



CIGIREACHT AN GHARDA SÍOCHÁNA
GARDA SÍOCHÁNA INSPECTORATE

Report of the Garda
Síochána Inspectorate

PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS

THE FIXED CHARGE PROCESSING SYSTEM A 21ST CENTURY STRATEGY

FEBRUARY
2014

A Review of the Implementation Status of Recommendations from the Ninth Report of the Garda Síochána Inspectorate on The Fixed Charge Processing System - A 21st Century Strategy

Review of report September 2024

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

Recommendation Number	Recommendation	Accepted (A) Accepted with Modification (AM) Rejected (R).	Inspectorate Assessment of the Progress of the Recommendation
1.1	The Inspectorate recommends that the Department of Justice and Equality immediately convene and chair a Criminal Justice Working Group consisting of the Department of Justice and Equality, Courts Service, the Department of Transport, Tourism and Sport, the Garda Síochána and the Road Safety Authority to oversee and facilitate the implementation of the recommendations in this report.	A	Implemented.
2.1	The Inspectorate recommends that the Garda Síochána produce within six weeks of the publication of this report, a consolidated manual containing all directives and circulars relating to the Fixed Charge Processing System. The manual should also include accepted recommendations made in this report. Where the policy is amended, the manual should be amended simultaneously to reflect the change.	A	Implemented.
2.2	The Inspectorate recommends that there should be ongoing training on the FCPS and where any significant changes to policy and procedures of the FCPS are introduced, this must be accompanied by an assessment and implementation of training needs and requirements.	A	Implemented.
2.3	(a) The Inspectorate recommends that the Garda Síochána Internal Audit or Professional Standards Unit undertake regular audit checks of the full operation of the Fixed Charge Processing System. (b) The Inspectorate recommends that a full review of the management and operation of the FCPS be initiated by the Inspectorate within twelve months of publication of this report.	A	Implemented.

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

2.4	The Inspectorate recommends that the Fixed Charge Processing Office is given full responsibility for the administration of the National Tracking Allocation System, immediately.	A	Implemented.
2.5	The Inspectorate recommends that the Fixed Charge Processing Office implement a robust 'sendback' process ensuring 'sendbacks' are tracked and the system audited with enhanced supervision at district and station levels to ensure 'sendbacks' are processed and returned to the FCPO within a reasonable timeframe.	A	Implemented.
2.6	The Inspectorate recommends that the Garda Síochána ensure full compliance with the timeframes laid down in the Fixed Charge Processing System policy manual.	A	Implemented.
2.7	The Inspectorate recommends that a review of the summons serving process be undertaken by the Garda Síochána to ascertain the reasons for the significant level of unserved summonses and to make recommendations to provide a more effective summons serving process.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring.
2.8	The Inspectorate recommends that an electronic document scanning and management system be introduced into the Fixed Charge Processing Office immediately.	A	Implemented
2.9	The Inspectorate recommends that the Department of Transport, Tourism and Sport address the legislative deficiency noted, where the driver of: <ul style="list-style-type: none"> • a commercial company vehicle, • a hire agency vehicle ,or • an unregistered vehicle avoids fines and penalty point application. Consideration should be given to legislate to impose heavy penalties on companies who do not nominate the offending driver or those who fail to register their vehicle.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring.
2.10	The Inspectorate recommends that a system be introduced immediately to ensure that all penalty points are endorsed on driving licences.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring.

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

2.11	The Inspectorate recommends that with the redeployment of garda robot vans the non-intercept detection of road traffic offences should be fully outsourced.	A	Implemented.
2.12	The Inspectorate recommends that following the implementation of recommendation 2.11, the residual functions of the Office for Safety Camera Management should transfer to the Fixed Charge Processing Office.	A	Implemented
2.13	The Inspectorate recommends that the Fixed Charge Processing System recognise that driver and vehicle documents have been produced irrespective of the garda station where they are produced.	A	Implemented
2.14	The Inspectorate recommends that the Criminal Justice Working Group facilitate the introduction of an on-line payment option for the payment of Fixed Charge Notices.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring.
2.15	The Inspectorate recommends that the Criminal Justice Working Group consider alternative measures for collecting unpaid fixed charge fines and bring forward solutions to address administrative inefficiencies in this area.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring.
2.16	The Inspectorate recommends that the Criminal Justice Working Group should review the 454 fixed charge offences currently listed and make recommendations on whether certain offences should be designated for adjudication through an administrative process, rather than further congest the local district courts.	A	Implemented
3.1	The Inspectorate recommends that where a garda employee retires or leaves the force, their PULSE access registered number must be deactivated on the date the employee ceases to be a member of the Garda Síochána.	A	Implemented

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

3.2	The Inspectorate recommends that the Department of Justice and Equality bring forward enabling legislation providing the Garda Síochána with authority to cancel Fixed Charge Notices on a discretionary basis, providing clear parameters on the use of that discretion.	A	Implemented.
3.3	The Inspectorate recommends that the Garda Síochána policy on fixed charge cancellations, include an unambiguous definition of 'exceptional circumstances' when cancelling a Fixed Charge Notice.	A	Implemented.
3.4	The Inspectorate recommends that the district officer be notified of each detected road traffic offence of an on-duty member to determine whether the member breached the road traffic regulation while on duty and whether cause to breach traffic regulations was present; and if not, recommend internal sanction.	A	Implemented.
3.5	The Inspectorate recommends that the district officer should be notified of any road traffic offence detection involving any off-duty garda member as this may impact on the assignment of driving duties for the member concerned.	A	Implemented.
3.6	The Inspectorate recommends that when the Fixed Charge Processing Office is examining a petition for cancelling a Fixed Charge Notice, previously granted cancellation petitions in relation to the same vehicle and the same driver must be considered as part of the decision making process.	A	Implemented.
3.7	The 'cancelling authority' and support staff must be provided with comprehensive training on the Fixed Charge Processing System; in particular the exceptional grounds, parameters and examples under which a Fixed Charge Notice may be cancelled.	A	Implemented.
3.8	The Inspectorate recommends that the cancellation authority for Fixed Charge Notices be centralised immediately in the Fixed Charge Processing Office only.	A	Implemented.

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

3.9	The Inspectorate recommends that when a Fixed Charge Notice petition is received at the Fixed Charge Processing Office, that it will only be considered where the petition is accompanied by factual third party evidence supporting the reason for cancellation. Where a petition is not supported by such evidence, the petition is to be denied and the recipient of the Fixed Charge Notice informed immediately.	A	Implemented.
3.10	The Inspectorate recommends that the Garda Síochána immediately put in place a mechanism ensuring that all offenders are informed of the cancellation petition policy of the Fixed Charge Processing System, including the discretionary grounds and parameters by which they may be cancelled in exceptional circumstances. This information must be available on the garda website and clearly stated on the Fixed Charge Notice.	A	Implemented.
3.11	The Inspectorate recommends that a request to cancel a FCN should be submitted to the FCPO on a FCN Cancellation Form only. The Form should be available on the Garda Síochána website or by request from the FCPO.	A	Implemented.
3.12	The Inspectorate recommends that the HQ Directive of 30 August 2013 be amended to reflect clearly the Inspectorate's and the Comptroller and Auditor General's recommendations on the authority to cancel Fixed Charge Notices.	A	Implemented.
4.1	The Inspectorate recommends that the Criminal Justice Working Group coordinate the development of a bar coded pre-summons notepad for recording and serving a notice of a fixed charge offence.	A	Implemented.
4.2	The Inspectorate recommends that the Criminal Justice Working Group coordinate a process to ensure compatibility of the various agency systems to accommodate the implementation and activation of the pre-summons document.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring

*Implementation Update of the Recommendations Contained in the Ninth Report of the Garda Síochána Inspectorate
Fixed Charge Processing System 2014*

4.3	The Inspectorate recommends that all intercept pre-summons be reported by the detecting member to the Garda Information Service Centre for entry into the Fixed Charge Processing System.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring
4.4	The Inspectorate recommends that the third payment option to pay a Fixed Charge Notice, as provided for in Section 44, Road Traffic Act, 2010 be commenced.	A	Implemented.
4.5	The Inspectorate recommends that the Criminal Justice Working Group coordinate the establishment and implementation of the case callover list process.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring
4.6	The Inspectorate recommends that a hand-held electronic device capable of populating and printing a pre-summons be developed for use as part of the Fixed Charge Processing System.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring
4.7	The Inspectorate recommends that the Criminal Justice Working Group coordinate the development of the non-intercept bar coded pre-summons for issuance by the Fixed Charge Processing Office to registered vehicle owners detected committing fixed charge offences.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring
5.1	The Inspectorate recommends that the Criminal Justice Working Group facilitate the subsequent development of the proposed future vision of the Fixed Charge Processing System, as set out in Chapter 5 of this report.	A	While this recommendation is not yet implemented, action is ongoing. As such, it will be subject to further monitoring