City from 20 November. He also stated that there were 22 indictable and 34 minor offences "brought forward in the name of the police". His report gives the names of the complainants as both members of both the Civic Guards and the C.C.P. giving evidence both individually and jointly. The types of crimes and offences recorded were assaults, housebreaking, false pretences, larcenies of bicycles, larceny of goods from a pawnbroker's establishment, larceny of an overcoat, larceny

of a gold ring, larceny of lead, illegal possession of a typewriter, immoral conduct, drunkenness while in charge of a horse and car, simple drunkenness and disorderly behaviour.

When one considers that the new Civic Guards and the C.C.P. were investigating ordinary crimes and offences over Christmas 1922, it is difficult to imagine that a civil War was raging. This obviously shows the dedication, commitment and devotion to duty of the new Civic Guards and the co-operation afforded them by the general public in Cork.

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DUBLIN METROPOLITAN POLICE

In the same week in the Northern Police Court, Dublin, a number of motorists were fined between 10 shillings and £3 on charges of exceeding the speed limit. These offences were brought by members of the Dublin Metropolitan Police. One defendant who had an appointment in Trinity College Dublin covered the journey in fifteen minutes from the Dun Laoire side of Blackrock when stopped. The DMP, an unarmed police force, had policed the Dublin Metropolitan District since 1836 and continued to do so until they were amalgamated with the Garda Síochána in April 1925. The Detective Division or 'G' Division of the DMP formed in 1843 was armed and were decimated during the War of Independence by members of Michael Collins' Squad. The 'G' Division detectives were immortalized when US detectives became widely known as the G-men. Following the Treaty, Collins as Director of Intelligence appointed thirty members of his Squad to the Protective Corps, with headquarters at Oriel House, Westland Row, Dublin who afforded protection to members of the Provisional Government. The Anti Treaty Forces occupied the Four Courts in June 1922 and thus began the Civil War.

ORIEL HOUSE CID

On 22 August 1922 Michael Collins was killed in an ambush at Beal na Blath, Co. Cork. The same day, in addition to the Protective Corps under the control of the National Army Military Intelligence, the Criminal Investigation Department was formed to 'be distinct from existing police forces with separate headquarters under direct control of the Minister for Home Affairs.' It was formed from members of the National Army and the Irish Republican Police and was also based at Oriel House, Westland Row. They consisted of over 100 heavily armed men and three women detectives who were 'cloaked' as typists and 'engaged in special duties connected with the detection of women engaged in hostilities against the Government.' On 25 August 1922 CID Motor Driver John J. Murray was wounded in the leg at Dean's Grange and died later of his wounds. On 27 August a bomb was thrown at a party of CID men at the Canal Bridge, Drumcondra. It failed to hit the men but exploded outside a provision store and injured two women passersby. On 17 September

1922 Oriel House was stormed and a CID officer Anthony Deane was shot dead. On 22 December CID Assistant Inspector was wounded at Ellis Quay, Dublin and died of his wounds on 29 December 1922. Also on 19 October 1923, Thomas Fitzgerald, CID Motor Driver was shot dead at Ashtown, Co. Dublin following an armed robbery of £40 from Messrs. Rathborne's candle factory at Castleknock by three dispatch riders of the National Army. One of the attackers was shot dead in the course of the chase and the other two raiders were captured. William Downes was convicted of Thomas Fitzgerald's murder on 29 October 1923 and executed by hanging at Mountjoy Jail on 29 November 1923 – his execution being the first hanging in the history of the Irish Free State.



Thomas Fitzgerald, (left) CID Motor Driver, was shot dead on 19th October 1923 by William Downes (right) who was hanged for the murder on 29th November, 1923 – the first execution in the history of the Irish Free State.



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STABILITY

The State of the country and the credit to the police forces was outlined in a speech by Mr. Kevin O'Higgins, Minister of Home Affairs at Dun Laoghaire on 29 October 1923.

"There are over 600 Civic Guard stations established to date out of a total establishment which provides for 800 stations. They have done, and are doing splendid work, in restoring order and stability in the country. Their discipline is of a high order and gaining experience from week to week they bid fair to become as fine a force as any country in the world can show. Great credit is due to General O'Duffy who in the most adverse circumstances built up such an admirable service for the people.

The Dublin Metropolitan Police are, I am glad to say full of vigour and enthusiasm in the service of the citizens, and the statistics of crime detected in Dublin compare favourably with those of any big city in England or on the Continent. Within recent weeks, in particular, there have been cases of unarmed DMP men dealing very effectively with armed criminals. I am completely confident that that fine force will continue to earn the respect and goodwill of all decent citizens, and that it will also earn the respect without the goodwill of those who give way to criminal instincts.

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You are well aware of the good service given by the men of Oriel House during the last twelve months. They share with the Army the dangers and the toils of a peculiarly trying campaign, and their success in defeating and exposing the methods of the enemies of the State did much to hasten a return to more normal conditions. That success made them the objective alike for bomb and bullet and for poisonous propaganda, but the citizens of Dublin and of the country know that those men did their duty fearlessly. In the near future about 30 picked men from Oriel House will be associated in a new Criminal Investigation Department with the Detective Division of the Dublin Metropolitan Police. Oriel House had no statutory existence, and as we pass from conditions of revolt into a more stable situation, it is thought better to associate a selection of its members with the Metropolitan Police rather than to seek legislative sanction for the formal establishment of a separate institution. I have been fortunate in securing for the headship of the new Detective Branch an officer who has given distinguished service in the National Army - Colonel David Neligan. I feel that the citizens of Dublin will have reason to approve of the administration steps that have been taken. When Colonel Neligan has his branch under way, I will not hesitate if the situation in the country requires it, to seek the necessary powers to enable its members to deal with major crime in any part of the country. That is the machinery of the Government to combat crime.

I would like to say a word as to the mentality behind that machinery. The police forces recognize that the purpose of their existence is the suppression of crime, not merely the harassing of particular criminals. Crime will be fought remorselessly and impersonally in every square mile of our territory in whatever quarter it may raise its head. We have no more use for the criminal who invokes the name of Michael Collins or Arthur Griffith than we have for the criminal who invokes the name of Mr. DeValera. When we joined issue with the irregulars we went out not simply to catch or kill a particular combination of individuals, but to defeat and suppress and utterly smash a mentality which menaced the political and economic life of the nation. If that mentality manifests itself in our own ranks we must recognize it as being not less, but more, fatal to the body politic than when it masqueraded under the banner of the Republic. We are determined to create and maintain conditions here which will enable people to lend their money to their own country - to the common Exchequer with every confidence of present stability and future prosperity."

GARDA SÍOCHÁNA DUTIES

On 29 October 1923 the Oriel House C.I.D was disbanded and its members transferred to the Dublin Metropolitan Police. In April 1925 the DMP was amalgamated with the Garda Síochána. The first Garda

feared. Unlike many other Government services the Garda's activities dealt not only with their own department, i.e. the Department of Justice, but with the work of many others. The Ministry of Agriculture depended to a large extent upon the services of the Gardaí in many important particulars. In a country whose principal industry was the cattle trade the duty of the Garda in respect of acts and regulations was an important one. The Garda enforced the Protection of Animals Act, the Diseases of Animals Act, the Livestock Breeding Act, Sheep Dipping Orders and Swine Movement Orders. In the protection of animals Gardaí were required at fairs and markets, at cattle loading banks, on routes to and from markets, and on the cattle routes to ports and railway stations. Outbreaks of all notifiable diseases, such as cattle plague, sheep pox and swine fever had to be watched for by the Gardaí, reported to the Ministry, and immediate action taken to isolate the animals and the area. Returns of sheep owners were recorded by the Gardaí and forwarded to the various local authorities. In 1928 the Society for the Prevention of Cruelty to Animals made 216 awards to Gardaí for work in connection with animals.

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The various branches of the Ministry of Finance relied on the Gardaí to carry out many important duties, and special and numerous enquiries on their behalf. Particulars required for concessions on duty on motors under the Finance Act, 1925 had to be certified by the Gardaí. In other ways too, the Revenue Commissioners received Garda assistance, such as putting down illicit distillation, control of materials for such distillation, Customs duty on the border, the 'new' Betting and Dogs Acts. The Betting Act imposed additional duties. Certificates of personal fitness and suitability of premises had to be first given by the Gardaí before licenses could be issued. Between 1922 and the end of 1928 the Gardaí had made 2,396 seizures, resulting in the imposition of fines totaling £14,000 in the enforcement of the laws against illicit distillation. On 28 December Garda Thomas Dowling, aged 29 years from Fanore, Co. Clare, was ambushed and shot dead passing the graveyard at Craggagh Fanore, in reprisal for his enforcement of the illicit distillation laws. The Garda border patrols in the 1920's necessitated the employment of 40 men on Special Revenue Patrols. The increases supervision of firearms, the issue of certificates, the inspection of firearms dealers' licenses were all dealt with by the Gardaí under the Firearms Acts. At Tullycrine, Kilrush, Co. Clare, Detective Garda Tadgh O'Sullivan on 11 July 1929 was killed by a booby-trap bomb. On 30 March 1931 Superintendent Sean Curtin was shot dead at Friarsfield, outside Tipperary Town.

For the Ministry of Fisheries the Gardaí had many duties to perform. The 'new' Fisheries Acts included the supervision of licenses of dealers in salmon and trout, examination of registers kept by dealers, enforcing conditions of transit of salmon and trout. The preservation of game

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salmon and trout, examination of registers kept by dealers and enforcing conditions of transit of salmon and trout. The preservation of game largely depended on the Gardaí and the Force was also charged with the execution of Poaching Prevention Laws. For the Ministry of Industry and Commerce the Gardaí were to certify claims of Unemployment Benefit and make all enquiries concerning same. They also had to provide Weights and Measures Inspectors for the local authorities, which necessitated the employment of some 60 sergeants. Concerning Local Government, the Gardaí acted as Inspectors of Food and Drugs and also enforced the bye-laws which were made from time to time by the local authorities. Revision of the Electoral Lists were imposed upon the Gardaí as were additional powers and duties under the Electoral Acts. Under the Street Trading Acts the licensing and the registration of street traders imposed queries from various government departments in administrative matters. Applications for passports had to have their applications certified by the Gardaí, and in the case of citizens of the Irish Free State resident in England, special enquiries and reports had to be made.

With the increased use of mechanical transport, duties regarding traffic control fell upon the Gardaí. Pointsmen had to be taken from ordinary police work and placed on traffic duty. In 1929 there were 150 members so employed, with no corresponding increase in strength, each day of the year, with increased numbers at the weekends. Buses, Taxis, hackneys had to be examined and passed and licensed and continuously supervised. The compilation of the national Census also fell upon the Gardaí and in 1926 necessitated the employment of 2,000 enumerators over a six week period. Each year 1,000 Gardaí were employed for six weeks in the collection of agricultural statistics. In addition various statistics were called for from time to time, such as a Census of Road Traffic and a Census of Shops for the Commission of Food Prices. In enforcing the laws regarding standard bottles, 4 sergeants were employed fulltime in Dublin, and over 20 men in the country areas. During all this time multifarious other duties had to be carried on. Under the Wireless and Telegraphy Act, 1926 new duties were conferred on the Garda. One Garda had to be detailed as a School Attendance Officer under the School Attendance Act, 1926 (Dublin and Cork being excepted. The appointed Garda had many records to keep and was constantly employed in making enquires and verifying particulars in the schools and at the home of the children who failed to attend, and while so employed was used for other police work.

CONCLUSION

In the first decade of policing of the Irish Free State the foregoing duties and laws were successfully enforced because the Garda Síochána maintained contact with their community, both on the beat and when interacting and socializing. Their mere presence made people feel safer in

their work, and living environment. People lived and worked in localized communities. Such was the lifestyle that everybody knew everybody's business: where they worked, played, etc. But most of all they knew their local Garda by name, their movements and their whereabouts at any given time. They also shared information with them on a regular basis.

Sir Robert Peel (1788-1850) in 1829 whilst developing the London Metropolitan Police devised his now well-known "Nine Principles of Policing." In Principle Seven he states:

"To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police: the police being only members of the public who are paid to give full time attention to duties which are incumbent of every citizen in the interests of community welfare and existence." This principle was adopted by the first Garda Commissioner, Michael Staines, T.D. when on 9 September 1922, the eve of his leaving office, he defined the future role of the police in Irish society. He wrote: "The Garda Síochána will succeed not by force of arms or numbers but on their moral authority as servants of the Irish people." Eoin O'Duffy in his decade as Commissioner from 1922 to 1932 fulfilled his predecessor's objective.

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