



Policy Document

Evictions and Repossessions

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Approved by	<i>Garda Executive</i>
Introduced by	HQ Directive 035/2026
Policy Owner	<i>Assistant Commissioner Southern Region</i>

1. Purpose

The purpose of this evictions and repossessions policy is primarily to outline the required policing response for members of An Garda Síochána upon a request for, and if necessary the attendance at, the scene of evictions and repossessions of any property. On planning a response, it is imperative that all personnel have a clear understanding of the request and the role that personnel will perform if and when attending such evictions and repossessions.

Evictions and repossessions are a civil process that are complex and sensitive issues. It is imperative that all Garda personnel, regardless of their role or function, understand that every individual has rights as enshrined in the Irish Constitution.

This policy and its associated procedure document outline the response that must be considered and delivered at any eviction or repossession incident, and will aim to:

- Preserve Peace and Public Order
- Protect Life and Property
- Vindicate the Human Rights of each individual

2. Scope & Compliance

This document and all associated documentation applies to all An Garda Síochána personnel as defined by Section 44 of the [Policing, Security and Community Safety Act, 2024](#). This includes Garda Trainees, Police Officers from the Police Service of Northern Ireland (PSNI) and other persons seconded to An Garda Síochána in accordance with Sections 53, 94 and 93 of the [Policing, Security and Community Safety Act, 2024](#) respectively.

3. Policy Statement

Evictions and repossessions are a civil process that are complex and sensitive issues, with both the landlord and the occupier professing their right to possession and/or occupancy of the property at issue.

Garda Personnel must be aware that every person has the right to respect, fair treatment and personal dignity and any action taken must not unjustly, unreasonably or arbitrarily discriminate between individuals. The aim of this document is to provide information in order to allow Garda Personnel carry out their statutory functions whilst being cognisant of the interests of all parties concerned.

All Garda personnel are responsible for ensuring that the principles contained within this document and its associated procedure document are adhered to. There is a duty on all Garda Personnel to conduct their duty in line with the principles outlined in the Code of Ethics.



While the functions of An Garda Síochána, as provided for by Section 9 of the Policing, Security and Community Safety Act 2024, are extensive, they are supported by relevant legislation regarding breaches of the Criminal Law, which specifically outline breaches, penalties and the associated legislative powers entrusted on An Garda Síochána.

However, our legislative powers do not extend to civil law matters nor enforcements of breaches of any aspect of civil law. An Garda Síochána is not authorised to engage in any enforcement actions of civil law processes unless directed to do so by a Court Order.

In this regard, Gardaí responding to, or requested to attend, the scene of an eviction/repossession of any property, will restrict their involvement to ensuring that a breach of the peace is not disclosed. If any allegation of a criminal nature is witnessed, disclosed or alleged, in respect of both tenants and landlords and/or any of either parties' agents, it will be investigated in the same manner as any other criminal investigation, through the obtaining of written statements of complaint from victims and witnesses, and all other investigative procedures.

This policy and associated procedure document has been developed with the aim of ensuring the following;

- Professional policing behaviour dictates that Garda Personnel must not abuse their policing powers or authority and must at all times treat the public they serve with dignity, respect and in a Human Rights compliant manner.
- The function of the Garda Síochána is defined pursuant to [Section 9 of the Policing, Security and Community Safety Act 2024](#). While providing policing and security services for the State, An Garda Síochána shall complete this function including, but not limited to, the objective of preserving peace and public order, protecting life and property and vindicating the Human Rights of each individual.
- All calls for service for evictions and repossessions are evaluated and categorised correctly.
- All complaints of a criminal nature are fully and thoroughly investigated.
- That all calls for service are correctly and accurately recorded on PULSE.
- Where court orders are presented, An Garda Síochána will verify their authenticity and thereafter comply with the provisions of the Order in so far as they relate to An Garda Síochána.
- All actions taken by any member of An Garda Síochána must comply with the principles of legality, necessity, proportionality and accountability and be applied in a non-discriminatory manner in accordance with the principles of the European Convention on Human Rights (ECHR).
- It is the duty of all members of An Garda Síochána to carry out duties in accordance with the Code of Ethics.



4. Garda powers and related legislation

Members of An Garda Síochána present at an eviction or repossession should be familiar with the following legislation;

- Policing, Security and Community Safety Act 2024,
- Garda Síochána (Recording Devices) Act, 2023
- Criminal Justice Act 2007
- Residential Tenancies (Amendment) Act 2019
- Residential Tenancies Act 2004
- Non-Fatal Offences Against the Person Act 1997
- Criminal Justice (Public Order) Act 1994
- Criminal Damage Act 1991
- Enforcement of Court Orders Act 1926 (Section 25)

Where the presence of CCTV footage is known to Gardaí at an event where an offence has been alleged to have occurred, in accordance with the relevant case law Gardaí must seek out and retain such CCTV evidence.

5. Legal & Human Rights Screening

This document has been Legal and Human Rights screened in terms of the respective obligations placed on An Garda Síochána for the subject area concerned.

6. Ethical Standards & Commitments

An Garda Síochána Personnel must observe and adhere to the standards and commitments set out in the [Code of Ethics for An Garda Síochána](#) and uphold and promote this Code throughout the organisation.

7. Post-Implementation Review

This document and all associated documentation will be reviewed twelve months from its date of effect and every three years thereafter or as appropriate.

8. Disclaimer

This document is not intended to, nor does it represent legal advice to be relied upon in respect of the subject matter contained herein. This document should not be used as a substitute for professional legal advice.

9. Data Protection Impact Assessment

All Garda Personnel will process personal data for legitimate business purposes only and in line with a clearly defined lawful basis under the [Regulation \(EU\) 2016/679 - General Data Protection Regulation \(GDPR\)](#) and/or Data Protection Acts 1988-2018, as applicable.



All necessary measures will be put in place to ensure the personal data is kept safe and secure and only authorised personnel shall have access to personal data. Only relevant personal data will be processed, and will not be retained for longer than is necessary. All personnel are required to ensure that individual's data protection rights are adhered to and to identify and mitigate against any suspected data breaches.

