



**GARDA**  
**INSPECTORATE**

PROMOTING EXCELLENCE & ACCOUNTABILITY

**Report of the Garda  
Síochána Inspectorate**

# Countering the Threat of Internal Corruption

A review of counter-corruption structures,  
strategies and processes in the Garda Síochána

## Executive Summary

**September 2020**

The objective of the Garda Síochána Inspectorate is:

*‘To ensure that the resources available to the Garda Síochána are used so as to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services.’*

(s. 117 of the Garda Síochána Act 2005)

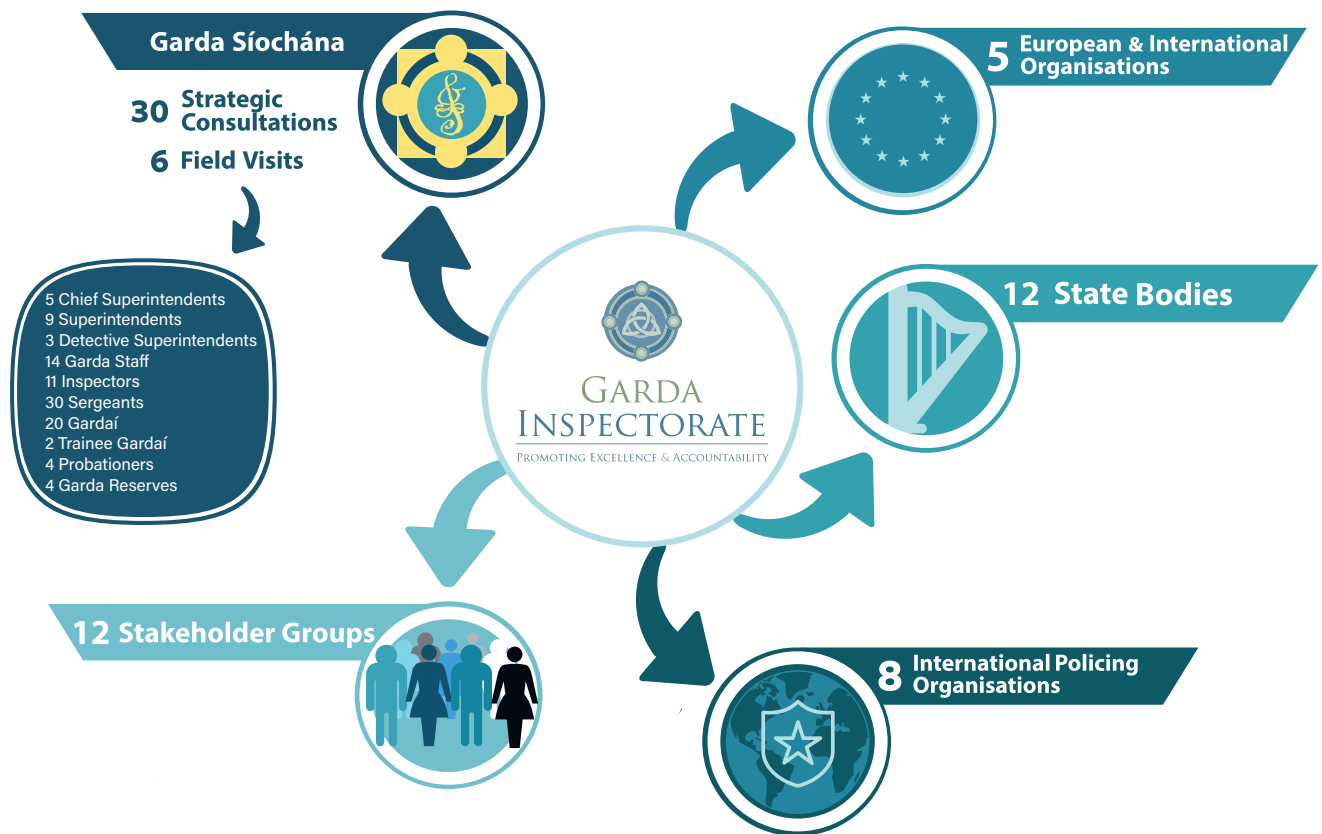
# Executive Summary

While the Garda Síochána has a long and distinguished history of integrity and service to the community, from time to time, just as in any modern police service, scandals regarding individual and systemic failures, including instances of corruption, have punctuated this history. Corruption has a detrimental effect on the integrity and morale

of the police workforce and undermines human rights and public confidence in policing.

In June 2019 the Inspectorate commenced its first ever self-initiated inspection Countering the Threat of Internal Corruption in the Garda Síochána.

**Figure A - Garda Síochána and stakeholder engagements for the inspection**



The purpose of the inspection was not to identify specific incidents of corruption within the Garda Síochána but rather to examine the effectiveness of the Garda Síochána at preventing, detecting and mitigating against the threat of internal corruption. The inspection also assessed the structures, strategies and processes in the

Garda Síochána, benchmarking them against a range of commonly accepted counter-corruption functions which are considered necessary for any modern police service to operate effectively.

The inspection was divided into five pillars as follows:

- > **Strategy and Governance:** Examines how the Criminal Justice Sector develops understanding of the threats posed by internal corruption and the effectiveness of the Garda Síochána's counter-corruption governance structures.
- > **Professional integrity:** Examines how professional integrity, corporate responsibility and professional boundaries can strengthen the garda workforce against the pernicious effects of corruption.
- > **Organisational Resilience:** Examines the Garda Síochána's defences against corruption. It also examines what practices are in place to protect against the misuse of police discretion for corrupt purposes.
- > **Intelligence and Investigation:** Examines the identification and investigation of corruption. It also examines a number of important counter-corruption strategies, including identifying the Abuse of Power for Sexual Gain, reporting wrongdoing and the monitoring of ethical declarations by the garda workforce.
- > **Communication and Engagement:** Examines the support processes that need to be in place for the garda workforce. It also considers how organisational learning can build greater resilience in the Garda Síochána.

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*... strategic governance of counter corruption within the Garda Síochána is underdeveloped ...*

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## How Does the Garda Síochána Identify and Respond to the Threat of Corruption Within the Organisation?

In order for any police service to effectively respond to the threats posed by corruption it must have a clear strategic understanding of emerging risks and their effect on the workforce and the wider environment. There also needs to be a structured process for prioritising the organisation's response to these threats and assessing the effectiveness of its actions.

- > This inspection found that across the criminal justice sector there is no common understanding of the threat posed by corruption, and that cooperation between the criminal justice agencies is often uncoordinated, with no formal process in place to share information. The Inspectorate recommends greater cross sectoral cooperation and the development of a multi-agency counter-corruption strategy.
- > The inspection found that strategic governance of counter corruption within the Garda Síochána is underdeveloped, with no strategic analysis of corruption threats and counter-corruption leadership responsibilities spread across a number of functional areas. This has the effect of limiting the ability of the organisation to respond holistically and effectively to corruption threats.
- > To address the gaps in strategic governance, the Inspectorate recommends the appointment of a senior police leader with overall responsibility for counter corruption, the development of a strategic assessment of corruption threats, and the setting out of a counter-corruption control strategy that establishes priorities for action.

## What Steps Does the Garda Síochána Need to Take to Enhance Professional Integrity Across the Garda Workforce?

This strand of the inspection which focused on Enhancing Professional Integrity in the Garda Síochána examined both personal integrity and corporate responsibility in the organisation. In particular, the Inspectorate explored the Principles of Democratic Policing which underpin the development and maintenance of professional boundaries in the police workforce and the corporate governance practices necessary to fulfil the fiduciary duties of garda leadership and the garda workforce, more generally.

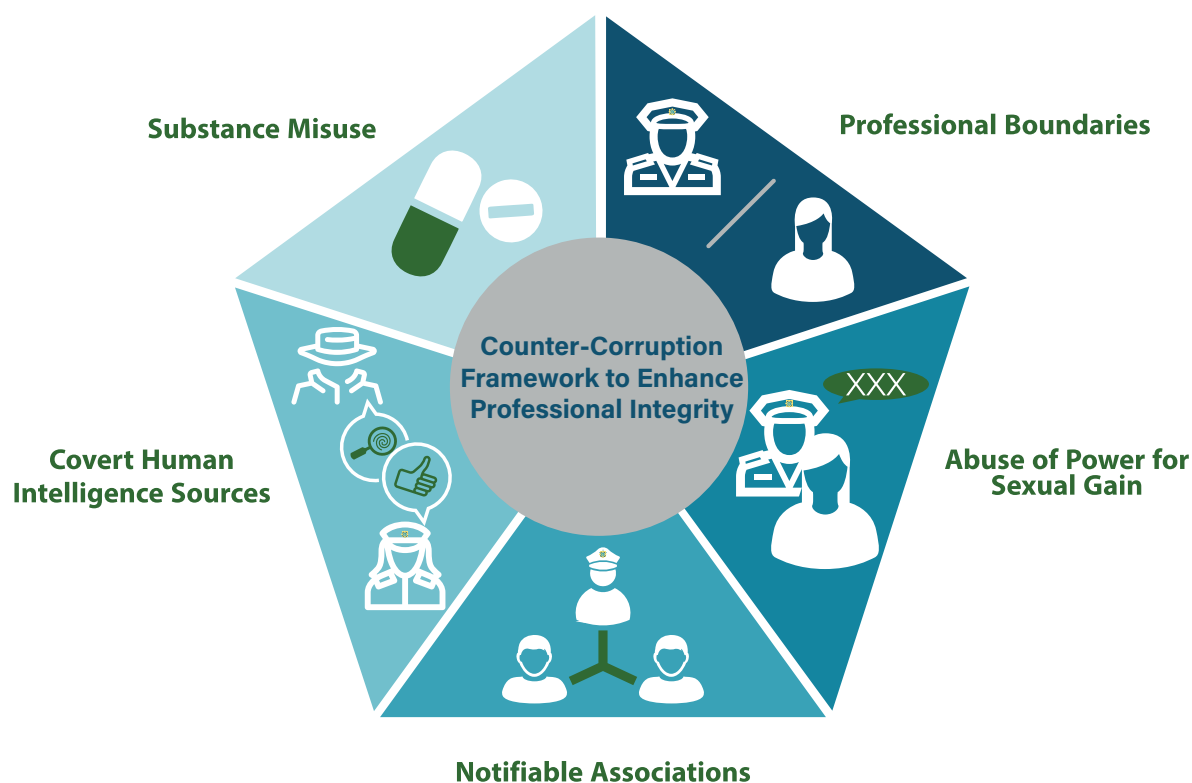
### Managing Relationships and Associations

International experience has demonstrated that clear professional standards help to clarify the boundary between relationships that are acceptable and those that are not

within policing organisations. Developing a culture that supports the workforce to build appropriate relationships and that sets clear professional boundaries is essential.

- > While certain standards of conduct are set out in the Garda Code of Ethics, including a set of general principles in relation to the standards of behaviour expected of the garda workforce, these principles need to be reinforced by clear policies and detailed guidelines on maintaining appropriate relationships in all aspects of the workforce's professional lives.
- > There are also significant gaps in the guidance related to several key priority areas including: maintaining professional boundaries, abuse of power for sexual gain, relationships and associations which should be notified to supervisors (e.g. with journalists, private investigators or former colleagues), special relationships such as with covert human intelligence sources, and substance misuse.

**Figure B - Counter-corruption framework to enhance professional integrity**



## Abuse of Power for Sexual Gain

Abuse of Power for Sexual Gain (APSG) can be extremely harmful to the persons affected and represents a significant breach of trust with profound implications for the victims, the organisation itself and the wider criminal justice sector. Abuse of power by police officers for sexual or emotional purposes is a major emerging issue in policing across the common law world and beyond, and required specific comment in the report.

- > There is no shared understanding of the concept between the Garda Síochána, oversight bodies and groups representing and supporting vulnerable victims. In particular, there was no clear understanding of common behavioural characteristics or indicators nor was there any awareness-raising of the issue among leaders, supervisors or the wider workforce.

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- > The risk to the Garda Síochána was poorly grasped and cases were dealt with in isolation. This is an issue which has profound human rights implications for victims, the organisation and the criminal justice sector.
- > The Garda Síochána can draw valuable lessons from cases identified by oversight bodies and voluntary and support groups and enhance the safety of vulnerable individuals at risk of such abuse.

- > To address this, it is recommended that the Garda Síochána should develop and implement a policy and detailed guidelines and raise awareness of the issue within and outside the organisation, including understanding of common behavioural characteristics of those engaged in this type of abuse.

## Corporate Responsibility

As well as the obvious duty to exercise their policing powers fairly and impartially the police workforce have a clear fiduciary duty to safeguard public resources. This duty is most obvious in the case of garda leaders, managers and supervisors in terms of promoting good corporate governance practices within the organisation.

- > While the Garda Code of Ethics sets out a clear duty on the garda workforce to declare and manage conflicts of interest, there is no formal process to facilitate the exercise of this duty. In addition, there are limited guidelines on identifying potential conflicts and limited awareness among the garda workforce of common situations which can lead to such conflicts.
- > Two specific areas, relating to business and other interests and post-employment activities, are not as well regulated in the Garda Síochána as in comparable police services. These areas are also subject to different rules depending on a person's position within the organisation.
- > The Inspectorate recommends that the Garda Síochána develop and implement policies and guidelines in relation to the management of conflicts of interest and in particular the two special cases of conflict of interest concerning outside business and other interests and post-employment activities by garda members.



- > The Garda Síochána needs to go beyond developing and circulating policies and HQ Directives to embed integrity-building measures across the organisation. The garda policy on gifts, hospitality and sponsorship in particular highlights the importance of such an approach. While such a policy was introduced in 2018, the policy is poorly

understood and key provisions, such as the publication of a register, had failed to be implemented at the time of the inspection. This was in contrast to the situation in other police services where the recording and publicising of gifts and hospitality received by or offered to members of the police workforce were completely transparent.

**Figure C - Comparison of police services with similar environments and functions to the Garda Síochána that are required to publish gifts, hospitality and sponsorship online**



Source: Examination of police service websites

- > The Inspectorate has also recommended that members of the garda workforce undertake periodic integrity health checks with their supervisors, particularly at important career points such as on promotion or selection for specialist or designated roles.

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## What Systems and Processes in the Garda Síochána Need to be Strengthened to Build Resilience Against Corruption?

A wide range of garda systems and processes which contribute to building resilience to corruption in the organisation, including procurement, vetting, audit and risk management, were examined during the course of the inspection. While many of these systems contribute greatly to counter-corruption in the Garda Síochána some weaknesses were identified in several of the systems or processes. These have been highlighted in the inspection report.

## Garda Vetting

Ineffective vetting of recruits will expose the public and criminal justice agencies and institutions to increased risks associated with national security, public safety, cyber-attack and fraud.

- > Some of the weaknesses identified by the Inspectorate included; the absence of a comprehensive, principles-based vetting code of practice; limited in-service re-vetting; criminal record checks limited to garda prosecutions and convictions on the PULSE system; and limited international vetting checks.
- > The Inspectorate recommends that the Garda Síochána undertake the following: develop a comprehensive

vetting approach which can facilitate vetting tailored to role and access to police systems by initiating in-service re-vetting; comprehensive criminal record checks including foreign convictions; and financial, social media and prior employment checks.

## Property Management

Property and evidence management is a critical function in any police service. It is vital for the efficient management of criminal investigations and prosecutions. Several weaknesses identified by the Inspectorate in Garda Property and Evidence Management System (PEMS) are highlighted in the report.

**Figure D - Weaknesses identified by the Garda Inspectorate in the Garda Property and Evidence Management System**



Inadequate storage for property outside of normal PEMS Store business hours



Absence of an audit trail for store security and access controls



Insufficient storage capacity for high-value and hazardous property



Inadequate training and security advice for newly appointed garda staff such as PEMS managers



No current process for the contemporaneous recording of property seized during a search



- > The Inspectorate recommends that the Garda Síochána improve the recording of evidence seized during search operations and the security of PEMS stores and personnel.

## Information Security

Garda information systems are a vast repository of sensitive information and a valuable commodity for persons with bad intentions seeking to exploit such information, including; terrorists, organised crime groups, and those intending to exploit vulnerable persons or to benefit commercially from such information.

- > While the PULSE system appears to have an effective audit function which identifies members of the garda workforce who access or change a record, unlike other police services it does not have the capacity for proactive real-time monitoring of information systems to detect suspicious persons and activities.

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*... investigations into serious criminality such as suspected child sexual exploitation or sexual violence by members of the garda workforce outside of their work environment does not automatically result in an audit of their police systems user history...*

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- > The Inspectorate found that investigations into serious criminality such as suspected child sexual exploitation or sexual violence by members of the garda workforce outside of their work environment did not automatically result in an audit of their police system user history to identify other possible victims or instances of police computer systems misuse.

- > The report recommends that the Garda Síochána enhance its capability for proactive surveillance of police information systems and always review an individual's use of garda ICT systems following identified or suspected unethical behaviour. This should be a responsibility of the Anti-Corruption Unit once it has been established.

## What Discretionary Garda Powers Did the Inspectorate Identify that Require Greater Scrutiny and Supervision?

Police discretion is a well-established feature of modern policing but it harbours the danger of misuse. The Inspectorate examined a range of areas within the Garda Síochána where a wide degree of discretion exists and where strong leadership and supervision are critically important for the fair and consistent delivery of policing services free from the risk of coercion or corruption.

### Discontinued Cases

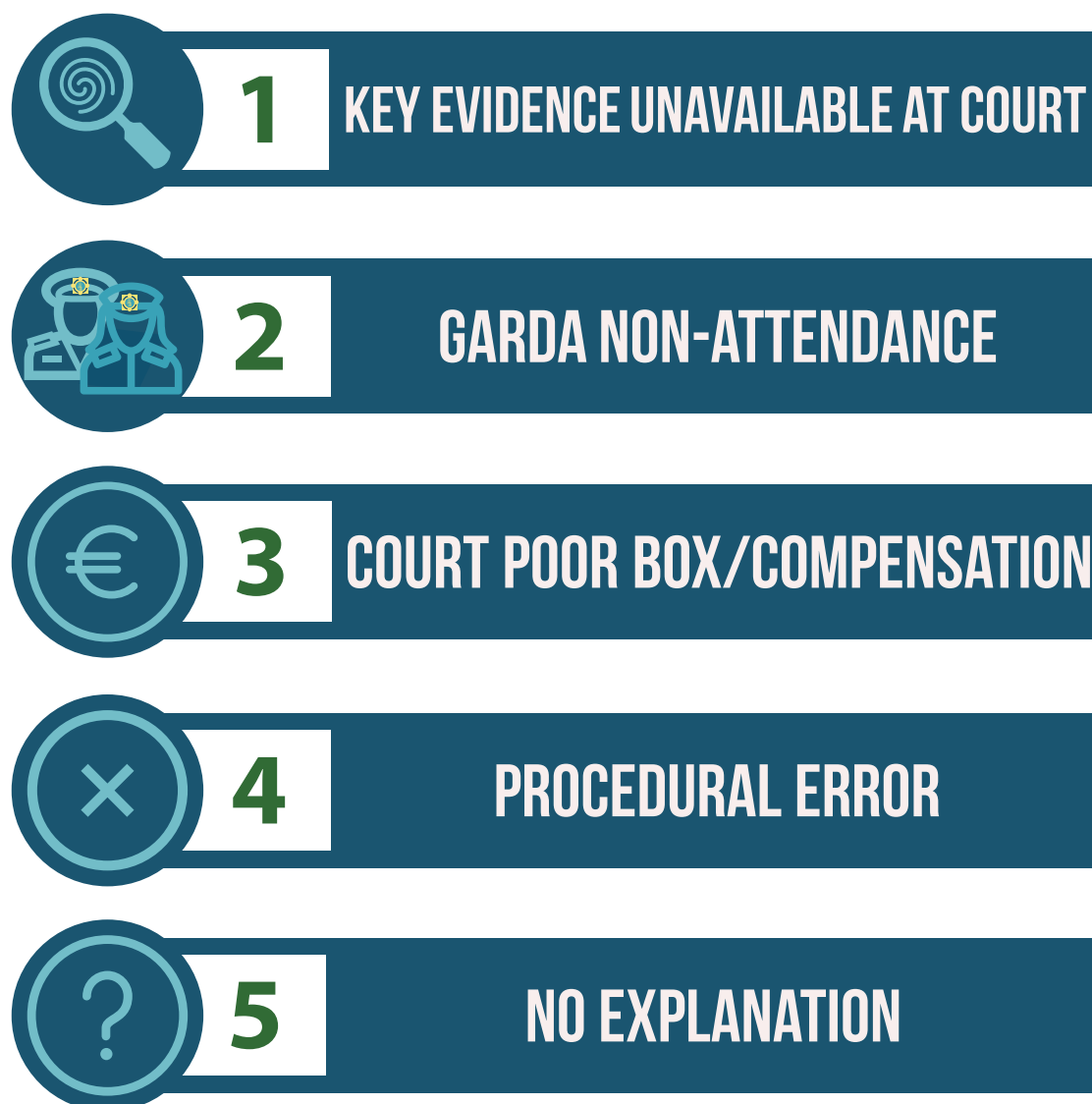
Unlike any of the other police services benchmarked for this report, garda members have a wide discretion under statute to institute criminal proceedings in the State.

- > An examination of a sample of District Court prosecution files by the Inspectorate identified significant gaps in the supervision and management of garda members and a high volume of prosecution cases that were discontinued at court.
- > The types of discontinued cases included serious threats to public safety, such as; driving while intoxicated, and public order offences. The risk of corrupt

exploitation in the absence of strong supervision is clear and it constitutes a significant threat to the reputation of the Garda Síochána.

- > There were a number of reasons for the discontinuation of the cases sampled, with one of the more prominent being the non-attendance of the garda member responsible for the case.

**Figure E - Top five reasons for discontinuation of garda prosecuted court cases**



- > The Inspectorate recommends that the Garda Síochána introduce comprehensive guidelines for and strengthen the supervision of garda-led prosecutions.

### Fixed Charge Penalty System

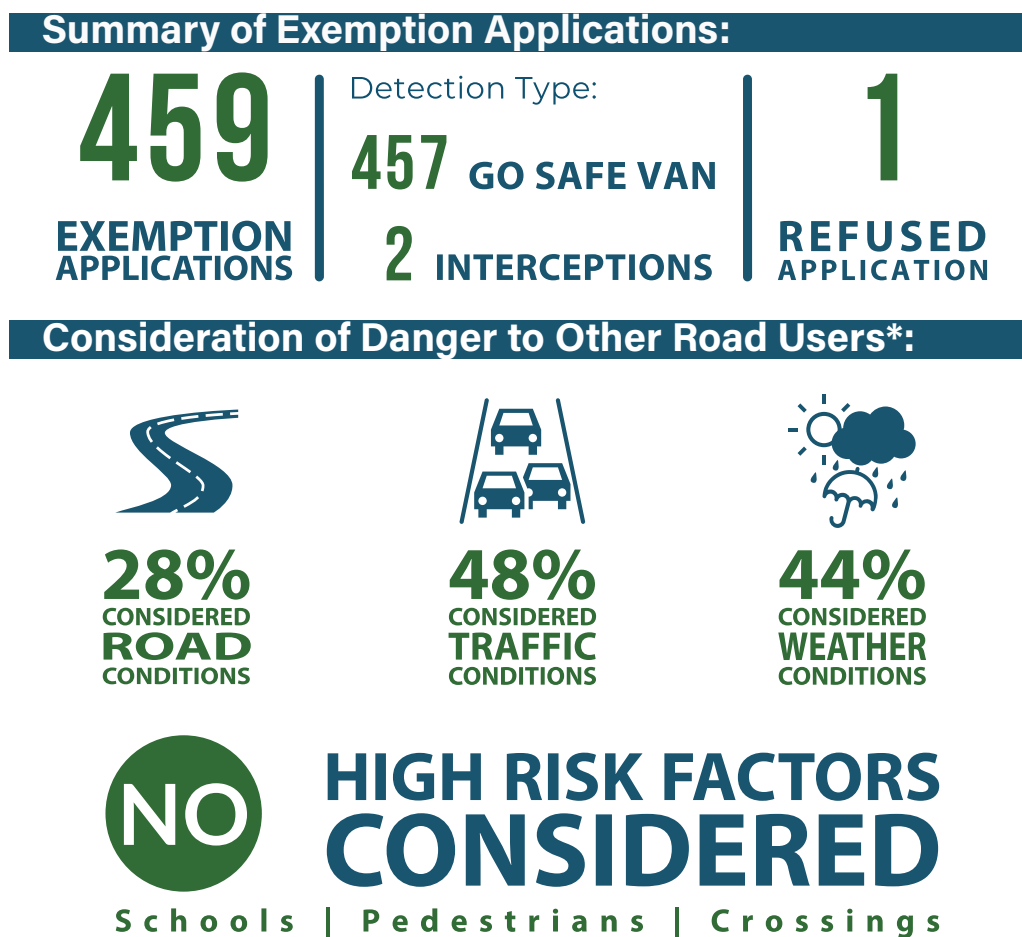
The legislation underpinning the fixed charge penalty system provides for a statutory exemption for members of emergency services, including garda members, from

the imposition of penalty points as a result of breaches of the road traffic laws. There are two statutory conditions for the exemption to apply. The garda member concerned must be driving or directing a vehicle in the performance of their duties and the use of the vehicle must not endanger the safety of other road users. Garda policy imposes a third condition to the effect that the statutory exemption should be relied upon only in exceptional circumstances.

- > The Inspectorate examined specific aspects of the system related to the statutory exemption from penalty points for emergency services personnel. Applications for statutory exemptions

lacked detail and supporting verification by applicants and were not always subject to robust scrutiny by supervisors.

**Figure F - Fixed Charge Penalty Notices issued to garda members using official vehicles or private vehicles between August 2018 and August 2019**



**48% Provided No Rationale for Exceeding the Speed Limit\***

\*From sample of 25 files

Source: Data supplied by the Fixed Charge Penalty Office; Analysis by the Garda Inspectorate

- > The Inspectorate recommends that the Garda Síochána process for cancelling a Fixed Charge Penalty Notice for a garda member considers all relevant factors and that the exceptional circumstances test be more rigorously applied in the decision-making process.

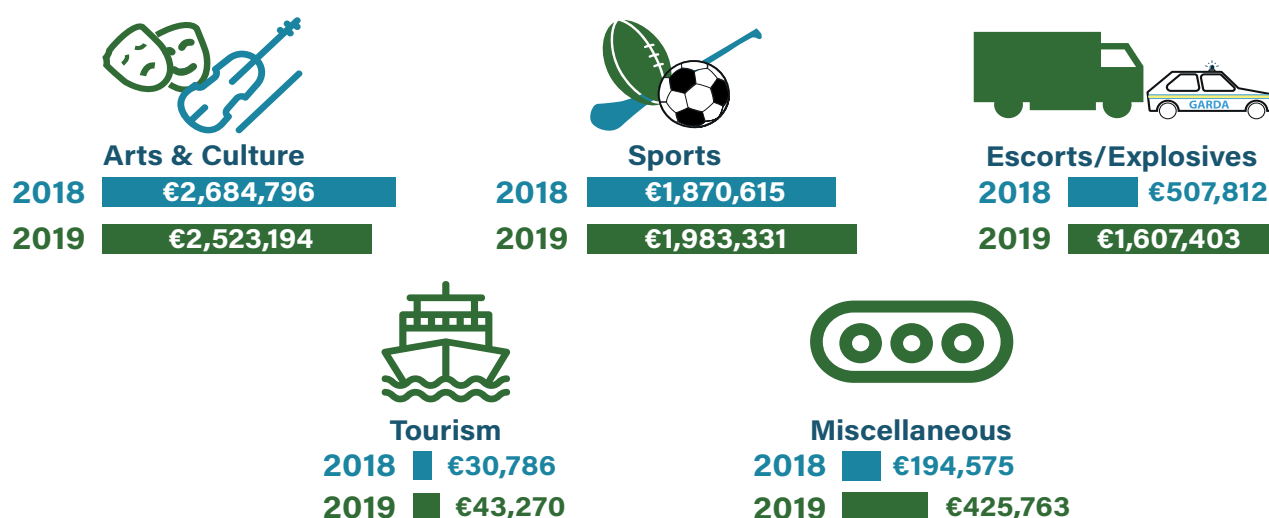
### Non-Public Duty

The Garda Síochána Act 2005 provides for the recovery of cost for policing certain events or activities, such as sporting fixtures, concerts and festivals, conferences and film productions, and for the protection of property at risk of harm.

- > Several concerns regarding charging for non-public duty (NPD) events were highlighted during the inspection, in particular, lack of policy and guidance, inconsistent charging practices, charging

of NPD for activities not originally foreseen in the legislative framework, and over-reliance on overtime for policing NPD.

**Figure G - Total amount charged by the Garda Síochána for non-public duty in 2018 and 2019, by category of event**



Source: Data supplied by the Garda Síochána; analysis by the Garda Inspectorate

- > The Inspectorate recommends that the Garda Síochána introduce clearer guidance and more consistency in the charging and recovery of NPD costs including an approval role for Regional Assistant Commissioners.

## How Can the Garda Síochána Best Organise its Approach to Identifying and Investigating Corruption in the Workforce?

This strand of the inspection focused on how the Garda Síochána can best organise its efforts to identify and investigate internal corruption as well as the optimal structure for the proposed Anti-Corruption Unit. This included an examination of two important sources of information on the ethical health of an organisation: reporting wrongdoing and ethical monitoring.

## Operational Structure

Any response to corruption requires more than simply reacting to cases as they arise. The approach adopted in similar jurisdictions commonly follows four of the broad strands identified in the report, including *plan*, in terms of strategic assessment and governance; *protect*, in terms of building integrity within the police workforce; *prevent*, in terms of strengthening systems and supervision; and *pursue*, in terms of identifying and investigating instances of corruption. The renewed counter-corruption approach announced by the Garda Commissioner in 2019 must embrace all of these elements.

- > The Garda Síochána is in the process of establishing a standalone Anti-Corruption Unit. The Inspectorate has recommended that for cases not investigated by the Garda Síochána

Ombudsman Commission (GSOC) this unit should have primary organisational responsibility for the prevention, detection and investigation of internal corruption.

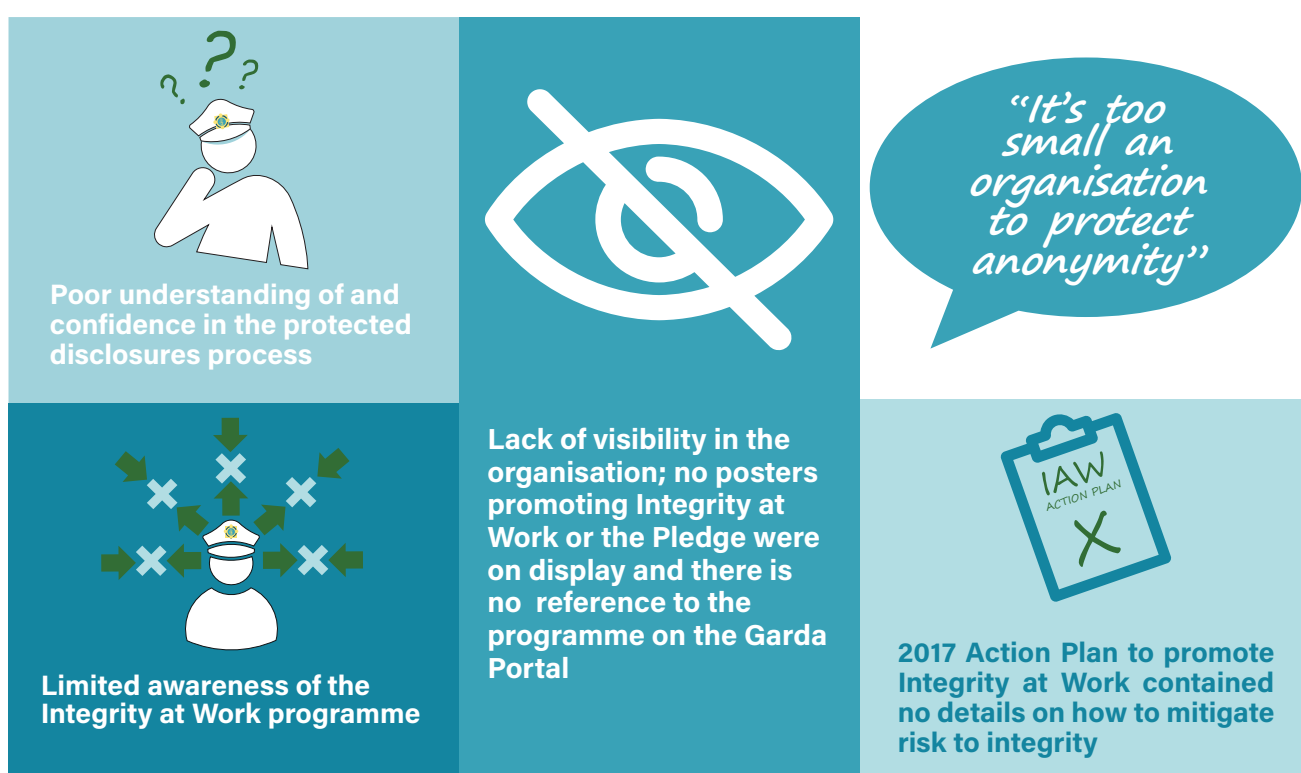
- > This should include a strong intelligence function allowing it to collate and develop intelligence from a range of internal and external sources and a dedicated investigative capability. The

unit should have an overview of all disciplinary and crime-related enquiries.

## Reporting Wrongdoing

Several international organisations, including the OECD and Transparency International, promote whistle-blowing as one of the most effective ways of tackling corruption in any organisation. The Inspectorate has identified several barriers to the reporting of wrongdoing within the Garda Síochána.

**Figure H - Barriers to the reporting of wrongdoing identified by the Garda Inspectorate**



- > This inspection found that while there is a comprehensive statutory framework for protected disclosures in the State and a recently strengthened policy in the Garda Síochána, there was poor understanding and lack of confidence in the protected disclosure process among the garda workforce.
- > In 2017 the Garda Síochána signed up to the Integrity at Work Pledge, a scheme which provides an independent advice

service for persons considering making a protected disclosure, including a confidential reporting line. The Inspectorate found that there was very limited awareness of the programme at all levels of the organisation.

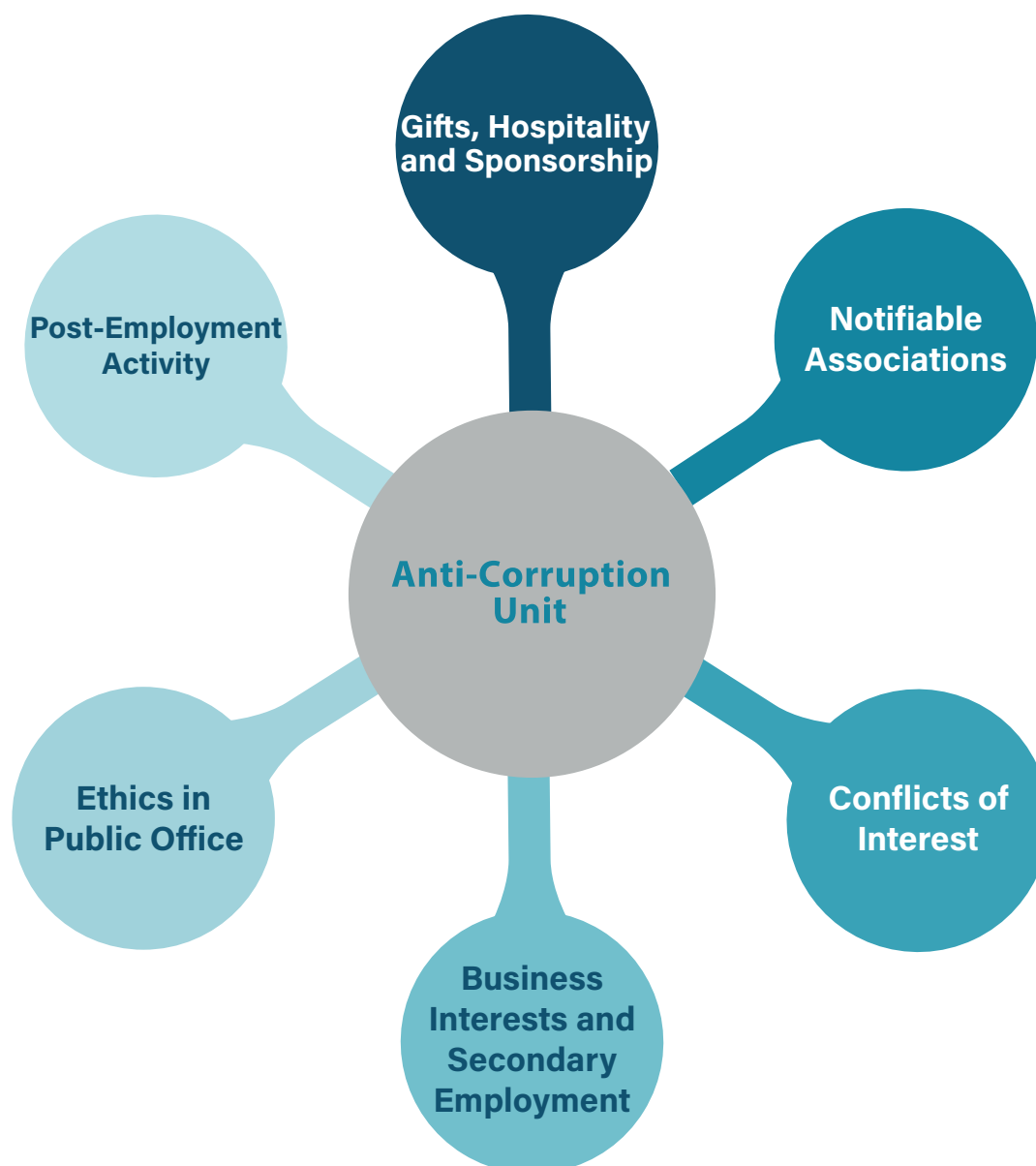
- > In this regard the report recommends that the Garda Síochána implement a strategy to encourage reporting of wrongdoing and build understanding and confidence in the process.

## Monitoring Ethical Declarations

It is an important responsibility of any police service to proactively monitor ethical and professional standards. This inspection found a significant deficit in corruption and integrity related policies and guidelines for

the garda workforce as well as the lack of a broad range of ethical declarations common in other police services. Having a single body responsible for monitoring all ethical declarations by collating, analysing and challenging them is an essential tactic for identifying corruption.

**Figure I - Monitoring of ethical declarations by the Anti-Corruption Unit**



*Having a single body responsible for monitoring all ethical declarations by collating, analysing and challenging them is an essential tactic for identifying corruption*

- > The Inspectorate recommends that the Anti-Corruption Unit be responsible for monitoring compliance with all counter-corruption policies and registers including those with ethical declarations.



## What Supports and Resources for Intervention Are in Place to Reduce the Impact of Corruption on the Garda Workforce?

The welfare of the workforce should be a primary objective of the Garda Síochána. This duty is no less significant when it comes to those who might be vulnerable to being corrupted by external influences.

- > While the Garda Síochána have a range of welfare supports in place, these are not part of a specific counter-corruption strategy aimed at preventing corruption in the garda workforce.
- > The Inspectorate identified several factors which can affect individual behaviour in the garda workforce and place organisational integrity at risk.

**Figure J - Organisational integrity risk factors**



- > The Inspectorate recommends that the Garda Síochána introduce a structured early intervention and support programme to prevent members of the garda workforce who may be in need of support from developing unethical traits unacceptable to the organisation.

## How can the Garda Síochána Adapt and Learn from Corruption Cases and the Experiences of Oversight Bodies and Other Organisations?

The inspection examined how organisational learning could be better captured by the Garda Síochána and how these lessons could be communicated to the garda workforce and the wider public.

## Organisational Learning

- > In particular, the inspection identified that corruption and fraud cases are not routinely profiled to identify patterns and common underlying causes as happens in the other police services benchmarked for the purposes of the inspection. This was a weakness identified by GRECO<sup>1</sup> in its first evaluation of Ireland in 2001.
- > Insights and recommendations from external organisations are not consistently drawn on by the Garda Síochána for learning purposes. The example of systematic recommendations made by GSOC were highlighted in the report to illustrate this point. This is in contrast to the situation in England and Wales where there is a partnership approach to organisational learning between the police complaints body (the IOPC), police services and other criminal justice agencies and institutions.
- > The comparative research carried out for the inspection highlighted how effective communication of the outcomes of police discipline and misconduct procedures, criminal investigations and substance tests can provide valuable opportunities for the Garda Síochána to learn from past

mistakes. This is a particularly common practice in UK police services, which publish the outcomes of such cases on their websites.

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*Insights and recommendations from external organisations are not consistently drawn on by the Garda Síochána for learning purposes.*

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## What Examples of Good Practice Did the Inspectorate Identify?

Despite the fact that until recently counter corruption within the Garda Síochána was not considered in a formal, systemic or strategic manner, the Inspectorate did encounter examples of individuals and specific departments developing policies and practices that could enhance organisational integrity. These examples are important as they show how on their own initiative, sections of the garda workforce are identifying processes to improve leadership and supervision, strengthen professional integrity, enhance organisational resilience, and cascade organisational learning. This shows the value placed on integrity by the organisation.

**Figure K - Identified good practice in the Garda Síochána**



<sup>1</sup> The Groups of States against Corruption was established by the Council of Europe to monitor states' compliance with Council of Europe anti-corruption standards.

# Report Recommendations

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| <b>Recommendation 1</b><br><br><b>Strategic Threat and Risk Assessment</b>          | <p>The Department of Justice should develop a strategic understanding of the risk of internal corruption across the criminal justice sector with the objective of developing an overarching strategy and multi-agency approach to the management of the corruption threats.</p>   |
| <b>Recommendation 2</b><br><br><b>Strategy and Governance in the Garda Síochána</b> | <p>The Garda Síochána should develop and implement a governance process for identifying and mitigating the threats, risks and potential harms associated with internal corruption. This process must include:</p> <ul style="list-style-type: none"> <li>• The appointment of a senior police leader with responsibility for counter corruption.</li> <li>• The development of a strategic assessment of corruption threats.</li> <li>• The setting out of a counter-corruption control strategy that establishes priorities for action.</li> </ul> |
| <b>Recommendation 3</b><br><br><b>Professional Boundaries</b>                       | <p>The Garda Síochána should develop, publish and implement an overarching policy and guidelines on professional boundaries for the garda workforce.</p>  |
| <b>Recommendation 4</b><br><br><b>Abuse of Power for Sexual Gain</b>                | <p>The Garda Síochána should develop, publish and implement a strategy and policy to mitigate the threat of Abuse of Power for Sexual Gain.</p> <p>This policy should highlight the dangers of relationships where a position of power can be abused for emotional or sexual purposes and provide guidance for the garda workforce and supervisors on the key indicators of such relationships and the appropriate organisational response to the issue.</p>  |
| <b>Recommendation 5</b><br><br><b>Notifiable Associations</b>                       | <p>The Garda Síochána should develop, publish and implement a policy and guidelines on notifiable associations which all members of the garda workforce are obliged to report.</p>  |

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| <b>Recommendation 6</b><br><br><b>Covert Human Intelligence Sources</b>  | <p>The Garda Síochána should revise its Covert Human Intelligence Sources Management Policy to prohibit the acceptance of gifts or hospitality from a Covert Human Intelligence Source. This should reinforce the obligations in other related garda policies dealing with professional boundaries, relationships and associations with an emphasis on the management of Covert Human Intelligence Sources. In particular, the revised policy should impose an obligation on garda members to disclose all relationships with a current or former Covert Human Intelligence Source.</p>   |
| <b>Recommendation 7</b><br><br><b>Substance Misuse</b>                   | <p>The Garda Síochána should develop, publish and implement a substance misuse and testing policy and procedure. As a first step, all new entrants should undergo mandatory pre-employment testing as a condition of their employment.</p>  |
| <b>Recommendation 8</b><br><br><b>Conflict of Interest</b>               | <p>The Garda Síochána should develop, publish and implement a policy and guidelines on the declaration, recording and management of conflicts of interest.</p>  |
| <b>Recommendation 9</b><br><br><b>Gifts, Hospitality and Sponsorship</b> | <p>The Garda Síochána should raise awareness of the garda policy on gifts, hospitality and sponsorship both within and outside of the organisation and take steps to ensure full compliance with the policy among the garda workforce. In particular:</p> <ul style="list-style-type: none"> <li>• The Anti-Corruption Unit should take responsibility for monitoring organisational compliance with the policy.</li> <li>• Failure to submit a monthly register of gifts, hospitality and sponsorship should be subject to challenge by the Anti-Corruption Unit.</li> <li>• Gifts, hospitality and sponsorship received should be triangulated against other sources, such as procurement contracts and Standards in Public Office declarations.</li> <li>• The Anti-Corruption Unit should audit the registers and challenge the responsible manager and recipient in relation to selected entries.</li> <li>• The gifts, hospitality and sponsorship registers should be published by the Anti-Corruption Unit at regular intervals including when no gifts, hospitality or sponsorship have been recorded for the period.</li> </ul> |

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|   | <ul style="list-style-type: none"> <li>• Gifts, hospitality and sponsorship offered to or received by ranks from superintendent and assistant principal and above should be published in such a way that the person concerned can be clearly identified. This should extend to inspectors who regularly exercise the functions of a superintendent. All other gifts should be published against the relevant division/department.</li> <li>• Gifts, hospitality and sponsorship should not be accepted from organisations that could be subject to a non-public duty charge, those with a commercial relationship with the Garda Síochána, or those subject to statutory oversight by the Garda Síochána.</li> </ul> |
| <b>Recommendation 10</b><br><b>Business and Other Interests</b> | <p>The Garda Síochána should develop, publish and implement a policy and guidelines relating to the holding of business and secondary interests by the garda workforce including:</p> <ul style="list-style-type: none"> <li>• A requirement for members of the garda workforce to declare all personal commercial interests and those involving family and friends to the Garda Commissioner.</li> <li>• The replacement of the prohibited spare-time activities guidelines with an objective and transparent principles-based approach to secondary employment.</li> </ul>   |
| <b>Recommendation 11</b><br><b>Business and Other Interests</b> | <p>The Garda Síochána should ensure there is clarity regarding completion of the Ethics in Public Office declarations.</p> <ul style="list-style-type: none"> <li>• Declarations should be completed upon appointment to positions designated under the Ethics Acts.</li> <li>• Those regularly designated to temporarily perform in a higher rank as assistant principal or superintendent should be required to complete the declaration of interests.</li> <li>• There should be guidance regarding the requirement to complete a nil return.</li> </ul>  |
| <b>Recommendation 12</b><br><b>Post-Employment Activities</b>   | <p>The Department of Justice should carry out a review of post-employment activities of the garda workforce, and develop suitable rules and processes to reduce the risk of conflict of interest arising after a member of the garda workforce leaves the organisation.</p>  |

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| <b>Recommendation 13</b><br><br><b>Integrity Health Check</b> | <p>The Garda Síochána should undertake periodic integrity health checks of the garda workforce. These should occur if not on an annual basis at the very minimum at critical career points such as on promotion or selection for specialist or designated positions.</p>   |
| <b>Recommendation 14</b><br><br><b>Vetting</b>                | <p>The Garda Síochána should develop a single policy and approach for vetting the garda workforce and those contracted to provide services.</p> <ul style="list-style-type: none"> <li>• The level of vetting should be tiered to take account of access to police systems and identified threats.</li> <li>• Vetting should include pre-employment and regular in-service reviews. For example, appointments to designated or vulnerable posts or promotion should attract re-vetting and staff in designated or vulnerable posts should be subject to additional vetting and provided with ethical training and supports.</li> <li>• All in-service vetting should be conducted by a vetting section within the Anti-Corruption Unit.</li> <li>• The policy should allow for a vetting review of anyone in the garda workforce at the discretion of the Head of the Anti-Corruption Unit.</li> <li>• Recruitment vetting should in addition to existing checks consider: the European Criminal Records Information System, credit checks, financial intelligence, social media, convictions by other state bodies, military records, and other police disciplinary records if appropriate.</li> <li>• All contractors providing a service to the Garda Síochána should have personal vetting at an appropriate level.</li> <li>• The Anti-Corruption Unit should be responsible for assessing all information relating to an individual where a risk has been identified during vetting, and should provide a recommendation to the Garda Commissioner on the appropriate action to take.</li> </ul> |



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| <b>Recommendation 15</b><br><br><b>Property and Evidence Management</b> | <p>The Garda Síochána should ensure that all property stores have adequate systems, processes and facilities to achieve the safe and secure management of property including:</p> <ul style="list-style-type: none"> <li>• Effective training and security advice for property store managers.</li> <li>• Secure separated storage for hazardous and high-value property.</li> <li>• An approved system for managing property when the property store is not open.</li> <li>• A security system for recording the details of anyone who accesses the property store.</li> </ul>   |
| <b>Recommendation 16</b><br><br><b>Property and Evidence Management</b> | <p>The Garda Síochána should introduce a practice of recording contemporaneously property seized during a search and on completion of the search leaving the record with a person present at the search site.</p>   |
| <b>Recommendation 17</b><br><br><b>Information Security</b>             | <p>The Garda Síochána should develop and publish a Lawful Business Monitoring Policy and acquire technology that enables the proactive surveillance of ICT systems to prevent and detect the misuse of information held within them.</p>  |
| <b>Recommendation 18</b><br><br><b>Information Security</b>             | <p>The Garda Síochána should assign to the Anti-Corruption Unit responsibility for identifying misuse of information and communications technology devices and systems by the garda workforce.</p> <p>To facilitate this responsibility:</p> <ul style="list-style-type: none"> <li>• The Anti-Corruption Unit should proactively monitor all garda information and communications technology devices and systems based on intelligence, analysis and organisational learning.</li> <li>• The Anti-Corruption Unit should review an individual's use of garda information and communications technology systems following identified or suspected unethical behaviour or misconduct by that member of the workforce.</li> <li>• The Anti-Corruption Unit should be responsible for challenging, through divisional supervisory and governance structures, the use of garda ICT systems on both a random basis and where the access has raised concerns of inappropriate use.</li> </ul> |

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| <b>Recommendation 19</b><br><br><b>Discontinued Court Cases</b>    | <p>The Garda Síochána should strengthen supervision of cases it prosecutes. This should include:</p> <ul style="list-style-type: none"> <li>• Introducing suitable guidelines and procedures to improve record-keeping. In particular, there must be requirements to explain in detail a garda decision to discontinue a case and to record explanations for a case being struck out in the District Court.</li> <li>• Reviewing discontinued cases should form part of the divisional Performance and Accountability Framework review process to identify patterns or performance concerns.</li> <li>• Ensuring discontinued cases that arise from the non-attendance of a garda member are reviewed by a supervisor.</li> </ul>   |
| <b>Recommendation 20</b><br><br><b>Fixed Charge Penalty System</b> | <p>The Department of Transport should undertake a review of the current statutory exemption relating to the driving of vehicles by members of the emergency services.</p>   |
| <b>Recommendation 21</b><br><br><b>Fixed Charge Penalty System</b> | <p>The Garda Síochána must ensure that the process for cancelling a Fixed Charge Penalty Notice on the basis of the statutory exemption consider all of the relevant conditions, including those set out in regulation and policy, and be properly documented. Such an approach should ensure that:</p> <ul style="list-style-type: none"> <li>• The exceptional circumstances test is applied more rigorously in the decision-making process. The necessity to travel in excess of the speed limit, and the proportionality of this action, should be considered and balanced against the rationale for breaching road traffic laws.</li> <li>• All risk factors, mitigating factors and evidence are taken into consideration, including: weather and road conditions, driving competence, and factors involving high risk such as proximity to schools. Vehicle data could also be utilised to confirm driving performance, and in the case of private vehicles, confirmation of driving licence, insurance and NCT should be required.</li> </ul> |

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| <b>Recommendation 22</b><br><br><b>Non-Public Duty</b>                      | <p>The Garda Síochána should develop, publish and implement policy and guidance on charging for non-public duty. Such guidance should minimise the opportunity for inconsistency and maximise transparency for garda managers and event organisers. In support of the policy:</p> <ul style="list-style-type: none"> <li>• The Executive Director Finance and Services should have responsibility for ensuring a consistent approach to the charging and recovery of non-public duty costs.</li> <li>• All non-public duty policing plans should be approved at a regional level by the Regional Assistant Commissioner.</li> </ul>   |
| <b>Recommendation 23</b><br><br><b>Anti-Corruption Unit Operating Model</b> | <p>The Garda Síochána should assign overall organisational responsibility for the prevention, detection and investigation of corruption to the Anti-Corruption Unit. To support this responsibility the Anti-Corruption Unit should have full visibility of all ongoing criminal and discipline investigations into members of the garda workforce.</p>   |
| <b>Recommendation 24</b><br><br><b>Intelligence Sharing</b>                 | <p>The Garda Síochána should develop formal arrangements for the mutual sharing of intelligence between the Garda Síochána Ombudsman Commission, law enforcement agencies and the Anti-Corruption Unit.</p>   |
| <b>Recommendation 25</b><br><br><b>The Intelligence Function</b>            | <p>The Garda Síochána should provide sufficient resources to the Anti-Corruption Unit to create a dedicated intelligence team with responsibility for developing strategic and tactical understanding of corruption threats within the Garda Síochána. Specific functions should include:</p> <ul style="list-style-type: none"> <li>• Tasking and coordinating the collection of all anti-corruption intelligence.</li> <li>• Assessing, developing, monitoring and managing all reports of internal corruption.</li> <li>• Disseminating credible leads for investigation or intervention.</li> <li>• Maintaining a standalone intelligence database and case management system where information and decisions can be recorded.</li> </ul> |

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| <b>Recommendation 26</b><br><b>Internal Investigation</b>                         | <p>The Garda Síochána should provide sufficient resources to the Anti-Corruption Unit to reflect the current assessment of risk and to ensure that the unit is capable of conducting independent discipline and criminal investigations. Those engaged in counter-corruption investigations should be experienced detectives and have specific counter-corruption training.</p>  |
| <b>Recommendation 27</b><br><b>External Investigation</b>                         | <p>The Department of Justice should implement the necessary statutory framework, in line with the State's obligations under the European Convention on Human Rights relating to effective independent investigation, to ensure that all instances of conduct linked to sexual violence or abuse of power for sexual gain arising from the actions of a member of the garda workforce acting in their professional capacity which could result in a breach of an individual's rights under Article 2 or 3 of the Convention are referred for independent investigation.</p> |
| <b>Recommendation 28</b><br><b>Identifying the Abuse of Power for Sexual Gain</b> | <p>The Garda Síochána should ensure that the Anti-Corruption Unit develop and implement an external and internal communications strategy on abuse of power for sexual gain to raise awareness and encourage reporting of suspicious behaviour.</p>   |
| <b>Recommendation 29</b><br><b>Reporting Wrongdoing</b>                           | <p>The Garda Síochána should develop, publish and implement a strategy to encourage the reporting of wrongdoing. This includes using and promoting:</p> <ul style="list-style-type: none"> <li>• Protected Disclosures.</li> <li>• The Integrity at Work Programme.</li> <li>• Confidential lines and systems for anonymous reporting.</li> </ul>  |
| <b>Recommendation 30</b><br><b>Reporting Wrongdoing</b>                           | <p>The Garda Síochána should ensure that the Anti-Corruption Unit has visibility of all reports of wrongdoing including garda-managed protected disclosures to ensure a holistic understanding of the risk within the organisation.</p>  |

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| <b>Recommendation 31</b><br><br><b>Monitoring Ethical Declarations</b>       | <p>The Garda Síochána should assign responsibility to the Anti-Corruption Unit for monitoring all counter-corruption polices and registers, including those containing ethical declarations. This should include:</p> <ul style="list-style-type: none"> <li>• Gifts, Hospitality and Sponsorship.</li> <li>• Notifiable Associations.</li> <li>• Conflicts of Interest.</li> <li>• Business Interests and Secondary Employment.</li> <li>• Ethics in Public Office.</li> <li>• Post-Employment Activity.</li> </ul>  |
| <b>Recommendation 32</b><br><br><b>Support and Intervention</b>              | <p>The Garda Síochána should develop, publish and implement a structured early intervention and support programme with the objective of identifying and supporting members of the workforce who may be vulnerable to corruption.</p>  |
| <b>Recommendation 33</b><br><br><b>Capturing Organisational Learning</b>     | <p>The Garda Síochána should conduct formal reviews of cases of corruption and serious wrongdoing to understand those factors that can lead to a corruption risk and develop appropriate strategies to prevent a recurrence.</p>  |
| <b>Recommendation 34</b><br><br><b>Communicating Organisational Learning</b> | <p>The Garda Síochána should implement a counter-corruption communications strategy, which should include:</p> <ul style="list-style-type: none"> <li>• Ensuring lessons learned and suitable real-life case studies form the basis of future training and briefing packages.</li> <li>• Disseminating organisational learning drawn from international trends and internally focused investigations including those conducted by the Garda Síochána Ombudsman Commission and other regulatory bodies.</li> <li>• Publishing the findings of disciplinary hearings internally.</li> </ul> |

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