

CIGIREACHT AN GHARDA SÍOCHÁNA
GARDA SÍOCHÁNA INSPECTORATE

Report of the Garda
Síochána Inspectorate

Transnational Organised Crime

A Review of the Structures, Strategies and Processes
in the Garda Síochána

Executive Summary

June 2024

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Introduction

The purpose of this self-initiated inspection was to establish how effective the Garda Síochána is at preventing transnational organised crime and disrupting and dismantling transnational organised crime groups.

For this inspection, the Inspectorate used the following definition:

'Transnational crimes are violations of the criminal law by organised crime groups that involve more than one country in their planning, execution, or impact and which involve the provision of illicit goods or services. Examples of which include, trafficking in people, drugs and firearms, money laundering and document or identity fraud'.

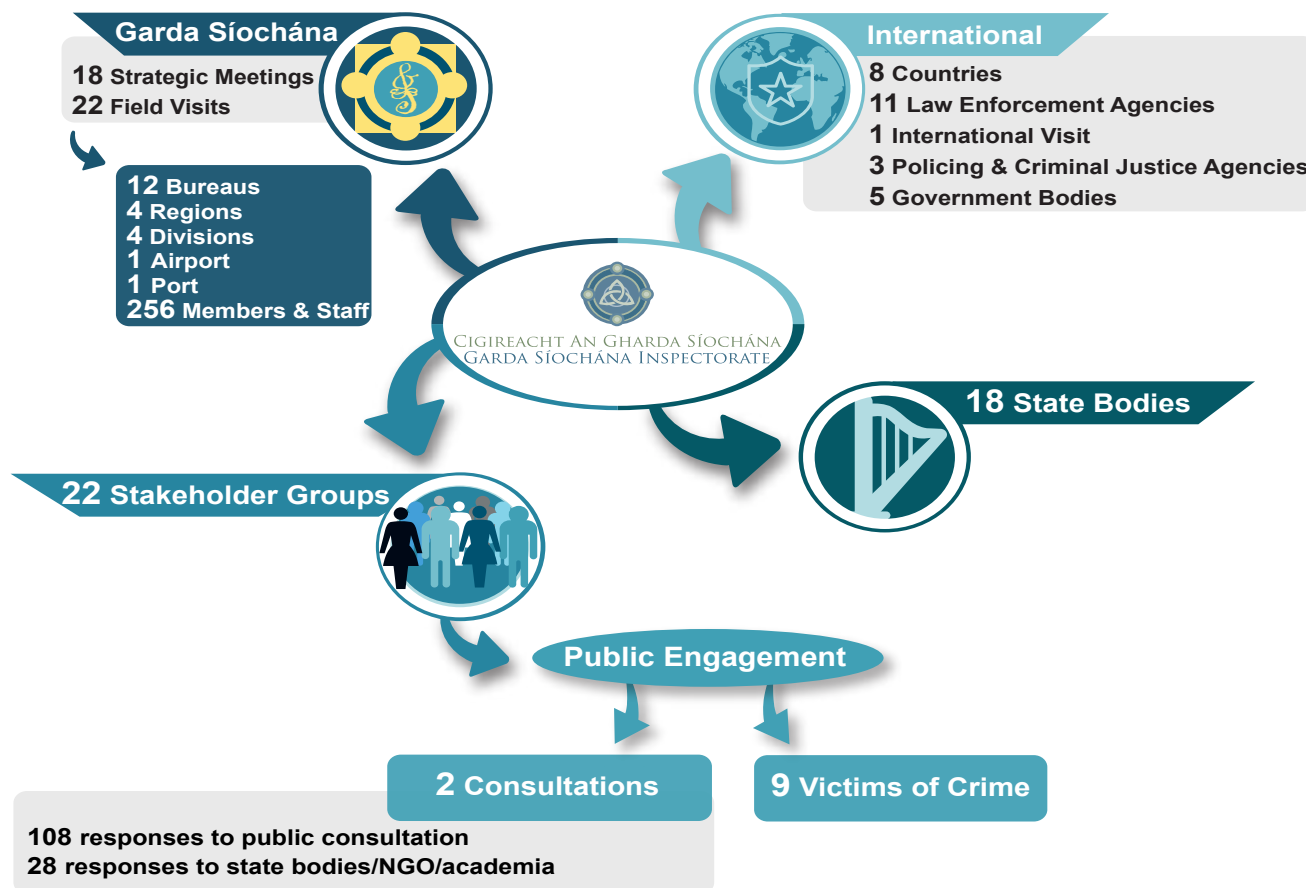
Given the international dimension of transnational organised crime, this inspection adopted the approach of reviewing the strategic leadership provided within the Garda Síochána, the available resources, the investigation capabilities and how investigation teams worked in co-operation with others and shared information. The approach also involved developing an understanding of the impact of transnational organised crime on victims and how they were supported through their traumatic experience, as well as exploring what is in place and what is required to prevent organised crime, enhance community safety and reduce recidivism through diversion and disengagement from organised crime groups (OCGs).

The inspection also examined the effectiveness of the Garda Síochána at preventing transnational organised crime and disrupting and dismantling transnational OCGs. The Garda Síochána has conducted a number of successful operations across the spectrum of transnational organised crime types. These include the seizure of illegal drugs worth €157m following the interception of the MV Matthew off the Irish coastline, multiple arrests of suspects linked to the cyber-enabled fraud activity of the Black Axe organised crime group and the disruption and dismantling of the Conti Ransomware group. The common denominator in these and most operations is the extent and quality of the interaction between the Garda Síochána and domestic and international law enforcement agencies.

The methodology used for this inspection involved extensive outreach to explore best standards of comparable practice and multiple meetings within the Garda Síochána and its domestic partners including those within government departments.

Figure A summarises the level of engagements with the Garda Síochána and other key stakeholders during the course of the inspection.

Figure A: Garda Síochána and stakeholder engagement for the inspection



Source: Garda Inspectorate

Chapter 1 Strategy and Governance

This chapter looks at the strategies and governance processes that need to be in place to help the Garda Síochána to better understand the scale and scope of transnational organised crime. It also examines how intelligence is used to prioritise and target actions against those criminals causing most harm.

Identifying Threats and Risks Caused by Organised Crime Groups

To tackle organised crime effectively, the Garda Síochána needs to first identify and assess the threat and risk that OCGs cause. There are a number of tools used in other jurisdictions to do this. These

analyse information available from all law enforcement agencies and the community to assess the level of threat, risk and community harm presented by OCGs.

The main findings in this area were:

- > The Garda Síochána uses the Organised Crime Group Threat Assessment Tool to measure the threat and risk presented by OCGs.
- > An internal evaluation of the assessment tool found universal support for its use.
- > The assessment tool does not include information from across the law enforcement community or an assessment of the impact of organised crime on local communities. This misses the opportunity to analyse and assess the full picture.

To improve the assessment of threat and risk, the Inspectorate recommends that the Organised Crime Group Threat Assessment Tool is enhanced to include information from relevant agencies and an assessment of the impact on local communities.

Strategic Threat and Risk Assessment

A Strategic Threat and Risk Assessment process helps police services to identify the most significant threats and risks facing them, including the nature and scale of the threat presented by transnational organised crime.

The main findings in this area were:

- > While some garda national units conducted internal risk assessments, the Garda Síochána had not conducted a Strategic Threat and Risk Assessment for organised crime.
- > Risk assessments did not take account of information from external partners and other garda units and were not used at an organisational level.
- > The current approach prevents the Garda Síochána from having a holistic view of organised crime threats.

To address this gap, the Inspectorate recommends that the Garda Síochána conduct an organised crime Strategic Threat and Risk Assessment that includes transnational organised crime.

Creating a Transnational Organised Crime Strategy

A transnational organised crime strategy would consider the emerging and identified trends holistically, prioritise them and ensure that finite resources are directed towards the greatest risks. It provides a focus on a single mission, an understanding of gaps in

existing capabilities and a structure to track progress towards achievement of the longer-term goals.

The main finding in this area was:

- > The Garda Síochána has neither an organised crime nor a transnational organised crime strategy.

To address this, a recommendation is made for the Garda Síochána to develop, publish and implement a transnational organised crime strategy.

Operating an All-Island Approach to Tackle Transnational Organised Crime

The Garda Síochána operates in an environment which means that some of those involved in organised crime may reside in Ireland or Northern Ireland and use the free movement across the border to commit crime in one or both jurisdictions. To address the threat, the Garda Síochána works with the Police Service of Northern Ireland and other partners as part of a Joint Agency Task Force, which is governed by a joint protocol and memorandum of understanding. The task force works to six agreed priority areas that include Drugs, Rural Crime, Trafficking in Human Beings and Organised Immigration Crime.

The main findings in this area were:

- > There was no joint Strategic Threat and Risk Assessment or joint strategy to tackle transnational organised crime on the island of Ireland.
- > Although the rural crime priority was supported with a joint tactical assessment completed by garda and Police Service of Northern Ireland analysts, a similar analytical assessment was not produced to support the other five priority areas.

- > The impact of transnational organised crime has grown significantly since the establishment of the Joint Agency Task Force and the 2015 roadmap for tackling organised crime and criminality has not been reviewed post-Brexit.

To enhance collaborative working, the Inspectorate recommends that the Garda Síochána engage with the Department of Justice, the Police Service of Northern Ireland and the Northern Ireland Department of Justice to develop an all-island Strategic Threat and Risk Assessment and strategy to tackle transnational organised crime.

Developing Strategic Partnerships

In order to tackle transnational organised crime effectively, it is necessary for a range of relevant partner agencies to work closely together at international, national and local levels.

The main findings in this area were:

- > The Garda Síochána is a committed partner with a strong reputation for working and sharing collaboratively in situations where an enabling structure is created.
- > There are good examples of multi-agency collaborations to prevent and detect transnational organised crime and to protect victims of crime, but agencies tended to meet on a case-by-case basis to focus on a specific issue.
- > Some partners were frustrated with the reluctance of some garda members to share information or to discuss subjects of mutual interest.
- > There was no structure or forum that brings all agencies together or enables collaborative partnership working to tackle organised crime.

The Inspectorate seeks to enhance partnership working to tackle transnational organised crime by recommending the establishment of a National Crime Centre designed to deliver a co-located collaboration between all agencies and create an environment where all agencies are empowered to appropriately share information.

Management of Intelligence

Intelligence-led policing is a forward-looking, proactive process that assists police managers to make evidence-based decisions about their operational policing priorities and how they deal with them. It is important for a police service to ensure that investigators have access to good intelligence, while ensuring that there are strong safeguards in place to protect the source of the information. All of the international police services engaged as part of this inspection use a business model for managing all intelligence.

The main findings in this area were:

- > While the Garda Síochána has undertaken work to develop an intelligence model on a number of occasions over the past 12 years, it is still not yet in place.
- > Since 2020, the Garda Síochána has been developing a model known as the National Criminal Intelligence Framework which is considered by the Inspectorate to be a good model capable of delivering efficient and effective intelligence-led policing.
- > The model was first piloted in the Eastern Region.
- > The model separates the collection and assessment of intelligence from its use in operations and investigations by the creation of a firewall.

- > The garda evaluation of the pilot found many positive developments; however, early signs of inconsistency emerged between the original National Criminal Intelligence Framework model and some attempts to implement alternative versions.
- > Strategic and tactical co-ordination meetings were absent at all levels of the Garda Síochána.
- > There is a potential for conflict between two different garda units deployed on inter-linked operations.
- > The Garda Operating Model and the National Criminal Intelligence Framework change programmes appear to be taking place on a parallel but separate basis and without the necessary choreography.

Figure B shows the key elements that should be present in the Garda National Criminal Intelligence Framework.

Figure B: Key elements of the National Criminal Intelligence Framework



Source: Garda Síochána adapted by the Garda Inspectorate

The Inspectorate recommends the implementation of the National Criminal Intelligence Framework as a matter of urgency including a standardised approach to the management of intelligence and incorporation into the Garda Operating Model.

Management and Oversight of Covert Policing Operations

Covert policing is a collective term for a variety of types of surveillance and involves collecting information and assessing and developing it into evidence. To effectively tackle the complex and serious threat posed by organised criminal networks, law enforcement agencies need the full range of covert tactics, including the recruitment and retention of registered Covert Human Intelligence Sources (CHIS) who are authorised to engage in criminal behaviour.

The main findings in this area were:

- > Technical surveillance through a tracking device or listening equipment was only available for allocation on a priority basis through the National Surveillance Unit.
- > There is an absence of legislation to investigate open and encrypted communication platforms and international convention prevented the Inspectorate from reviewing what action was taken in relation to specific information received by the Garda Síochána.
- > The only types of undercover deployments permitted at the time of the inspection were drug test purchasing and covert surveillance.
- > In 2017, the European Court of Human Rights criticised Ireland for having no formal system for authorising and supervising undercover police operations.

- > The Garda Síochána did not have a policy for undercover deployments.

To address this, the Garda Síochána should develop and implement a policy that controls and guides all operations that require undercover deployments. With regards to encrypted communications, recommendations are made to the Department of Justice to address legislative and oversight gaps.

Covert Human Intelligence Sources

The National Source Management Unit is responsible for oversight of all CHIS activity which includes the registration process for assessing and approving a person for use as a CHIS.

The main findings in this area were:

- > The registered CHIS process is thorough and legislatively, procedurally and European Court of Human Rights ECHR compliant.
- > Concerns were raised by garda members that the approval process was too slow.
- > In some cases people were only referred into the assessment process after all the information they had to give was drawn from them by the referring garda member.
- > Some CHIS were not referred for registration but were still managed by individual investigators.

The Inspectorate seeks to address these compliance issues by recommending the introduction of a system of reviews for unexplained operational seizures or arrests that occur in the absence of formal intelligence or information provided by a registered source.

Involvement of CHIS in Crime

The ability to infiltrate criminal organisations is key to understanding the way in which organised criminal networks operate and helps to formulate strategies and operations to target them.

The main findings in this area were:

- > Gathering intelligence through a CHIS can provide insider information about those involved in organised crime.
- > Irish legislation does not enable or permit authorisation of any CHIS to participate in criminal activity. This significantly limits the tactical options for targeting serious crime and offences committed by transnational organised crime groups.

In order to enhance the ability of the Garda Síochána to protect communities from transnational organised crime, the Inspectorate recommends the introduction of legislation, authority and oversight to enable registered Covert Human Intelligence Sources to participate in crime.

Investigating Corrupt Officials

One of the most serious enablers of organised crime is a corrupt official and it is important to target not only those who are corrupt, but also those OCGs seeking to recruit a person in a position of authority. Integrity testing is a controlled operation to detect, investigate, and develop intelligence and evidence on transnational organised crime. It consists of either random checks on anyone within an agency, department or organisation or intelligence-led targeted checks on a person. This is an important tool used to uncover corrupt behaviour by public officials.

The main findings in this area were:

- > At the time of the inspection, there was no integrity testing of officials in Ireland as both parties involved in an act of bribery or corruption would be guilty of an offence.
- > Without proactive testing, investigations tend to be retrospective.
- > The Inspectorate believes that legislation is required to enable the Garda Síochána and other law enforcement agencies to conduct undercover operations (including integrity testing).

Chapter 2 Understanding Demand and Delivering Workforce Planning, Training and Technology

This chapter explores the recording practices used by the Garda Síochána to understand the scale and scope of transnational organised crime and how this impacts on their ability to fully understand the demand on their services and respond appropriately.

Understanding the Demand of Organised Crime

There is a need to understand the current and future demands associated with organised crime, this includes the collection of raw data which incorporates the recording of crime and analysis of trends. For analysis to be effective, the data must be accurate. There is also a need to identify the capabilities required to address these demands and to assess and measure the capability gaps.

This should focus not only on staff numbers, but the mix of skills, processes and technology that will deliver the best outcomes for the public.

The main findings in this area were:

- > There was no structured or systematic activity undertaken by the Garda Síochána to understand organisational demand, particularly how it relates to domestic or transnational organised crime.
- > There was no specific PULSE category to classify transnational organised crime, therefore accurate data was not available.
- > The modus operandi feature on PULSE was under-used.

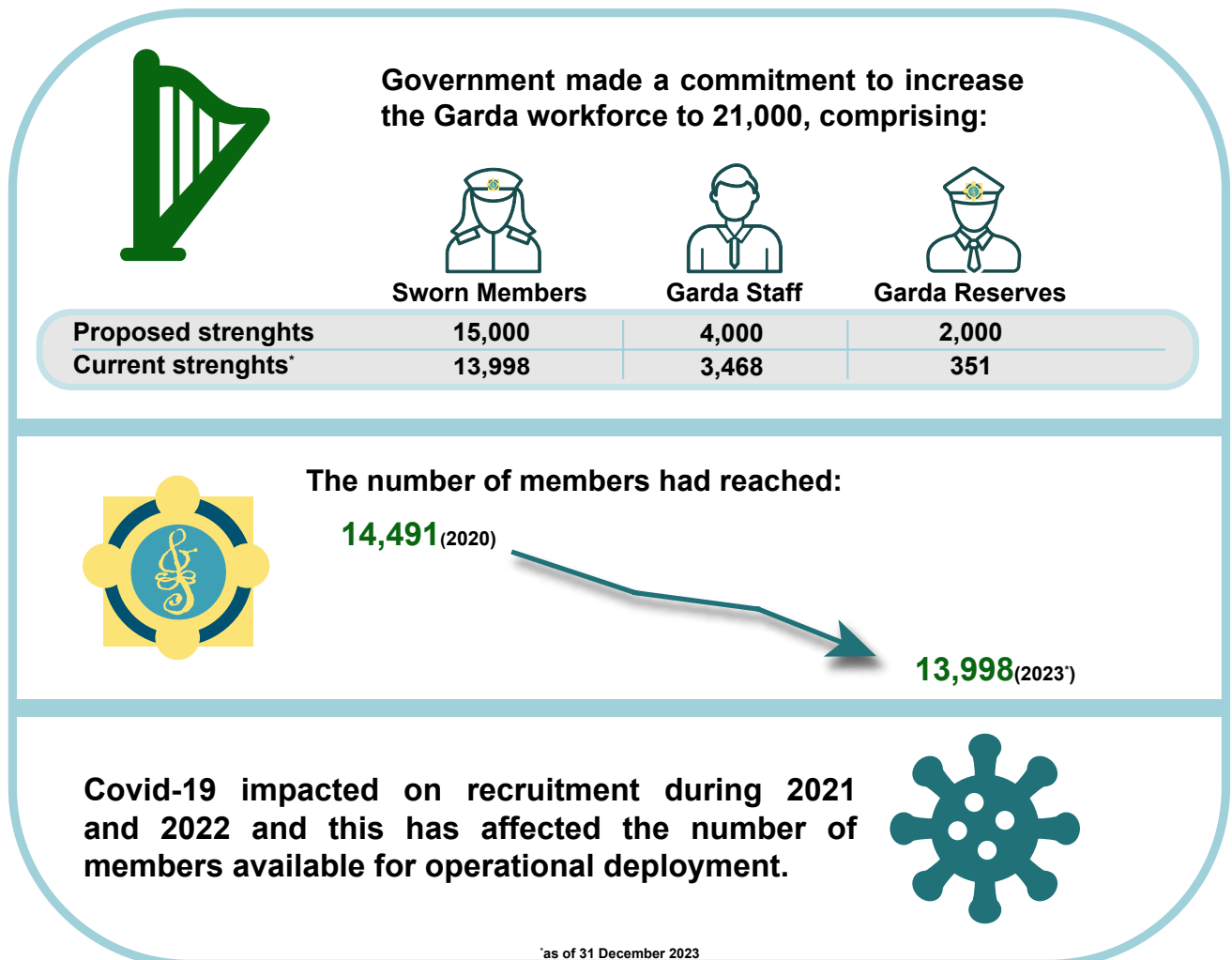
to identify and understand the demand on their resources, from domestic and transnational organised crime.

Workforce Plan, Civilianisation and Succession Planning

A comprehensive and evidence-informed workforce plan would enable the Garda Síochána to allocate appropriate resources to address policing and security demands at national, regional and divisional levels. The workforce plan should include carefully considered succession planning and the effective use of all resources. Garda resourcing levels are shown in Figure C.

In order to ensure demand is properly understood, the Inspectorate recommends that the Garda Síochána undertake a process

Figure C: Garda Workforce Proposed and Current Strengths



The main findings in this area were:

- > While the Garda Síochána has undertaken considerable work to prepare and implement a workforce plan, at the time of this inspection it was still in draft stage awaiting completion.
- > A number of positions were staffed by sworn garda members which, in the opinion of the Inspectorate, could be performed by garda staff.
- > Some roles had been civilianised, however when staff left they were replaced by sworn garda members.
- > An internship programme had been developed by the Garda Síochána, to provide experience from working in a variety of organisational support roles, for graduates and school leavers from traditionally under-represented communities.
- > All of the national units, regions and divisions engaged by the Inspectorate were operating below their recommended resource levels.
- > Across the national units in Organised and Serious Crime, the vacancy rates ranged from 3% to 70%.
- > The absence of effective succession planning, in particular linked to promotion processes and retirements, was contributing to a considerable loss of knowledge and expertise for key specialist roles.

To address this gap, the Inspectorate recommends that the Garda Síochána implement the workforce plan as a matter of urgency. Recommendations are also made in relation to succession planning for key specialist roles and the civilianisation of roles which do not require sworn powers.

Training and Development

The implementation of needs-led training is integral to building organisational capacity and capability. The complexity of transnational organised crime highlights the need for tailored and specialist training and development packages to enable members to deliver better performance.

The main findings in this area were:

- > As some parts of the organisation were late or failed to respond to the annual Priority Training Needs Assessment issued by the Garda College, it was not possible for the college to gain an accurate picture of training needs.
- > It was unclear how the allocation of training places was managed at an organisational level and the training plan did not identify what prioritisation process was used or how success would be measured.
- > The Covid-19 pandemic created delays in members and staff accessing key training, and a number of members involved in specialist units, such as surveillance teams were not trained or accredited appropriately.
- > There were insufficient trained fraud investigators in divisional crime units.
- > Outside of specialist units, many garda members lacked knowledge of what constituted human trafficking and in particular, the coercive behaviours which result in victims being exploited and traumatised.
- > There was limited availability of qualified interviewers at divisional level.

To appropriately meet the training and development needs of the garda workforce, the Inspectorate recommends that the Garda Síochána make completion of the Priority Training Needs Assessment compulsory. Other recommendations relate to ensuring staff in specialist units are accredited appropriately, and that interview skills, human trafficking and trauma-informed training relating to transnational organised crime is delivered.

Technology

In order for the Garda Síochána to ensure that no part of their service delivery operates as an analogue police service in a digital era, enhanced focus on technology is critical. The Garda Síochána needs to introduce technology to support human resource management, the collection and use of intelligence, and specialist investigations such as cyber-crime.

The main findings in this area were:

- > There was no human resource information system to facilitate the storage of data on all members of the garda workforce and their training records.
- > Multiple IT systems were in place to manage different streams of intelligence and this created gaps in knowledge and a lack of coordination.
- > The essential technology to enable effective data mining was no longer available to the Garda Síochána.
- > The garda IT system could not automatically upload data to European or other global systems.

To address this gap, the Inspectorate recommends that the Garda Síochána implement a human resource information

system, in addition to a single national system for recording and managing criminal intelligence. Other recommendations relate to appropriately resourcing specialist units with the relevant technology to enhance investigative capacity relating to cyber-enabled crime.

Chapter 3: Investigation of Transnational Organised Crime

In order for criminal investigations to yield successful outcomes, appropriate resources, structures and policies need to be in place. This chapter examines the need for a clear crime investigation allocation policy for assigning investigations to the most appropriate unit at national, regional or divisional levels. It also examines the Garda Síochána organisational structure and the resources that are in place to prevent transnational organised crime and to disrupt and dismantle organised crime groups, the crime types most associated with transnational organised crime and the use of domestic and international legislation as instruments that can be used to tackle OCGs.

Crime Investigation Allocation Policy

For all crime types including transnational organised crime, it is important for the Garda Síochána to have a clear crime investigation allocation policy in order to ensure that cases are only assigned to the most appropriate unit for investigation.

The main finding in this area was:

- > There was no organisational policy for the allocation of investigations, resulting in inconsistency in the assignment of crimes for investigation.

To ensure clarity, the Inspectorate recommends that the Garda Síochána develop and implement a policy for the allocation of criminal investigations.

Drugs & Organised Crime

While the Garda National Drugs and Organised Crime Bureau investigates serious and organised crime such as drug trafficking and importation, the majority of incidents relating to the supply and use of drugs in communities is investigated by divisional gardaí.

The 2021 Eurojust report on drug trafficking estimated the value of the EU drugs market as €30 billion. The Eurojust report refers to the impact on law enforcement agencies and judicial authorities as finding ‘themselves overwhelmed by the steep increase of drug trafficking cases. Many EU Member States struggle to allocate sufficient resources to the fight against highly flexible organised crime groups acting across borders’.

Figure D shows some of the successful multi-agency drug trafficking operations conducted.

Figure D: Drugs Enforcement Successes



Engagement with international law enforcement partners resulted in the seizure of €8.4m of cocaine seized from a small aircraft intercepted in Co. Longford.

Supported by the Army Ranger Wing the MV Matthew was intercepted off the Irish coastline resulting in seizure of cocaine worth €157m. This was the largest drugs seizure ever in the Irish State.



The Joint Task Force of the Garda Síochána, Revenue and the Naval Service participated in an operation with law enforcement in the Netherlands which led to the recovery of €35m worth of cocaine disguised as charcoal.

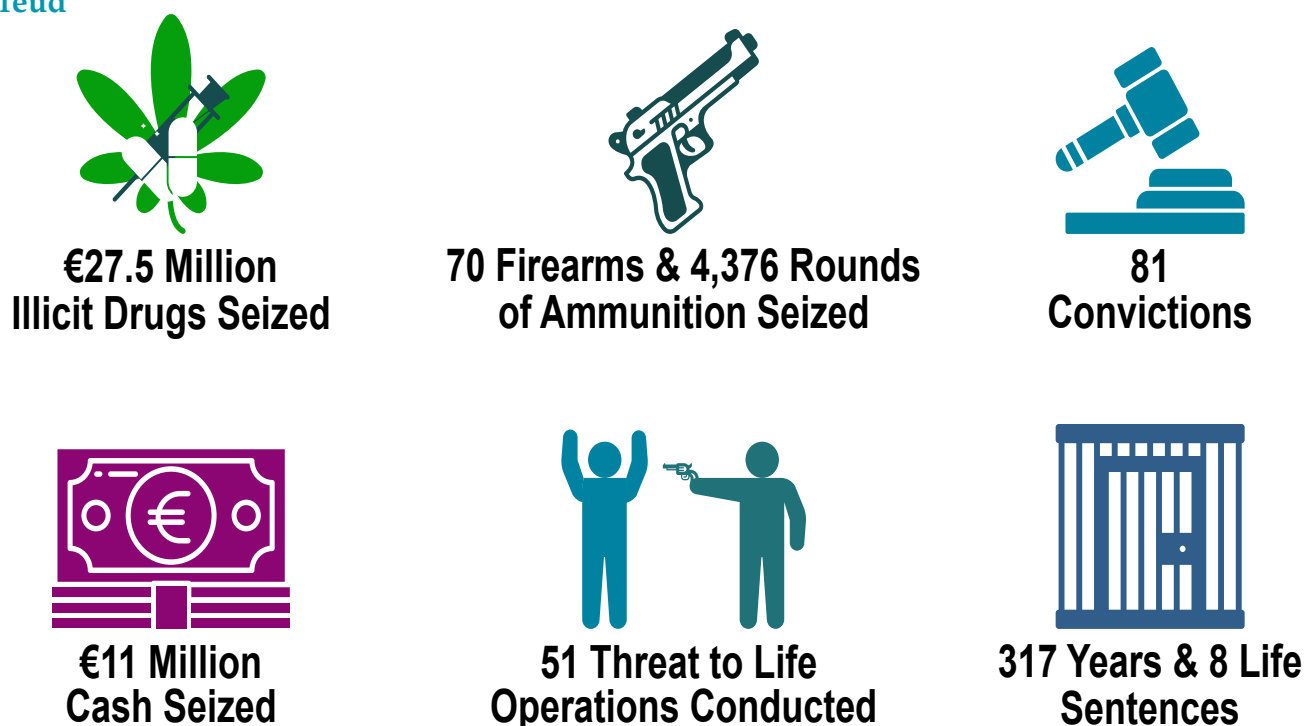
Source: Garda Inspectorate

The main findings in relation to this were:

- > Six out of ten people have experience of drug addiction in Irish communities.
- > In July 2021, the Garda Síochána commenced a national anti-drugs strategy on tackling street-level dealing in cities, towns and villages, called Operation Tara.
- > While the Garda Síochána has had considerable success in terms of the high volumes of drugs seized, it has in fact made little impact to the daily lives of many local communities.
- > The impact of drugs on communities manifests itself in many ways, from those selling drugs in the street to those operating from properties, all activity which brings people into communities for the sole purpose of buying drugs which can also lead to other crimes.

- > The number of incidents of drug related intimidation are growing and debts are incurred not only by those buying drugs for their own use, but also by drug dealers who owe money to those who supply drugs to them.
 - > Young people are used by crime groups to intimidate people, to carry out arson attacks and to collect debts.
 - > There is also a clear link between Criminal networks involved in drug trafficking and the commission by them of serious crimes, such as assaults, firearm discharges, threats to kill, organised prostitution and homicides.
 - > Investigators were constantly frustrated with the presumptive drug test process used for possession cases only and the equipment is not accepted for evidential purposes in criminal justice proceedings.
- The success against the Kinahan OCG and in relation to the Hutch and Kinahan OCGs feud is shown at Figure E.

Figure E: Results of proactive investigations into Hutch and Kinahan OCGs and their feud



Source: Information supplied by the Garda Síochána, adapted by the Garda Inspectorate

Although the Garda Síochána has had considerable success in tackling the Hutch and Kinahan OCGs they are not yet fully dismantled. It is important that the learning from this is applied to other OCGs operating in Ireland. Many of the recommendations contained in this report are designed to tackle drugs trafficking and other serious crimes associated with it.

Cybercrime

In modern policing where imagery and a digital record of messages and phone calls can be the key to solving crime, police services need to be able to retrieve and examine devices and content relating to investigations in a timely and efficient manner. Cyber-enabled crime is where the use of technology can facilitate other crimes such as sexual grooming, harassment or

various types of fraud including romance fraud. Cyber-dependent crime can only be committed by the use of technology where the device is both the tool to commit the crime and the target of the crime.

The Convention on Cybercrime, known as the Budapest Convention was the first international treaty that sought to address internet and computer crime by improving investigative techniques and increasing cooperation between countries.

The main findings in relation to this were:

- > The global cost of cyber-attacks is estimated to reach €10.5 trillion by 2025.
- > The work of the Garda Síochána in relation to cybercrime is well regarded internationally. Their work with international law enforcement partners, to disrupt and dismantle the Conti Ransomware Group is a good example of the high regard in which they are held.
- > In January 2022, there was a backlog of 750 cases awaiting forensic examination dating back to 2018. Subsequent updates indicate a significant reduction in outstanding cases to 235 however, while this reduced backlog is welcomed, there is still an organisational risk in having extended delays in the examination of devices.
- > There were no cybercrime units in divisions but some had created digital media units which collected and reviewed CCTV in addition to downloading and analysing data from mobile devices. Divisional digital media units is an effective way of dealing with a growing demand.
- > Roles in digital media units vary across divisions due to inconsistent access

to equipment and training. There was no standard process for tasking these resources, as well as a lack of consistency in the equipment available and the training provided to those who operate it.

- > Ireland is the only member of the Council of Europe to have signed but not yet ratified the Budapest Convention. A number of elements remain outstanding including the creation of a 24/7 point of contact network for international cooperation on cybercrime.

To enhance technological support for investigations, the Inspectorate recommends that the Garda Síochána formally establish, train and equip digital media units in all divisions and that the Department of Justice complete the process of transposing the final elements of the Budapest Convention into domestic legislation.

Economic Crime

Economic crime, which includes fraud, money laundering, bribery and terrorist financing, has become one of the most prevalent forms of criminal activity as it is considered to be low risk with high profits. It is estimated that the global impact of money laundering alone is up to €1.87 trillion, which is approximately 5% of global GDP. Due to its complex nature, economic crime is difficult to detect and prevent and requires specialist skills to do so.

A significant amount of fraud offences are cyber-enabled. This type of offence requires early assessment to establish if a crime has actually occurred, and if so, is it linked to a series of other crimes. In some cases, early intervention to remove or block an email address or a domain could prevent further offences.

Financial Intelligence Units (FIUs) were established to support the fight against money laundering and terrorist financing by enabling a connection between law enforcement agencies and the financial bodies within the private sector. They have a key role in receiving, analysing and transmitting reports of suspicious transactions identified and filed by the private sector in relation to financial activity.

The main findings in relation to this were:

- > Fraud and economic crime in Ireland increased by 53% from 2020 to 2021 and decreased again in 2022 by 32%. Detections decreased by 34% in 2021 and a further 41% in 2022. This reduction coincides with the decrease in recorded fraud offences, which are less complex crimes and may be easier to solve.
- > Many economic crimes are more complex in nature and there is a need for a specialist approach to investigating and detecting these types of crimes.
- > In addition to the Garda National Economic Crime Bureau (GNECB), divisions and some national units had created a number of mini-specialist economic crime or fraud investigation teams.
- > Many of the garda investigators who were assigned fraud cases to investigate had not been trained to a national standard.
- > In the UK, a non-police organisation works alongside the National Fraud Intelligence Bureau to assess and analyse reports of fraud to identify patterns and refer viable lines of enquiry to the relevant police service.
- >
- > In the past three years, the number of referrals from Irish financial institutions ranged from 1,800 to 2,400; however, in March 2023, a financial institution with over two million Irish customers became a bank. As a result GNECB are already recording almost 1,000 extra referrals each month and this is expected to increase.
- > In the years 2020 to 2022, an average of 66% of reports of fraud were classified as not constituting a crime. Of those classified as a crime, an average of 6% were retained for investigation by GNECB due to the scale and complexity of the case and the remainder were passed to divisions for investigation.
- > While the Garda Síochána retains the responsibility for assessment and intervention activity it is drawing garda members trained in fraud investigation away from their work on investigations.
- > The Garda Síochána FIU is staffed by a blend of garda members and garda staff. Revenue or Department of Social Protection staff are not assigned to the FIU, unlike the Criminal Assets Bureau which has staff from those organisations assigned to it.
- > There is a unique dual reporting system in Ireland, with all reports submitted to the FIU and the Office of the Revenue Commissioners. In 2023, the FIU received approximately 70,000 suspicious transactions reports. Approximately 80% are revenue related, such as tax evasion and undeclared and unexplained income.

Some of the results of proactive investigations into economic crime are shown in Figure F.

Figure F: Results of proactive economic crime investigations



Source: Information supplied by the Garda Síochána, adapted by the Garda Inspectorate

In order to ensure consistent practices, the Inspectorate recommends that the Garda Síochána conduct an urgent review of the allocation of fraud and economic crime offences for investigation and the availability of resources, training and equipment required to deliver a single standard of investigation at local and national level. In addition, the Department of Justice should work with the Garda Síochána to divert some of this demand by developing a new process for triaging reports of fraud including cyber-enabled fraud.

As most transnational organised crimes are cyber-enabled and financially driven, closer collaboration between relevant agencies is required. Therefore, the Inspectorate recommends that the Department of Justice and the Garda Síochána work to secure the appointment of representatives from the Office of the Revenue Commissioners and the Department of Social Protection to the Financial Intelligence Unit.

Human Trafficking, Exploitation and Organised Prostitution

The United States Department of State, which produces the annual *Trafficking in Persons Report*, estimates that at any given time there are approximately 27.6 million human trafficking victims worldwide. In 2021, the International Labour Organisation estimated that 6.3 million people had been subjected to forced commercial sexual exploitation with women and girls accounting for 4.9 million of these. Sexual exploitation and in many cases forced prostitution are considered to be the most common motivations for trafficking human beings, primarily as it is also believed to be one of the most profitable for transnational OCGs.

There are a number of legislative supports in place in other jurisdictions to prevent exploitation and support victims. These include post-release prevention or risk orders, access to compensation and a requirement for companies to make an

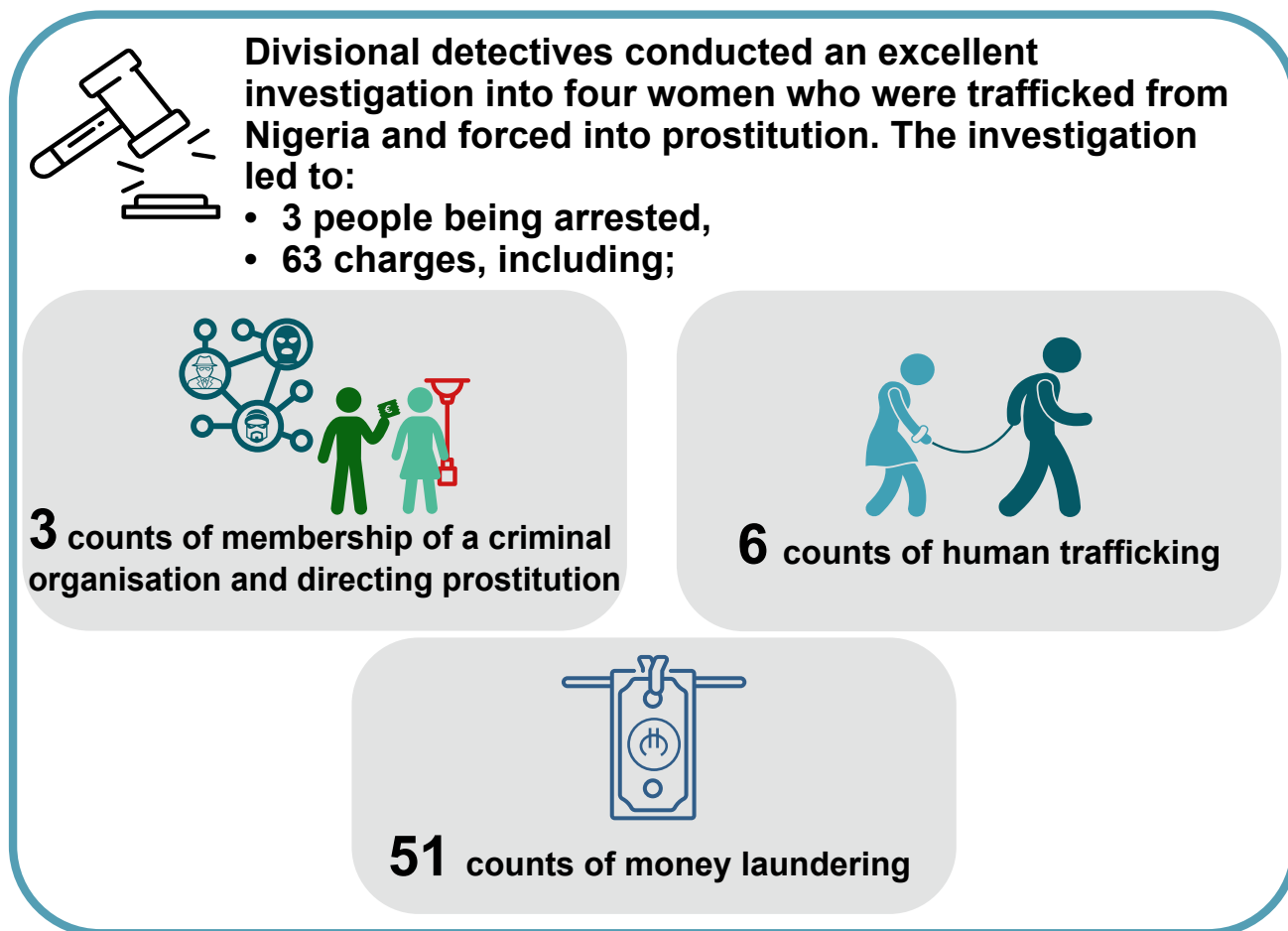
annual declaration affirming that slavery and human trafficking is not taking place in any part of their business or their supply chain.

In the case of a victim who is a non-Irish citizen, they will be supported into the National Referral Mechanism, which is the process to consider if they should be granted protection and support as a victim of human trafficking.

The main findings in relation to this were:

- > In 2022, 42 people were recorded as victims of human trafficking by the Garda Síochána. Of these, 17 cases were investigated by the Garda Human Trafficking Investigation and Co-ordination Unit and 25 by divisional units. In seven of the cases investigated by divisions, the national unit provided direct assistance.
- > The Group of Experts on Action against Trafficking in Human Beings (GRETA) noted with concern in its 2022 report that *'the number of investigations into human trafficking offences has been decreasing over the years, and the number of prosecutions is very low'*.
- > GRETA highlighted that there have been no convictions for trafficking for the purpose of labour exploitation in Ireland, despite the increasing number of identified cases.
- > Irish companies are required to publish due diligence statements in other jurisdictions affirming that slavery or human trafficking is not taking place in any part of their business or supply chain, but not in Ireland.
- > Outside of the probation process, there are no post-conviction orders specifically relevant to any aspects of serious organised crime in Ireland.
- > Without these orders, sentencing judges are unable to place constraints on the activities or behaviour of the convicted person in a way which would seek to enhance the safety of their victims or other people.
- > Although the Criminal Justice (Victims of Crime) Act 2017 makes provision for victims to access compensation in Ireland, it is exceptionally difficult for victims of human trafficking to secure a financial settlement.
- > Legislative amendments are required in order to prevent victimisation and provide follow-up compensation.
- > At the time of this inspection, Ireland did not have a visa stamp for victims of human trafficking.
- > A victim will be granted temporary immigration status, which must be reviewed every six months. This review will be guided by information provided by or on behalf of the investigator.
- > The transfer of immigration functions from the Garda Síochána has not progressed to the level envisaged.
- > The first conviction for human trafficking was secured in a case that was investigated in Mullingar. The outcome of the case is shown in Figure G.

Figure G: The Mullingar human trafficking case



Source: Garda Inspectorate

It should be noted that as a result of the Mullingar case some staff in the Office of the Director of Public Prosecutions have since gained further experience in human trafficking and are now subject-matter experts.

In order to better support victims of human trafficking and labour exploitation, the Inspectorate recommends that the Department of Justice review the Criminal Law (Human Trafficking) Act 2008, as amended, and work with the Department of Enterprise, Trade and Employment where appropriate, to consider legislative changes. The Inspectorate recommends that further support can be provided through reviewing the immigration status of human trafficking

victims, extending the immigration permissions and expediting the transfer of non-policing-related immigration roles.

Forensic Support

The Garda National Technical Bureau (GNTB) provides expert investigation support to all divisions and regions including photography and mapping at crime scenes as well as specialist explosive, ballistics and firearms investigation. A number of functions have been divested from the Garda Síochána to Forensic Science Ireland and an agreement exists for forensic scientists to deploy to scenes of serious crime. In non-serious cases, garda members who are trained as crime scene examiners conduct examinations.

The main findings in relation to this were:

- > For new members of staff entering GNTB without a prior specialism, it takes five years before they can be classified as an expert in the field of ballistics and forensic investigation.
- > GNTB members, including trained detectives, continue to perform roles in ballistics, mapping, photography, crime scene examination, biometrics and controlled drugs disposal.

Forensic Science Ireland's forensic scientists have accredited expertise in a variety of techniques relevant to crime scene investigations, including blood pattern analysis.

The Inspectorate recommends that the Garda Síochána assess all functions within the GNTB to identify which roles can be divested to Forensic Science Ireland and which remaining functions can be filled by suitably qualified garda staff.

Chapter 4: Co-operation and Exchange of Information

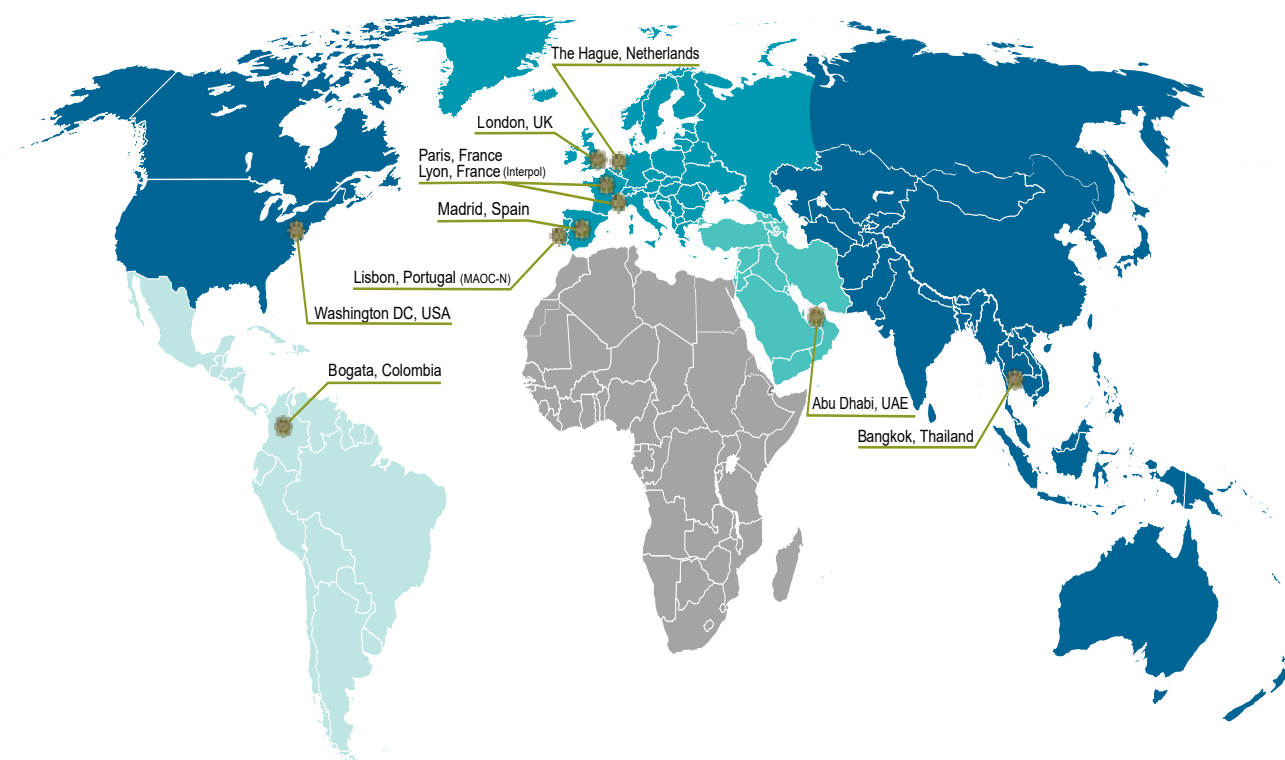
This chapter explores the evolution of global efforts to tackle cross-jurisdictional criminality in a co-ordinated manner and examines the co-operation necessary and legal instruments available to facilitate efficient and effective investigation.

International Engagement

In recognition of the transient nature of criminals and their willingness to move between jurisdictions in order to avoid detection, a range of international arrangements exist and others are required. It is internationally recognised good practice for countries to deploy members of their police service in embassies or consulates as law enforcement representatives.

The deployment locations for liaison officers from the Garda Síochána are shown in Figure H.

Figure H: Deployment locations for garda liaison officers



Source: Information provided by the Garda Síochána, adapted by the Garda Inspectorate

The main findings in this area were:

- > The Garda Síochána has a strong and respected international reputation in terms of collaborative working, reflected through the positive relationships with Europol, Interpol and Eurojust. In 2014, the Irish Eurojust desk supported investigations in 40 cases, and by 2022 this had risen to 440.
- > The garda liaison officer (GLO) network is a good example of effective international collaboration. While additional GLO appointments reflect an understanding of where the threats to Ireland emanate from, the inspection also found evidence of OCGs based in Africa and South American countries which are affecting Ireland. These groups are involved in cybercrime, economic crime and human trafficking.
- > The Garda Síochána has enhanced its access to all levels of international law enforcement through the deployment of higher-ranking members.
- > The Joint Cybercrime Action Taskforce is a significant demand on the GLO deployed to Europol, who already has a challenging role.
- > The EU has proposed legislation to protect children against sexual abuse, online and offline, and the establishment of an EU Centre to Prevent and Combat Child Sexual Abuse.

To further enhance international collaboration, the Inspectorate recommends that the GLO network is expanded to cover a range of relevant geographical locations. Additionally, Ireland should ensure representation on the proposed EU Centre to Prevent and Combat Child Sexual Abuse.

Legal Instruments

In order for international law enforcement agencies to effectively collaborate, enabling legal instruments need to be in place.

The main findings in this area were:

- > Police-to-police exchange of information by the Garda Síochána with international peers was good but the Mutual Legal Assistance (MLA) process for exchanging evidence was slow and bureaucratic.
- > Processing MLA requests (issued from or received by Ireland) required co-operation from across the criminal justice sector.
- > The number of MLA requests received by Ireland had increased by 110% from 2018 to 2022.
- > The time taken to process each request had increased by almost 100 days or 31% over the five-year period.

To enhance the efficiency of the MLA process, the Inspectorate recommends the establishment of a working group to conduct a review of the incoming and outgoing processes. It should comprise a group of subject-matter experts from all organisations currently involved in MLA. This group should conduct an end to end review of the incoming and outgoing processes and make recommendations to the Department of Justice identifying the most efficient central authority structure compatible with the Irish criminal justice system.

European Investigation Order

The European Investigation Order (EIO) Directive is an EU legal instrument introduced in 2014 to further enhance co-operation between European law enforcement agencies. It is designed to streamline information and evidence sharing between Member States in criminal investigations and is based on the EU principle of “mutual recognition”, through which a judicial decision made in a Member State is recognised and treated with the same value in another Member State. It is based on trust that the issuing state’s request is legal, necessary and proportionate. Under the directive, an issuing state’s request to obtain evidence or conduct investigative measures, must be complied with by the executing state.

Joint Investigation Teams were introduced in 2001 by the EU as a legal facility to empower Member States and non-Member States, through a co-operation agreement, to work together to investigate serious crime.

The main findings in relation to this were:

- > At the time of this inspection, Ireland had not transposed the EIO Directive, but European Court rulings have resolved initial concerns which prevented Ireland from opting-in.
- > Since 2019, and at the time of completing this report, Ireland had participated in nine Joint Investigation Teams.
- > Unlike other European police services and without access to EIOs, the Garda Síochána cannot draw evidential material from a Joint Investigation Team and use it in a criminal prosecution case in Ireland.

To address this, the Inspectorate recommends that the Department of Justice review the decision made in 2014 and now opt-in to the

EIO Directive. In addition, other forthcoming international instruments should be transposed as expeditiously as possible.

Information Sharing Agreements

The sharing of information between the Garda Síochána and relevant partners in Ireland is integral to effective investigation of transnational organised crime.

The main findings in this area were:

- > The Garda Síochána had a number of draft information sharing agreements that had been years in development but were not yet finalised.
- > Some agreements, such as the memorandum of understanding with Revenue, had been in place for a considerable amount of time but had not been reviewed or enhanced.
- > The lack of formalised agreements with some key partners, such as Tusla, is a major barrier to effective interagency working.
- > There was an absence of knowledge in relation to how to develop information sharing agreements.
- > To address this gap, the Inspectorate recommends that the Garda Síochána appoint a strategic lead to develop a process for developing and monitoring information sharing agreements. Additionally, the Garda Síochána should review, update and formalise agreements with its key partners.

Chapter 5 The Rights and Experiences of Victims

This chapter explores the support provided to victims of crime in Ireland, and the basic requirements necessary to create a victim support system which is holistic, victim-led and sufficiently dynamic to withstand the transient nature of transnational organised crime and the wider victim landscape in Ireland. As part of this inspection, the Inspectorate met with a number of human trafficking and drug-related intimidation victims who shared their disturbing experiences of exploitation, violence and intimidation. These interactions are presented in a number of case studies.

Strategic Approach to Victim Support

In order to holistically meet the complex needs of victims of crime, a co-ordinated, strategic, multi-agency response is required.

The main findings in this area were:

- > At the time of this inspection, Ireland did not have a national strategy specifically for victims.
- > While the Garda Síochána was the lead agency for offering victim support, it was not possible or appropriate for it to meet the needs of all victims.
- > According to the Garda Public Attitudes Survey 2022, 53% of victims who reported their crime to the Garda Síochána were satisfied with the way the incident was handled. This was a decrease from 59% in 2021 and 61% in 2019.
- > In terms of initial contact with the Garda Síochána, victims reported a range of experiences. Some victims

spoke about the kind, patient response they received from members on initial contact, while other victims shared experiences where they didn't receive the support they felt they needed.

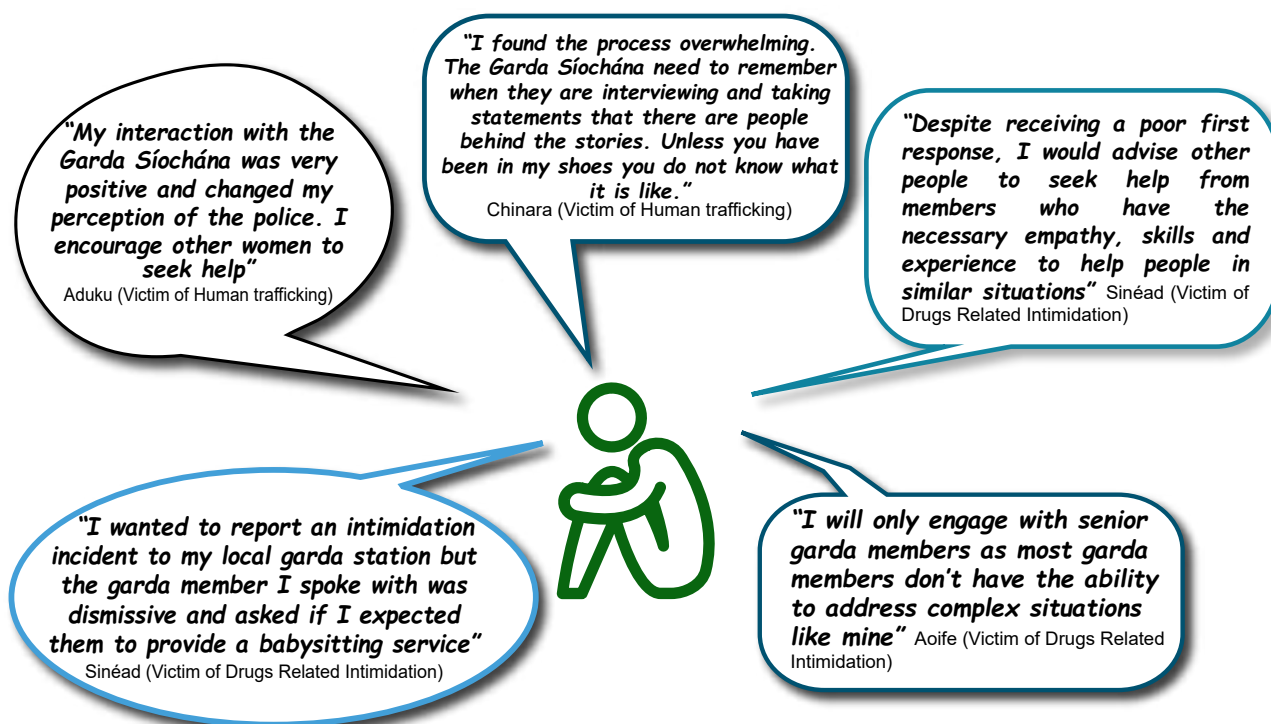
- > The lack of privacy at some stations for those wishing to report crimes or discuss matters of a sensitive nature deters some victims from reporting their crimes.
- > While non-governmental organisations praised the skills and expertise of some of the specialist units, such as the human trafficking team, it was highlighted that the vast majority of victims come into contact with divisional garda members first. While some victims of human trafficking and drug-related intimidation received a good response from the Garda Síochána, others reported a poor a service.
- > A range of agencies were providing support to victims across Ireland; however, access to and availability of support was inconsistent and unco-ordinated. Services available or offered to victims depended on a number of factors including location, local awareness of support services and the response of the investigating garda member.
- > Some victims require an additional level of protection and support through protective and special measures. The availability and provision of protective and special measures was inconsistent, resulting in some victims not receiving the level of protection and support they needed.
- > The absence of effective national monitoring had contributed to the inconsistent provision of victim support services by the Garda Síochána.

To enhance support for victims of crime, the Inspectorate recommends the development of a National Victims' Strategy and review of victim support services both within the Garda Síochána and externally. Additionally, the Inspectorate recommends the development of guidelines to support the standardisation of provision of protective and special measures.

Trauma-informed and Responsive Approaches

Victims of transnational organised crime often experience complex trauma which can impact on multiple facets of their lives. As a result, a trauma-informed response is required in order to avoid re-traumatisation and enable victims to engage with the criminal justice process. Some of the experiences of victims of crime that were shared with the Inspectorate are shown in Figure I.

Figure I: Victim experiences of transnational organised crime and the Garda Síochána



Source: Garda Inspectorate

The main findings in this area were:

- > The Garda Síochána did not have a trauma-informed framework or a programme to train its workforce in trauma-responsive approaches.
- > Many victims and victim services perceived that some members of the garda workforce were not sufficiently trained or suitably equipped to effectively identify, respond to and support victims of serious and complex crimes.
- > There were significant training and awareness gaps in the Garda Síochána in relation to transnational and organised crime and understanding the trauma experienced by victims.
- > Victims of transnational organised crime highlighted a need for not only a deeper level of understanding of the impact of trauma, but also a mechanism for assessing the risks to and needs of victims.

- > Some victims of transnational organised crime held a dual victim/offender status and there was no process in place which formally acknowledged this complexity.
- > While counselling and peer support programmes were in place to support members of the Garda Síochána who face a high level of complex and often distressing incidents, there is no process to identify and address the impact of an incident on a garda member in the immediate aftermath.

To address this gap, the Inspectorate recommends the development of trauma-responsive framework which would encompass a review of organisational policies and training for the Garda Síochána workforce. Additionally, the Inspectorate recommends that the Department of Justice conduct a review into how victims with dual status are managed and supported in the criminal justice system.

Barriers to Prosecution

Due to a range of factors such as personal risk and fear of incrimination or retribution, a significant proportion of transnational organised crime victims are reluctant to engage with the criminal justice process. Despite international research indicating that transnational organised crime has increased in recent years, some crime types, such as human trafficking and labour exploitation have seen significantly fewer prosecutions and convictions than others.

The main findings in this area were:

- > GRETA found that Ireland has taken some positive steps, such as appointing the Irish Human Rights and Equality Commission as National Rapporteur for trafficking human beings and the

establishment of a human trafficking stakeholder's forum.

- > The planned changes to the National Referral Mechanism will facilitate a more holistic identification, referral and support system for victims of trafficking and are in line with changes made in other jurisdictions.
- > While the Garda Síochána referred 14 cases of labour exploitation to the Office of the Director of Public Prosecutions between 2018 and 2022, there had been no successful convictions for labour exploitation in Ireland.
- > There are challenges in relation to securing successful convictions in Ireland for human trafficking and labour exploitation cases.
- > Professionals working in the labour exploitation field attributed the lack of successful convictions partly to a gap in understanding among garda members about what constitutes labour exploitation, and how it presents differently to human trafficking.
- > Investigative techniques in Ireland rely heavily on the testimonies of victims and witnesses and other supporting evidence is not always secured, making successful prosecutions less likely should the victim disengage with the criminal justice process.
- > The use of digital and technical evidence is under-utilised, particularly in cases where the main source of evidence is a vulnerable victim or witness.
- > Standardised processes are required to address emerging trends to ensure victims are not further disadvantaged through their engagement with the criminal justice process.

- > One example of this is ‘cuckooing’, the practice whereby a vulnerable individual’s home is taken over for the purpose of criminal activity.

To address this gap, the Inspectorate recommends a review of human trafficking and exploitation cases referred for prosecution, in addition to the development of guidelines to enable better use of digital and technical evidence.

Chapter 6 Prevention and Diversion

This chapter examines the crime prevention strategies and practices of the Garda Síochána and other agencies who have responsibility for preventing transnational organised crime and enhancing community safety. It also explores how individuals at risk of offending may be identified, supported and diverted away from criminality.

Crime Prevention

Prevention of crime and disorder should always be the number one priority for any police service. Effective crime prevention can reduce the number of victims of crime as well as the demands on policing services. In its 2021 Serious and Organised Crime Threat Assessment, Europol highlighted the use of enablers by OCGs. These include people who use legal and illegal companies to launder money, create counterfeit documents, and allow illicit goods or people to be placed in their vehicles or vessels for transportation in and out of the country and those in positions of authority who are corrupt.

The main findings in this area were:

- > Europol found that more than 80% of the criminal networks active in the EU

use legal business structures for their criminal activities.

- > Examples of enablers include social media platforms used to groom children; company registration; local transport systems; estate agents for accessing properties; and lawyers involved in the criminal economy, knowingly and unknowingly.
- > Ireland currently does not have a national crime prevention strategy or any policy framework, which draws together the whole of government to focus collectively on the risk factors relating to crime, and which sets out targeted interventions to prevent and reduce crime including domestic and transnational organised crime.
- > While in prison, many members of OCGs continue to direct their criminal enterprise as well as operating within the prison environment. Garda crime prevention officers were not routinely used in designing local and national responses to address and prevent organised crime.
- > Some of the business, neighbourhood and community alert watch schemes established by the Garda Síochána in local communities were dormant.
- > Raising public awareness is a critical crime prevention component and there have been a number of impactful national initiatives, such as the domestic abuse ‘Still here’ campaign.
- > The Garda Síochána’s Crime Prevention and Reduction Strategy 2021–2024 does not appropriately reference or acknowledge the threat posed by domestic and transnational organised crime.

To address this gap, the Inspectorate recommends the development of a national, cross-government crime prevention and reduction strategy. The Inspectorate also recommends the development of a new Garda Síochána crime prevention and reduction strategy which addresses domestic and transnational organised crime with appropriate monitoring mechanisms.

Community Safety

The work to make communities safer is evidently more effective when it involves the police working in partnership with other public and voluntary agencies in a strategic and co-ordinated manner. Figure J illustrates some of the views shared by non-governmental organisations and service providers in relation to community-based experiences of organised crime.

Figure J: Community based experiences of organised crime shared with the Garda Inspectorate



Source: Garda Inspectorate

The main findings in this area were:

- > Transnational organised crime has a significant adverse impact on communities across Ireland.
- > Significant developments are underway in Ireland regarding community safety with the planned establishment of the Policing and Community Safety Authority and the National Office for Community Safety.
- > The development of a national community safety strategy and local

community safety plans presents an opportunity for agencies and organisations to work together to address the threat and harm caused by domestic and transnational organised crime.

- > Agencies, departments and organisations designated to work alongside the Garda Síochána have their own priorities and there is a risk that the requirement to commit resources to community safety initiatives may, on occasions, compete against the demands from individual agency plans.

To address this, the Inspectorate recommends that the Department of Justice develop a process to ensure that the national community safety strategy and local community safety plans address the threat and harm caused by domestic and transnational organised crime.

Diversion and Disengagement from Organised Crime

In considering how to effectively divert people from committing crime, it is first important to understand why people commit crime and how they become involved in criminal networks. It is also important to understand the environment needed in order for a person to change their lifestyle and disengage from criminal behaviour long-term.

The recruitment of children as young as eight in Irish criminal networks typically follows a grooming process where they are gradually coerced into criminal exploitation. This typically involves the manipulation, coercion, trafficking and exploitation of children and young people for many purposes such as drug dealing, child trafficking and sexual exploitation.

The main findings in this area were:

- > According to a survey of garda juvenile liaison officers, approximately 1,000 young people under the age of 17 are at risk of being recruited and used by criminal networks for the purpose of organised crime.
- > The growing recruitment and subsequent exploitation of children, young people and vulnerable adults in Ireland by OCGs has presented as a worrying trend in recent years.
- > Young people's engagement in criminal networks gradually escalates to the point where their disengagement may no longer be a viable option due to fear of incrimination or retaliation.
- > There is a cohort of young people who are at the highest level of risk of engaging in organised crime and whose involvement in criminality is likely to escalate, but who are unlikely to engage with support services.
- > While supports were available, at the time of this inspection there was no dedicated service to meet the needs of young people involved in organised crime.
- > The needs of young people engaging in criminal behaviour are complex and often span the remit of multiple government departments. While examples of collaborative working were highlighted, this was inconsistent and could result in uncoordinated service provision for vulnerable young people.
- > PULSE does not provide an accurate representation of the scale of involvement of young people in domestic and transnational organised crime.
- > The involvement of young people in drug-related offences and money laundering cases has seen a marked increase in recent years.
- > Many external stakeholders identified the inconsistent approach taken by the Garda Síochána in relation to children involved in organised crime and the lack of awareness of youth-related issues across the wider organisation.
- > While the Garda Síochána was engaged in a number of research and

community-based initiatives to better understand and address the impacts of transnational organised crime, there was no process in place to assess or disseminate the learning from these initiatives across the organisation.

To address these issues, the Inspectorate recommends the establishment of a cross-departmental youth justice agency and organised crime unit for young people engaged with criminal networks. Additionally, the Inspectorate recommends the development of an evaluation and implementation framework to assess and incorporate learning across the Garda Síochána.

Child Criminal Exploitation

While the concepts of human trafficking and child exploitation are not new, only in recent years have conversations taken place regarding the exploitation of children for the purpose of criminal activity.

The main findings in relation to this were:

- > The process to enact new legislation relating to engaging children in criminal activity is underway. This will make it an offence for an adult to compel, coerce, induce or invite a child to engage in criminal activity.
- > Despite developments in other jurisdictions, at the time of this inspection, Ireland did not have a legal definition for child criminal exploitation.
- > Without the appropriate identification of young people as victims of criminal exploitation, it is difficult to establish a support structure or protect them from victimisation or criminalisation.

- > The Inspectorate recommends that the Department of Justice convene a working group of criminal justice partners to assess how the Criminal Justice (Engagement of Children in Criminal Activity) Bill 2023 and Criminal Law (Human Trafficking) Acts 2008 and 2013 can be best operationalised to support child trafficking and criminal exploitation victims.

Reducing Recidivism

Supporting an individual to reduce their offending and refrain from engaging with a criminal network is complex and incredibly difficult. A range of measures and supports is required to ensure the safe disengagement for the individual and their family. It is important to have a range of pre- and post-release support services in place for adults who are imprisoned as a result of organised crime.

The main findings in this area were:

- > While the Prison Service had a good working relationship with the Garda Síochána, it tended to engage on a case-by-case basis, and there was no established forum for the two organisations to discuss organised crime.
- > Disengagement from criminal networks for individuals in prison can be very difficult, given the close proximity of living conditions and the reliance on the network for safety or financial security.
- > Young people involved in organised crime in Ireland are most likely to be recruited by older family members, continuing a cycle of inter-generational crime.

- > Individuals leaving prison require support from a range of agencies such as housing, social welfare and medical services; however, provision of these was often disjointed and could result in isolation or a lack of appropriate support.
- > Post-release, difficulties relating to re-entering the community were heightened further for individuals involved in organised crime and they were often targeted for re-engagement with the criminal network.
- > Electronic monitoring was being used in other jurisdictions to prevent individuals from reconnecting with a criminal network.

To address these issues, the Inspectorate recommends the development of a multi-agency pre-release and post-detention support model for individuals with connections to organised crime. This includes family support and interventions to address and prevent inter-generational crime. The Inspectorate also recommends that the Department of Justice review the use of electronic monitoring, particularly in the context of organised criminal networks.

Report Recommendations

Chapter 1 Strategy and Governance	
Recommendation 1.1 Organised Crime Group Threat Assessment Tool	The Inspectorate recommends that the Garda Síochána enhance the Organised Crime Group Threat Assessment Tool by including information from relevant agencies and assessing the impact on local communities.
Recommendation 1.2 Strategic Threat and Risk Assessment	The Inspectorate recommends that the Garda Síochána conduct an organised crime Strategic Threat and Risk Assessment to include transnational organised crime.
Recommendation 1.3 Transnational Organised Crime Strategy	The Inspectorate recommends that the Garda Síochána develop, publish and implement a transnational organised crime strategy.
Recommendation 1.4 An All-Island approach to Transnational Organised Crime	The Inspectorate recommends that the Garda Síochána engage with the Department of Justice, the Police Service of Northern Ireland and the Northern Ireland Department of Justice to develop an all-island Strategic Threat and Risk Assessment and strategy to tackle transnational organised crime.
Recommendation 1.5 National Crime Centre	The Inspectorate recommends that the Department of Justice establish a National Crime Centre designed to deliver a co-located collaboration between all agencies which can contribute to preventing transnational organised crime and disrupting and dismantling organised crime groups. The Department of Justice should ensure that legislation is in place to facilitate appropriate information sharing between agencies.
Recommendation 1.6 National Criminal Intelligence Framework	The Inspectorate recommends that as a matter of urgency the Garda Síochána implement the National Criminal Intelligence Framework. This should include a robust tasking and co-ordination process at strategic and tactical levels.
Recommendation 1.7 Management of Intelligence	The Inspectorate recommends that the Garda Síochána implement a standardised approach to the management of intelligence that clearly identifies which functions sit on the intelligence side of the firewall. In addition, it should:

Chapter 1 Strategy and Governance	
	<ul style="list-style-type: none"> > Where possible, co-locate the Regional Criminal Intelligence Unit with the Regional Co-ordination and Tasking Unit; > Conduct a review of the role and responsibilities of the detective superintendent in charge of the Regional Co-ordination and Tasking Unit; and > Ensure that the National Criminal Intelligence Framework is incorporated into the Garda Operating Model change programme.
Recommendation 1.8 Undercover Policing Policy	The Inspectorate recommends that the Garda Síochána should expedite the development, publication and implementation of a policy that establishes a formal structure for the management and governance of undercover policing deployments.
Recommendation 1.9 Encrypted Digital Communications	The Inspectorate recommends that the Department of Justice expedite its review of existing legislative arrangements to ensure that Irish law enforcement agencies have sufficient powers to investigate encrypted and open digital platforms.
Recommendation 1.10 Oversight of Intelligence	The Inspectorate recommends that the Department of Justice ask the Independent Examiner to conduct a full review of the action taken by the Garda Síochána on receipt of information in connection with a specific encrypted communications platform.
Recommendation 1.11 Intelligence Source Reviews	The Inspectorate recommends that the Garda Síochána enhance the system of reviews for unexplained operational seizures or arrests that occur in the absence of formal intelligence or information provided by a registered source.
Recommendation 1.12 Covert Human Intelligence Sources	The Inspectorate recommends that the Department of Justice introduce legislation, authority and oversight required to enable registered Covert Human Intelligence Sources to participate in crime. This would require enabling legislation and appropriate safeguards to be put in place.
Recommendation 1.13 Integrity Testing Legislation	The Inspectorate recommends that the Department of Justice should introduce legislation to enable law enforcement agencies to conduct integrity testing to support an investigative process.

Chapter 2 Understanding Demand and Delivering Workforce Planning, Training and Technology

<p>Recommendation 2.1</p> <p>Understanding the Demand of Domestic and Transnational Organised Crime</p>	<p>The Inspectorate recommends that the Garda Síochána undertake a process to identify and understand the demand on their resources from domestic and transnational organised crime. This should include an urgent review of crime recording and categorisation practices to ensure that the modus operandi classification is correctly applied in all cases of domestic and transnational organised crime.</p>
<p>Recommendation 2.2</p> <p>Workforce Plan</p>	<p>The Inspectorate recommends that as a matter of urgency the Garda Síochána finalise the development and implementation of a workforce plan to deliver the allocation of appropriate resources to deal with policing and security demands at national, regional and divisional level.</p>
<p>Recommendation 2.3</p> <p>Civilianisation</p>	<p>The Inspectorate recommends that the Garda Síochána actively progress the release of sworn members from non-warranted roles through a renewed civilianisation plan. This should include exploring opportunities for recruitment of garda staff with skills to support specialist investigations and appropriate remuneration levels to compete with other employers seeking similar expertise.</p>
<p>Recommendation 2.4</p> <p>Succession Planning</p>	<p>The Inspectorate recommends that the Garda Síochána implement a process to deliver succession planning for key specialist roles.</p>
<p>Recommendation 2.5</p> <p>Garda Reserves with Specialist Skills</p>	<p>The Inspectorate recommends that the Garda Síochána recruit garda reserves with specialist skills to support investigations.</p>
<p>Recommendation 2.6</p> <p>Training Needs Assessment</p>	<p>The Inspectorate recommends that the Garda Síochána make completion and response to the priority training needs assessment compulsory for all regions, divisions and national units.</p>
<p>Recommendation 2.7</p> <p>Training in Covert Policing</p>	<p>The Inspectorate recommends that the Garda Síochána ensure that all garda members involved in Covert Human Intelligence Source management or surveillance duties are trained and accredited .</p>

Chapter 2 Understanding Demand and Delivering Workforce Planning, Training and Technology

<p>Recommendation 2.8 Human Trafficking Training</p>	<p>The Inspectorate recommends that the Garda Síochána finalise and launch the new interactive human trafficking training as a matter of urgency. The training should include:</p> <ul style="list-style-type: none"> > Information to improve the victim’s experience; > Awareness of exploitation of victims to commit crime; > Guidance on how to deliver trauma-informed support for victims; and > Criminal justice partners as a means of enhancing their awareness.
<p>Recommendation 2.9 Passport Verification Awareness Training</p>	<p>The Inspectorate recommends that the Garda Síochána work with the Irish Passport Office to develop an online training package to enhance awareness of the role of a garda member verifying an Irish passport application.</p>
<p>Recommendation 2.10 Asset Profilers</p>	<p>The Inspectorate recommends that the Garda Síochána introduce a requirement for asset profilers to complete a minimum number of profiles per year.</p>
<p>Recommendation 2.11 Continuous Professional Development</p>	<p>The Inspectorate recommends that the Garda Síochána conduct a review of the training required for specialist roles and establish an annual schedule for providing continuous professional development.</p>
<p>Recommendation 2.12 Interviewing Skills</p>	<p>The Inspectorate recommends that the Garda Síochána conduct an audit of investigative interview-trained resources at national, regional and divisional levels to establish what the organisation needs. This should be used to deliver a training programme to address identified shortfalls.</p>
<p>Recommendation 2.13 Human Resource Information System</p>	<p>The Inspectorate recommends that the Garda Síochána expedite the introduction of a networked human resource information system that holds all personnel and training records for the garda workforce.</p>
<p>Recommendation 2.14 Intelligence IT System</p>	<p>The Inspectorate recommends that the Garda Síochána develop and implement a single national IT system for recording and management of criminal intelligence.</p>
<p>Recommendation 2.15 Cybercrime Technology</p>	<p>The Inspectorate recommends that the Garda Síochána prioritise the introduction of technology to enable data mining and blockchain analysis.</p>

Chapter 2 Understanding Demand and Delivering Workforce Planning, Training and Technology

<p>Recommendation 2.16</p> <p>Online Child Sexual Exploitation Technology</p>	<p>The Inspectorate recommends that the Garda Síochána prioritise the provision of necessary technology to enable the Online Child Exploitation Unit authorised access to open source data.</p>
<p>Recommendation 2.17</p> <p>Updating Stolen Vehicle Records</p>	<p>The Inspectorate recommends that the Garda Síochána develop an automated process for updating records of vehicles stolen in Ireland on the Interpol I-24/7 system.</p>

Chapter 3 Investigation of Transnational Organised Crime

<p>Recommendation 3.1</p> <p>Crime Investigation Allocation Policy</p>	<p>The Inspectorate recommends that the Garda Síochána develop and implement a policy for the allocation of criminal investigations to the most appropriate resource.</p>
<p>Recommendation 3.2</p> <p>Presumptive Drugs Testing</p>	<p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána, Forensic Science Ireland and the Office of the Director of Public Prosecutions to formalise the evidential status of the Presumptive Drugs Test process. The Garda Síochána should also urgently review the Presumptive Drugs Test directive.</p>
<p>Recommendation 3.3</p> <p>Digital Media Units</p>	<p>The Inspectorate recommends that the Garda Síochána formally establish, train and equip Digital Media Units in all divisions.</p>
<p>Recommendation 3.4</p> <p>The Budapest Convention</p>	<p>The Inspectorate recommends that the Department of Justice complete the process of transposing the final elements of the Budapest Convention into national legislation.</p>
<p>Recommendation 3.5</p> <p>Economic Crime</p>	<p>The Inspectorate recommends that the Garda Síochána conduct an urgent review of the allocation of fraud and economic crime offences and the availability of trained resources to ensure a single standard of investigation at local and national level.</p>
<p>Recommendation 3.6</p> <p>Triaging Reports of Fraud</p>	<p>The Inspectorate recommends that the Department of Justice work with the Garda Síochána to develop a new process for triaging reports of fraud including cyber-enabled fraud.</p>

Chapter 3 Investigation of Transnational Organised Crime	
Recommendation 3.7 Financial Intelligence Units	The Inspectorate recommends that the Department of Justice and the Garda Síochána work to secure the appointment of representatives from the Office of the Revenue Commissioners and the Department of Social Protection to the Financial Intelligence Unit. The Department of Justice should ensure that legislation is in place to enable their appointment and to facilitate appropriate information sharing.
Recommendation 3.8 Human Trafficking Legislation	<p>The Inspectorate recommends that the Department of Justice review the Criminal Law (Human Trafficking) Act 2008 as amended and work with the Department of Enterprise, Trade and Employment where appropriate, to consider the following proposed legislative changes:</p> <ul style="list-style-type: none"> > Inclusion of the European Commission proposal for Sustainable Corporate Governance by introducing: <ul style="list-style-type: none"> » Transparency legislation requiring companies to make an annual declaration affirming that slavery and human trafficking is not taking place in any part of their business or their supply chain; and » A requirement that companies tendering in State procurement processes make such a declaration > Provision of post-release Serious Crime Prevention Orders; and > Provision for victims of exploitation or human trafficking to receive compensation through a power of seizure and use of assets from those convicted of related offences.
Recommendation 3.9 Reviewing Immigration Status	The Inspectorate recommends that in the short term the Garda Síochána remove the responsibility for reviewing the immigration status of victims in human trafficking investigations from the investigating officer. In the longer term the Garda Síochána should consult with the Department of Justice to determine where this responsibility sits.
Recommendation 3.10 Immigration Permission for Victims of Human Trafficking	The Inspectorate recommends that the Department of Justice extend the initial immigration permission provided to victims of human trafficking from six months to five years.
Recommendation 3.11 Transfer of Non-police-related Immigration Roles	The Inspectorate recommends that the Department of Justice expedite the transfer of non-police-related immigration roles, such as the registration of non-nationals and border controls at all ports of entry to Immigration Service Delivery.

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<p>Recommendation 3.12</p> <p>Divestiture of Functions to Forensic Science Ireland and use of Garda Staff</p>	<p>The Inspectorate recommends that the Garda Síochána assess all functions within the Garda National Technical Bureau to identify which roles can be divested to Forensic Science Ireland and which remaining functions can be filled by suitably qualified garda staff.</p>
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Chapter 4 Co-operation and Exchange of Information

<p>Recommendation 4.1</p> <p>Garda Liaison Officer Network</p>	<p>The Inspectorate recommends that the Garda Síochána extend its garda liaison officer network to include:</p> <ul style="list-style-type: none"> > The continent of Africa; > An additional deployment to South America; and > The Joint Cybercrime Action Taskforce.
<p>Recommendation 4.2</p> <p>EU Centre to Prevent and Combat Child Sexual Abuse</p>	<p>The Inspectorate recommends that the Department of Justice appoint a representative to the proposed EU Centre to Prevent and Combat Child Sexual Abuse.</p>
<p>Recommendation 4.3</p> <p>Establishment of a Central Authority Working Group</p>	<p>The Inspectorate recommends that the Department of Justice establish a working group comprising representatives from all organisations involved in processing outgoing and incoming Mutual Legal Assistance requests. This group should conduct a review of the incoming and outgoing processes and make recommendations to the Department of Justice identifying:</p> <ul style="list-style-type: none"> > The most efficient Central Authority structure compatible with the Irish criminal justice system and with Ireland's EU and international obligations, including the possible operation of the European Investigation Order with EU partners; > The changes required to the processes involved which should include performance monitoring mechanisms; and > The resources required to ensure Mutual Legal Assistance effectively supports the work to investigate domestic and transnational organised crime.
<p>Recommendation 4.4</p> <p>European Investigation Order Directive</p>	<p>The Inspectorate recommends that the Department of Justice review the decision made in 2014 and now opt-in to the European Investigation Order Directive.</p>

Chapter 4 Co-operation and Exchange of Information

<p>Recommendation 4.5</p> <p>Information Sharing Agreements – Training, Awareness and Development</p>	<p>The Inspectorate recommends that the Garda Síochána appoint a strategic lead to create an awareness programme for developing information sharing agreements and introduce a monitoring system to ensure that agreements are subject to regular review. This should include:</p> <ul style="list-style-type: none"> > The availability of subject-matter experts to support the drafting and negotiation of agreements with partner agencies; > Raising awareness through the provision of guidelines and assistance for developing agreements; and > Creating a database of all agreements.
<p>Recommendation 4.6</p> <p>Memorandum of Understanding with the Office of the Revenue Commissioners</p>	<p>The Inspectorate recommends that the Garda Síochána work with the Office of the Revenue Commissioners to review and update the current Memorandum of Understanding and ensure that information sharing is a core component.</p>
<p>Recommendation 4.7</p> <p>Information Sharing Agreement with Tusla</p>	<p>The Inspectorate recommends that as a matter of urgency the Garda Síochána work with Tusla to finalise and implement an information sharing agreement and publish and updated Joint Working Protocol.</p>

Chapter 5 The Rights and Experiences of Victims

<p>Recommendation 5.1</p> <p>National Review of Victim Support</p>	<p>The Inspectorate recommends that the Department of Justice along with criminal justice partners complete a further assessment of the availability, accessibility and quality of victim support services across Ireland. This review should include but not be limited to:</p> <ul style="list-style-type: none"> > The format, availability and provision of protective and special measures; > Access to communication, translation and interpretation services; and > Housing/placement of vulnerable victims and witnesses.
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Chapter 5 The Rights and Experiences of Victims

Recommendation 5.2

Guidelines on Protective and Special Measures

The Inspectorate recommends that the Department of Justice along with criminal justice partners develop guidelines to support the standardised and consistent provision of protective and special measures. These guidelines should ensure that:

- > Victims and witnesses are made aware, on first contact with the criminal justice system, of the protective and special measures available to them throughout the criminal justice process;
- > A standardised process is established to share information with relevant criminal justice partners in relation to what measures are required for each victim or witness and why. This should inform any subsequent stage of the criminal justice process and any legal challenges raised; and
- > A process is established to ensure that any decision regarding the appointment of protective and special measures should be made at a preliminary trial hearing.

Recommendation 5.3

National Victims' Strategy

The Inspectorate recommends that the Department of Justice establish a multi-agency working group to develop a National Victims' Strategy. This should inform the development of a universal victim support framework to ensure standardised service delivery across the country, including:

- > A sustainable and accountable multi-agency victim support model;
- > A multi-agency outreach programme to engage socially isolated and vulnerable victims and ensure that all victims have the best chance of receiving support, irrespective of their contact with the criminal justice system; and
- > Standardised referral processes with the Garda Síochána.

Recommendation 5.4

Victim Support Structures

The Inspectorate recommends that the Garda Síochána conduct an assessment of the services provided by it to victims of crime to ensure that:

- > The standard of victim assessments is in line with the obligations outlined in the Criminal Justice (Victims of Crime) Act 2017;

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	<ul style="list-style-type: none"> > Supports identified through the assessment process are provided consistently; > All members and staff are appropriately trained and equipped to assess the needs of victims/witnesses and provide supports; > Suitable facilities are available for victims/witnesses to report their experience of crime or to discuss a sensitive matter; and > Policies and procedures are in place to enable referrals to external services.
<p>Recommendation 5.5 Trauma-responsive Framework</p>	<p>The Inspectorate recommends that the Garda Síochána develop and implement a trauma-responsive framework. This should encompass:</p> <ul style="list-style-type: none"> > Reviewing organisational crime policies and practices to incorporate trauma-informed principles and ensure any approaches are trauma-responsive; > Developing a culture of staff wellness incorporating trauma-responsive support for members and staff; and > Developing trauma-responsive training for all members of the Garda Síochána workforce.
<p>Recommendation 5.6 Victimless Prosecutions</p>	<p>The Inspectorate recommends that the Department of Justice convene a review by relevant stakeholders to explore the use of digital and technical evidence to support victimless prosecutions and develop guidelines to support this approach.</p>
<p>Recommendation 5.7 Review of Human Trafficking and Exploitation Cases</p>	<p>The Inspectorate recommends that the Department of Justice commission an independent expert to conduct a review of both human trafficking and exploitation cases referred for prosecution. This person should be supported by the relevant agencies involved in the criminal justice process and the review should encompass an exploration of:</p> <ul style="list-style-type: none"> > The identification and categorisation of trafficking and exploitation;

Chapter 5 The Rights and Experiences of Victims

	<ul style="list-style-type: none"> > The appropriateness and use of current legislation, including the definitions under the Criminal Law (Human Trafficking) Acts; > Quality of evidence secured through investigation; > Request and provision of pre-prosecutorial advice; > Application of decision-making thresholds for referral before the courts; and > Identification of corrective action to be taken to better support victims.
<p>Recommendation 5.8</p> <p>National Framework for ‘Cuckooing’</p>	<p>The Inspectorate recommends that the Department of Justice works with the Department of Housing, Local Government and Heritage, Garda Síochána and other housing and support agencies to develop a national framework to address the issue of cuckooing.</p>
<p>Recommendation 5.9</p> <p>Victims with Dual Status</p>	<p>The Inspectorate recommends that the Department of Justice commission research to explore how individuals with dual victim/offender status are managed and supported in the criminal justice system.</p>

Chapter 6 Prevention and Diversion

<p>Recommendation 6.1</p> <p>National Crime Prevention and Reduction Strategy</p>	<p>The Inspectorate recommends that the Department of Justice lead a cross-government working group to develop, implement and evaluate a National Crime Prevention and Reduction Strategy incorporating domestic and transnational organised crime. The following are some of the areas connected to organised crime that need to be addressed:</p> <ul style="list-style-type: none"> > Designing out opportunities for organised criminals to operate; > Developing national public awareness campaigns; > Preventing recruitment into organised crime groups; > Reducing reoffending, including those who continue to operate in prison; > Tackling the enablers of organised crime; and > Progressing the statutory instrument into legislation in an effort to prevent fraud and money laundering.
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<p>Recommendation 6.2</p> <p>Garda Síochána Crime Prevention and Reduction Strategy</p>	<p>The Inspectorate recommends that the Garda Síochána develop and publish a new Crime Prevention and Reduction Strategy to reflect the threat posed by domestic and transnational organised crime and outline the type of crime prevention activity that will be used to address it. This should include:</p> <ul style="list-style-type: none"> > Education and awareness-raising activities, such as explaining the consequences of being a money mule to potential victims by embedding it within the garda schools programme; and > A training package on the new Crime Prevention and Reduction Strategy delivered to all crime prevention officers and community policing units.
<p>Recommendation 6.3</p> <p>Monitoring Crime Prevention and Reduction Activity</p>	<p>The Inspectorate recommends that the Garda Síochána monitor deliverable outcomes and report annually in relation to:</p> <ul style="list-style-type: none"> > The effectiveness of community watch schemes and other community-based crime prevention and reduction initiatives; > The utilisation of crime prevention officers in the process of designing out domestic and transnational organised crime; and > The training and utilisation of crime prevention officers in the prevention of crime associated with all points of entry, where this is relevant to their role.
<p>Recommendation 6.4</p> <p>Working Collaboratively to Deliver Community Safety</p>	<p>The Inspectorate recommends that the Department of Justice ensure that the National Community Safety Strategy and local community safety plans address the threat and harm caused by domestic and transnational organised crime.</p>
<p>Recommendation 6.5</p> <p>Diversion of Young People – A Cross-Departmental Agency</p>	<p>The Inspectorate recommends that the Department of Justice work with other departments to establish a youth justice agency to holistically meet the needs of young people involved or at risk of involvement in criminal or anti-social behaviour. This agency should be staffed appropriately by the Garda Síochána, other key departments and agencies and should have responsibility for:</p> <ul style="list-style-type: none"> > Overseeing the implementation of governmental policies relating to youth justice;

Chapter 6 Prevention and Diversion

	<ul style="list-style-type: none"> > Co-designing, implementing and evaluating research and practice development initiatives to improve outcomes for young people and families; and > Monitoring the national delivery of community-based supports.
<p>Recommendation 6.6</p> <p>Youth Organised Crime Service</p>	<p>The Inspectorate recommends that the Department of Justice establish a youth organised crime service to support young people engaged in criminal networks. This unit should be staffed appropriately by the Garda Síochána, other key departments and agencies and specifically focus on developing and operationalising:</p> <ul style="list-style-type: none"> > Initiatives to prevent young people’s recruitment and engagement in criminal networks; > An evidence-based framework for identifying at-risk young people at the earliest opportunity to enable multi-agency intervention and diversion from organised crime; > Structured mechanisms to support young people to engage in pro-social education and employment opportunities; > A welfare-focused, multi-agency intervention model to address the needs identified; and > A structured after-care and family support framework to ensure long-term diversion from criminal networks.
<p>Recommendation 6.7</p> <p>Evaluation and Implementation of Community-based Interventions</p>	<p>The Inspectorate recommends that the Garda Síochána develop an evaluation and implementation framework to assess and incorporate learning from organisational initiatives and community-based interventions. This should enable:</p> <ul style="list-style-type: none"> > Identification of examples of effective or innovative practice; > Assessment of suitability for engagement in academic and community-based initiatives; > Evaluation of learning from involvement in initiatives; > Development of a mechanism for disseminating learning across the organisation; and > Allocation of appropriate resources to new and ongoing initiatives.

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<p>Recommendation 6.8</p> <p>Supporting Victims of Child Criminal Exploitation</p>	<p>The Inspectorate recommends that the Department of Justice convene a working group of criminal justice partners to assess how the Criminal Justice (Engagement of Children in Criminal Activity) Act 2024 and Criminal Law (Human Trafficking) Acts 2008 and 2013 can be best operationalised to support child trafficking and criminal exploitation victims. The working group should develop guidance for the sector in relation to:</p> <ul style="list-style-type: none"> > A clear legislative definition of child criminal exploitation; > A standardised victim identification framework; > Clearly identified referral pathways to appropriate supports; and > Protected reporting mechanisms for young people involved in criminal networks.
<p>Recommendation 6.9</p> <p>Pre- and Post-release Support Model</p>	<p>The Inspectorate recommends that the Department of Justice lead on the development and implementation of a cross-Departmental pre-release and post-detention support model for individuals with connections to organised crime. This should include:</p> <ul style="list-style-type: none"> > Development of an evidence-based, multi-agency mechanism to prepare individuals for leaving detention and provide continued support on release; and > Establishment of a dedicated family support service for family members including: <ul style="list-style-type: none"> » Tailored multi-agency support relating to involvement with criminal networks such as drug-related intimidation, financial support, housing placements and physical and mental health issues; and » Evidence-based interventions and support for children to address and prevent intergenerational crime.
<p>Recommendation 6.10</p> <p>Electronic Monitoring</p>	<p>The Inspectorate recommends that the Department of Justice resume and expand the use of electronic monitoring in the pre-sentence and post-release stages of the criminal justice process.</p>



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