



Policy Document

Overarching Use of Force

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Approved by	<i>Garda Executive</i>
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Policy Owner	Assistant Commissioner, Roads Policing and Community Engagement

1. Purpose

An Garda Síochána is the national policing and security service of Ireland. Policing organisations are defined by their capacity to use legitimate force in the performance of their functions. An Garda Síochána is given powers under statute and common law to use force, but only when necessary and proportionate. An Garda Síochána is accountable for any such use of force. Without these and other powers, it would not be possible for An Garda Síochána to perform the functions as set out in the [‘Policing, Security and Community Safety Act 2024’](#).

This policy document sets out the duties and responsibilities of Garda personnel to be strictly adhered to in respect of any use of force by a member of An Garda Síochána. This includes planned operations and incidents that require a spontaneous response that are encountered and dealt with by An Garda Síochána on a daily basis.

The aim of this policy is to:

- Ensure that Garda personnel understand their obligations to respect the constitutional and human rights of every individual they interact with;
- Ensure that members of An Garda Síochána adhere to all applicable laws and regulations, training, policy and guidelines when using force in the course of their duties;
- Ensure that members of An Garda Síochána can safely and effectively carry out their statutory and common-law duties and have the appropriate means to effectively deal with people who, or incidents which pose a threat to the public, other Garda personnel or themselves;
- Ensure that the risks associated with arresting violent and otherwise non-compliant people are minimised;
- Provide direction to all members of An Garda Síochána with respect to the use of force generally, and with respect to the equipment provided to assist in carrying out their duties;
- Ensure that members of An Garda Síochána accurately document any use of force in the course of their duties, and the rationale for that use of force; and
- Ensure that adequate support services are available to Garda personnel who are involved in critical and firearms incidents.

An Garda Síochána is fully committed to the fundamental principle of respecting and protecting the human and constitutional rights of all those it engages with in everyday policing in accordance with its function as set out in [Section 9](#) of the ‘Policing, Security and Community Safety Act 2024’.

The objective of An Garda Síochána when performing its function, is to vindicate the human and constitutional rights of each individual by providing a high quality, effective policing service in partnership with the community and in co-operation with partner agencies. In carrying out their duties, members of An Garda Síochána shall, as far as practicable and in so far as the circumstances dictate, consider non-physical means prior to resorting to the use of force.

2. Scope and Compliance

Compliance with 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, other persons seconded to An Garda Síochána and Police Officers from the Police Service of Northern Ireland (PSNI) in accordance with [Sections 53, 93 and 94](#) of the [Policing, Security and Community Safety Act, 2024](#) respectively.



3. Policy Statement

Members of An Garda Síochána will only resort to the use of force in accordance with the law and where it is necessary and proportionate in the circumstances as a last resort and where there is no realistic prospect of achieving the lawful objective by less intrusive means.

The purpose of this policy document is to ensure that members of An Garda Síochána can safely and effectively carry out their statutory and common-law duties and have the appropriate means to effectively deal with people or incidents that pose a threat to the public, Garda personnel or themselves. The document sets out the overarching policy of An Garda Síochána in respect of any use of force option, and guidance on the frameworks within which An Garda Síochána operates.

Members of An Garda Síochána with responsibility for the planning and control of operations or spontaneous incidents where the use of force is a possibility, shall as far as is reasonably practicable, plan and control such situations taking into account all options available. Non-use of force options should be considered before considering the use of force options to determine which option is necessary and proportionate to the particular situation, and ensure to minimise recourse to force, in particular, potentially lethal force.

It is the duty of members of An Garda Síochána to be aware of their responsibilities regarding the use of force in the course of their duties as set out in this policy and associated documents and to comply with same. The primary responsibility for using force rests with the individual member of An Garda Síochána who is ultimately answerable to the law. Every effort should be made to resolve conflict without resorting to the use of force.

The standards for use of force by members of An Garda Síochána must be consistent throughout the organisation. Members of An Garda Síochána must always ensure that the most appropriate option, including both non-use of force options and use of force options, where necessary, are considered with regard to the particular set of circumstances.

It is, therefore, the aim of this policy to ensure that there is an effective and consistent approach, in compliance with the constitutional and human rights obligations of An Garda Síochána adopted across the entire organisation with regard to the use of force.

All members of An Garda Síochána deployed to incidents which have the propensity to necessitate the use of force (whether on spontaneous deployment or planned deployment) shall make their decisions in response to the deployment guided by the [Garda Decision Making Model \(GDMM\)](#) and carry out the appropriate dynamic risk assessment or risk assessment in accordance with current An Garda Síochána policy. The GDMM provides Garda personnel with a decision making process which will assist them in determining the appropriate course of action.

Any use of force (other than in training in accordance with Section 9 of this document), whether intentional or otherwise, must be reported by the member of An Garda Síochána concerned, recorded on PULSE and recorded in the official notebook of the member of An Garda Síochána, journal or other document as may be directed from time to time by the Garda Commissioner. This method streamlines the way use of force is recorded via a series of new tabs on the PULSE System, which will become accessible once a relevant incident is saved.

The fundamental principle underpinning this policy is that any action taken must comply with the fundamental principles of legality, necessity (absolute necessity in terms of lethal force), proportionality and accountability and is applied in a non-discriminatory manner in accordance with the principles of the [‘Constitution of Ireland 1937’](#) and the [‘European Convention on Human Rights \(ECHR\)’](#).



4. 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.

5. 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.

6. 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.

7. 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.

8. Data Protection

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

