



Garda Professional Standards Unit

Annual Report

2018



*Seirbhísí gairmiúla póilíneachta agus slándála a sholáthar le hiontaobh, muinín agus tacaíocht na ndaoine ar a bhfreastalaímid
To deliver professional policing and security services with the trust, confidence and support of the people we serve.*

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ABBREVIATIONS

AFI	Area for Improvement
CAD	Computer Aided Dispatch
CO	Clerical Officer
DCU	Dublin City University
DMR	Dublin Metropolitan Region
DNA	Deoxyribonucleic Acid
DPP	Director of Public Prosecutions
EIQA	Excellence Ireland Quality Association
EU	European Union
FCN	Fixed Charge Notice
FCPO	Fixed Charge Penalty Office
FCPS	Fixed Charge Processing System
FSI	Forensic Science Ireland
GDPR	General Data Protection Regulation
GIAS	Garda Internal Audit Service
GNDOCB	Garda National Drugs & Organised Crime Bureau
GNIB	Garda National Immigration Bureau
GNPSB	Garda National Protective Services Bureau
GPCU	Garda Policy Compliance Unit
GPSU	Garda Professional Standards Unit
GRMU	Garda Risk Management Unit
GSIM	Garda Síochána Interview Model
HQ	Headquarters
IoI	Item(s) of Interest
IPA	Institute of Public Administration
IRR	Inspection and Review Return
IT	Information Technology
KNPA	Korean National Police Agency
KPI	Key Performance Indicator

LED	Law Enforcement Directive
MA	Master of Arts
MRP	Modernisation & Renewal Programme
NFCO	National Forensic Co-Ordination Office
NSS	National Support Services
PAF	Performance and Accountability Framework
PALF	Performance and Learning Framework
PAMT	Portal Application Management Team
PCSOC	Policing and Community Safety Oversight Commission
PDT	Presumptive Drug Testing
PEMS	Property & Exhibit Management System
PPU	Policy & Planning Unit
PULSE	Police Using Leading Systems Effectively
RAG	Red, Amber, Green
RC1 Form	Radio Control (1) Form
RPMEM	Roads Policing & Major Emergency Management
SCO	Special Crime Operations
SCRT	Serious Crime Review Team
SDU	Special Detective Unit
SIO	Senior Investigating Officer
SPU	Strategic Planning Unit
STO	Strategic Transformation Office

FOREWORD

I am pleased to present the Garda Professional Standards Unit (GPSU) Annual Report 2018. This report provides a reflection of the activities, achievements and performance of the Unit during the period 1st April 2018 to 31st March 2019.

Since its inception, GPSU has continued to build upon its strengths while learning from its experiences. The Unit has developed significant competence in evidence-based advice and standards development, as well as working to improve the manner in which we garnish information from the Organisation's Sworn and Garda staff members. Significant progress was made throughout 2018 with regard to commitments made by the Unit and in ensuring our readiness to meet the challenges in changing our methodologies towards detailed Thematic Examinations.

I would like to acknowledge the strong commitment and dedication of all the GPSU staff in meeting the targets and goals of the Unit. Additionally, I wish to express my appreciation in respect of the professional working relationships fostered with our stakeholders, both within and external to the Organisation. Their valuable insight into key governance areas has continually guided the direction and progress of the Unit throughout the period under review.

Organisational milestones in 2018 saw the appointment of a new Garda Commissioner, the publication of the report on The Future of Policing in Ireland, together with the publication of the Third interim report of the tribunal of inquiry chaired by the Honourable Mr. Justice Peter Charleton. While a number of the findings made by the Tribunal make for stark reading, the importance of the work conducted by GPSU and other governance stakeholders, was given added impetus by Justice Charleton who proffered, *"An Garda Síochána must become a place where incompetence is not covered up, where laziness is called to account and where people respect their senior officers"*. Through our Thematic Examinations we have endeavoured to aspire to the expectations of Justice Charleton by identifying Organisational risks and opportunities in many policing areas. In doing so, I am confident that the new methodology of examination will aid the Organisation in meeting its "Obligations" as outlined in the aforementioned tribunal of enquiry.

JOHN NOLAN

CHIEF SUPERINTENDENT

_____ March 2019

EXECUTIVE SUMMARY

The purpose and function of the Garda Professional Standards Unit (GPSU) is to examine and review, as directed by the Commissioner, the operational, administrative and management performance of An Garda Síochána at all levels. The Unit is also required to propose measures to the Commissioner to improve performance and promote the highest standards of practice, as measured by reference to the best standards of comparable police services, in operational, administrative and management matters relating to An Garda Síochána.

GPSU continues, with support and advice from internal and external stakeholders, to revise its methodologies to ensure compliance with Section 24 of the Garda Síochána Act, 2005. 2018 marked a transition for GPSU in this regard and saw the Unit move from geographical area examinations previously conducted to more focused Thematic Examinations.

GPSU again attained the 'Q Mark' for Quality Management Systems in 2018 from Excellence Ireland Quality Association (EIQA). This external accreditation provides the team with a high degree of credibility and confidence in the processes and systems utilised. It is the aim of GPSU to continuously improve the service it provides to its stakeholders and this can only be achieved by an honest review of 2018 activities whilst planning ambitiously but realistically for 2019.

Management at GPSU continuously strive to augment the operational capacity of the Unit by maintaining the optimum staffing levels. Three additional personnel (Garda rank) were selected following a competency based interview process and were assigned to GPSU in March 2018. One additional Garda Staff member, (clerical officer [C/O] grade), was also assigned to the Unit in April 2018. While Unit strength decreased with the transfer of two Inspectors to the Garda National Immigration Bureau (GNIB) and to the Special Detective Unit (SDU) following their success in an internal competition for Detective Inspector's and with the redeployment of one Sergeant and one Garda member to operational policing roles, it is welcomed, however, that one Inspector, one Sergeant, one Garda and one further Garda staff member were assigned to the Unit in early 2019 to fill the aforementioned vacancies. Accordingly, as it stands, the remaining GPSU current vacancies are one (1) Inspector and one (1) HEO.

GPSU personnel are encouraged to upskill regularly through internal and external training and development courses and, on 14th December 2018, four personnel were awarded a Professional Certificate in Governance by the Institute of Public Administration (IPA). Additionally, Chief Superintendent John Nolan and Superintendent Paul Costello successfully completed Master of Arts (MA) programmes in Senior Crime Investigation and graduated with Honours awarded by the University of Limerick.

During 2018 GPSU continued to actively engage with internal and external stakeholders, including the Policing Authority, the Garda Inspectorate, the Key Governance Stakeholder group and the Risk and Policy Governance Board in order to determine the best use of GPSU time and resources for the benefit of the Garda Organisation. It should be noted that senior Garda management directed that an Inspector from GPSU attend hearings at the *Tribunal of Inquiry into Protected Disclosures Made under the Protected Disclosures Act 2014 and Certain Other Matters*, in order to monitor and record issues arising and to act as liaison between State Counsel and the Tribunal Co-Ordination Office. This interaction allowed first hand account of the Tribunal Recommendations which GPSU now consider for inclusion in future work. This will be discussed further in this report.

In 2018 GPSU published a report related to an Examination of the Kilkenny / Carlow Division, while Reviews of the DMR North, Sligo/Leitrim and Wexford Divisions were also completed. Details of Findings and Recommendations made by GPSU in each report are provided in Chapters 5 & 6. Areas of concern identified in these examinations and reviews prompted recommendations to local management for implementation or further consideration. As previously advised, a system of implementation review by local management (or policy holder) of priority recommendations made by GPSU, introduced in late 2017 following consultations with oversight stakeholders, was further progressed in 2018. This process allows GPSU and local management to monitor and manage the implementation of GPSU recommendations and provides a ready reckoner of progress in that regard.

The development of the proposed Information Technology (I.T.) solution and associated pilot scheme, aimed at driving compliance with existing Organisational policy¹ continued throughout the reporting period. Detailed presentations were provided to participating

¹ HQ Directive 59/2014 – Garda Inspections and Reviews

Divisions and the implementation of the pilot has progressed to User Acceptance Testing (UAT). Progress is closely monitored and any issues are recorded and fully addressed as they arise. It should be noted that the report provided by Mr. Justice Peter Charleton in the ‘*Tribunal of Inquiry into Protected Disclosures Made under the Protected Disclosures Act 2014 and Certain Other Matters*’ is referenced in GPSU presentations. In particular the “*Obligations of An Garda Síochána*” as identified by Justice Charleton are used to demonstrate the importance of Organisational compliance with the Inspection and Review process.

The GPSU Work Plan for 2018 included six areas of potential risk to the Garda Organisation which were identified through monitoring Divisional Inspections / Examinations, together with consultation with other governance stakeholders and the examination of the Corporate Risk Register. GPSU commenced six Thematic Examination reports on important subject matter areas during the reporting period as set out hereunder;

- ✚ Certain Aspects of the Criminal Justice (Forensic Evidence and DNA Database System) Act, 2014
- ✚ Presumptive Drug Testing (PDT) within An Garda Síochána
- ✚ Investigative Interviewing
- ✚ Standards in Criminal Prosecutions
- ✚ Service of Summons
- ✚ Embedment of the Code of Ethics.

Following extensive background research and on-site visits conducted in twelve operational Divisions, Thematic Reports in respect of certain aspects of the Criminal Justice (Forensic Evidence and DNA Database System) Act, 2014 and Presumptive Drug Testing were completed in Quarter 4 2018 while work is at an advanced stage in relation to the remaining projects, all of which are anticipated to be completed by end Quarter 1 2019. Figure 1 below illustrates Thematic Examinations which commenced in 2018 and which are due for completion before end Quarter 1 2019;

Figure 1 – Areas for Thematic Examination in 2019

Thematic Reports for Completion in 2019	
Thematic Reports in final stage of completion.	<ul style="list-style-type: none"> ❖ Embedment of the Code of Ethics ❖ Service of Summons ❖ Court Standards ❖ Investigative Interviewing

In order to accurately assess the main concerns of senior management of An Garda Síochána, GPSU undertook extensive stakeholder engagement. In October 2018, submissions were sought from each Assistant Commissioner and Executive Director in respect of areas they would recommend GPSU examine. Management at GPSU are currently evaluating their submissions and formulating the specific areas required for examination and inclusion in the 2019 GPSU Policing Plan.

The GPSU Portal Page was upgraded in 2018 and transformed into a Team Site (see Appendix A) on which Quarterly Newsletters, which provide an additional method of communication with internal stakeholders, have been published since Quarter 2 2018. These Newsletters provide a method of communicating information regarding good practices and areas of concern to mitigate against repetition of such practices. The purpose of the GPSU Newsletter is to highlight any risk or opportunity identified through Inspections or Reviews or otherwise. An example of such Newsletters is attached at Appendix B for reference.

In the main, GPSU will conduct it’s Examinations through announced visits as it is necessary to have significant volumes of material or specific specialist personnel available to the team prior to the Examination. However, when and where the opportunity arises, GPSU teams will conduct unannounced Examinations of relevant policing areas.

Previously, the inclusion of a Work Plan in the Annual Report resulted in duplication of workload as the Unit are also required to prepare an annual Policing Plan for the information

of senior Garda management. In 2019 GPSU will prepare a Policing Plan which will contain details of all examinations to be undertaken by the Unit, based on the rationale highlighted above. Accordingly, the 2019 GPSU Policing Plan will be an advised document which will be reviewed periodically throughout the year. Any significant revisions or amendments will be notified accordingly and any negative impact on delivery of the work included in the Policing Plan will be reflected on the GPSU Risk Register.

1. Introduction

An Garda Síochána is the national police service of Ireland and is directed and controlled by the Garda Commissioner. The mission of the Organisation is: *“To deliver professional policing and security service with the trust, confidence and support of the people we serve”* making An Garda Síochána unique among policing services internationally as a unitary body responsible for the security of the State and the provision of policing services. The two functions are united by an underpinning philosophy: The protection of the individual and the safety of communities.

An Garda Síochána has a long established tradition of working closely with communities all across Ireland. By fostering and maintaining effective community partnerships and ensuring more visible frontline policing, the Organisation works towards achieving a reduction in crime and bringing greater reassurance to people.

The changing demands and expectations of citizens, coupled with security challenges requires a new programme for An Garda Síochána that will professionalise, modernise and reform the Organisation to ensure present and future challenges are accommodated.

1.1 Governance Structure

GPSU recognise that central to maintaining an effective democracy is a professional policing and security service with robust governance practices and structures. An effective governance framework defines roles and responsibilities, adds value, enhances reputation, and provides assurances and confidence in the Organisation. An Garda Síochána Corporate Governance Framework 2016 announced the introduction of a number of governance boards that reflect the recommendations of the Garda Inspectorate. These boards drive governance across the Organisation and provide oversight, accountability and compliance. In addition to the findings of other oversight bodies, it is intended that these boards will be informed by the findings of the Garda Professional Standards Unit in order to provide consistency in delivering a professional and ethical policing service.

GPSU forms part of the Governance pillar of the Organisation and reports directly to Assistant Commissioner, Governance and Accountability.

1.2 Garda Professional Standards Unit

The GPSU was established on 6th January 2006 and holds a statutory remit in accordance with Section 24 of the Garda Síochána Act 2005 which prescribes:

(1) As soon as practicable after the commencement of this section, the Garda Commissioner shall establish a Professional Standards Unit, to be headed by an officer not below the rank of Chief Superintendent, to -

- (a) Examine and review, as directed by the Commissioner, the operational, administrative and management performance of the Garda Síochána at all levels,*
- (b) Propose measures to the Commissioner to improve that performance, and*
- (c) Promote the highest standards of practice, as measured by reference to the best standards of comparable police services, in operational, administrative and management matters relating to the Garda Síochána.*

(2) Not later than 31st March in each year, the Garda Commissioner shall submit a report to the Authority on the activities of the Professional Standards Unit in the preceding year.

GPSU has continued to revise, review and amend its methodology as necessary to ensure compliance with legislation. Additionally, senior management of the Unit will embed and drive a strong ethical culture among its staff and ensure provision of an efficient and proactive service to all its stakeholders. In doing so, management will endeavour to maintain optimum staffing levels and the necessary skillsets of same.

1.3 Code of Ethics

In January 2017, the Policing Authority published a Code of Ethics for An Garda Síochána to inform and guide the actions of personnel at every level of the Organisation. Code of Ethics training for GPSU personnel continued in 2018.

An Examination of the Embedment of the Code of Ethics formed part of the Thematic work undertaken by the Unit in 2018. A significant amount of background research was conducted with regard to this project which will now be completed in Quarter 1 2019.

1.4 Cultural Audit

The ‘*Play Your Part*’ cultural survey, conducted independently by Price Waterhouse Cooper, concluded in 2018. All GPSU personnel received a briefing from senior GPSU management following publication of the survey results and the views of personnel were sought in relation to behaviours, levers and enablers for change. Local findings were then forwarded to the Garda Ethics and Cultural Bureau for collation and evaluation.

1.5 Commission on the Future of Policing

In September 2018, the Commission on the Future of Policing published its report outlining a clear vision and roadmap for strengthening An Garda Síochána and the broader national framework for policing, security and community safety. The Future of Policing in Ireland report advised that proposals made should address “*The appropriate structures for governance, oversight and accountability, to ensure...that there are effective means to ensure independent professional scrutiny of the police services to ensure that proper professional standards are maintained*”. The report further reaffirmed that “*From the time of recruitment, police education should not only teach the duties and responsibilities of police officers.....It should also instil in members of the police service the cultural values we expect to see in our police – high ethical and professional standards.....*”

The published Report also recommended that “*Oversight should be streamlined, more coherent and strengthened in a new Policing and Community Safety Oversight Commission (PCSOC)*” which should “*scrutinise policing performance, carry out inspections, promote professional standards and coordinate and support local structures for community engagement with police*”.

The proposed outline structure of the PCSOC as outlined in the published report, “*Promoting professional policing standards (including human rights standards), having regard to best international practice*” would appear to echo the legislative remit assigned to GPSU in the 2005 Act.

1.6 General Data Protection Regulation (GDPR)

An Garda Síochána became subject to the European Union General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and to the Police & Criminal Justice Data Protection

Directive Law Enforcement Directive (LED) (EU) 2016/680 in May 2018. All sworn members and Garda staff are responsible for ensuring that all data accessed, managed and controlled by them as part of their daily duties is in accordance with the EU, GDPR, the LED and Garda policy and procedures. To aid compliance with EU requirements, GPSU developed a specific Document Retention Policy for use by the Unit.

1.7 GPSU Personnel

It is welcomed that a competition to fill Garda vacancies concluded in January 2018 with three additional Garda personnel and one Garda staff member (clerical officer grade) assigned to the Unit in March and April respectively.

As part of the Modernisation and Renewal Programme (MRP), a voluntary reassignment process was launched in February 2018, inviting expressions of interest with regard to reassignment to frontline policing duty. One Garda member chose this path and will now apply the skills and knowledge gained during their tenure with the Unit to their new operational policing role.

Two GPSU personnel were successful in a recently held competition for Detective Inspector's². One Inspector subsequently transferred to the Garda National Immigration Bureau (GNIB) in February 2018 while a second Inspector transferred to the Special Detective Unit (SDU) in January 2019.

One Sergeant, having been redeployed on the direction of senior Garda management, to a Dublin Metropolitan Region (DMR) station on a temporary basis in June 2018, was successful in the Sergeant to Inspector competition and was reassigned to the Unit on promotion. One Sergeant and one Garda member were also assigned to the Unit in January 2019 to fill existing vacancies.

Efforts will continue to be made by senior GPSU management to fill the existing vacancy for one Inspector which now exists within the Unit. This deficit has been highlighted on the GPSU risk register and will continue to be monitored until a replacement is allocated.

No progress has been made with regard to an application to have a Business Analyst allocated to the Unit which was submitted September 2017. It is still maintained that the allocation of

² HQ Directive 073/2017 – Vacancies for Detective Inspectors, Crime Ordinary, Special Crime Operations and Security & Intelligence Branch.

such a resource would provide considerable benefit to GPSU given the vision with regard to future projects during which it is intended to obtain, evaluate, disseminate and coordinate timely, meaningful and effective information. The skills of a business analyst, particularly with regard to the analysis of data, are considered essential to achieving these goals.

1.8 Skills and Competencies

Emphasis on ‘Education and Training’ of GPSU personnel continues to be a focus of senior management within the Unit. Continuous learning also ensures that the processes used remain current, reflect best practice and are consistently of a high standard. Members of the Unit are encouraged and supported to undertake formal education and training courses to ensure that the Unit’s methodologies are innovative and efficient.

- Four personnel, including Chief Superintendent GPSU, completed a Professional Certificate in Governance course at the Institute of Public Administration in 2018. This course was designed by the IPA to enable participants to assess and enhance the governance mechanisms that operate in An Garda Síochána and to obtain authoritative knowledge of principles and practices associated with decision-making and control within the Organisation.
- Having previously been awarded a Postgraduate Diploma in Serious Crime Investigation in December 2017, Chief Superintendent and Superintendent GPSU were conferred with a Master of Arts (MA) in Serious Crime Investigation, at a ceremony held in University College, Limerick on 14th January 2019.
- Two GPSU personnel commenced a Bachelor of Science (B.Sc) in Police Leadership & Governance at the Michael Smurfit Graduate Business School, University College Dublin in February 2019.

All GPSU personnel received training in the following throughout 2018;

- Property and Exhibit Management System (PEMS 2) training
- Training in the new ‘Inspection and Review Return (IRR)’ by the Portal Management Office – March 2018
- Performance and Learning Framework (PALF) training
- Code of Ethics training

Some GPSU personnel also underwent the following training during the reporting period;

- Training with the State Claims Agency in relation to the National Incident Management System (6 personnel).
- Project Management training (3 personnel).
- RECORD Correspondence Register Training – Garda Staff

Presentations provided to GPSU personnel included the following;

- All GPSU personnel were briefed by local management in relation to the Cultural Audit Survey findings.
- General Data Protection Regulation (GDPR) by Data Protection Office personnel.
- Presentation by the National Forensic Co-Ordination Office (NFCO).
- A presentation regarding a recently introduced Mentoring Programme within the Unit was provided to all personnel by senior GPSU management.
- Detailed presentations are also provided to each Division as part of the revised Inspection and Review process (see Chapter 3).

To compliment specific training provided to Garda personnel, GPSU is focused on maintaining the current broad knowledge base held by members through attendance at various seminars and conferences which, in 2018, included;

- The Senior Investigating Officer's (SIO) Conference.
- 'How To Be An Effective Risk-Based Regulator' Workshop in Clonakilty, Co. Cork. This workshop for senior managers was led by Professor Malcolm K. Sparrow, Professor of the Practice of Public Management at the John F. Kennedy School of Government, Harvard University. The workshop was designed for officials who have regulatory, risk-management, compliance, disciplinary or enforcement roles, whether as a major or minor component of their duties. The issues covered in the workshop were, therefore, distinctive to harm-reduction or risk-control tasks.
- The Inaugural Lecture on Professional Practice and Regulation in Dublin City University (DCU).
- Governance Forum Briefing Event – Board Effectiveness Reviews – People, Process, Culture and Performance Considerations facilitated by the Institute of Public

Administration (IPA). The purpose of this event was to reflect on good governance requirement and explored methods, processes, areas of focus and new thinking around reviews.

A Skills and Qualifications Database for all GPSU Staff is maintained at the Unit.

1.9 Presentations provided by GPSU personnel

GPSU personnel regularly provide PowerPoint presentations to personnel as part of the Detective Training Programme and to students on Phase II of the Garda training programme. These fora present an opportunity to impart detail relating to the Unit’s legislative remit, the work performed by the Unit in accordance with Organisational policy, and to provide information in relation to findings made.

Figure 2 below provides detail of presentations provided by GPSU during 2018;

Figure 2 – Presentations provided by GPSU

Detective Training Course	Garda Training Programme - Phase II Students
4 th January 2018	1 st February 2018
7 th February 2018	13 th March 2018
26 th February 2018	12 th April 2018
7 th March 2018	5 th June 2018
11 th April 2018	25 th June 2018
10 th September 2018	12 th September 2018
11 th September 2018	9 th October 2018
9 th October 2018	8 th November 2018
6 th November 2018	29 th November 2018

2. Adherence to Work Plan 2018

In March 2018, as part of the Annual Report published by the Unit, GPSU provided a Work Plan to the Policing Authority. The Work Plan for 2018 advised that priority would be given to the completion of outstanding tasks which had initially been projected for completion in 2017 and Figure 2 below confirms the completion of these tasks and the publication of Examination and Review reports which remained outstanding at end 2017.

The Work Plan for 2018 also included forecasted timeframes for completion of tasks and Figures 3 – 4e below illustrates the achievement of objectives during the reporting period and also provides detail relating to projects which commenced but were not completed.

Figure 3: Completion of Reviews (2018)

Division	Districts	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Kilkenny / Carlow	Carlow	✓				The Kilkenny / Carlow Examination Report was published in Quarter 1 as forecast.
	Kilkenny					
	Thomastown					
DMR Northern	Balbriggan	✓				The DMR Northern Division Review Report was published in Quarter 1 as forecast.
	Ballymun					
	Coolock					
	Raheny					
Wexford	Enniscorthy		✓			The Wexford Review Report was published in Quarter 2 2018.
	New Ross					
	Wexford					
Sligo / Leitrim	Ballymote			✓		The Sligo / Leitrim Review Report was published in Quarter 3 2018.
	Leitrim					
	Sligo					

Figure 4: Status of GPSU Policing Plan Goals for 2018 – Organisational Development and Capacity

An Garda Síochána Policing Plan Key Area 1 – Organisational Development and Capacity Improvement						
Action	GPSU Outcome	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Roll-out of I.T. supported revised Inspection & Review Process Nationally.	Phased Pilot Roll Out in Q1 and ensuring all Divisions included by Q4. Increased compliance with Inspection Process in each Region and Division.	✓	✓	✓	✓	On target Detailed information pertaining to the continued development of the I.T. Solution is contained in Chapter 3 of this report.
Monitoring of Divisional Inspection Returns to identify areas of potential risk and areas of improvement or strength within a Division/Section.	Publication of GPSU Newsletter to all Garda Members per quarter advising best practices and areas of concern.		✓	✓	✓	The publication of GPSU Newsletters, advising of best practice and areas of concern, commenced in June 2018 and will continue quarterly.
Conduct Thematic Examinations throughout the Organisation.	Publication of thematic reports on areas of national Organisational importance as identified by risk awareness.				✓	Thematic reports relating to certain aspects of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014, and Presumptive Drug Testing within An Garda Síochána were published by GPSU in Quarter 4 2018.

Figure 4a – Status of GPSU Policing Plan Goals for 2018 (Organisational Development and Capacity continued)

An Garda Síochána Policing Plan Key Area 1 – Organisational Development and Capacity Improvement						
Action	Outcome	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Team Development & Cultural Improvement.						
Team Building and Suggestion Day to be held twice annually.	Elicit staff suggestions with regard to the future thematic work to be conducted by the Unit.	✓		✓		Team building exercises were held in the Officer's Club, Garda HQ on 19 th January 2018 and on 20 th April 2018. Suggestions for Thematic Examinations were canvassed from Regional managers and from GPSU personnel.
Provide training and leadership by example on ethical service provision to all staff.	All staff in GPSU trained in Ethics.	✓	✓	✓	✓	All GPSU personnel have completed Ethics Workshops. One Sergeant continued to provide Ethics workshops during 2018.
Advocate to Garda Management that District role of "Ethics Champion" be introduced.	Consideration by Garda management of the establishment of the role of Ethics Champion		✓			The establishment of the role of Ethics champion will be included as a recommendation in the forthcoming Thematic Report.
Thematic Examination into Ethics Embedding in An Garda Síochána.	Examination of National Code of Ethics embedding in 2018.				✓	A Thematic Examination of the Embedment of the Code of Ethics commenced in Quarter 4 2018 and the report is scheduled for completion in Quarter 1 2019.

Figure 4b – Status of Work Plan 2018 Goals (Organisational Development and Capacity – continued)

An Garda Síochána Policing Plan Key Area 1 – Organisational Development and Capacity Improvement						
Objectives from National Plan	Action	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Enhanced Governance						
Requesting each primary recipient (Divisional Officer or Policy Holder) of high level GPSU Examination Publication to report on status of implementation of recommendation by Excel data sheet update.	Overview reports on GPSU recommendation adoption and status of recommendation implementation.	✓	✓	✓	✓	GPSU continues to liaise with Divisions as appropriate in respect of recommendations made in previously published reports.

Figure 4c – Status of Work Plan 2018 Goals (Confronting Crime)

An Garda Síochána Policing Plan Key Area 3 – Confronting Crime						
Action	Outcome	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Ensuring High Standards In Crime Investigations						
Examination of Criminal Case Prosecution and Investigation Standards by way of thematic report.	Publication of Thematic Report on Crime Investigation Standards wherein Court Practices are considered by GPSU.				✓	This project commenced as scheduled in Quarter 4 2018 as an examination of Court Procedure Standards. On request of Assistant Commissioner Northern Region, the Terms of Reference for this project were revised in January 2019. The examination purpose is now to “Conduct an overview of Organisational policy and procedures – Conduct of a Criminal Trial. It is anticipated that the Examination will be completed and reported issued in the first half of 2019.

Figure 4d – Work Plan 2018 Goals (Roads Policing)

An Garda Síochána Policing Plan Key Area 4 – Roads Policing						
Action	Outcome	Projected Timeframe for Completion 2018				Current Status
		Q1	Q2	Q3	Q4	
Lessons Learned and Transparency						
Continued monitoring of FCN cancellation files to ensure that policy guidelines and Code of Ethics adhered to.	Monthly reports to Assistant Commissioner Roads Policing on FCN cancellation monitoring by GPSU.	✓	✓	✓	✓	FCN Cancellations continue to be monitored by GPSU. A sample of cancellations are randomly selected from two Regions each month and supporting documentation is requested to ensure compliance with policy. Detailed information regarding this process area is contained in Chapter 7 of this report.

Figure 4e – Work Plan 2018 Goals (Community Engagement & Public Safety)

An Garda Síochána Policing Plan Key Area 5 – Community Engagement & Public Safety						
Action	Outcome	Projected Timeframe for Completion 2018				
		Q1	Q2	Q3	Q4	
Stakeholder Engagement						
Actively engage with external stakeholders including the Policing Authority, the Garda Inspectorate, the Garda Síochána Ombudsman Commission, the Commission for Policing Reform and the Audit Committee.	Responding in a timely and transparent manner to requests from external oversight bodies.	✓	✓	✓	✓	GPSU continue to liaise as appropriate with external stakeholders. Meetings were held with representatives from the Policing Authority and the Garda Inspectorate during the reporting period.
Liaise, support and train Divisional/Sectional Management Teams on management assurance through integration of the PAF Framework and Risk Management into the Inspection and Review process.	Workshops and training days to each Divisional Management Team on a phased basis in 2018.		✓	✓	✓	Workshops have been facilitated in each Division as the Revised Inspection and Review project has progressed.

2.1 Additional Tasks Commenced in 2018

In June 2018, following submission of the GPSU Annual Report 2017 and the GPSU Work Plan for 2018, GPSU were requested to perform an examination of the NICE recording system by Superintendent, Telecommunications Section.

Chief Superintendent GPSU approved the addition of this project to the GPSU Work Plan, prescribing it as a thematic report for 2018. A number of on-site visits were conducted in Quarter 3 and Quarter 4 2018 and a final report will be published in Quarter 1 2019.

2.2 Monitoring of GPSU Policing Plan

Senior management in GPSU continue to monitor compliance with the Unit's Policing Plan at regularly held Performance and Accountability Framework (PAF) meetings. A monthly 'work performance monitor' has been introduced whereby the key performance indicators are assessed at one management meeting per month. The assessment is recorded in the minutes of relevant meetings and a red / amber / green (RAG) rating system is utilised to reflect progress, regress and prioritisation of work.

GPSU will evaluate the progress of its work throughout 2019 by continually monitoring the policing plan. Goals or outcomes not achieved will be risk assessed and reviewed.

3. Revised Inspection and Review Process

Background:

The overarching policy governing Garda Inspections and Reviews was introduced in July 2014 to ensure an effective methodology for An Garda Síochána in its overall Organisational governance and accountability. The revised policy incorporated changes in principles including;

- ✚ Frequency of inspections
- ✚ The utilisation of risk to identify inspection areas
- ✚ The use of a holistic approach to all areas of responsibility rather than separate geographic areas.

Throughout 2015, workshops and masterclasses, facilitated by management of the Garda Professional Standards Unit and the Garda Internal Audit Section (GIAS), continued nationally throughout the Organisation and this subject was introduced into promotion courses for Chief Superintendents and Superintendents to effect further compliance in this area. Despite these considerable efforts, however, compliance with the policy proved to be inconsistent.

A questionnaire, developed by GPSU, was circulated to senior management throughout the Organisation in 2017 with a view to identifying issues encountered by Divisions, Districts and specialist sections in conducting their Inspections and Reviews. Chief Superintendent GPSU directed that a comprehensive plan be put in place to address the results of this survey.

Having considered the poor compliance rates in respect of Inspections and Reviews, GPSU committed to improving the process and, in collaboration with the Portal Application Management Team (PAMT), initiated the development of an Information Technology (I.T.) supported certified inspection process which permits local management to inspect areas of concern, highlighted by risk assessment, Organisational data or local processes.

The project was prioritised in Quarter 4 2017 in order to take advantage of the availability of an 'I.T. window'. The revised inspection process includes an automated process initiation and I.T. supported delivery of data to GPSU where the high level or priority submissions are easily identified in the electronic submission. This in turn reduces the trawl of significant volumes of returns to correctly identify the relevant submissions, thereby allowing early remedial or corrective action to be recommended and implemented. A successful testing period was

completed and a pilot was launched in six Divisions / specialist sections in Q1 2018 with Sligo, Tipperary, Cork City and Mayo Divisions the Garda National Drugs and Organised Crime Bureau (GNDOCB) and the Garda College all agreeing to participate.

A new GPSU Team site has been built on the Garda Portal and the revised inspection process is electronically accessible via this intranet web page. The system is supported by “How to Guides”, “Training Videos” and other relevant quick links to forms and contact information.

In accordance with a commitment made as part of the Policing Plan for 2018, quarterly newsletters are now published which will serve to highlight weak policing practices and strong policing practices in an effort to reduce risk areas and improve standards across the Organisation .

Progress during 2018:

The I.T. solution allows GPSU to manage, monitor and analyse Divisional Inspection and Review Reporting through the Garda Portal Platform. The new process allows GPSU to generate a quarterly Inspection via the on-line I.T. system with each manager required to submit the Inspection and Review within a specified time frame. The I.T. Solution integrates the risk elements of the ‘Revised Approach to Risk’ policy. This will allow both for targeted risk assessed Inspections chosen by Divisional management teams together with the issuing of a “Prescribed Inspection” by GPSU, on the direction of senior Garda management, thereby supporting the Garda Executive in assessing the extent of any emerging risks. The application has been rolled out to the following Divisions: Sligo (As of Quarter 1 2018), Mayo, Cork City, Tipperary (As of Quarter 2 2018), Garda National Drugs and Organised Crime Bureau (As of Quarter 3 2018), the Garda College (As of Quarter 4 2018), DMR South Central, Galway, Meath and Louth Divisions (As of Quarter 1 2019), with Cavan / Monaghan Division scheduled to participate in Quarter 2 2019. Prior to enrolment in the project, detailed presentations are provided to local management by GPSU personnel. An excerpt from the presentation provided is attached at Appendix C for reference. Figure 5 below illustrates the presentations provided to Divisions as part of the revised Inspection and Review process;

Figure 5 – IRR Presentations Provided

Presentations provided re Inspection and Review Return (IRR)	
Garda Internal Audit Service	23 rd January 2018
Divisional Policing Model Team	15 th February 2018
Chief Superintendents & Superintendents Associations	18 th April 2018
Risk Management Office	27 th April 2018
Sligo Division	17 th & 18 th May 2018
Cork City	21 st & 22 nd May 2018
Tipperary Division	28 th & 29 th May 2018
Assistant Commissioner Southern Region – Divisional Policing Model	11 th June 2018
Mayo Division	20 th and 21 st June 2018
Garda National Drugs & Organised Crime Bureau	20 th July 2018 11 th October 2018 – Practical Session
Garda College	20 th August 2018
Assistant Commissioner Northern Region	24 th September 2018
Assistant Commissioner Governance & Accountability	25 th September 2018
Assistant Commissioner Western Region	3 rd October 2018
Galway Division	20 th & 21 st November 2018
DMR South Central Division	5 th November 2018 4 th March 2019 – Practical Session
Meath Division	13 th November 2018
Louth Division	19 th November 2018
Cavan / Monaghan Division	4 th February 2019
Kilkenny Division	6 th February 2019
Garda National Immigration Bureau	20 th March 2019

4. Thematic Reports 2018

The Work Plan 2018 advised the commencement of Thematic Reports in the following five (5) areas;

1. Operation of DNA Act
2. Operation of Presumptive Drug Testing
3. Report on Investigative Interviewing
4. Standards in Criminal Prosecutions
5. Service of Summons
6. Embedding of the Code of Ethics

The following Thematic reports were published in Quarter 4 2018;

-  Certain Aspects of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014
-  Presumptive Drug Testing within An Garda Síochána

Work commenced, and is now at an advanced stage, in respect of the following Thematic Reports, all of which are anticipated to be published in Quarter 1 2019;

-  Investigative Interviewing
-  Standards in Criminal Prosecutions
-  Service of Summons
-  Embedment of the Code of Ethics

Work commenced on the “*Standards in Criminal Prosecutions*” project in 2018 but on request of Assistant Commissioner, Northern Region the Terms of Reference for this project were revised in January 2019. The examination purpose is now to “*Conduct an overview of Organisational policy and procedures – Conduct of a Criminal Trial*”. It should be noted that this examination is being conducted in alignment with the Assistant Commissioner’s team currently working on lessons learned in the ‘An Cosán’ incident.

4.1 Brief Overview of Completed Reports

(A) Certain Aspects of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014

The Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 provides for the establishment of a DNA Database system for use by An Garda Síochána as an intelligence source for criminal investigations and to assist in finding or identifying missing or unknown persons. The Act comprises one hundred and seventy-two (172) detailed sections and extends to two hundred and thirty-one (231) pages, including Schedules. For this reason, an examination of the Act, in its entirety, lies beyond the scope of a GPSU examination and the Thematic Examination focused solely, therefore, on the Reference Index in the Investigative Division of the DNA Database System.

GPSU considered the following issues and concerns in the formation of the Report;

1. Compliance with policy and regulations in accordance with the Criminal Justice (Forensic Evidence and DNA Database System) Act, 2014.
2. Compliance with An Garda Síochána DNA Code of Practice.
3. Compliance with the written protocols between the Commissioner of An Garda Síochána and the Director of Forensic Science Ireland (FSI) for the transmission, reporting and destruction of DNA samples and profiles taken, pursuant to the Criminal Justice (Forensic Evidence and DNA Database System) Act, 2014.
4. The system, reporting mechanism and controls in place.
5. Quality of data and information held on IT systems.

GPSU liaised with the National Forensic Co-Ordination Office (NFCO) in respect of all available data pertaining to DNA samples from 1st September 2016 to 8th May 2018. Detailed questionnaires were developed by GPSU and circulated to each District Officer and to District Office Personnel in advance of the on-site portion of the Thematic Examination.

In Quarter 3 2018, GPSU personnel visited twelve (12) operational Divisions. In order to ensure a comprehensive geographical spread, at least one Division was selected within each Garda Region and urban and rural stations were visited. During the on-site visits GPSU conducted semi-structured interviews with Garda personnel, examined Custody Records in relation to detentions authorised and requested correspondence relating to Sample Reference Numbers from each District Office.

Summary of Findings:

The following were among the findings made by GPSU during the Thematic Examination;

- ✚ A number of issues were identified in how the National Forensic Co-Ordination Office (NFCO) manage and monitor the recording of samples / profiles in accordance with the Act. It was found, however, that the current staffing levels within NFCO are inadequate.
- ✚ Notwithstanding that 55% of members interviewed stated that they had received some form of training in relation to the taking, submission, retention and destruction of DNA, 81% of personnel indicated that they are taking DNA samples. Members indicated that a 'How To' video guide, available on the AGS Portal, had been of assistance in this regard.
- ✚ 73% of Gardaí interviewed stated that they are aware of a system to ensure that DNA samples are submitted to FSI and are retained / destroyed in accordance with the Act.
- ✚ GPSU personnel found that details of DNA samples authorised / taken during detentions were recorded in 67% of the Custody Records examined.
- ✚ 73% of Gardaí interviewed stated that they are aware of a system to ensure that DNA samples are submitted to FSI and are retained / destroyed in accordance with the Act.
- ✚ 92% of Match Reports were actioned by Gardaí.
- ✚ While GPSU found a lack of oversight and governance in relation to how Districts and Divisions respond to NFCO correspondence, 85% of District Officers stated that recording NFCO notifications via the Performance and Accountability (PAF) process would improve Garda responses.

Conclusion:

The purpose of the Thematic Examination conducted by GPSU was to identify any Organisational issues or good practices in relation to the taking, submission and retention / destruction of DNA samples / profiles. The findings of the research culminated with thirty-eight (38) specific recommendations. In particular, GPSU found that the legislative provisions regarding the taking, retention or destruction of DNA samples are not being fully utilised for a number of reasons including, but not exclusive to, the lack of awareness and training in this area. GPSU have also found a lack of oversight and governance in relation to the submission

of samples into FSI and the retention / destruction of samples / profiles. GPSU submit that a robust system needs to be introduced to manage these issues at District and Divisional level.

Additionally, GPSU identified several issues in how NFCO manage and monitor the recording of samples / profiles in accordance with the Act. Specifically, the lack of appropriate staffing levels at NFCO is an Organisational concern that needs urgent attention. It is hoped that a phased implementation of the recommendations made by GPSU will address areas of concern identified and will improve the processes and procedures in this critical policing area.

(B) Presumptive Drug Testing within An Garda Síochána

The purpose of this Thematic examination was to establish the impact Presumptive Drug Testing (PDT) has had with regard to investigations conducted pursuant to section 3 of the Misuse of Drugs Act 1977 - 1984 since its inception and to consider the benefits of the system, both for An Garda Síochána and Forensic Science Ireland (FSI), who up until its introduction, analysed all controlled drugs for An Garda Síochána. The report also focused on the level of awareness among Garda personnel of all ranks with regard to existing policy and procedures relating to Presumptive Drug Testing (PDT), together with the level of acceptance the system continues to receive from the Courts nationally.

Notable advancements have been made since the introduction of the PDT process in 2011. The reduction in the number of samples submitted to FSI (4,787 in 2010 as compared with 2,922 in 2017) is noteworthy and it is hoped that the content of the Thematic Report published by GPSU, and the recommendations made therein, will serve to further enhance the process.

Summary of Findings:

The following were among the findings made by GPSU during the Thematic examination;

- ✚ FSI confirmed that there have been delays in issuing Certificates of Analysis with regard to Simple Possession investigations due to the amount of controlled drugs forwarded for analysis.
- ✚ All Garda Divisions are using PDT where applicable and the majority of Garda Divisions are in compliance with Organisational policy with regard to the recording of PDT Tests conducted.

- ✚ The level of acceptance of the process by the Judiciary varies throughout the country.
- ✚ The feasibility of having PDT placed on a legislative footing should be explored.
- ✚ An overarching, all-encompassing Organisational policy document is required in respect of PDT.
- ✚ PDT kits contain no unique identification number for audit purposes.
- ✚ Prior to the on-site portion of the Examination, GPSU found that compliance with regard to recording PDT Tests conducted (in accordance with HQ Directive 35/2015) stood at 72%. Failure to comply with Organisational policy in this regard will lead to inaccuracies within the PDT Statistical Report, introduced by PULSE Release 6.7.
- ✚ Additional equipment, including face masks and a sterile sheet, similar to the one included in DNA packs, should be provided to personnel for the purpose of conducting PDT Tests.

Conclusion:

This Thematic Examination provides reasonable assurance that the PDT process is being utilised by the Garda Organisation, given the significant reduction in the number of samples submitted to FSI since the inception of this testing facility. However, the lack of acceptance of the process by the judiciary in certain areas continues to cause difficulty for Forensic Science Ireland due to the number of samples being submitted for analysis.

GPSU have found that the PDT process is not being utilised to its full potential for a number of reasons including, but not exclusive to, the absence of legislative provision and a perceived lack of training and awareness in this area.

GPSU has provided firm recommendations which it is now anticipated will provide a bedrock for the policy holder to advance and enhance this process area.

4.2 Additional Work Undertaken by the Unit and not Advised in the 2018 Work Plan

Review of the NICE system (Recording of Garda emergency lines)

In October 2017, the Policing Authority forwarded a Progress Report to the Minister for Justice and Equality³ which acknowledged that a manual inspection process had been put in place by An Garda Síochána to ensure that no unauthorised telephone extensions are recorded. The report stated;

“4. Use of Technology to address concerns regarding telephone recording

...The Authority is recommending that the Commissioner assure himself in 2018 as to the effectiveness of this manual control through either his Internal Audit Service or his Professional Standards Unit”.

In November 2017, correspondence from the Chief Executive of the Policing Authority⁴ requested that the then Garda Commissioner establish *“the effectiveness of the manual control of the NICE INFORM system through the Internal Audit Service or Professional Standards Unit...”*.

In 2018, GPSU conducted an examination of the controls put in place by Superintendent, Telecommunications which should provide assurance regarding the recording of telephone conversations within the Garda telephone network.

As it stands, only emergency calls transferred to Garda dedicated lines (i.e. 999 calls) transferred from the Emergency Call Answering Service (ECAS) to Garda Divisional Headquarters and Garda control centres. While this relates solely to the Communications Centre (Command and Control) in Harcourt Square at present, the system will be rolled out to a number of control centres that will be established in Quarter 2 2019. Effectively, no other conversations of any kind are being recorded. To ensure this, and to assure An Garda Síochána, GPSU randomly visited Divisional Headquarters where the NICE system is installed. All recording circuits were found to be physically disconnected in each case. Each local Telecommunications technician was interviewed to establish understanding within the technicians brief regarding the reinstatement of such lines and the authority required to do so. Similarly, GPSU visited telecommunications in Garda Headquarters and interviewed

³ Progress Report to the Minister in accordance with Section 620(6) of the Garda Síochána Act 2005 on the Garda Síochána response to the Report of the Fennelly Commission of Investigation.

⁴ PA/2017/290 refers

Telecommunications personnel who are the only people that can reinstate a recorded line once the physical line has been reattached using a software switch that only Telecommunications in Garda Headquarters have access to.

GPSU are satisfied that all parties are aware that the re-establishment of a recording line can only be done on the approval of Superintendent, Telecommunications. GPSU are satisfied that the recording of telephone conversations within the Garda telephone network is strictly limited to the emergency lines. A full Thematic report in this matter is currently being compiled and will be presented to the Garda senior leadership team before end of Quarter 2 2019.

5. GPSU Examinations & Reviews

Since its inception, GPSU has continued to review its methodologies to ensure that the Organisation is adhering to its commitments under Section 24 of the Garda Síochána Act 2005 (as amended). In 2018, GPSU conducted Examination and Reviews in accordance with its statutory remit.

5.1 Kilkenny / Carlow Division

As illustrated in Figure 3 (Chapter 2), and following consideration of the draft Examination report by local senior management following its delivery in 2017, GPSU published a final report relating to the Kilkenny / Carlow Division during the reporting period. The associated Divisional and District Reports shall be redacted and will be forwarded to the Policing Authority Liaison Office (PALO) for delivery by the Garda Executive to the Policing Authority in due course. The Divisional Examination included the following process areas;

- ✚ Investigation of Criminal Complaints
- ✚ Domestic Violence Incident Review and Analysis
- ✚ RC1 Forms and Creation of Associated PULSE Incidents
- ✚ Management of Property and Exhibits
- ✚ Health & Safety
- ✚ Investigation of Sexual Crime
- ✚ Monitoring of Sex Offenders
- ✚ Divisional Major Emergency Management
- ✚ Investigative Interviewing
- ✚ Inspections and Reviews – HQ Directive 59/2014
- ✚ PULSE Release 6.8

5.1.1 Methodology

The methodology used for the Divisional examination comprised the following:

Stage One – Background Research

GPSU carried out thorough research of each process area to be examined in order to gain a comprehensive understanding of the current situation within An Garda Síochána. This research involved identifying and examining the relevant source data relating to the subject area, including, for example, the Garda Code, the Crime Investigation Techniques Manual, HQ

Circulars and Directives, operating and training manuals, relevant external source materials and legislation relating to the area.

Stage Two - File Examination

Investigation files were requested and received from the Division. In other Examination areas PULSE incidents were selected at random. The files and associated incidents were examined by GPSU in advance of the on-site Examinations.

Stage Three – Semi-Structured Interviews

Where appropriate, semi structured interviews are carried out with members appointed by the relevant Divisional / District Officer and who have a responsibility for or a working knowledge of the subject area under Examination.

The interviews assisted in testing local compliance with current policy in each Examination area. The interview process added to information already gathered. It also clarified procedures in place and how they are carried out.

Stage Four – Analysis of Findings

Evaluation of all the information gained during the Examination process assisted in identifying Strengths and Areas of Concern.

A draft report was then prepared and issued to the Divisional and District Officers for their comments and observations. Following consultation between the Divisional management team and GPSU, the reports are published and forwarded to local management and the Garda Commissioner.

Stage Five – Implementation of Improvements

The introduction of improvements is a continuing process for local management and GPSU have requested that all Areas of Concern identified and Recommendations receive necessary attention. GPSU acknowledge that some Recommendations will be easily implemented while others will involve a continuing process until completion which should be documented and regularly reviewed through the Inspection and Review process in accordance with HQ Directive 59/2014. GPSU will provide guidance and assistance to District Liaison Inspectors if required and it will be the responsibility of the Divisional and District Officers to prioritise, group and assign ownership for the improvement opportunities, their development,

implementation and maintenance. Remedial and corrective actions will be examined as part of the Review process conducted by GPSU.

5.1.2 Staged Examination & Relevant Findings

Investigation of Criminal Complaints

An examination of investigation files selected at random from the following crime categories identified issues in relation to the standard, quality and timeliness of files selected throughout the Division:

-  Burglary
-  Robbery/Theft
-  Drivers Under the Influence
-  Assault

While the Areas of Concern identified in respect of the Investigation of Criminal Complaints were generally minor in nature, of particular concern were files relating to Assaults received from one District. In one instance an investigation file was submitted for directions over two years after the incident occurred and following notification of the Examination by GPSU. An examination of the documentation received in relation to another investigation found notable discrepancies. It is noteworthy that, having been notified of this concern, local management acted swiftly and proactively and, in addition to an appointment made under Regulation 14 of the Garda Síochána (Discipline) Regulations 2007, an immediate review of all investigation files pertaining to the member, both current and historic was directed.

Domestic Violence Incident Review and Analysis

The examination of Domestic Violence incidents involved a random selection of PULSE Incidents under each category type within both Divisions. Each incident was examined in order to determine whether they complied with legislation and policy. It was not evident in some instances that the injured party was given information or advice regarding Domestic Violence Orders available or whether information or advice regarding support services available had been imparted. A new Domestic Violence Policy Incident Report Form was found to have been utilised in the Division since July 2013 and local policy requires that this form is completed in respect of each incident of Domestic Violence. The forms record all information relating to advice offered to injured parties and each form is filed locally with a copy forwarded to the Inspector with Divisional responsibility in this area. While this initiative was welcomed and commended by GPSU, the importance of recording information on the PULSE system was

also highlighted in the report. This is to ensure that, where victims or suspected offenders reside in a different Garda Division, all pertinent information is available to Gardai prior to or during engagement with such individuals.

RC1 Forms and Creation of Associated PULSE Incidents

The examination RC1 Forms comprised four elements:

1. Random selection of dates for examination.
2. Details of calls recorded which, given their nature, would appear to warrant the subsequent creation of a PULSE Incident were then chosen.
3. A list of the selected RC1 forms, each of which, given the nature of the incident, should reasonably have resulted in the creation of a corresponding PULSE incident, was forwarded to the Division and the relevant PULSE numbers were requested.
4. An analysis of the Divisional return in respect of the information requested.

The Examination involved a random selection of calls recorded against each District which, given their nature, would appear to warrant the subsequent creation of a PULSE incident. No associated PULSE incidents could be found in respect of several incidents recorded on RC1 forms, however, and correspondence was forwarded to the Divisional Office in order to address this matter. Regular progress reports were provided to GPSU and PULSE incidents have since been recorded in respect of each RC1 form where appropriate. The Examination also identified several PULSE incidents which were found to have been recorded on PULSE outside of the timelines outlined in PULSE Release 1c – Incident Response and a suitable recommendation was made by GPSU in this regard.

It should be noted that PULSE Release 7.3, deployed to the Organisation in February 2018, contained a number of enhancements including a new functionality whereby relevant CAD / eRC1 calls trigger the automatic creation of a skeleton PULSE incident. A PULSE incident number is also automatically recorded on the CAD / eRC1 incident and details of the Reporting Member must also be entered by the call taker.

Management of Property and Exhibits

The capacity of the Divisional Property and Exhibit Management Store (PEMS) was identified as a primary issue, and in particular the number of items stored therein which relate to

investigations which have been finalised. It should be noted, however, that the availability of suitable locations for the storage of property is an Organisational issue which has also been identified in many other Divisions. All storage Units were full to capacity at the time of the examination, representing a corporate risk in relation to the storage of cash, firearms, drugs and other samples. The armoury was also found to be used for the storage of drugs. The amount of material being stored unnecessarily would appear, therefore, to restrict the storage capacity of the PEMS store. A number of recommendations were made by GPSU which it is hoped will provide assistance to local management in this regard.

Health & Safety

The GPSU Examination of Health and Safety focused on District records of compliance with Organisational policy and procedures relating to the Safety, Health and Welfare at Work Act, 2005, the Safety, Health and Welfare at Work (General Application) Regulations, 2007 and Garda Code Chapter 5. The Safety Statement, Risk Assessment Sheets and Fire Registers were examined, in addition to the custody facilities in each District. The issues identified are summarised below:

1. While it is acknowledged that Divisional Safety Committee Meetings are taking place, details of the issues raised and actions taken are not recorded in each Safety Statement in the Division.
2. Fire Registers in the Division require updating and Fire drills are not taking place / recorded at least three times annually in all workplaces in the Division. Notwithstanding that some Sub-District Garda Stations have only one or two personnel, there is a statutory requirement in place under Fire Regulations to carry out such drills.
3. Risk Assessment Sheets are generic and are not all site specific to reflect the hazards within the work environment. In addition, the generic risk assessments currently in place are not revised periodically.

There was no evidence of Prisoner Risk Assessments in relation to procedures for receiving, searching and detention of prisoners having been carried out in one of the Districts examined, while in another District it was found that prisoners are brought in custody through the busiest thoroughfare in the Station, with Garda members, civilian staff, cleaning staff, customers, other persons in custody and service providers constantly accessing the area.

Recommendations made by GPSU should ensure that areas of concern identified are actioned appropriately and followed through to a conclusion and their progress or otherwise reported on.

Investigation of Sexual Crime

An analysis found that the majority of Sexual Incidents were dealt with appropriately with investigation files submitted to the DPP. Members are also updating sexual offence incidents regularly on PULSE with developments recorded in PULSE narratives prior to the deployment of PULSE Release 6.8 and via the Incident Management System subsequently. A delay was observed in the submission of a number of files, however and, while reminders issued, there was no evidence of escalation. The KPI Reports examined showed a number of categories in Red which require review and updating.

Monitoring of Sex Offenders

There is a nominated Inspector in the Division for ensuring the implementation of Garda policy on monitoring sex offenders, as per HQ Directive 48/13 and HQ Directive 167/01. From the Examination conducted by GPSU it is evident that the monitoring of sex offenders in the Division is professionally and efficiently managed by the divisionally appointed Inspector. At the time of the Examination there were 41 sex offenders on the list maintained locally. This was compared against the list held for the Division at national level by the Garda National Protective Services Bureau (GNPSB) and the numbers were identical. The Examination found that visits to High Risk Offenders are not being recorded on PULSE on a monthly basis. Only three members in the Division were found to have been trained in Risk Matrix 2000 Assessment and it has been recommended that sufficient numbers are trained at all times.

Divisional Major Emergency Management

GPSU were provided with copies of the Divisional Major Emergency Management Plan on commencement of the on-site visit and found that copies of this document are on file both in the Communications Room and in the public office of each of the District Headquarters. The Examination found that site-specific plans have been developed for locations / installations in the Division and appendices in the Divisional plan record the allocation of pre-nominated inter agency co-ordination centres in the Division. At the time of the Examination, it was noted that the Plan was dated November 2013 and that the contact details recorded therein, both internal and external, require updating in addition to the Risk Assessment referred to in the Plan. GPSU

recommended, therefore, that the Divisional Major Emergency Plan be reviewed to include a general update on the content, contacts, a review date, a list of trained members and location of Casualty Bureau Documents.

Investigative Interviewing

GPSU conducted semi-structured interviews with a number of trained personnel within the Division. The members interviewed demonstrated a good knowledge of the Garda Síochána Interview Model (GSIM) and recognised the importance of flexibility and adapting to situations encountered during each interview conducted.

Inspections and Reviews – HQ Directive 59/2014

The Examination found a good level of compliance with regard to the submission of returns as required. Each District Officer has inspected a broad range of functional areas. To the date of the Examination, there was no evidence that the relevant areas for Inspection had been risk assessed as such assessments were not included with each return. The development of an I.T. solution by GPSU in collaboration with the PAMT will provide a valuable aid to managers in this regard.

PULSE Release 6.8

The Examination found that daily PAF meetings are held on weekdays in each District, allowing all recently recorded PULSE incidents to be reviewed by local management. While GPSU found that careful consideration is given to the Investigation Status assigned to each incident, in some cases members are continuing to update the PULSE narratives rather than the ‘Investigation Notes’ tab.

5.2 GPSU Reviews

The Review process is the mechanism utilised by GPSU to determine the implementation of Recommendations and the progress made by each Division following the publication of initial Examination reports. GPSU Reviews comprise an inspection of Improvement Plans submitted by relevant Divisions which outline processes put in place locally to address the recommendations made in the Examination report and an on-site visit. A number of areas reported on in Examination reports published by GPSU have since been subject of Thematic review by GPSU. These reports, together with their findings and recommendations have been forwarded to the relevant policy holders. Process areas including Custody Records, Missing

Persons, Audits and Threats to Persons were not, therefore, included in some of the Reviews conducted.

Reviews of the following Divisions were conducted during the reporting period;

-  DMR Northern Division
-  Wexford Division
-  Sligo / Leitrim Division

5.2.1 Review of DMR Northern Division

On 11th March 2014 Divisional and District reports were published following a joint GPSU / GIAS Examination conducted in the Dublin Metropolitan Region (DMR) Northern Division. This report highlighted a number of strengths and areas of concern and made a number of recommendations which were intended to form the basis of Divisional and District Improvement Plans which were required to be prepared and submitted to GPSU within 12 weeks of receipt of the final reports. It was also intended that the Improvement Plans would allow GPSU to conduct an analysis of the progress made within the Division against GPSU recommendations. The delay in submission of Improvement Plans from the DMR Northern Division, despite numerous written and oral requests, was disappointing and frustrating and resulted in the GPSU Work Plan being revised on several occasions. On their submission, the content of the Improvement Plans were found to be generic in nature. The failure of one District to provide any investigation files relating to property and exhibit management hindered the Review process and this lack of engagement was also highlighted in the Review report.

While considerable improvements were noted with regard to some areas during the Review process, some Recommendations were found not to have been addressed and it was recommended that these areas should be prioritised by local management and progressed through local Inspections and Reviews.

It was recommended that each Health & Safety ‘Area For Improvement’ (AFI) which had not been “fully addressed” at the time of the Review be evaluated with the assistance of the Regional Health and Safety Officer, with a view to progressing, eliminating/mitigating them and progress or otherwise should inform a forthcoming return made in accordance with HQ Directive 59/2014 – Garda Inspections & Reviews. It was also recommended that the Divisional Officer should liaise with each District Officer to ensure that District Health &

Safety AFI's, identified as part of the GPSU Examination and Review process, are addressed and evaluated in conjunction with the Divisional Health & Safety Report already issued and their progress or otherwise reported on in District Health & Safety Improvement Plans.

The Review process found the work performed by the Divisional PULSE Quality Office to be the subject of positive comment from personnel within the Division. This office was established in the Division approximately five years ago to audit the quality of data being entered on PULSE. Ongoing reviews are carried out by the office in respect of Key Performance Indicators, PULSE incidents, Court outcomes, CAD/PULSE incidents for Domestic Violence incidents and Burglaries. This office also conducts a 'dip sample' of investigation files forwarded for directions. Personnel attached to the office attend Performance and Accountability Framework (PAF) meetings monthly and report their findings to each District Officer who are then required to correct any issues highlighted. Personnel also offer assistance to each District Officer with regard to quarterly audits. Notwithstanding the valuable work conducted by this Unit to date, an expansion of the role performed by the office should be considered with a view to the development of a Governance office, operated by Garda staff in line with the Civilianisation Programme. This would allow a wider range of inspections and reviews to be conducted, incorporating a full risk assessment in respect of operational, strategic, reputational or financial risks within the Division which would also inform the local Risk Register.

With regard to the Investigation of Sexual Crime and Key Performance Indicator (KPI) Reports, a number of areas of concern were identified and a number of associated recommendations were made by GPSU, some of which were marked as a priority.

5.2.2 Review of Wexford Division

In July 2014, the Garda Professional Standards Unit (GPSU) published the Divisional and District Examination Reports for the Wexford Garda Division. The Divisional Report contained fifty-six (56) recommendations which formed the basis of the subsequent Review. Following the publication of the Examination reports, Improvement Plans were sought to implement the agreed recommendations and, in November 2016, local management were informed that a Review of the Division was to commence. The Review of Wexford Division included a further inspection of the following process areas;

- ✚ Investigation of Criminal Complaints
- ✚ Domestic Violence
- ✚ Management of Property and Exhibits
- ✚ Threats to Life
- ✚ Health and Safety
- ✚ Investigation of Sexual Crime
- ✚ Occurrence Book Entries, RC1 Forms and the Creation of Associated PULSE incidents

Other areas selected for examination / commentary from a thematic Organisational policy / governance perspective are as follows;

- ✚ Garda Victim Service Office
- ✚ Adult Cautioning Scheme
- ✚ Major Emergency Management
- ✚ Governance and Oversight

With regard to the Investigation of Criminal Complaints, while there appeared to be good oversight of criminal investigation files overall, the following matters were noted;

- ✚ Correspondence from the Law Officers with regard to one investigation file indicated that vital witness statements and medical evidence had not been included in the file which had been forwarded through the prescribed channels within the Organisation.
- ✚ Thirteen of the PULSE incidents were not created within the required twenty-four (24) hour period.
- ✚ The Examination Report recommended that “*a process should be put in place to ensure that the procedures outlined in HQ Directive 24/12 (Instituting and Conducting the prosecution of an offence) and 48/13 (An Garda Síochána Policy on the Investigation of Sexual Crime, Crime Against Children and Child Welfare (2013) 2nd Edition) are adhered to*”. While an evaluation of the Divisional Improvement Plans found that efforts were made to re-circulate the content of these Directives, the Review found that further efforts are required in this regard.

With regard to the recording of Domestic Violence incidents within the Division, the narrative of all PULSE incidents reviewed within this category were deemed to be sufficiently informative. In addition, the incident narratives, or the PULSE investigation tabs were

regularly updated to reflect the current status of each investigation. One of the incidents viewed was found to have been created eight (8) months after the incident occurred / was reported. The Review process identified a welcome improvement with regard to call-backs to victims. These were reflected in all of the PULSE incidents reviewed.

HQ Directive 18/16 – Implementation of Property and Exhibits Management System (PEMS) Part 1 in An Garda Síochána was introduced, in March 2016, to the Organisation. In November, 2017 PEMS 2 was circulated to the Organisation and will ensure that all items taken into possession of An Garda Síochána are recorded on PULSE. PEMS 3 is the third stage in a three pronged approach to the implementation of the overall property and exhibits management system for An Garda Síochána. This has been included as part of the MRP and is scheduled for release in 2021. It is noteworthy that since the Review, a new Divisional Garda Headquarters was opened in Wexford in September 2017 and the Divisional PEMS Store is now located therein. Anecdotal evidence indicates that this storage facility is built for purpose and this development is welcomed by GPSU.

Many of the recommendations made in the Examination Report have been addressed. For example, each District Drug Register now includes a Court Date / Outcome column and this is regularly updated in respect of each investigation. All incidents reviewed were recorded correctly on PULSE and within the Drug Register and regular reconciliations were conducted. It is also noted that a further reconciliation was conducted between the Drug Register and the exhibits in the PEMS Store.

Inspections and Reviews conducted in one District in Quarters 1 and 4, 2016 included an audit of Property Management / Drugs and it was recommended by GPSU that consideration be afforded by local management in the other Districts to similarly utilise this governance tool. As stated above, the PEMS 2 system is now in place and many of the issues identified during the Review process are unlikely to reoccur if the policy is adhered to.

5.2.3 Review of Sligo / Leitrim Division

In July 2014, GPSU published the Divisional and District Examination Reports for the Sligo / Leitrim Garda Division. Following the publication of the Examination reports, Improvement Plans were sought to implement the agreed recommendations and, in November 2016, local

management were informed that a Review of the Division was to commence. The Review of Sligo / Leitrim Division included a further inspection of the following process areas;

- ✚ Investigation of Criminal Complaints
- ✚ Domestic Violence
- ✚ Management of Property and Exhibits
- ✚ Health and Safety
- ✚ Investigation of Sexual Crime
- ✚ Occurrence Book Entries, RC1 Forms and the Creation of Associated PULSE incidents

Other areas selected for examination / commentary from a thematic Organisational policy / governance perspective included the following;

- ✚ Inspections and Reviews – HQ Directive 59/2014
- ✚ Performance & Accountability Framework (PAF)
- ✚ Garda Victim Service Office
- ✚ Adult Cautioning Scheme

The Review process found that several Recommendations made by GPSU in the Examination report published in 2014 have not been implemented effectively in the Division. For example, the Examination report recommended (Recommendation 1.1 – Sergeants Responsibilities) that *“Supervisory ranks reviewing investigation files should ensure that all elements of the file are completed in accordance with the instructions in the Garda Code and that all statements include the date the statement was made, or taken together with the statutory declaration”*. The Review process, however, found that a total of 300 statements were undated in the 96 investigation files selected while 6 statements did not contain the statutory declaration. While a delay in the submission of 28 of the investigation files was also identified, it is acknowledged that some of the investigations pre-date the PULSE incident management system introduced with the deployment of PULSE Release 6.8.

Domestic Violence:

Incidents from a variety of Domestic Violence categories were randomly selected and it is acknowledged that the findings made as part of the Review process were minor in nature and included, for example, the non-completion of HSE Referrals in some instances involving

parents of children as required by policy. A new Organisational policy document was published in April 2017 and it was subsequently recommended by GPSU that all personnel are conversant with the content of same.

Property & Exhibit Management:

With regard to property and exhibit management, although improvements were observed across the Division, a number of areas of concern were noted in relation to the documentation of property, reporting and investigation files, together with tracking on PULSE. While many of these areas of concern will continue to be resolved by the implementation of the PEMS 2 system, the importance of a transparent and accountable system in relation to property and the requirement that members take responsibility for property relating to their investigations was highlighted in the Review report.

Health & Safety:

Each District Officer and their respective staff engaged with and supported the Health and Safety Review process and cooperated with GPSU by collating the documentation required and by ensuring that members were available for interview by the Unit during the Review process. The efforts of local management to resolve well publicised accommodation issues with regard to Sligo Garda station, together with the efforts of local Garda members, who have endured difficult conditions for a considerable period of time, were acknowledged by GPSU. It was recommended that each Health and Safety AFI not “fully addressed” to date be evaluated with the assistance of the Regional Health and Safety Officer, with a view to progressing, eliminating/mitigating them and that local management should report on their progress or otherwise as part of the next Inspection and Review carried out.

Investigation of Sexual Crime:

The KPI Report for each of the three Districts were examined during the Review process. Eight categories were Red on the Sligo District Report but it should be noted that two of these categories had only gone Red within the previous two weeks. Fourteen categories were Red on the Leitrim District Report while only two categories were Red on the Ballymote District Report. GPSU found that some incidents containing sexual keywords were recorded as Attention and Complaints in both Sligo and Leitrim Districts and it was recommended that, if it was subsequently determined that these incidents are properly recorded, the status should be updated.

Adult Cautions:

At the time of the Review, GPSU had been tasked with conducting a nationwide audit of Adult Cautions at District level from a Corporate Governance perspective to ensure that policy requirements were being adhered to. An examination of the Adult Caution process was conducted within the Division and a review of a number of incidents, randomly selected for this purpose, found the following;

- ✚ A number of Adult Cautions were found to have been delivered in excess of six months after the incident had occurred.
- ✚ In some instances, Adult Cautions were not administered as required.
- ✚ In one instance an Adult Caution was delivered in respect of a Criminal Damage incident where the damage caused was in excess of €1,600. Organisational policy, however, provides that only incidents where the value of the property damaged is less than €1,000 should be considered.

5.3 Implementation of GPSU Recommendations

The findings of GPSU Examinations and Reviews, details of which are contained in published reports is of immense importance to the performance of both the Unit and the wider Organisation.

As previously advised, GPSU initiated a review system for the implementation process of Recommendations made by the Unit within Districts. This system involves all recommendations made by the Unit recorded on a spreadsheet for delivery to the relevant District Officers in each Division examined. GPSU have continued to request a return from Divisional Officers in respect of the status and implementation of the GPSU priority recommendations. It is intended to conduct on-site visits where appropriate in 2019 to conduct physical checks of the processes implemented by Districts and Divisions and all relevant associated documentation.

6. Ensuring Organisational Standards.

The role of GPSU is not limited to Examinations of Garda Districts, Divisions, Sections or the compilation of thematic reports on subject matters of national significance. It also extends to ensuring the promotion of the highest ethical, legal/governance and public office standards within An Garda Síochána.

6.1 FCN Cancellations

GPSU are committed to ensuring that the application of the cancellation process within Fixed Charge Notices (FCN) are conducted in accordance with revised policy and best ethical standards. The Garda Internal Audit Service (GIAS) are required by policy to conduct regular audits of the full operation of the Fixed Charge Processing System (FCPS) to ensure full compliance with all aspects of the policy. As part of any GIAS audit, GPSU provide support by carrying out an examination of the decision making process.

On a monthly basis GPSU request documentation related to 20 randomly selected cancellation notices from the Fixed Charge Penalty Office (FCPO) in Thurles. GPSU examine the rationale behind each cancellation to ensure that policy requirements are followed. The outcome of this analysis, together with any findings/recommendations, are reported monthly to the relevant stakeholders, including Head of Internal Audit (GIAS) and Assistant Commissioner Roads Policing and Major Event / Emergency Management (RPMEM), who forwards these reports for the attention of FCPO management. Responses from the FCPO are subsequently received by GPSU via Assistant Commissioner RPMEM.

From the 160 cancellation files examined to date for 2018, 36 files were returned to the policy holder with queries regarding the cancellation rationale. Notwithstanding that queries were raised by GPSU in respect of 22.5% of the files examined, it is important to note that GPSU were satisfied with the cancellation rationale recorded in respect of 77.5% of the files examined.

Figure 6 below provides a summary of the cancellation categories examined by GPSU;

Figure 6 – Summary of Cancellation Categories Examined

Cancellation Categories	No. of Cancellation Files Examined by Category Type
Undelivered An Post	14
Data Entry/IT/Garda Errors	25
Undelivered - Public Returns	8
Nomination Detail - Reissue to Registered Owner	16
Exceptional Circumstances - Other	11
NVF - New Owner Details	15
Vehicle / Driver File Defects	8
Stat Exempt – Official Garda Vehicle	12
Image Unsuitable / Scanning Issue	0
Stat Exempt - Fire Brigade	7
Disabled Parking Pass	16
Seat Belt Detection - Medical Evidence	0
Stat Exempt – Ambulance	3
Tax / Insurance Disc / Trade Plate / NCT In Order	20
Scanning – Incorrect Registration Number	4
Public Order Offences	1
Total	160

6.1.1 Recurring issues identified from responses received from FCPO

Arising from the continued analysis of responses received from the Fixed Charge Processing Office (FCPO) to monthly reports provided by GPSU, it became evident that a number of issues / concerns regarding the cancellation rationale and associated policy compliance were identified as ‘recurring issues’. An advisory report was sent to the policy holder in December 2018 to enable Organisational, procedural and administrative responses / actions to the issues identified to be effected where appropriate.

6.1.2 Report of Sole Independent Oversight Authority

In March 2018 Judge Matthew Deery provided an update report for the year 2017 to the Minister for Justice and Equality in relation to his role as the sole Independent Oversight Authority in respect of the Garda Fixed Charge Processing System (FCPS) Cancellation Policy Oversight Authority⁵.

⁵

[http://www.justice.ie/en/JELR/Third Annual Report of the Garda Fixed Charge Processing System \(FCPS\) Cancellation Policy Oversight Authority%20\(2\).pdf/Files/Third Annual Report of the Garda Fixed Charge Processing System \(FCPS\) Cancellation Policy Oversight Authority%20\(2\).pdf](http://www.justice.ie/en/JELR/Third%20Annual%20Report%20of%20the%20Garda%20Fixed%20Charge%20Processing%20System%20(FPCS)%20Cancellation%20Policy%20Oversight%20Authority%20(2).pdf/Files/Third%20Annual%20Report%20of%20the%20Garda%20Fixed%20Charge%20Processing%20System%20(FPCS)%20Cancellation%20Policy%20Oversight%20Authority%20(2).pdf)

In his report, Judge Deery acknowledged that *“the implementation of most of the recommendations contained in the Report of the Garda Professional Standards Unit has immensely strengthened the system. The Garda Professional Standards Unit has continued to carry out monthly examinations of random samples of decisions by the Cancelling Authority”*... *“In addition, the involvement of the Garda Professional Standards Unit, and the Garda Internal Audit Section provides a great deal of reassurance”*.

7.2 Data Protection

Organisational policy provides that GPSU *“are responsible for the examination of the implementation of Data Protection Policy, Procedures and Legislative requirements”*. The Data Protection Code of Practice for An Garda Síochána also provides that *“GPSU will conduct examinations and reviews of the Data Protection Procedures as part of their ongoing examination and review process”*⁶.

PULSE enquiries which relate to certain Items of Interest (IoI)⁷ require a *Reason for Enquiry* field to be completed. In order to ensure that proper standards are maintained in respect of the reason for each enquiry, GPSU personnel conduct a random electronic inspection of a dip sample of PULSE enquiries in eight (8) Garda Districts on a monthly basis using a Reporting Service⁸ available on the AGS Portal.

An enhanced commitment by GPSU, evidenced by an increase in the number of Garda Districts subject to monthly examination was the subject of recent favourable comment by the Data Protection Commissioner and, throughout 2018, GPSU again increased the number of random audits conducted by including one National Unit each month.

A copy of the data analysed is forwarded to each District Officer and highlights PULSE checks which are deemed to be non-compliant within their area of responsibility. The number of PULSE enquiries relating to IoI's which are deemed to be non-compliant are also included on a Master Spreadsheet maintained by GPSU which is formulated to give a statistical analysis of compliance rates nationally. An annual report is provided annually to each Divisional Officer which provides details of compliance rates, together with a comparative analysis of the

⁶ Section 6 32.15(3) – Data Protection Code of Practice

⁷ Persons, Vehicles or Locations

⁸ COMP_002

preceding year for each of their respective Districts. This permits local management to analyse the data protection standard trends in their area.

The audits by GPSU are instrumental in championing the rights of individuals to have their data collected, stored and disseminated safely and securely in accordance with the law within An Garda Síochána. While it has been recommended by GPSU that this function transfer to the newly formed Data Protection Section within An Garda Síochána, senior management have directed that a period of embedment be allowed prior to an informed decision being made in this regard.

6.3 Health & Safety

GPSU forms part of the Health and Safety Executive Management Team who have responsibility for considering and reporting on matters of policy, strategy and performance in relation to health and safety within An Garda Síochána.

HQ Directive 09/2014 places a responsibility on the Health and Safety Executive Management Team *“to regularly monitor, audit and review the occupational health and safety management system with a view to working towards continuous improvement”*.

GPSU sought to revise their Health & Safety examination methodology in 2018 and, following a recommendation made by GPSU, the Health & Safety Executive Management Team approved and recommended a revised approach towards the evaluation of Divisions and Districts Health & Safety performance. A Health and Safety evaluation document was developed to be used by Regional Safety Advisors when conducting their Health and Safety inspections / evaluations in selected Divisions in 2018. Health and Safety Management Reviews were conducted in the Eastern, Northern and Western Regions in 2018 comprising three (3) Divisional, three (3) District Headquarters and three (3) sub-District stations.

It is envisaged that this revised approach will provide greater assurance that all relevant policies and procedures are implemented, operated, checked, audited and reviewed in accordance with a structured programme with the objective of ensuring continual improvement.

6.4 Critical Incident Case Review

Organisational policy⁹ requires that Chief Superintendent GPSU be advised as soon as any of the following matters arise;

1. Where a trial of a case in respect of a critical incident collapses.
2. Where an adverse comment is made by a Court at a trial of a case in respect of a critical incident in relation to the conduct of the investigation, Garda behaviour, practice or procedure (including a breach of the Custody Regulations) or
3. Where an adverse comment is made by the Director of Public Prosecutions in relation to the conduct of the investigation, Garda behaviour, practice or procedure.

The purpose of the examination and review is to identify issues of importance, either good practice/standards or areas for improvement that may influence future investigations, practice, procedures and standards within the Organisation.

One (1) such case was referred to the Unit in 2018 for Examination/Review and a report in respect of this matter was completed and forwarded for the information of senior Garda management.

6.5 Investigative Interviewing of Witnesses and Suspects

Garda Síochána Investigating Interviewing Policy and Manual of Guidance for Investigative Interviewing was introduced following recommendations made by the Smyth Advisory Committee and is intended to facilitate an awareness of investigative interviewing and to create an understanding of the Garda Síochána Interviewing Model (GSIM).

A Thematic examination of this subject area commenced in 2018 and it is anticipated that the final report will be published in Quarter 1 2019.

⁹ HQ Directive 28/2014 – Serious Crimes and Critical Incidents – Case Reviews

7. Stakeholder Engagement

GPSU liaise extensively with both internal and external stakeholders in order to enhance the operational benefit of the Unit to the Organisation. Extensive stakeholder consultation was conducted during the reporting period and GPSU canvassed opinion as to areas for potential Examination and inclusion in the GPSU Policing Plan during 2019. Having considered the content of the Corporate Risk Register, GPSU also sought written submissions from Regional and Divisional Officers in respect of areas of risk and concern.

Examples of stakeholder engagement conducted in 2018 are listed hereunder:

7.1 Key Stakeholder Group

Several meetings of the Risk ‘Key Stakeholder’ Group were held throughout 2018. The stakeholder group is comprised of representatives of the following sections:

-  Garda Policy Coordination Unit (GPCU)
-  Garda Risk Management Unit (GRMU),
-  Garda Internal Audit Section (GIAS),
-  Strategic Transformation Office (STO)
-  Policy & Planning Unit (PPU)
-  Strategic Planning Unit (SPU)

7.2 Garda Internal Audit Service

GPSU continue to liaise with the GIAS in relation to areas that require ongoing examination and monitoring of compliance. GPSU continued to provide assistance to GIAS with regard to a joint Examination of Special Crime Operations (SCO) formerly National Support Services (NSS) during 2018.

As previously advised, GPSU with the full agreement of GIAS, have revised the current Inspection and Review Process (HQ Directive 59/14). The new process will see GPSU generating the quarterly reviews via on-line communications supported by the Garda Portal Platform. Chapter 3 of the GPSU Annual Report 2018 contains full details regarding the continued development of the I.T. solution which will aid managers in the administration of the Inspection and Review process.

It has been mutually agreed that both sections shall collaborate in 2019 with regard to an Examination of the Property and Exhibit Management (PEMS) system.

7.3 Risk & Policy Governance Board

Chief Superintendent GPSU is a member of An Garda Síochána's Risk & Policy Governance Board. The Board was established to oversee and provide strategic direction with respect to risk management and the management of policy in An Garda Síochána. The Board is a collective advisory group of key senior managers with responsibility for advising the Commissioner and the Garda Executive with regard to the Organisation's corporate risks and policies. The aim of the Board is to ensure that the Organisation's corporate risks are managed and mitigated effectively, to enable An Garda Síochána to achieve Organisational objectives as outlined in Strategy Statements and Policing Plans. GPSU senior management participated in meetings held at regular intervals throughout 2018.

7.4 Representative Associations

In April 2018, GPSU delivered a further presentation to both the Chief Superintendents and Superintendents Representative Associations regarding efforts to increase compliance and enhance guidance on the Inspection and Review Process under H.Q. Directive 59/14. The engagement also involved discussion on the continued development of the proposed I.T. support system.

7.5 Training and Development

Throughout 2018, GPSU provided eighteen (18) presentations as part of the Detective and Probationer Garda training programmes (see Figure 2 page 16). Presentations are specifically tailored for each audience in order to promote best practice throughout the Organisation.

GPSU visited a number of Divisions and met with local management teams, prior to the participation of each Division in the pilot project, in order to provide specialist briefing seminars in respect of the Inspection and Review process.

7.6 Policing Authority

Meetings with representatives from the Policing Authority were held in GPSU in Q1 and Q3 2018. The meetings were helpful and provided opportunities to discuss a variety of issues and also assisted in developing GPSU's appreciation of the external stakeholders' expectations.

GPSU continue to ensure that all GPSU reports, in full or limited redaction format, are delivered to the Policing Authority Liaison Office.

7.7 Garda Inspectorate

A meeting with members of the Garda Inspectorate was held in Q2 2018 at which senior GPSU management detailed the continued development of the revised Inspection and Review process. The meeting also allowed senior management of GPSU to provide assurance that recommendations previously made by the Inspectorate will be linked to future Thematic work conducted by the Unit where appropriate.

7.8 Excellence Ireland Quality Association (EIQA).

The Q Mark for Quality Management Systems is recognised as one of Ireland’s highest standard of quality and excellence and acknowledges that all processes, procedures and resources are continuously monitored and reviewed for best practice. In March 2018 an external assessment of the GPSU was conducted by an Excellence Ireland Quality Association (EIQA) auditor. During the external assessment, semi-structured interviews were held with the GPSU management team and supervisors in relation to:

- ✚ Leadership and Commitment Criteria & Results
- ✚ Employee Engagement Criteria & Results
- ✚ Customer Experience Criteria & Results
- ✚ Processes Criteria & Results

Following a successful assessment, GPSU were awarded the Q Mark for Quality Management Systems. In the final report, the external assessor commented that;

“The GPSU continues to demonstrate a strong commitment to continuous improvement, both in the work completed by the Unit, and promoting best practice and high standards in the wider Organisation ...The approach is thorough and professional and reviews are conducted against best practice standards, Garda policy and directives”.

The final score awarded to the unit increased by 51 points on that awarded in 2017.

The following table outlines the scores achieved by GPSU in each category in 2018 and provides a comparison with recent previous scores achieved;

Fig.7: EIQA External Assessment – Score Comparison

Element	Total Points Available	Points Awarded			% Achieved 2018
		Assessment 2012	Assessment 2017	Assessment 2018	
Leadership and Commitment	200	147	152	168	76%
Employee Engagement	150	106	111	120	74%
Excellent Business Systems and Processes	176	81	138	144	78%
Customer Experience	150	92	105	114	70%
Results	300	182	207	217	69%
Overall Total Score	976	608	712	763	73%

7.9 External Police Forces

Chief Superintendent GPSU attended the 21st Interpol Police Training Symposium in South Korea in June 2018. This biennial event, co-hosted with the Korean National Police Agency (KNPA), is a global conference that allows countries to come together in an international forum to discuss how to enhance law enforcement capacity and international co-operation through training within the current security context.

GPSU personnel liaised with our international counterparts in the United Kingdom (U.K.) and the United States of America (U.S.A.) in order to conduct research as part of Thematic examinations commenced during the reporting period.

Appendices

Appendix A

'Screengrab' of GPSU Team Site



GPSU Team Site

Excellent People Delivering Policing Excellence



12 March 2019

[AGS Portal](#)

[AGSTeams](#)

Site

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GPSU

GPSU > Pages > Default.aspx

Noticeboard



GPSU Quarterly Newsletter Issue 3

Welcome to issue three of the GPSU newsletter. Each issue will feature the most up to date information relevant to the Unit including status updates on projects being undertaken. Your feedback is welcome in relation to any of the work conducted by the Unit. Submissions can be made to GPSU_DV@garda.ie

[Read More...](#)



EIQA Assessment 2018

EIQA Assessment Results - 2018

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Team Calendar

		Title	Location	Start Time
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There are no items to show in this view.

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HQ Directives

- [» HQ.025.2017](#)
Garda Internal Audit Section (GIAS) Support and Communication.
- [» HQ.059.2014](#)
Garda Inspections and Reviews.
- [» HQ.028.2014](#)
Serious Crimes and Critical Incidents - Case Reviews.

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	GPSU Newsletter issue 3 2018
	GPSU Examination Reports
	Areas for Inspection
	Newsletter Issue 2 2018
	Professional Standards Unit Newsletter Issue 1 2018

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Appendix B

GPSU Newsletter No. 3



Garda Professional Standards Unit Newsletter



Welcome to The Garda Professional Standards Unit (GPSU) Q4 2018 Newsletter. In Issue 3 we would like to take this opportunity to update you on the current developments & achievements within the unit, ensuring the continued implementation of best standard practices throughout An Garda Síochána

Issue 3

December 2018

Presumptive Drug Testing Published Report

Overview:

In Quarters 3 & 4 2018, GPSU conducted a Thematic Examination on Presumptive Drug Testing Within An Garda Síochána to establish the level of awareness among Garda personnel of all ranks regarding the existing policy and procedures and the benefits of the system for both An Garda Síochána and Forensic Science Ireland (FSI).

The examination also focused on the level of acceptance the current system receives from Courts on a national level. Prior to conducting on-site examinations in 12 Divisions, GPSU personnel liaised with FSI regarding statistical information in addition to other pertinent areas of interest and also examined a significant number of PULSE incidents in order to ascertain the level of compliance with organisational policy. Questionnaires were also disseminated to District Officers, Sergeants-in-Charge of Drug Units and to Court Presenters.

During the on-site portion of the Examination, semi-structured interviews were conducted with supervisory Sergeants and Garda members, including trained POT Testers. GPSU acknowledges the constructive input and feedback provided to GPSU during the on-site portion of the examination.

The information provided by operational personnel was evaluated and formed the basis of some of the recommenda-

tions made by GPSU.



Summary of Findings:

- All Garda Divisions are using POT where applicable.
- The majority of Garda Divisions are in compliance with organisational policy with regard to the recording of POT Tests conducted.
- The level of acceptance of the process by the Judiciary varies throughout the country.
- The feasibility of having POT placed on a legislative footing should be explored.
- An overarching, all-encompassing organisational policy document is required in respect of POT.
- FSI have stated that there have been delays in issuing Certificates of Analysis in Simple Possession Investigations

due to the amount of controlled drugs forwarded for analysis.

POT kits contain no unique identification number for audit purposes.

Prior to the on-site portion of the Examination, compliance with regard to recording POT Tests conducted (in accordance with HQ Directive 35/2015) stood at 72%. Failure to comply with organisational policy in this regard will lead to inaccuracies within the POT Statistical Report. Introduced by PULSE Release 6.7.

Additional equipment, including face masks and a sterile sheet, similar to the one included in DNA packs, should be provided to personnel for the purpose of conducting POT Tests.

The Thematic Examination conducted by GPSU provides reasonable assurance that the POT process is being utilised to its optimum potential for a number of reasons including, but not exclusive to, the absence of legislative provision and a perceived lack of training and awareness in this area. It is anticipated that the recommendations made by GPSU will provide a foundation from which to advance and enhance this process area and to ensure compliance with the highest standards.

Inside this issue:

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GPSU Garda College Presentation	3
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GPSU Mission Statement

The development of best practice and the achievement of excellence across operational, administrative and management functions within An Garda Síochána.



Safety Representative of the Year Award - 2017

“Sergeant Cunningham has effectively promoted and developed safety, health and welfare practices, not only within GPSU but also during on-site visits conducted as part of Divisional Examinations nationwide”

Sergeant Maurice Cunningham, 23347A achieved 1st place in the Safety Representative of the Year Awards 2017 competition within An Garda Síochána and was presented with a Perpetual Trochr by the Garda Commissioner at a ceremony held in the Officer's Club, Garda Headquarters on 20th November 2018. Sergeant Cunningham has a proven pedigree in this regard and was awarded a Diploma in Safety & Health at Work in 2007/2008 and previously achieved 1st place in the Safety Representative of the Year

Awards in 2005. Sergeant Cunningham has effectively promoted and developed safety, health and welfare practices, not only within GPSU but also during on-site visits conducted as part of Divisional Examinations nationwide.

GPSU Divisional Examinations focus on Divisional / District records of compliance with organizational policy and procedures relating to the Safety, Health and Welfare at Work Act, 2005, the Safety, Health

and Welfare at Work (General Application) Regulations, 2007 and Garda Code Chapter 5. As part of such Examinations, a wide range of documentation is inspected including Safety Statements, Risk Assessment Sheets, Fire Registers, Minutes of Meetings (i.e. PAF Meetings, Divisional Safety Committee Meetings) and Management Inspections conducted in accordance with HQ Directive 59/14 – Garda Inspections and Reviews.



“If a blank summons is grouped together with other summonses, none are electronically transferred to the Court Services therefore it is advised that blank summonses are created separately”

Thematic Examination of Service of Summons Risks

GPSU is currently conducting its third Thematic Examination in respect of the Service of Summonses. It has been identified during the early stages of this examination that there is a lack of awareness among certain members pertaining to the creation of blank summonses offence codes X9996 (Summary offence) & X9999 (Indictable offence).

The prosecuting member must print and physically lodge

the summons application in the Court Office to enable the staff to assign a court date. Blank summonses do not automatically transfer to the Court Services, therefore, if this procedure is not followed the summons application will have a status of 'ready to print'.

It is important to note, if a blank summons is grouped together with other summonses, none are electronically transferred to the Court

Services therefore it is advised that blank summonses are created separately.

In addition, members are advised to be cognizant that as per "Fixed Charge Processing System, Policy & Procedures Manual – 2014", all unpaid drink driving and public order summonses must be generated manually by the investigating member for the matter to be finalized in court.



GPSU Team Updates

Graduates:

At a ceremony held at Dublin Castle on 14th Dec 2018, the following GPSU personnel were awarded a Professional Certificate in Governance, accredited by the University College of Dublin at level 9 delivered through the Institute of Public Administration for the academic year 2017 -2018.

- Chief Supt John Nolan

- D/Inspector Emma Dorle
- HEO Jennifer Howard
- Sergeant Paul Lynch
- Garda Marco DeLuca

The graduation ceremony was attended by Commissioner Drew Harris . The achievement concludes another successful academic year and bolsters the units academic credentials.

Promotion:

Set Paul Lynch was a successful candidate in the recent selection of Sergeants for Promotion to the Rank of Inspector, 2017 competition and is awaiting the promotion notification bulletin. The GPSU team would like to thank Paul for the excellent input he made during his tenure and wish him the best in his future career.



GPSU Vision

“To be the world leader of professional standards in a policing context leader of professional standards in a policing”

Inspection and Reviews

Under HQ Directive 59/2014 Superintendents/Assistant Principals carry out quarterly Inspections and Reviews within their areas of responsibility. When completed the Inspection and Review documentation is sent to the Chief Superintendent/Principal Officer for comment and onward submission to GPSU and the Garda Internal Audit Section (GIAS). This process is also carried out at Divisional level on a half-yearly basis, with the Chief Superintendent/Principal Officers Inspections and Reviews submitted to Assistant Commissioner/Executive Director.

What are Inspections and Reviews?

The primary function of Inspections and Reviews is to assess the effectiveness of systems and procedures both locally and organizationally, in order to identify and implement measures to improve performance.

Why are Inspections and Reviews Important?

A strong Internal Control function is an assurance procedure which demonstrates the commitment of An Garda Síochána to self-assessment, transparency and accountability; in line with national and international Governance practices. A strong assurance

procedure increases trust with stakeholders and creates a streamlined partnership approach with external oversight and regulatory bodies.

Feedback

At a recent briefing of operational supervisors in relation to Inspections and Reviews, GPSU was made aware that confusion exists in relation to the creation of notifications to TUSLA. Some members believe that in creating the “Child Welfare/TUSLA Notification” Incident, PULSE automatically generates a notification to TUSLA. Supervisors should inform their units that a hard copy notification must always be sent to the relevant agency.



Management and staff of the Garda Professional Standards Unit would like to take this opportunity to wish each and every one of you and your families a very safe, peaceful & Happy Christmas and indeed a very prosperous New Year.

We look forward to engaging with you in 2019 and we will continue to undertake to ensure the implementation of best standard practices and processes in the year to come. Together we can build a solid foundation on which to develop future initiatives.



Feedback/Comments?

Contact us at:
gpsu_dv@garda.ie

Appendix C

Excerpt from GPSU Revised Inspection and Review Process

Decision Making Process

