

NEAMHSHRIANTA/UNRESTRICTED

Strategic Human Rights Advisory Committee



Annual Report

2021

Commissioner's Foreword

A human rights ethos is the foundation of the work of An Garda Síochána. All Garda personnel have an obligation to respect and protect the human rights of all individuals with whom we interact in our day-to-day work.

I hold the firm view that our most basic duties and responsibilities allow society to live in safety, and free from violence and crime. It is incumbent upon us all to respond respectfully, and consider the needs of those with whom we interact, in whatever capacity that interaction takes place. This is not always an easy task, but keeping this ideal at the core of our actions and decision-making will see us through, even in the most challenging situations.

The ability for An Garda Síochána to call upon expert and timely feedback from the Strategic Human Rights Advisory Committee (SHRAC) has proven invaluable in allowing An Garda Síochána to follow this human rights-based approach to policing, particularly when faced with the unique challenges encountered in 2021. I wish to take this opportunity to thank the SHRAC for your continued commitment to helping An Garda Síochána to better understand your areas of expertise and develop our policing service, to ensure it is meeting human rights standards. Finally, it gives me great pleasure to present the second Annual Report of the SHRAC setting out the work of the committee in 2021.



J A Harris
Commissioner
An Garda Síochána

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SHRAC Membership

The following representatives make up the membership of the Strategic Human Rights Advisory Committee:

- Commissioner, An Garda Síochána (Chairperson)
- Deputy Commissioner, Policing and Security, An Garda Síochána
- Deputy Commissioner, Strategy, Governance and Performance, An Garda Síochána
- Chief Administrative Officer, An Garda Síochána
- Executive Director, Legal, An Garda Síochána
- Executive Director, Human Resources and People Development, An Garda Síochána
- Director of Communications, An Garda Síochána
- Assistant Commissioner, Roads Policing and Community Engagement, An Garda Síochána
- Assistant Commissioner, Garda National Crime and Security Intelligence Service, An Garda Síochána
- Assistant Commissioner, Organised and Serious Crime, An Garda Síochána
- Assistant Commissioner, Governance and Accountability, An Garda Síochána
- Department of Justice
- Bar Counsel of Ireland
- The Law Society of Ireland
- Garda Síochána Ombudsman Commission
- Garda Inspectorate
- Office of the Director of Public Prosecutions
- Irish Human Rights and Equality Commission
- Irish Centre for Human Rights, NUI Galway
- Dublin Rape Crisis Centre
- National Disability Authority
- An Garda Síochána External Human Rights Legal Advisor
- Chief Superintendent, Crime Legal, An Garda Síochána
- Chief Superintendent, Garda College and Director of Training and CPD, An Garda Síochána
- Chief Superintendent, Cavan/Monaghan, An Garda Síochána
- Chief Superintendent, Garda National Protective Services Bureau, An Garda Síochána
- Superintendent, Crime Legal and Human Rights Legal Advisor (internal), An Garda Síochána
- Superintendent, Garda Ethics and Culture Bureau, An Garda Síochána
- Superintendent, Corporate Services, An Garda Síochána

SHRAC Terms of Reference

- To advise on the general strategy for embedding and ensuring compliance with the human rights standards, described in the Human Rights Framework, in all aspects of the work of An Garda Síochána.
- To provide evaluation of compliance of An Garda Síochána with human rights standards, described in the Human Rights Framework and make appropriate recommendations on ways to strengthen compliance.
- To evaluate delivery and make recommendations on training in human rights in An Garda Síochána.
- To report annually on the work of the committee during the previous year.

Schedule of Meetings

The SHRAC aim to meet every quarter and in 2021 the SHRAC held virtual meetings on the following dates:

- 26 March 2021
- 25 June 2021
- 17 September 2021
- 10 December 2021

Guest speakers

The SHRAC had four guest speakers who presented to the SHRAC on a number of different subject matters in 2021. These were as follows:

- Doctor Harry Kennedy of the Central Mental Hospital, Dundrum presented on “The Understanding of Entrenched Beliefs and Mental Health Post Pandemic”, at the meeting of the SHRAC on 26 March 2021.
- Ms. Kathleen O’Toole, chair of the Commission on the Future of Policing in Ireland, spoke to the members of the SHRAC in relation to the approach An Garda Síochána has taken with regard to human rights based policing, and her experiences of human rights and policing in general, at the meeting of the SHRAC on 25 June 2021.
- Justice Mary Rose Gearty presented on the area of unconscious bias at the meeting of the SHRAC on 17 September 2021.
- Doctor Alan Cusack, Lecturer in Law at the University of Limerick, presented an overview of the legal position of vulnerable suspects and defendants in Ireland at the meeting of the SHRAC on 10 December 2021.

Key Issues

The following is a breakdown of the key issues raised at the SHRAC meetings in 2021:

- **COVID-19 Policing Response**

The practical application of the COVID-19 policing response continued to be an area of particular interest to the SHRAC in 2021. As a result, regular briefings were made, outlining developments in the response of An Garda Síochána to the ever-changing landscape of the pandemic. In accordance with our mission statement 'Keeping People Safe', the primary responsibility for An Garda Síochána throughout the pandemic has remained the continuing provision of a policing service to the community, while also focusing on our core policing goals to protect life and property, and the prevention and detection of crime. In order to ensure that the restrictions did not impact on public service delivery, An Garda Síochána implemented a prioritised strategy to support the Government in reducing the impact of COVID-19, and to ensure the provision of the best possible service to the public and essential State services as follows:

- Acting to minimise the risk to the public by promoting, through good practice, the advice of the HSE. This includes acting in a way to thwart the spread of COVID-19 via social transfer.
- Maximising the safety of the public through engaging, explaining, encouraging and ultimately enforcing the health regulations.
- Acting to prevent and detect crime, preserve the peace, and reduce road traffic collision fatalities and injuries.
- Promoting confidence in An Garda Síochána through retaining a close connection with our community, providing accurate and timely information, by supporting, as far as possible, the patterns of daily life with civility and courtesy, and by continuing to seek out and respond to those who were vulnerable.

- **Challenges of policing during the pandemic**

Some of the many challenges of policing during the pandemic were discussed at SHRAC meetings in 2021. The complexity of the COVID-19 regulations and use of anti-spit guards were discussed. The SHRAC were given a presentation on the evaluation and update in 2021. All of the comments and inputs from the SHRAC were taken into consideration during the evaluation and as part of the ongoing review of the use of the device. The management and use of the anti-spit guard remains under review by An Garda Síochána. The Commissioner informed the SHRAC that he had invested significant effort in ensuring those at risk of domestic violence were protected.

- **Computer Aided Dispatch (CAD) Audit**

The Commissioner spoke about an audit that was completed of incidents which are transferred from CAD to PULSE. In this audit, it was discovered that a large amount of incidents had been cancelled. He informed the SHRAC that the domestic violence policy states that all incidents must be on PULSE because of the follow up requirement. If an incident does not move from CAD to PULSE, then the victim may be deprived of essential services. In this case, some of the incidents were cancelled and accepted as closed.

The Commissioner explained that he placed a significant emphasis on policing domestic violence throughout the pandemic and to (or also to) looking after vulnerable people. He explained that this failing was very disappointing. He informed the SHRAC that the problem will be rectified through technology, training and potentially discipline, where performance was the issue.

- **Human Rights Champions - Certificate in Policing and Human Rights Law in Ireland**

In 2021, two groups of Garda personnel (members and staff) undertook the “*Certificate in Policing and Human Rights Law in Ireland*” course. This was developed by An Garda Síochána Human Rights Section, in collaboration with the University of Limerick and is accredited at Level 8 on the National Framework of Qualifications (NFQ). This 12-week bespoke training course stems from the strategy goal of “*Training*”, as set out in An Garda Síochána Human Rights Strategy 2020-2022.

The first set of Human Rights Champions completed the Policing and Human Rights Law in Ireland course in May 2021, while the second set completed the course in December 2021. Over 1000 Garda personnel of all ranks and grades completed this initiative to become Human Rights Champions. In addition, over 30 participants from external stakeholders undertook the course. These included individuals from:

- The Police Service of Northern Ireland
- The Defence Forces
- The Garda Inspectorate
- The Policing Authority
- GSOC

Graduation ceremonies for the first cohort of Human Rights Champions took place in Dublin and Cork. Ceremonies scheduled for Kilkenny and Mayo were cancelled due to rising coronavirus figures in November 2021. A decision on how to proceed with these remaining ceremonies will be made in early 2022.

A breakdown of the Human Rights Champions by rank/grade is set out in the table below:

Rank/Grade	Number
Deputy Commissioner	2
Chief Administrative Officer	1
Assistant Commissioner	7
Executive Director	1
Principal Officer	3
Chief Superintendent	35
Civilian Professional	5
Civilian Solicitor	1
Legal Professional	1
Superintendent	124
Assistant Principal	30
Inspector	178
Higher Executive Officer	28
Administrative Officer	6
Sergeant	305
Executive Officer	77
Garda	165
Clerical Officer	38
Temporary Clerical Officer	1
Total	1008

- **Human Rights Champions – Phase 2 Learning Sessions**

The second phase for the Human Rights Champions, which comprises of bespoke learning sessions, has also commenced. These learning sessions are a series of mixed media learning experiences, produced in partnership with external stakeholders, and touch on areas such as mental health, unconscious bias, Autism Spectrum Disorder, neurodiversity and addiction. These sessions are designed to reinforce and develop Garda personnel, with regard to the practical application of a human rights based approach to policing in these areas. The sessions are hosted on a bespoke human rights page within the Garda LMS system, with the support of the Garda College.

As a Human Rights Champion, Garda personnel will:

- Be a human rights advocate by using their voice to promote and protect the human rights of all persons they encounter.
- Lead by example and carry out their duties in a human rights compliant manner, leading other Garda personnel to follow this example.
- Use their knowledge and learning to promote human rights within An Garda Síochána, by instigating conversations about human rights where relevant.

- Participate and engage in learning opportunities and initiatives made available, and encourage other Garda personnel to participate in human rights related learning opportunities.
- Develop ideas for how to promote the visibility of human rights in our work. If possible in their role, they may have the opportunity to engage with people in local communities, to identify opportunities to help develop An Garda Síochána with regard to human rights standards.
- Provide feedback on this initiative to help continue supporting positive change within the organisation.

- **Human rights related e-learning programmes completed in 2021**

The Garda College has taken a proactive approach to the provision of human rights/ethics training across its prospectus of developmental and skills programmes. Human rights and ethics form the central tenet of the Garda Decision Making Model. This model has become the fulcrum for programme participants to consider their actions from a human rights and ethical perspective in scenario based programmes. This approach is often referred to as the golden thread that underpins the facilitation of human rights based training in the organisation.

This is also demonstrated through the provision of e-learning to the organisation as part of the Policing Service for the Future of Policing in Ireland implementation plan. The Garda College continues to engage with policy owners in specialist sections to design, develop and deploy e-learning programmes, which have the ability to reach each individual in the organisation and provide learning from recognised subject matter experts in prioritised programmes, as instructed by the Garda Executive. The following provides a breakdown of the SHRAC related e-learning programmes 2021, which have been mentioned as part of the briefing to SHRAC by various policy holders:

Course Name	Course Duration	Target Audience	Returns 2021
Domestic Abuse Training	5 hours	Operational Gardaí & Designated Garda Staff	11,642
Domestic Abuse Risk Evaluation Training – Regional Phased Release	1 hour	North Western Region	2,363
		Southern Region	2,656
Domestic Violence Orders (Pulse)	10 Minutes	Garda Members and Specialist Sections	7,558
Garda Decision Making Model	20 minutes	All Organisation	15,910
Use of Force	1 hour	Sgts/Insp/Supts/Garda Information Service Centre Staff	2,497

Anti-Corruption	1 hour	All personnel	8,050
Anti-Spitting Guard Training	15 Minutes	All Garda Members	7,800
Total SHRAC related e-learning programmes completed 2021			58,476

An Garda Síochána also provides funding for third level programmes, which contain bespoke modular content on human rights/ethics:

- Garda Executive Leadership Programme, facilitated by the Irish Management Institute, accredited by University College Cork (level 9) – 41 participants, 2021.
- Professional Certificate in Governance, facilitated by the Institute of Public Administration, accredited by National University of Ireland (Level 9) – 117 participants, 2021.
- BSc in Police Leadership and Governance, facilitated by the Michael Smurfit Business School, accredited by University College Dublin (level 8) – 70 participants, 2021.

This reflects some of the completed delivery of human rights/ethics training across a diverse ambit of development and skills programmes in the organisation in 2021.

- **Human Rights Strategy 2022-2024**

The Human Rights Strategy 2020-2022 expired on 31 December 2021 and preparing for the next strategy was an existing goal of this outgoing strategy. The action for this goal was to '*Identify new challenges and ways of preparing for the Human Rights Strategy 2022 – 2024*'.

A draft Human Rights Strategy 2022-2024 was presented to the SHRAC at the December 2021 meeting, following an extensive internal and external consultation process. Feedback has been received from members of the SHRAC and this is being considered before a final draft is put before the Commissioner for approval, ahead of the scheduled launch of the Human Rights Strategy 2022 – 2024, set for the Q1 2022 meeting of the SHRAC.

Conclusion

The Strategic Human Rights Advisory Committee (SHRAC) will continue to meet quarterly in 2022 and report on its outcomes. The secretariat function in respect of SHRAC rests with An Garda Síochána Crime Legal Human Rights Section, who can be contacted by phone at 01 66 60331 and/or by email at crimelegal.humanrights@garda.ie.