



# An Garda Síochána

## Policy Document

### Events Public Order & Public Safety (EPOPS) Planning and Command Structure

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<b>Effective Date</b>	28/11/2024
<b>Version No.</b>	1.0
<b>Approved by</b>	Garda Executive
<b>Introduced by</b>	HQ Directive 085/2024
<b>Policy Owner</b>	Assistant Commissioner, Roads Policing and Community Engagement

## Purpose

The Events, Public Order and Public Safety (EPOPS) Planning and Command Structure policy and the procedure documents set out the objectives, command structure and fundamental principles for An Garda Síochána in relation to management of events and related public order and public safety policing of incidents or operations. This policy document establishes a standard and consistent approach in the planning, management and command of policing of events (licensed or unlicensed), public order and public safety incidents or operations and incidents of spontaneous public disorder.

It is the aim of An Garda Síochána to uphold and protect the constitutional and human rights of every person by providing a high quality, effective policing and security service in partnership with the community and in co-operation with other agencies. The aim of this policy is to:

- Outline the role of An Garda Síochána in providing a policing service to an event or public safety operation.
- Ensure a consistent approach in the policing of events and any related public order and public safety incidents.
- Ensure that members of An Garda Síochána can safely and effectively carry out their statutory and common-law duties and have the appropriate means to effectively deal with persons or incidents which pose a threat to the public, members of An Garda Síochána or, to themselves.
- Ensure that the risks associated with planning and management of public order and public safety incidents are minimised with the least invasive or intrusive method utilised.
- Clarify the role and responsibilities of all stakeholders at all stages of the event planning and management process.
- Support consultation among all stakeholders in the planning, management and control of events.
- Ensure that members of An Garda Síochána utilise all applicable laws and regulations, training, policy, procedures and guidelines when policing of events, public order and public safety incidents.
- Ensure that members of An Garda Síochána respect, uphold and vindicate the human rights of all individuals.
- Provide direction to all members of An Garda Síochána with respect to the use of force in the policing of events, public order and public safety incidents.
- Ensure that members of An Garda Síochána accurately record, provide accounts and report their decisions and actions in the course of their duties, and the rationale for such decisions and actions.

This policy requires members of An Garda Síochána to adhere to the strategic objectives of event management, public order and public safety policing including the below list which is not exhaustive:

- Maximise a safe environment for participants, the public and members of An Garda Síochána.
- Minimise the risk to members of An Garda Síochána.
- Minimise disruption to the life of the residential and business community.
- Minimise disruption to air, rail, vehicular and pedestrian traffic.
- Provide a co-ordinated response to incidents occurring during the lifetime of the event.
- Preserve public order and minimise opportunity to commit crime and take proportionate steps to deal appropriately with offenders if crime is committed.
- Provide security commensurate to the threat level relating to the event.
- Provide an effective policing response to vulnerable and high profile premises.
- Preserve the dignity of diplomatic missions and embassies/ buildings.
- Ensure a professional investigation including the collection and preservation of evidence and preservation of scenes of crime, where applicable.
- In cases of events other than protests, to allow the public to lawfully participate in an event in a secure and safe environment.

- Facilitate the arrival and departure of principals, VIPs, etc. where appropriate.
- Ensure that any interference with constitutional or human rights is lawful, in accordance with a legitimate aim, and is proportionate, non-discriminatory and necessary.
- To protect and uphold the constitutional and human rights of all individuals involved in the event, including the public, those living and working in the vicinity of the event, potential demonstrators or protestors, members of An Garda Síochána and partner agencies.

### Policy Statement

This Policy provides direction to members of An Garda Síochána responsible for the planning and control of events, including those events where the use of public order units and/or tactics is a possibility. Such members shall, in so far as is reasonably practicable, plan and control such situations taking into account all options available, looking first at the non-use of force options, before considering the use of force options, so as to determine which option is necessary and proportionate to the particular circumstances.

Examples of Public safety incidents that may require members of An Garda Síochána to utilise public order tactics may be generally categorised as follows:

- Protection of life and property.
- Disorder associated with spontaneous incidents.
- Single issue protests.
- Organised notified protests.
- Organised non notified protests.
- Spontaneous protests.
- Long term protests.
- Violent protests.
- Lawful public events, concerts, organised marches.
- Unlawful public events and illegal gatherings.
- Removal of persons unlawfully present on premises.

An Garda Síochána will police events in a manner which is proportionate, and takes into account the needs of the wider community and the event stakeholders. When policing events, it is essential for public confidence, and the confidence of members of An Garda Síochána, to be maintained.

Members of An Garda Síochána performing command roles in the policing of events should be aware that their role is to make decisions, give clear directions commensurate to that role and ensure that those directions are carried out in an efficient and accountable manner. It is essential that members of An Garda Síochána policing events, public order and public safety incidents clearly understand their roles and responsibilities.

The nature of policing is so diverse that it is not possible to document guidance to cover every eventuality. The functions of An Garda Síochána are as set out at Section 7 of the Garda Síochána Act 2005 as amended. Any Garda response or action to plan, manage or deal with incidents arising from events must be lawful, proportionate, necessary and must be “reasonable in the circumstances”, as a member of An Garda Síochána, believes it to be.

### Financial Planning and Cost Recovery

There is a statutory requirement under Section 30 of the Garda Síochána Act 2005 as amended relating to the provision of police services for certain events. At the request of a person, the Garda Commissioner may provide and charge for police services for events on private property or in areas open to the public or, subject to the regulations, for police services relating to the protection, whether by means of police escorts or otherwise, of persons or property at risk of harm while in transit within the State, if it is in the public interest and consistent with the functions of the Garda Síochána to provide the services, and the

Commissioner is satisfied that the person has paid or will pay to the Commissioner the charges for the services. This is reinforced by the following Codes of Practice:

- Code of Practice for Safety at Sports Grounds (Department of Education, January 1996)
- Code of Practice for Safety at Outdoor Pop Concerts and other Outdoor Musical Events (Department of Education, January 1996)
- Code of Practice for Safety at Indoor Concerts (1998)

Police services are performed by members of An Garda Síochána under arrangements with organisers of such events who seek to engage the services of members of An Garda Síochána to perform duties to which they would not normally be assigned.

The provision of Garda Services for Certain Events and Associated Charges is set out in HQ Directive 068/2023 and provides guidance on the process for engaging with An Garda Síochána in respect of this matter.

An Garda Síochána will not be held liable for incidents which occur at an event where a Section 30 request has been refused. Where there is no agreement to provide police services within an event on private property, liability should fall to the event organiser.

### Compliance

Compliance with this Policy and accompanying associated document(s) is mandatory for all members of An Garda Síochána and Garda staff.

### Related Documents

Contained hereunder are a number of powers/policies available to An Garda Síochána in the planning of an event. They can be categorised into three broad areas - Human Rights, Legislation and Policies/Codes of Conduct (including licensed events).

The main Human Rights instruments and articles in so far as events are concerned, includes:

- Constitution of Ireland, 1937
- Irish Statute and Common Law
- European Convention on Human Rights
- European Convention on Human Rights Act 2003
- The UN Convention on the Rights of the Child
- The UN Convention on the Rights of Persons with Disabilities
- The UN Code of Conduct for Law Enforcement Officials
- The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- The European Code of Police Ethics

In considering the most common powers available to An Garda Síochána in the policing of events, includes, but are not restricted to the following Acts:

- Criminal Damage Act 1991
- Criminal Law Act 1976
- Criminal Law Act 1997
- Criminal Justice (Public Order) Act 1994
- Criminal Justice Act 2006
- Firearms and Offensive Weapons Act 1990
- Incitement to Hatred Act 1989
- Non-Fatal Offences Against the Person Act 1997

- Road Traffic Acts 1961-2016

Depending on the category of event there are many Policies/Codes of Conduct that may be applicable. Some codes will be internal to An Garda Síochána, while others will be external to other agencies. Some examples of Policies and Codes of Conduct include:

- Garda Human Rights Framework
- Garda Decision Making Model
- Garda Síochána Code of Ethics
- Safety Health and Welfare at Work Act Section 12
- Work Time Agreement
- Code of Practice for Safety at Sports Grounds
- Code of Practice for Safety at Outdoor Pop Concerts and Outdoor Musical Events
- Code of Practice for Safety at Indoor Concerts
- European Agreements/Codes of Conduct
- Overarching Use of Force Policy

This policy should be read in conjunction with the Garda Síochána Code, Finance Code, the European Working Time Agreement and related Garda rostering agreements, current Garda policy and procedures and relevant codes of practice.

### Scope

This Policy and all associated documentation apply to members of An Garda Síochána and Garda staff. It also applies to Police Officers from the Police Service of Northern Ireland (PSNI) seconded to An Garda Síochána in accordance with Section 53, Garda Síochána Act 2005 as amended.

### Cancelations and Replacement of Existing Policy and associated document(s)

- HQ Directive 075/2017 - Garda Public Order Incident Command Policy

### Legal & Human Rights Screening

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

### Ethical Standards & Commitments

Every person working in An Garda Síochána must observe and adhere to the standards and commitments set out in the Code of Ethics for An Garda Síochána and uphold and promote this Code throughout the organisation.

### Policy & Procedure Review

This Policy and associated documents will be reviewed 12 months from its date of effect and at appropriate intervals thereafter but at least every three years.

### Disclaimer

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