

An Garda Síochána



Review of Serious Public Order Incident at An Cosan, Kiltalawn, Tallaght, Dublin 24 on the 15th November 2014 during the visit of An Tanaiste and subsequent criminal proceedings

Executive Conclusion and Recommendations

Pre Event

The Review has established that there was no intelligence received prior to the event which suggested that any protest at this location on the 15th of November, 2014 was due to take place. However, there is little or no evidence to suggest that in the period leading up to this event any strategic assessment or overview was undertaken within An Garda Síochána as to the extent of Public Disquiet and the potential impact on Public Order & Protection. From the benefit of hindsight, it is clear that the risk of a serious outburst of Public Disorder was likely to occur around this time as demonstrated by the considerable number of Public Order incidents surrounding the installation of water meters in October and November 2014, coupled with the two specific incidents in the days immediately preceding this visit of the Tanaiste to Jobstown. These events should have increased the level of risk and been picked up by Garda Intelligence. Since this incident Operation Mizen has been established which is measured progress. However, it is unclear as to who or what section within An Garda Síochána is responsible for such an assessment and this needs to be clarified.

Recommendation

An Garda Síochana at a strategic level should ensure that robust structures and processes are in place to monitor levels of public order and identify at an early juncture potential risks and vulnerabilities.

Event Response

It is the view of this Review that from the perspective of a basic policing operation the policing response in this instance was a qualified success. This is borne out by the fact that the then Tanaiste and her assistant were extricated from the protest without physical injury. Furthermore, when this event concluded no protestor reported any physical injuries or lodged any complaint in respect of the conduct of members of An Garda Síochana who participated in the policing of this event. However, evidence would suggest that the event lacked strategic direction and various tactical options do not appear to have been explored. Whilst there are a number of Procedural Directives in respect of both On Scene Command and Critical Incident Management this area of Policing is not adequately catered for from a Policy perspective. The Review is aware of a Draft Policy on Public Order Incident Command and this Policy should be published with any appropriate modifications as a matter of urgency. This will provide both direction and consistency in the policing of similar events into the future.

Recommendation

An Garda Síochana should as a matter of urgency publish, with any appropriate modifications, the H.Q. Directive on Public Order Command Policy.

Recommendation

Garda Policy and Procedures should reflect the divergent elements associated with such incidents and both Garda Decision Making Model and Risk Assessment Matrix should be incorporated into Operational Plans and on site actions.

Recommendation

Internal personnel selection and development processes should be undertaken to respond to the differing challenges posed by such events to ensure that the most appropriate resources are deployed.

Recommendation

Training in Strategic, Operational, Technical and Tactical command should be developed on a tiered basis to ensure *an* appropriate level of experience and expertise at a Regional level to ensure that An Garda Síochana has the capacity to respond to similar events.

Communication

An examination of the communications transmitted to and from the Garda Communications Centre, Harcourt Square, gives little indication of any strategic control or direction into how this event was managed. The Garda Communications Centre provides a key role at such events particularly in the assimilation and dissemination of information and intelligence to support both Strategic and Operational Command. Garda Communications are pivotal in such events and their role and responsibilities in supporting the Strategic and Operational response must be clearly set out and documented. Recent progress in this area has been demonstrated

by the introduction of a Critical Firearms Incident Policy and the responsibilities this places on Garda Communications. This practice should extend to similar major events including Serious Public Order Incidents.

Recommendation

The Policy and Procedures in respect of Critical Firearms incident and the responsibilities it places on Garda Communications should be extended to other critical response areas including Serious Public Order incidents.

Investigation

Strategic Oversight

The review identified that members of the Crime Investigation Management Team were present at a number of case conferences; it is unclear as to whether a formalised and documented Strategic approach to this incident was undertaken. Such an approach would ensure that Strategic Objectives are established and documented at the outset and how the progress of the investigation meets the objectives. Moreover, there is little evidence to suggest that an evaluation or assessment was undertaken at key stages during the investigation which would support this opinion.

Recommendation

Prior to the commencement of a Major Investigation the Crime Investigation Management Team should assemble with the relevant Technical support and formally establish and document the objectives, process and outcomes of the Investigation which shall be subject to periodic reviews to ensure that the investigation remains in keeping with its strategic objectives.

Policy and Procedures

From an objective perspective this investigation was brought to a successful conclusion, with a significant number of files submitted to the Director of Public Prosecutions in an efficient and expeditious manner. The opinion of the Review Team is that although not all of the existing policies and procedures were followed to the letter, there was more than sufficient compliance and in cases where non-compliance was encountered, this did not affect the overall outcome of the investigation. However, when set against the benchmark of court outcomes it is questionable as to how successful this investigation actually was. Whilst this aspect could not be explored in this module, I suggest that given recent decisions by the Director of Public Prosecution that this aspect be reviewed. This aspect has recently been the subject of correspondence forwarded from this office to the office of the DPP and a response is currently awaited.

Recommendation

Consideration should be given to apportioning a level of significance in Serious Crime Investigations to ensure that the appropriate Managerial, Technical and Operational resources are applied to each investigation commensurate with its significance and complexity.

Recommendation

Training modules should be developed at a Strategic, Managerial, Operational and Technical level to develop personnel to the required standard to conduct each category of Major Investigations.

Quality Assurance

The review team is of the view that whilst the basic principles and practices in Major Investigations were undertaken in this instance, local practices and procedures which develop over time have the potential to erode standards. The team is aware of proposals to introduce an Electronic Major Investigations Management System in the future and this is to be welcomed. However, in the interim a number of remedial actions should be undertaken.

Recommendation

The introduction of the Major Investigations Management System should be identified as a key strategic imperative for An Garda Síochána thereby ensuring its introduction at the earliest juncture. In the interim existing standardised practices and policies in the investigation of Major crimes should be adhered to throughout An Garda Síochána.

Data Quality

In relation to Pulse Data Quality, whilst elements of the policy were adhered to, a number of procedural deficits were identified and are documented in the Appendix C. It is likely that similar deficiencies occur in other Major Investigations and accordingly responsibility for ensuring the integrity of Pulse Data Quality should be assigned as part of the investigation process.

Recommendation

Responsibility for the correct recording and updating of Pulse Data should be assigned as a distinct element of any Major Investigation to ensure that all such Investigations fully accord with Pulse Data recording policies.