



# An Garda Síochána

## Interim Policy Document

### Suspension from Duty of Members of An Garda Síochána

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<b>Approved by</b>	Garda Executive
<b>Introduced by</b>	HQ Directive 003/2026
<b>Policy Owner</b>	Assistant Commissioner, Governance and Accountability

## 1. Purpose

The purpose of this policy is to provide guidance on the suspension from duty of members of An Garda Síochána under in accordance with sections [30](#), [48](#) and [50](#) of the [Policing, Security and Community Safety Act, 2024](#) (hereafter, referred to as ‘the Act’); under regulation 7 and 8 of the Policing, Security and Community Safety Act 2024 (Section 257) (Conduct) Regulations 2024 (hereafter, referred to as ‘the Conduct Regulations’). Continuation of certain regulations and orders.

As per section [261](#) of the Act, the Garda Síochána ([Discipline](#)) Regulations 2007 will continue to apply for disciplinary proceedings that were commenced but not concluded before the coming into operation of section 261 of the Act. These proceedings will be governed by the Garda Síochána (Discipline) Regulations 2007 until their conclusion. The Garda Síochána (Discipline) Regulations 2007 will remain in force to the same extent they were prior to the commencement of the Act, unless specifically revoked or amended.

## 2. Scope and Compliance

Compliance with this document and all associated documentation is mandatory for 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) and in accordance with Sections [53](#), [93](#) and [94](#) of the [Policing, Security and Community Safety Act, 2024](#) respectively.

## 3. Policy Statement

An Garda Síochána is committed to upholding the highest standards of professional conduct, integrity, and accountability among its members. Suspension from duty is governed by sections [30](#), [48](#) and [50](#) of the Act. Regulations 7 and 8 of the [Conduct Regulations](#) establishes a structured framework for suspending members and assigning members to alternative duties, ensuring that any decision is made in a fair and transparent manner.

A person who holds the office of Garda Commissioner, Deputy Garda Commissioner or Assistant Garda Commissioner may be removed from office by the Government but only for stated reasons, including:

- a) The person has failed to perform the functions of the office with due diligence and effectiveness or, in the case of the Garda Commissioner, has failed to have regard to any of the matters specified in [section 26 \(2\)](#) of the Act;
- b) The person has engaged in conduct that brings discredit on the office or that may prejudice the proper performance of the functions of the office; or
- c) The person’s removal from office would, in the Government’s opinion, be in the best interests of the Garda Síochána.

In accordance with regulation 7 of the [Conduct Regulations](#), the Garda Commissioner may suspend from duty a Garda Member for so long as the Garda Commissioner is satisfied that such suspension is:

- a) In the public interest;
- b) Necessary in order to maintain public confidence in An Garda Síochána; or
- c) Necessary for the purposes of the effective investigation of the allegation of misconduct concerned.

## 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.