



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

**Meeting of the Joint Oireachtas Committee on Justice to discuss the General Scheme of
the Policing, Security and Community Safety Bill 2021**

20 October 2021

Opening Statement by Mr. Bob Collins, Chairperson of the Policing Authority

A Chathaoirligh,

The 2015 legislation that established the Policing Authority was intended to make a difference. And it did. It created an independent, external oversight arrangement for the Garda Síochána where none had ever existed before. It created a greater structural distance between the Department and the organisation. And it created a distance between politics and policing.

It was the settled view of the Government and Oireachtas that this was necessary. That was less than six years ago.

These Heads of Bill, and the Commission on the Future of Policing report on which its approach is based, take a significant step back from that character of oversight. Repatriation to the Department and re-internalisation within the Garda Síochána alter significantly the relationships between the Garda, the Department and the proposed new Authority. There is, and there will be seen to be, an inescapable drawing back from those changes that were deemed so necessary just six years ago.

Nowhere, in the Commission Report or in the Heads, is there any significant or convincing argument why such a sharp shift is necessary or appropriate.

There is much to welcome in the Bill. The joining together of the Authority and the Inspectorate has the potential to be greatly beneficial both to the oversight and inspection roles. And the Authority also welcomes the changes made since the initial draft Heads were first outlined last year. But there are still issues that are of considerable concern to the Authority, for example;

Returning responsibility to the Garda Síochána for determining the Policing Plan. The Authority's much reduced engagement will not be out of its own statutory capacity but at the invitation of the Commissioner. That is a significant shift of policy and practice and weakens oversight. What is its logic?



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The same is true in respect of the Garda strategy.

The termination of the Authority's role in Appointments is a major change of direction.

Apparently based on a wholly unfounded sense that the new arrangements would give the Commissioner a greater role in appointments, this shift flies in the face of the Garda Culture Audit and the widely felt unhappiness at recruitment practice within the organisation. This is a retrogressive move.

The weakening of the Authority's role in the appointment of Commissioner and Deputy Commissioner follows the same pattern. So does the return to the Commissioner, under some unspecified regulatory framework, of the recruitment of Superintendents, a critically important role in the policing service.

Why these steps in respect of appointments are being taken is unclear.

The role of the new Garda Board seems to suggest that the Garda Síochána is no different from any other state body. Nothing could be further from the truth. It is precisely because the Garda Síochána is so wholly different – in its role, duties and powers - that a strong external oversight mechanism is necessary.

The value to the organisation of outside expertise is not in question. What is virtually certain, however, is the risk that the new structure will alter the nature of the current oversight, will cause confusion as to roles and responsibilities and have the potential to pose unnecessary difficulties for the Commissioner.

The Authority worries that this Bill will convey the wrong messages about policing. It will be seen as a backward step. It has the potential to slow and inhibit, rather than support and encourage, the programme of change to which the Authority and the Commissioner are committed.

If anything shows the importance of strong, independent external oversight, it can be seen in the Authority's handling of the Homicide review and of the current issues with the cancellation of 999 calls. The strength of that capacity should not be put in doubt.