



An Garda Síochána

Policy Document

Suspension from Duty of Members of An Garda Síochána under the Discipline Regulations 2007

Effective Date	<i>02 April 2025</i>
Version No.	1.0
Approved by	<i>Garda Executive</i>
Introduced by	<i>HQ Directive 018/2025</i>
Policy Owner	<i>Assistant Commissioner, Governance and Accountability</i>

Purpose

The purpose of this policy is to provide guidance on the suspension from duty and removal from office of members of An Garda Síochána in accordance with section 11 of the Garda Síochána Act 2005 and under regulation 7 of the Garda Síochána (Discipline) Regulations 2007 (hereafter, referred to as ‘the Discipline Regulations’).

Continuation of certain regulations and orders

As per section 261 of the Policing, Security and Community Act 2024 (hereafter, referred to as ‘the Act’), the Discipline Regulations will continue to apply for disciplinary proceedings that were commenced but not concluded before the coming into operation of section 261 of the Act. These proceedings will be governed by the Discipline Regulations until their conclusion.

The Garda Síochána (Discipline) Regulations 2007 will remain in force to the same extent they were prior to the commencement of the Act, unless specifically revoked or amended.

Scope

This procedure and associated policy apply to members of An Garda Síochána. It also applies to Police Officers from the Police Service of Northern Ireland (PSNI) seconded to An Garda Síochána in accordance with section 94 of the Act.

Policy Statement

An Garda Síochána is committed to upholding the highest standards of professional conduct, integrity, and accountability among its members. Regulation 7 of the Discipline Regulations establishes a structured framework for suspending members and removal from office, ensuring that any decision is made in a fair and transparent manner.

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

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

Human Rights Considerations

This policy also aligns with An Garda Síochána responsibilities under Section 42 of the Irish Human Rights and Equality Commission Act 2014 which has established a positive duty on public sector bodies to eliminate discrimination and promote equality of opportunity and treatment.

The proportionate use of powers is dependent upon decisions being made following consideration of the Garda Decision Making Model (GDMM) and ensures that Constitutional and Human Rights considerations are at the core of every decision made. This practice which is guided by the nine standards of conduct and practice within the Code of Ethics, will aim to uphold the Human Rights of all those affected by such use.

Compliance

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



Related Documents

- [Garda Síochána Act 2005](#)
- [Garda Síochána \(Discipline\) Regulations 2007](#)
- [Code of Ethics for the Garda Síochána](#)
- Human Rights Framework
- [HQ Directive No. 37/2019 – Garda Decision Making Model \(GDMM\)](#)

Legal & Human Rights Screening

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

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 document and associated procedure will be reviewed 12 months from its date of effect and every 3 years thereafter or as appropriate.

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.

General Data Protection Regulations / Directive 2016/680/EU - Police and Criminal Justice Authorities Directive

Personal data shall only be processed for the purposes specified in this Policy, and within a clearly defined lawful basis under the (EU) General Data Protection Regulation (GDPR) ((EU) 2016/679) and the Data Protection Acts 1988/2018. All necessary measures will be put in place to ensure personal data is kept safe and secure. Only authorised personnel shall have access to personal data. Only relevant personal data will be processed, and will not be retained for longer than is necessary.

In respect of the personal data processing activities associated with this policy, a Data Protection Impact Assessment (DPIA) has been completed in accordance with the requirements of the General Data Protection Regulation.