



GARDA INSPECTORATE

Garda Síochána Inspectorate

Press Release

Fixed Charge Processing System A 21st Century Strategy

The Garda Síochána Inspectorate welcomes the publication today by the Minister for Justice, Equality and Defence of the Inspectorate's report "The Fixed Charge Processing System, A 21st Century Strategy".

The report, presented to the Minister for Justice, Equality and Defence in February, 2014 by Chief Inspector Robert K. Olson, is the result of a detailed examination of the Garda Síochána Fixed Charge Processing System (FCPS) including the practice of cancellation of fixed charge notices (FCNs).

The report includes a total of thirty-seven recommendations consisting of short, medium and long term improvements and changes to the system. Having regard to the current economic challenges and the resources available to the Garda Síochána, the Inspectorate's recommendations are divided into those which are achievable now and those which provide a progressive road map for the ultimate development of a modern fit for purpose efficient and effective FCPS.

The Inspectorate found inconsistent and widespread breaches of the FCPS policy by those charged with administering it and found no meaningful evidence of consistent quality management supervision, no training and no clear policy guidelines on its implementation. Also, the Inspectorate found no auditing of the cancellation process of fixed charge notices either at Garda Headquarter, Regional, Divisional and District or at any level that would have identified these problems.

Central to the Inspectorate's review of the FCPS, was consideration of the cancellation practice of fixed charge notices. In analysing the cancellation practice, the Chief Inspector expressed concern at the "inconsistent application, interpretation and subjectivity of the cancellation of fixed charge notices which must be addressed." He also remarked on the cancellation rates across 110 districts where a significant proportion of cases were cancelled in circumstances that do not satisfy the FCPS policy. The Inspectorate, for this reason recommends a holistic approach to overhaul the entire FCPS including the centralisation of the cancelling authority at the Fixed Charge Processing Office, Thurles. Chief Inspector Olson commented that "Correcting the serious deficiencies in the cancellation process through full implementation of the recommendations in this report will bring the FCPS in line with international best practice."

Key recommendations from the report include:

- A Criminal Justice Working Group to oversee the implementation of the recommendations made in the report;
- The cancellation authority for fixed charge notices to be centralised in the Fixed Charge Processing Office, Thurles;
- A single Garda Síochána Unit to undertake regular audits of the full operation of the FCPS;
- The Criminal Justice Working Group to coordinate the development of a bar coded pre-summons notepad for recording and serving a notice of a fixed charge offence;

- Utilisation of the Garda Information Services Centre (GISC) for entry of all intercept pre-summons onto the FCPS;
- A review of the summons service process be undertaken to ascertain the reasons for the significant level of unserved summonses;
- Cancellation of a fixed charge notice only to be considered where the petition is accompanied by factual third party evidence supporting the reason for cancellation. Where a petition is not accompanied by factual third party evidence the petition is to be denied;
- All offenders to be notified of the Garda Síochána cancellation petition policy regarding the Fixed Charge Processing System (FCPS);

Commenting on recommendations in the report, the Chief Inspector stated that, “Over the years, the accumulation of successive incremental “fixes” in response to minor and major technical and management problems in the system’s daily operations has resulted in a technically deficient, managerially uncoordinated, inefficient and excessively resourced support system.” He stated that, “the solution is entirely dependent on a coordinated collaboration between the Department of Justice and Equality, the Garda Síochána, Road Safety Authority (RSA), Department of Transport, Sport and Tourism, Courts Service, An Post, and the various appointed contractors involved in the operation of the FCPS”.