



‘Capturing the Impact’ Human Rights Champions

‘Has An Garda Síochána impacted the development of a human rights-based approach to policing through the introduction of its training package for Human Rights Champions?’

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EXECUTIVE SUMMARY

The role of Human Rights Champion was created to empower Garda Personnel to deliver a human rights-based approach to policing. Garda Personnel must undertake two phases of training. Phase 1 is the Policing and Human Rights Law in Ireland course provided by the University of Limerick. Phase 2 includes six monthly disseminations of ‘Learning Sessions’ on the internal Garda Educational Training System (GETS) Approximately 2000 Garda Personnel have been provided with the opportunity to engage in this training to become a Human Rights Champion between January 2021 and November 2022.

To ascertain the extent of this training’s influence on the work of Human Rights Champions, the Human Rights Section completed a review based on the following research question: “Has An Garda Síochána impacted the development of a human rights-based approach to policing through the introduction of its training package for Human Rights Champions?”

The review is a snapshot in terms of its scope. This review targeted the first intake of participants to complete this training, who were asked to complete a survey, appendix A to this report, to understand how they, as a Human Rights Champion, were applying their learning outcomes within their role, and sought to ‘capture the impact’ of the training in a practical sense. The themes observed in the analysis include:

Theme 1 – ‘Human rights in the informal / conversational space in An Garda Síochána’

Human Rights Champions advocate their training to colleagues by promoting it at any given opportunity in casual and informal conversation. They demonstrate collectively that the benefit of completing the course and the subsequent conversations that follow can only improve the service of An Garda Síochána.

Theme 2 – ‘Human Rights Incorporated into Decision Making’

Human Rights Champions demonstrate this by implementing a human rights-based approach in operational, management, strategic planning, and decision-making forums. If they have opportunity to incorporate learning into an aspect of their job, they strive to do so. Human Rights Champions can recognise conversations among colleagues which do not align with human rights standards and decide to lead by example and intervene by challenging them to meet the standards of the Human Rights Champion.

Theme 3 – ‘Human Rights Incorporated into Work Place Practice’

Human Rights Champions use their newly acquired knowledge in the workplace, often taking the opportunity to challenge work practices to encourage a focus on human rights. They feel empowered to do things differently, suggesting an awareness of the moral authority that Garda personnel have, allowing human rights to become a central component of their practice.

Theme 4 – ‘Awareness of Disability, Difference, Diversity’

Human Rights Champions use this newly acquired knowledge to effect change, thereby embedding human rights in An Garda Síochána. They reference many occasions of forging links and building relationships with diverse communities, for example, the LGBTQ+ and Traveller communities.

Theme 5 – ‘Human Rights Champions are not Passive; They are Influencing Change’.

Human Rights Champions play an active role in affecting change and furthering the principles of human rights. They are a positive influence of change, and understand and promote human rights for example using their voice to influence policy to be human rights compliant, or being a member of a custody

management working. They are also doing this in operational settings, for example, a Court Presenter ensuring that the human rights of victims and suspects are protected and respected.

Theme 6 – ‘Legality and Accountability of Human Rights’

A result of this course has been the wholehearted embracing and understanding of the key principles underpinning the human rights-based approach to policing, which are legality, necessity, accountability, proportionality and non-discriminatory. Human Rights Champions across all grades and ranks feel empowered by the training and feel better placed to discuss these matters with their teams.

Theme 7 – ‘Education and Training’

Human Rights Champions reference personal development and growth after completing this training. This course has prompted further education and training for many Human Rights Champions.

This review provides evidence of a positive experience in participating in the training. Reflections provided by Human Rights Champions suggest evidence of a change in thinking and a change in behaviour. The evidence suggests that human rights have actually been socialised within An Garda Síochána, in that Human Rights Champions are actively reflecting a recognition that human rights are a ‘norm’ of policing and has formed part of their identity as a staff member. This review provides empirical evidence to suggest that a human rights-based approach to policing has been understood, interpreted and made applicable to the multiple areas of business that Human Rights Champions represented within An Garda Síochána. This review also provides empirical evidence to suggest that Human Rights Champions now more effectively understand their function as facilitators and protectors of human rights. They understand their role as a human rights practitioner.

Human Rights Champions convey an awareness of and proficiency in human rights that they embrace with pride. It is suggested that this development of Garda Personnel is contributing to a shift in culture within An Garda Síochána. This deduction is made on the basis that culture is associated with a widely accepted way of thinking and behaving, and the respondents in this review provided concrete examples of their change in thinking and behaving as a result of their newly acquired knowledge.

This review strengthens the idea that the training in question has important implications for an awareness of human rights. By upskilling staff in this area, An Garda Síochána have enabled Human Rights Champions to feel empowered to deliver a human rights-based approach to policing.

Recommendations are made with regard to the continuing endeavours to ensure a human rights-based approach to policing, specifically:

It is suggested that public consultation would be helpful to measure the impact of this Human Rights initiative. This could be achieved by the inclusion of further questions in An Garda Síochána’s Public Attitudes Survey. The Human Rights Section has also identified a possible gap in the area of communication with the public about human rights. An Garda Síochána may consider developing a human rights-based approach to policing online resource for the public to engage with. This online resource would be in plain English with the goal of assisting the public to understand their rights when interacting with An Garda Síochána and how those rights can be interfered with by An Garda Síochána when performing their statutory function. This guidance would aim to augment the information currently publically available from other sources.

1 INTRODUCTION

- 1.1** An Garda Síochána has introduced a series of training opportunities for Garda Personnel to understand, and deploy a human rights-based approach to policing. The impetus for these training opportunities resulted from the Commission on the Future of Policing Report (Commission Report) issued in 2018.¹
- 1.2** The Commission Report specified that the protection of human rights is fundamental to the purpose and mission of policing, saying that human rights must be embedded in the thinking, ethos, and operations of the Garda Personnel at all levels. Human rights, it continues, ‘must be a central concern, and an informing principle when police policies and strategies are being developed, when operations are planned and executed, and when cases are brought to a conclusion’. Front line Gardaí must always act in accordance with human rights, taking a balanced perspective on the rights of arrested or detained persons, those of the wider public, and the rights of victims.
- 1.3** It is important to note that human rights have been a central focus of An Garda Síochána, evidenced by its three core policing principles which state that policing services must be: (1) provided independently and impartially, (2) in a manner that respects human rights, and (3) in a manner that supports the proper and effective administration of justice.² In addition, the function of An Garda Síochána under the Garda Síochána Act 2005³ is to provide policing and security services for the state with one of its primary objectives being to vindicate the human rights of each individual.
- 1.4** This focus is evident having regard to the priorities set out in the 2022 Policing Plan, which includes promoting and championing values of the organisation both internally and externally, having cognisance of obligations under section 42 of the Irish Human Rights and Equality Commission Act 2014.⁴ This is sought to be achieved by continuing to enhance professionalism amongst An Garda Síochána personnel, embedding human rights and ethical decision making. It is also evidenced within the An Garda Síochána Strategy Statement which contains 5 pillars and 5 enablers each of which are underpinned by aligned functional strategies and clear structures, governance and accountability and a commitment to human rights.⁵
- 1.5** Resulting from the Commission Report, the Human Rights Section opened in December 2018. Its first task was to create a Human Rights Strategy to provide a guidance and structure to developing a human rights-based approach to policing.
- 1.6** An Garda Síochána issued its (inaugural) Human Rights Strategy 2019 – 2022⁶ which contained 7 specific ‘goals’ which are further broken down into a number of ‘actions’, each with a further number of sub-actions necessary to achieve the goal. It issued a second Human Rights Strategy (2022 – 2024)⁷ which continues to evolve this approach.

¹ The Commission on the Future of Policing, *The Future Of Policing In Ireland* (Gov Pub 2018), pg 11.

² An Garda Síochána, 'Homepage Of AGS' (An Garda Síochána, 2022).

³ Garda Síochána Act 2005, S7.

⁴ Irish Human Rights and Equality Act 2014, S 42.

⁵ An Garda Síochána, 'Strategy Statement 2022' (An Garda Síochána 2022).

⁶ An Garda Síochána, 'Human Rights Strategy 2019 – 2022' (An Garda Síochána, 2022).

⁷ An Garda Síochána, 'Human Rights Strategy 2022 -2024' (An Garda Síochána, 2022).

- 1.7** One of the ‘goals’ in the first Strategy focussed on training and another on the creation of a role of Human Rights Champion. On this basis, and in order to progress the strategy of An Garda Síochána towards a human rights-based approach to policing, a training plan was devised. This training plan had 2 phases. Phase 1 was the development of a bespoke Level 8 accredited ‘Policing and Human Rights Law in Ireland’ training program in conjunction with the University of Limerick. Phase 2 was the delivery of ‘Learning Sessions’ via the Garda Educational Training System (GETS) in conjunction with external experts who could offer specific guidance on areas of vulnerability that have cause to interact with a policing service.
- 1.8** This report provides the outcome of a review conducted by the Human Rights Section. The purpose of the review was to understand the impact that the training has had on Garda Personnel who have completed it, resulting in them becoming Human Rights Champions in An Garda Síochána. This review was completed in order to develop a meaningful understanding of the role that Human Rights Champions have in An Garda Síochána.
- 1.9** This report will explain the two phases of training that Garda Personnel are exposed to, namely the Policing and Human Rights Law in Ireland course and the subsequent ‘Learning Sessions’. It will then provide an outline of the role and function of a Human Rights Champion. Next it will present the research question and aims, followed by the method employed by this review. Following this, the results are provided via a thematic review. A short discussion will follow, along with a number of recommendations.

2 A HUMAN RIGHTS-BASED APPROACH TO POLICING – BACKGROUND CONTEXT

- 2.1** In deciding upon a direction of training to develop the understanding of An Garda Síochána with regard to a human rights-based approach to policing, cognisance was afforded to new interpretations of language that required consideration, and the general vision that society has towards human rights. Much of the initial conversation spoke to the ‘fear’ of human rights law, and so consideration was given to how to demystify the language of human rights so that rather than being seen as a way to criticise policing practice, it can be viewed as a way to enrich and contribute to a legitimate policing practice and to empower Garda Personnel in their roles. It was a goal to present human rights as a social phenomenon that requires fluid understanding, and it was recognised that this would only be achieved by engaging with a diverse group of people who could provide a representative account of lived experiences.
- 2.2** Garda Personnel are the front facing ‘gatekeeper’ who are placed in the most dynamic situations to make decisions that are sometimes life and death. They have to make important decisions that impact people’s lives directly, for example, to decide if a mental health crisis meets the threshold of detention thereby interfering with their liberty. With the magnitude of this responsibility, it was clear that Garda Personnel must have a complete understanding of human rights law that exists and governs our policing service, and that they must understand their role as human rights practitioners. To empower Garda Personnel in a practical and effective way and to enable them to fulfil that role with confidence, a bespoke educational package was required, and it was essential that it be driven by the Garda Executive.

- 2.3 In considering the content of the training, it was considered necessary to challenge the interplay of social needs and the rule of law and to foster a holistic understanding of the difficulties and differences that makes up Irish society in the 21st Century.
- 2.4 Resulting from all of the above, the key objective of the training was to create an understanding of the importance of human rights as a core aspect of modern policing and the language of human rights.

3 PHASE 1: POLICING AND HUMAN RIGHTS LAW IN IRELAND COURSE

- 3.1 The University of Limerick ‘Policing and Human Rights Law in Ireland’ programme is a 12 week course culminating in a Level 8 Certificate in the National Framework of Qualifications. The course applies a blended approach to learning with academic lecturers being delivered by the School of Law (University of Limerick), and with operational ‘experts’ on their area of speciality in An Garda Síochána.
- 3.2 The course provides participants with an introduction to the workings and jurisprudence of the European Convention on Human Rights, particularly as it relates to policing in Ireland. The course benefits from some exceptional external contributors, in professional, legal, academic and medical practice.
- 3.3 The initiative earned widespread attention both within and outside of An Garda Síochána. The course has been delivered on 4 occasions resulting in approximately 2000 Garda Personnel having had the opportunity to complete it. Several external bodies have also taken the opportunity to participate including the Garda Síochána Ombudsman Commission, the Policing Authority, the Garda Inspectorate, the Police Service of Northern Ireland and the Irish Defence Forces.
- 3.4 Each (internal) participant who completes the training programme is assigned the role of Human Rights Champion in An Garda Síochána.

4 PHASE 2: TRAINING – LEARNING SESSIONS

- 4.1 Garda Personnel next receive additional bespoke human rights training which helps to promote and embed a human rights-based approach to policing. This is provided through ‘Learning Sessions’ on the Garda GETS. These ‘Learning Sessions’ cover topics such as Mental Health, Addiction, Neurodiversity, and Unconscious Bias.
- 4.2 These Learning Sessions comprise a mix of video podcasts, presentations, interviews, and online training. Wherever possible, the Learning Sessions are anchored around an individual with lived experience with the topic and/or an expert discussing the topic. Garda Personnel are asked to engage with the material they are provided with on each session. They are advised throughout of their unique position to help shape how An Garda Síochána embeds and promotes human rights throughout the organisation.

5 HUMAN RIGHTS CHAMPION

5.1 The role of Human Rights Champions has six associated competencies which describes what they should be able to do with their newly acquired knowledge both from the Phase 1: Policing and Human Rights Law in Ireland course and the Phase 2: ‘Learning Sessions’ on the Garda GETS.

5.2 Human Rights Champions are envisaged to be active representatives of a human rights-based approach to policing, who both role model and engage this approach with other staff. They are envisaged to be advocates of this approach, who engage on the subject of human rights and contribute towards the development of the policing service in this regard. With this in mind, 6 descriptors were identified that represent the role of a Human Rights Champion. These are:

- Be a human rights advocate by using your voice to promote and protect the human rights of all persons you encounter.
- Lead by example and carry out your duties in a human rights compliant manner, leading other Garda Personnel to follow this example.
- Use your knowledge and learning to promote human rights within An Garda Síochána by instigating conversations about human rights where relevant.
- Participate and engage in learning opportunities and initiatives made available to you, and encourage other Garda Personnel to participate in human rights related learning opportunities.
- Develop ideas for how to promote the visibility of human rights in our work. If possible in your role, you may have the opportunity to engage with people in your local community to identify opportunities to help develop An Garda Síochána with regard to human rights standards.
- Provide feedback on this initiative to help continue supporting positive change within the organisation.

5.3 Garda Personnel are advised that the success of the training initiatives on becoming Human Rights Champion depends on their engagement and participation, and that they will be required to provide feedback and views to ensure that all aspects of the initiative develop and grow in the right direction.

6 RESEARCH QUESTION AND AIMS

6.1 The question that formed the basis of this research is: ‘Has An Garda Síochána impacted the development of a human rights-based approach to policing through the introduction of its training package for Human Rights Champions?’

6.2 The research aims were:

- To understand if the training provided has demonstrated an increased understanding and use of the language of human rights.
- To understand if the training is considered beneficial by Garda Personnel.
- To understand what impact, if any, the training has had on the service provided by An Garda Síochána.
- To understand what type of role Human Rights Champions have played in An Garda Síochána.

7 METHOD

- 7.1** The purpose of this review is to understand how Human Rights Champions apply their educational opportunities to their role, and to ‘capture the impact’ of the training in a practical sense.
- 7.2** Undertaking a qualitative approach was considered more appropriate in this research as it enabled the gathering of a greater depth and meaning based on reported experiences. This is opposed to a quantitative approach which is more structured, broader in scale and more numerically based.
- 7.3** The methodological approach utilised was a thematic analysis to report the experience and the reality of the participants. This approach followed normative steps of coding, selecting relevant text, and then grouping together related sections and generating themes within each competency.
- 7.4** The data collection took place in July and August 2022.
- 7.5** Each person who participated in Intake 1 of the training, which began January 2021, was contacted by the Human Rights Section via email and they were asked to complete a PDF editable form which contained six questions (Please see Appendix A for a copy of the Form). The six questions asked were:
- In your role as a Human Rights Champion, please state how you have been a human rights advocate by using your voice to promote and protect the human rights of all persons you encounter.
 - In your role as a Human Rights Champion, please state how you lead by example and carry out your duties in a human rights-compliant manner, leading other Garda Personnel to follow this example.
 - In your role as a Human Rights Champion, please state how you use your knowledge and learning to promote human rights within An Garda Síochána by instigating conversations about human rights where relevant.
 - In your role as a Human Rights Champion, please state how you participate and engage in learning opportunities and initiatives made available to you, and encourage other Garda Personnel to participate in human rights related learning opportunities.
 - In your role as a Human Rights Champion, please state how you develop ideas for how to promote the visibility of human rights in our work. If possible in your role, you may have the opportunity to engage with people in your local community to identify opportunities to help develop An Garda Síochána with regard to human rights standards.
 - In your role as a Human Rights Champion, please state how you provide feedback on this initiative to help continue supporting positive change within the organisation.
- 7.6** The participant provided their response in a narrative box which had a 500-character limit. This was set at 500 in order to encourage clear and concise responses which would be easier and manageable to analyse and evaluate.

8 RESULTS / ANALYSIS

8.1 557 Garda Personnel completed the course. Of these, 37 have either retired or resigned at the time of this report. The survey was, therefore, sent to 520 people. In total, 148 responses were received (28% response rate). Of those, 146 were suitable for use. In both cases, the respondent had hand written their response and they were not legible. Individuals who responded to this survey are referred to as Respondents throughout the report for the purpose of anonymity.

8.2 The table below provides a breakdown of respondents by rank and grade.

	No. of responses	Percentage of overall responses received
Garda Members	123	84%
Garda	14	10%
Sergeant	39	27%
Inspector	28	19%
Superintendent	34	23%
Chief Superintendent and Assistant Commissioner	8	6%
Garda Staff	23	16%
Executive Officer	6	4%
Higher Executive Officer	6	4%
Assistant Principal and Civilian Professional	11	8%

8.3 The responses to each question were reviewed and assigned to general themes. Each of these themes will next be presented along with direct quotes that represent the learning outcomes.

8.4 Theme 1 – Human rights in the informal / conversational space in An Garda Síochána.

This research provides evidence of human rights being incorporated into the general vernacular of Garda Personnel who undertook this training. The narratives collected suggest that human rights language has been incorporated and is being used by respondents in informal conversations. As noted in the research aims at 2.1, this was a goal of the training in general, to demystify human rights and enable its understanding as a core function of policing. By way of demonstration, one respondent stated that *‘through a mix of formal and informal situations, [they] have included the human rights agenda, covering all aspects, in these interactions’*. Another respondent stated that conversations on the course have organically *‘broadened to any other personnel who had not completed to the course chatting about such topics as the Gäfgen case to unconscious bias’*.

Another way that the training is represented in the conversational space is through respondents providing examples of how they have advocated the human rights champion training to colleagues. Some relevant quotes that explain this point include one respondent stating that in conversations with colleagues they *‘highly recommended completion of same’* that the course was *‘great to refresh knowledge and gave [them] an appreciation of An Garda Síochána’s obligations to the public it serves’*. Another respondent stated that they *‘continue to promote the*

human rights course and ensure that members are aware of the course and that they can complete the course when the opportunity arises’.

There was a collective awareness demonstrated that the benefit of completing the course and the subsequent conversations that follow can only improve the service of An Garda Síochána, evidenced when one respondent stated that they *‘have actively encouraged other members of the organisation to partake in the human rights course to enhance [their] knowledge’* going on to say that the course is *‘a great asset to the personnel who have completed same’.*

Respondents indicated that through their conversations with colleagues, the course content has helped them to call out on opportunities to learn and guide colleagues. This is demonstrated when one respondent stated *‘where [they] have heard members referring to marginalized groups using common terms, [they] encourage them to use the proper title to show respect towards that group’.* Another respondent stated that *‘conversations that have occurred in [their] current workplace that may be considered offensive to others, [they] have educated those personnel on inclusive language and how negative connotations may impact others in the workplace. On reflection the personnel involved reflected on their conversation and noted their 'banter' is not agreed with by all’.*

It is clear from the responses received that the training has influenced Garda Personnel to the extent that it portrayed within their general conversations. The responses received provide evidence that human rights have been ingrained and that Garda Personnel are committed to promoting a human rights narrative with peers. This shows evidence of commitment, and understanding, not just a level of compliance. This may be interpreted as the legitimate conceptualisation of human rights by Garda Personnel, and may be considered as a contributing factor to cultural development throughout all ranks and grades.

8.5 Theme 2 – ‘Human Rights Incorporated into Decision Making’

Decision making is a core concept that directly impacts human rights. Respondents showed enormous investment in this by describing how they consider and implement human rights in operational, management and strategic planning and decision-making forums. A number of respondents made reference to this, using language such as *‘formalising the promotion of human rights’*, *‘ensuring that human rights are considered’* and informing *‘[their] decisions in prosecution cases’.* One respondent stated that they *‘ensure that [their] pre-search briefings include a human right briefing for everyone involved’.* Another respondent stated that they always reference *‘human rights in policing plans as a key corner stone of the decision-making processes’.* One respondent stated that they ensure *‘human rights are embedded in all decisions, actions and attitudes when planning and executing Garda operations and while involved in criminal investigations’.* Several respondents mentioned the inclusion of human rights in addressing Performance Accountability Framework (PAF) incidents.

Respondents indicated that their day-to-day decision making has been impacted by the training, with one respondent stating that following this training, human rights are their first thought in carrying out all duties. One respondent also stated that the training has *‘increased [their] awareness in carrying out [their] daily policing duties where [they are] in constant contact with vulnerable suspects and witnesses’.* A respondent stated that *‘both in a professional and personal capacity, the course has provided a foundation for [them] to encourage [their] colleagues and*

friends to not make value judgments of others, especially in the course of decision making'. Another respondent stated that they always consider 'What could the impact be on that member of the public?' and goes on to say that they remind "colleagues that people have different challenges in their lives and that we do not all come from a common base". Another respondent stated that *'[they] use a human rights-based approach to inform [their] decision making and interactions'*.

In the practical application of their decisions, respondents noted how the application of human rights influenced a change in their approach to certain operations, with a respondent stating that they *'introduced strategic changes to how we manage victims of the above crimes recognising their vulnerability and the requirement to treat everyone fairly and with respect'*. One respondent reported how they made the decision to discuss the recently published report on Irish Travellers Access to Justice at their PAF meeting noting that *'views around the table were that our local interactions with the Traveller Community are generally good and not reflected in the report'*.

Some respondents have a brief of training incorporated within their role and note that they have made the decision to incorporate the learning from the course within their training remit, with one respondent stating that they *'ensure that Human Rights are an integral part of the discussions on training courses, and raise human rights considerations during presentations as and when necessary'*. Another respondent also referenced the decision to incorporate human rights into training when they said, *'holding the divisional CPD portfolio and [they] have given the opportunity to approach diverse communities to provide our members with diversity talks'*. They went on to say that this provides *'junior members with a greater understanding of the expectations and changing needs of these groups'*.

One respondent stated that they are now *'much more vocal about incorporating human rights into decision making and encouraging others to do the same. [They] always pose the question to others as to have they considered the human rights of all involved when making a decision'*. A respondent stated that they *'held workshops with frontline personnel with primary responsibility within their roles for custody management to discuss potential developments and start conversations around balancing rights'*. Respondents provided evidence of deciding to intervene and challenge others when they observed conversations that are not aligned with human rights standards, as evidenced by one respondent stated that they now *'challenge the stereotypes that come up in conversations'*.

8.6 Theme 3 – 'Human Rights Incorporated into Work Place Practice'

Respondents were fiercely positive, providing generous responses that showed how they used their newly acquired knowledge in the workplace, often taking the opportunity to challenge work practice to encompass a focus on human rights. They felt empowered to do things differently, suggesting evidence of knowledge of the moral authority that Garda Personnel have, becoming a central component of their practice. This was demonstrated when one respondent stated that in preparing for a search operation in a traveller community they felt confident to raise the issue of vulnerable persons that may be present, including children. On their request, *'members re-examined their approach considering that there were small children present. The proportionality and necessity of certain actions were re-examined'*. Another respondent stated that they have a *'clearer awareness of the language both casual and deliberate that causes offence and [are] quick to intervene and explain the importance of using correct language and respect for others'*

and that *'[their] awareness of unconscious bias helps in this regard, and [they] see that members under [their] supervision are much more careful and considered in their choice of language as a result'*.

Respondents also showed how the training enabled them to influence change through demonstration of their own behaviour and language. One respondent stated that they now *'lead by example'* and *'set the tone'* of human rights providing a *'cultural norm'* for their team. Another respondent stated that *'during heated and violent exchanges it is key that the prisoners are treated correctly, and it is essential that the human rights champion set the standards in the cells after such interactions. [They] have led out on human rights particularly in that area to ensure that each person is treated with dignity and afforded all their rights in line with the ECHR and the IHREC Act 2014'*.

Many respondents have had the opportunity to utilise and advocate human rights within their area of work, as shown by one respondent who stated that with regard to the Learning Sessions on GETS that this has *'triggered a fresh way of thinking about our processes and engagement with the public'*. They go on to refer to the Learning Session on neurodiversity stating that *'it raised awareness on how form filling can be a daunting experience particularly where documents are not user friendly. This resonated with me and generated an idea to explore ways of assisting those who would benefit from enhancements through short video clips that could be uploaded on the website'*. In terms of work-related practice, respondents gave examples of initiatives they have championed, for example one respondent stated that they produce a weekly bulletin *'to comment on positive interactions that [they] see and this promotes the concept of human rights. This keeps the idea to the forefront'* and *'makes it a normal aspect of consideration rather than the exception'*.

The training has enabled Garda Personnel to apply human rights standards in response to matters that they are tasked with, as shown by one respondent who stated that at a recent meeting on the new Mental Health Act they questioned its impact, arguing that the Act was *'worsening the human rights of the persons involved and not improving it in any way'*. Another example of this is shown by one respondent, who stated that they use the Human Rights Framework in engagements with external groups and that this is *'a useful benchmark to inform discussions regarding support to vulnerable persons'*.

The survey results provide empirical evidence of a shift in internal focus on human rights-based policing, as evidenced in the descriptions of human rights being incorporated into training, in policy development, in practice, and in operations that respondents are part of.

8.7 Theme 4 – 'Awareness of Disability, Difference, Diversity'

The responses collected through this research exhibit that Garda Personnel have developed their awareness of diversity, disability and difference, and that they are using this newly acquired knowledge to effect change. This is demonstrated in a vast array of examples including making facilities available to assist Muslim Diversity Interns during Ramadan, making arrangements for a youth arrested to sit with a parent, and challenging colleagues to understand that people who commit crime may come from socially disadvantaged backgrounds. This recognition of difference is crucial to make the necessary accommodations for the public to feel welcomed and

understood by An Garda Síochána. It is these incremental changes across the organisation that are contributing to the crucial task of embedding human rights in An Garda Síochána.

Respondents also stated they forged links and built relationships with a variety of community organisations, including local LGBTQI+ groups and Traveller groups. This culture of reaching out to community groups which has been fostered and encouraged in respondents after completing this course, is a wonderful example of how Garda Personnel are taking this educational opportunity and using it to institute change on the ground. By forging relationships with diverse community groups, Garda Personnel understand the needs and values of the communities in Ireland.

A respondent referred to the Learning Sessions on unconscious bias and neurodiversity stating that they encouraged other champions to complete the *'unconscious bias and autism training in particular'* and that they believed *'the learning sessions have encouraged [them] to see things from another perspective and have added to [their] knowledge and understanding of other person's perspective of policing'*. One respondent stated that they encourage *'members to keep open minded and while an offence may be disclosed, we need to look more at why something happened, why did someone react the way they did, what avenues are open to us obviously acting within the law'*. Another respondent stated that with regard to homeless people in their area they are *'currently working with outreach workers to develop a strategy that would include An Garda Síochána members checking on the welfare of these persons'* and they go on to state that *'from a personal perspective, the course opened [their] eyes to how adherence to Human Rights is affecting every aspect of current & future policing policy. In [their] opinion it should form part of every member's training while they're in the College'*.

A further example of awareness of disability, difference and diversity is shown by a respondent who stated that in their work with probationer Gardaí that when *'submitting proposals for their social projects as part of their CPD that each member have their project human rights centered'* and that they asked them to *'highlight any weaknesses and/or inefficiencies with regard to human rights standards relevant to their project'*.

The data collected in this study provides clear evidence that there exists in the Garda organisation a curiosity and a willingness to positively grow and develop cultural awareness in the area of human rights.

8.8 Theme 5 – ‘Human Rights Champions are not Passive; They are Influencing Change’.

An Garda Síochána Human Rights Champions are not satisfied to sit on the side lines. They play an active role in affecting change and furthering the principles of human rights. An example of this positive exertion of influence is where one respondent states that they *'used [their] voice to ensure human rights compliance in the development of new policies'*, including in the area of governance and accountability. Influencing policy to be human rights compliant is an area which featured repeatedly in this review. Another respondent worked to ensure human rights were at the fore of policy considerations regarding domestic abuse investigations. Work such as this shows the tangible importance of this course by virtue of the fact that human rights principles are informing policy and procedure in the investigation of crime, especially where the victims involved are often vulnerable.

This research shows that Garda Personnel have a clear understanding of the need for them to positively influence change in a range of settings, including with junior and trainee members and staff, as a respondent states that it is their *'aim'* each day to *'leave a lasting and positive influence'* on the trainee Gardaí and Garda instructors they interact with and supervise each day. Notably, another respondent recognises the importance of reaching out in community settings, stating that *'we need to be proactive'* in tackling discrimination and to achieve this we must instigate *'open discussions on minority groups'*.

Garda Personnel show a commendable capacity to explore modern solutions in order to connect with minority communities. As one respondent states *'our social media platforms offer opportunities to promote'* our work on human rights to a broad audience and through the Garda recruitment campaign they were *'actively involved in promoting [An Garda Síochána] to diverse communities'*.

Another area of real life policing that is being influenced by this course is the treatment of persons in custody. One respondent is a member working on custody management issues and they *'use [their] position'* as a Human Rights Champion to *'start conversations around human rights issues'*. They state that they have influenced change by *'[holding] workshops with frontline personnel with primary responsibility within their roles for custody management to discuss potential developments and start conversations around balancing rights'*.

By giving Garda Personnel the knowledge and the tools to understand and promote human rights in the organisation, they then in turn are inventing practical and innovative methods to promote and embed human rights in the organisation from the inside out.

8.9 Theme 6 – ‘Legality and Accountability of Human Rights’

A core element of the training provides how the legal basis is a crucial element of securing human rights and its understanding, and Garda Personnel have demonstrated their recognition of this. A respondent demonstrates this when they state that they have *'insisted that the focus of legality, proportionality and necessity are the cornerstones for firearm operations and planned searches'*. A similar assurance of compliance with the principle of legality is given by another respondent, who explains that *'principles of the ECHR are included in every briefing that [their business area] conducts'*. There exists a respect for the legality of human rights in the undertaking of duties that is evidenced in responses such as these. This understanding can be seen throughout various departments, including Governance and Accountability, with one respondent working in that area proactively promoting *'the awareness and the application of Section 42⁸ Public Sector duties.'*

Following this course, Garda Personnel have incorporated legal principles into the manner in which they manage their staff, as stated by one respondent, they *'utilised the knowledge gained from this course to ensure that all people...are dealt with in accordance with ECHR policies.'* Supervisors feel empowered by this course to reinforce Human Rights and the Code of Ethics and to *'address areas where members may not be aware of their legal and ethical obligations'*. Garda Personnel feel passionately about the practical application of legal principles in the lives of people that interact with the criminal justice system, evidenced by one respondent, who states

⁸ Section 42 of the Irish Human Rights and Equality Commission Act 2014.

that as a Court Presenter *'[they] ensure the human rights of victims, the public at large and the defendants are promoted and protected'*. They go on to explain the implications that adherence to the principles of human rights can have, such as in cases where they must *'[inform] a Garda that [they] do not have the grounds to deprive a defendant of their right to liberty and make a bail objection'* or *'[ensure] there is a rights-based approach to the prosecution of defendants and [make] sure victims are heard by way of [Victim Impact Statements]'*.

An Garda Síochána is subject to high levels of accountability. The acceptance and adherence to these accountability structures is considered critical to police practice. Evidence provided in this research displays how accountability has been threaded through police practice, such as the challenging of attitudes and behaviours of colleagues which may not have been human rights-compliant. One respondent states that *'[they] have found [themselves] "calling out" unacceptable terminology sometimes used by colleagues'* and *'[they] have been more circumspect in [their] own choice of language and attitudes'*. This shows an ability to address poor standards in others as well as a willingness to inspect their own behaviour in a critical way. Accountability is being incorporated into management style. A respondent states that one of the ways in which they achieve this is by *'auditing and [reviewing] incidents and investigations'* to ensure that *'[human] rights are protected for persons that we encounter'*.

Garda Personnel are embedding the principle of accountability while training operational members, evidenced when one respondent explains that *'when discussing the application of Human Rights (especially in the Member in Charge role)'* they encourage *'Probationer [Gardaí] to think outside the box by discussing scenarios [involving] Members in Charge...and how the application...of Human Rights changed outcomes'*. This exemplifies the principles of human rights taught in this course are being operationalised by members on the frontline.

8.10 Theme 7 – 'Education and Training'

A resounding impact of the course has been the benefit of participating in such a unique educational opportunity. For many, this has prompted further education and training. For example, one respondent states that since completing this course they have now completed their first year of a Master of Law and that by having first completed this course, it has provided them with a solid foundation to continue their studies in this particular line of study. This is a wonderful by-product of this initiative. By investing in the education of Garda Personnel, they are in turn further investing in their own education in Human Rights Law and Criminal Justice.

The provision of this course has also inspired members to develop further opportunities arising from their studies, for example, one respondent reports that *'having completed the course [they] approached [the University of Limerick]'* and asked them could they develop a *'short module, specific to stop and search, for delivery to Gardaí'* in their District.

Graduates from the course have also offered a number of suggestions regarding other possible educational uses and further training opportunities for the course into the future. One respondent submitted that *'this course would be a very valuable module to student training in the Garda College'*. They went on to say that they believe it would be especially beneficial to introduce this training *'at grass root level'* as *'it would allow them implement their learnings from the course in their new roles serving the public'*.

A particularly exciting aspect of the impact of the course is the many reports of personal development and growth received from Garda Personnel. There have been a large number of responses to this research in which graduates of the course have repeatedly cited the insights they

have received and development they have undergone by virtue of completing this course of study. For example, one respondent stated that their studies caused them to be more reflective and that *'the course is insightful', 'the case studies [are] so informative and challenge the student to actively think and explore the area of Human Rights and what it means on a personal and professional level'*.

Respondents also praise the availability of the additional Learning Sessions. One respondent states that at the time of the survey they had completed the Learning Sessions in respect of Unconscious Bias and Autism Spectrum Disorder and that *'[they] thoroughly enjoyed both sessions which I found extremely informative and thought provoking'*.

As a general statement about this training, one respondent simply states *"This course is a game changer. As a front line operator it's developed my confidence and enhanced my ability to provide a modern policing service. It is training/education that is needed now and being delivered now"*.

9 DISCUSSION AND CONCLUSION

- 9.1** It is without doubt that An Garda Síochána has gone to great effort to promote and embed a human rights-based approach to policing since the Commission Report of 2018. This is significantly evidenced through the creation and delivery of the two phases of training that has been provided to approximately 2000 Garda personnel to date.
- 9.2** Almost all people who took the time to respond to this questionnaire reflected a wholly positive experience of participating in the training provided on human rights. In identifying themes to present the research findings there was significant crossover. Decision making, for example, is represented in almost every response. What is meant by this, is that every single person took on board the course content and made a decision to fulfill their varied roles with human rights in mind. The impact of participation in this training course is reflected in simple casual conversation with colleagues, in conversations on more formal guidance regarding work practice, in engagement with various external communities, their interactions with victims, their interactions with suspects, inclusion in briefings, in representation at District or Divisional PAFs, or in practical input into operational orders, policy and procedure developments. A number of respondents mention specifically how they are vocal about the inclusion of human rights, and of note, they use their training as a platform to make sure that all people they interact with, whether formally or informally are aware of their rights. Garda Personnel are consciously deciding to use their acquired knowledge to influence their work practice. This is a remarkable outcome from this research, and one of which An Garda Síochána should feel immensely proud.
- 9.3** The reflections provided by respondents in this review suggest evidence of a change in thinking, and a change in behaviour. It is suggested that human rights have actually been socialised within An Garda Síochána, in that Garda Personnel are reflecting a recognition that human rights are a ‘norm’ of policing, it has formed part of their identity as a staff member. Respondents to this survey were extremely positive and most of them promote the training to colleagues. This review provides empirical evidence to suggest that a human rights-based approach to policing has been understood, interpreted and made applicable to the multiple areas of business that respondents represent within An Garda Síochána. This review also provides empirical evidence to suggest that Garda Personnel now conceive their function as facilitators and protectors of human rights. They understand their role as human rights practitioners.
- 9.4** Respondents provided an increased awareness and proficiency in human rights that they have embraced with pride. This type of output will undoubtedly also increase and support the professionalism of Garda Personnel with the public. It is suggested that this development of Garda Personnel is contributing to a shift in culture within An Garda Síochána. This is deducted on the basis that culture is associated with a widely accepted way of thinking and behaving, and that respondents in this review provide concrete examples of their change in thinking and behaviour as result of their newly acquired knowledge. This is significant, as it provides evidence of a sea change of attitude and awareness of a human rights-based approach to policing.
- 9.5** Respondents indicated that they feel responsible to influence change, they understand that a human rights-based approach to policing is productive and effective, and that if they are to gain the trust of community they must earn the trust of all communities. The training included the representation of lived experience because people’s individual stories and experiences are capable of moving people providing an excellent opportunity for discussion. This decision was

proved successful as respondents provided evidence of how they have used their newly acquired knowledge to challenge the *status quo* and initiate change. In addition, respondents indicated an awareness of their privilege and an understanding of vulnerable members of the community. They have provided evidence of recognition that this level of communication and cooperation is necessary and appropriate. In essence, respondents have provided a clear understanding of the need to identify and eliminate prejudices.

9.6 In conducting this review, it has become abundantly clear that the training has equipped respondents with an understanding of human rights and a resulting confidence that creates true Human Rights Champions across the organisation. This is evidenced by the Garda Personnel's own testimony in which they recount stories where they acknowledged and championed diversity and actively influenced positive change on all levels. It is not every course that can have a meaningful impact on the culture of a police service. However, in light of this research it is clear that the two phases of training on a human rights-based approach to policing has had a truly significant impact on all of those who have undertaken it. This study has allowed a true engagement with the views of the Human Rights Champions and the results are undeniable. What is clearly evident is an appetite for more, and an abundance of will for what will come next. It is imperative that An Garda Síochána seize this opportunity to build upon progress made to date. This is extremely actionable, and the executive must consider what it can do next to further enhance support and deliver on human rights.

10 NEXT STEPS

- 10.1** Human rights training in An Garda Síochána must be considered as a dynamic, evolving and ongoing process, and efforts should be maintained to continue with the momentum that this training opportunity has presented to Garda Personnel to date. With this in mind, it is recommended that An Garda Síochána continue to invest in its staff by enabling staff who wish to become a Human Rights Champion to engage in this training programme. This will be done by the Human Rights Section continuing to deliver this training to 1000 more Garda Personnel in 2023.
- 10.2** Following this it is proposed that in line with Strategy Action 1.2⁹ ownership of the Policing and Human Rights Law in Ireland course will transfer to the Garda College where the programme will be offered/targeted at specialist sections in An Garda Síochána once contract obligations with the University of Limerick are met.
- 10.3** It is suggested that public consultation would be helpful to measure the impact of this Human Rights initiative. This could be achieved by the inclusion of a question in An Garda Síochána's Public Attitudes Survey.
- 10.4** The Human Rights Section has also identified a possible gap in the area of communication with the public about human rights. An Garda Síochána may consider developing a human rights-based approach to policing online resource for the public to engage with. This online resource would be in plain English with the goal of assisting the public to understand their rights when interacting with An Garda Síochána and how those rights can be interfered with by An Garda Síochána when performing their statutory function.
- 10.5** These next steps are subject to the approval of the Human Rights Ethics and Culture Management Board and the Garda Executive.

⁹ An Garda Síochána, 'Human Rights Strategy 2022 -2024' (An Garda Síochána, 2022), pg 15.

Appendix A

HUMAN RIGHTS CHAMPIONS – IMPACT FORM

Dear Human Rights Champion,

Following on from your successful completion of the “Certificate in Policing and Human Rights Law in Ireland” course, Crime Legal Human Rights Section invites you to fill out the answer form below, to help to ascertain the impact of the training course, and your role as a Human Rights Champion. The role of a Human Rights Champion is set out in the Human Rights Champions Brochure that each Champion has received.

In your role as a Human Rights Champion, please state below how you have....

1. Been a human rights advocate by using your voice to promote and protect the human rights of all persons you encounter.

2. Lead by example and carried out your duties in a human rights compliant manner and lead other Garda Personnel to follow this example.

3. Used your knowledge and learning to promote human rights within An Garda Síochána by instigating conversations about human rights where relevant.

4. Participated and engaged in learning opportunities and initiatives made available, and encouraged other Garda Personnel to participate in human rights related learning opportunities.

5. Developed ideas for how to promote the visibility of human rights in our work (if possible in your role, you may have the opportunity to engage with people in your local community to identify opportunities to help develop An Garda Síochána with regard to human rights standards).

6. Provided feedback on this initiative to help continue supporting positive change within the organisation.