



CIGIREACHT AN GHARDA SÍOCHÁNA
GARDA SÍOCHÁNA INSPECTORATE

**Report of the Garda
Síochána Inspectorate**

Countering the Threat of Internal Corruption

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

Progress on Implementation of Recommendations

A Review of the Implementation Status of Recommendations from the Ninth
Report of the Garda Síochána Inspectorate on THE COUNTERING THE
THREAT OF INTERNAL CORRUPTION

Review of report September 2024

September 2020

*Implementation Update of the Recommendations Contained in the Fifteenth Report of the Garda Síochána Inspectorate
Countering the Threat of Internal Corruption (2021)*

Recommendation Number	Recommendation	Accepted (A); Accepted with Modification (AM); Rejected (R).	Inspectorate Assessment of the Progress of the Recommendation
1 Strategic Threat and Risk Assessment	The Department of Justice should develop a strategic understanding of the risk of internal corruption across the criminal justice sector with the objective of developing an overarching strategy and multi-agency approach to the management of the corruption threats.	A	Not implemented - action ongoing.
2 Strategy and Governance in the Garda Síochána	The Garda Síochána should develop and implement a governance process for identifying and mitigating the threats, risks and potential harms associated with internal corruption. This process must include: <ul style="list-style-type: none"> • The appointment of a senior police leader with responsibility for counter corruption. • The development of a strategic assessment of corruption threats. • The setting out of a counter-corruption control strategy that establishes priorities for action. 	A	Not implemented - action ongoing.
3 Professional Boundaries	The Garda Síochána should develop, publish and implement an overarching policy and guidelines on professional boundaries for the garda workforce.	A	Implemented.
4 Abuse of Power for Sexual Gain	The Garda Síochána should develop, publish and implement a strategy and policy to mitigate the threat of Abuse of Power for Sexual Gain. This policy should highlight the dangers of relationships	A	Implemented.

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	where a position of power can be abused for emotional or sexual purposes and provide guidance for the garda workforce and supervisors on the key indicators of such relationships and the appropriate organisational response to the issue.		
5 Notifiable Associations	The Garda Síochána should develop, publish and implement a policy and guidelines on notifiable associations which all members of the garda workforce are obliged to report.	A	Not implemented - action ongoing.
6 Covert Human Intelligence Sources	The Garda Síochána should revise its Covert Human Intelligence Sources Management Policy to prohibit the acceptance of gifts or hospitality from a Covert Human Intelligence Source. This should reinforce the obligations in other related garda policies dealing with professional boundaries, relationships and associations with an emphasis on the management of Covert Human Intelligence Sources. In particular, the revised policy should impose an obligation on garda members to disclose all relationships with a current or former Covert Human Intelligence Source.	AM	Not implemented - action ongoing.
7 Substance Misuse	The Garda Síochána should develop, publish and implement a substance misuse and testing policy and procedure. As a first step, all new entrants should undergo mandatory pre-employment testing as a condition of their employment.	A	Implemented.
8 Conflict of Interest	The Garda Síochána should develop, publish and implement a policy and guidelines on the declaration, recording and management of conflicts of interest.	A	Not implemented - action ongoing.

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<p style="text-align: center;">9</p> <p style="text-align: center;">Gifts, Hospitality and Sponsorship</p>	<p>The Garda Síochána should raise awareness of the garda policy on gifts, hospitality and sponsorship both within and outside of the organisation and take steps to ensure full compliance with the policy among the garda workforce. In particular:</p> <ul style="list-style-type: none"> • The Anti-Corruption Unit should take responsibility for monitoring organisational compliance with the policy. • Failure to submit a monthly register of gifts, hospitality and sponsorship should be subject to challenge by the Anti-Corruption Unit. • Gifts, hospitality and sponsorship received should be triangulated against other sources, such as procurement contracts and Standards in Public Office declarations. • The Anti-Corruption Unit should audit the registers and challenge the responsible manager and recipient in relation to selected entries. • The gifts, hospitality and sponsorship registers should be published by the Anti-Corruption Unit at regular intervals including when no gifts, hospitality or sponsorship have been recorded for the period. • Gifts, hospitality and sponsorship offered to or received by ranks from superintendent and assistant principal and above should be published in such a way that the person concerned can be clearly identified. This should extend to inspectors who regularly exercise the functions of a superintendent. All other gifts should be published against the relevant division/department. 	<p style="text-align: center;">A</p>	<p style="text-align: center;">Not implemented - action ongoing.</p>
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	<ul style="list-style-type: none"> • Gifts, hospitality and sponsorship should not be accepted from organisations that could be subject to a non-public duty charge, those with a commercial relationship with the Garda Síochána, or those subject to statutory oversight by the Garda Síochána. 		
10 Business and Other Interests	<p>The Garda Síochána should develop, publish and implement a policy and guidelines relating to the holding of business and secondary interests by the garda workforce including:</p> <ul style="list-style-type: none"> • A requirement for members of the garda workforce to declare all personal commercial interests and those involving family and friends to the Garda Commissioner. • The replacement of the prohibited spare-time activities guidelines with an objective and transparent principles based approach to secondary employment. 	A	Not implemented - action ongoing.
11 Business and Other Interests	<p>The Garda Síochána should ensure there is clarity regarding completion of the Ethics in Public Office declarations.</p> <ul style="list-style-type: none"> • Declarations should be completed upon appointment to positions designated under the Ethics Acts. • Those regularly designated to temporarily perform in a higher rank as assistant principal or superintendent should be required to complete the declaration of interests. • There should be guidance regarding the requirement to complete a nil return. 	A	Implemented
12 Post-Employment	<p>The Department of Justice should carry out a review of postemployment activities of the garda workforce, and develop suitable rules and processes to reduce the risk of</p>	A	Not implemented - action ongoing.

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Activities	conflict of interest arising after a member of the garda workforce leaves the organisation.		
<p style="text-align: center;">13</p> <p style="text-align: center;">Integrity Health Check</p>	<p>The Garda Síochána should undertake periodic integrity health checks of the garda workforce. These should occur if not on an annual basis at the very minimum at critical career points such as on promotion or selection for specialist or designated positions.</p>	A	Not implemented - action ongoing.
<p style="text-align: center;">14</p> <p style="text-align: center;">Vetting</p>	<p>The Garda Síochána should develop a single policy and approach for vetting the garda workforce and those contracted to provide services.</p> <ul style="list-style-type: none"> • The level of vetting should be tiered to take account of access to police systems and identified threats. • Vetting should include pre-employment and regular in-service reviews. For example, appointments to designated or vulnerable posts or promotion should attract re-vetting and staff in designated or vulnerable posts should be subject to additional vetting and provided with ethical training and supports. • All in-service vetting should be conducted by a vetting section within the Anti-Corruption Unit. • The policy should allow for a vetting review of anyone in the garda workforce at the discretion of the Head of the Anti-Corruption Unit. • Recruitment vetting should in addition to existing checks consider: the European Criminal Records Information System, credit checks, financial intelligence, social media, convictions by other state bodies, military records, and other police disciplinary records if appropriate. 	A	Not implemented - action ongoing.

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	<ul style="list-style-type: none"> All contractors providing a service to the Garda Síochána should have personal vetting at an appropriate level. The Anti-Corruption Unit should be responsible for assessing all information relating to an individual where a risk has been identified during vetting, and should provide a recommendation to the Garda Commissioner on the appropriate action to take. 		
15 Property and Evidence Management	<p>The Garda Síochána should ensure that all property stores have adequate systems, processes and facilities to achieve the safe and secure management of property including:</p> <ul style="list-style-type: none"> Effective training and security advice for property store managers. Secure separated storage for hazardous and high-value property. An approved system for managing property when the property store is not open. A security system for recording the details of anyone who accesses the property store. 	A	Not implemented - action ongoing.
16 Property and Evidence Management	<p>The Garda Síochána should introduce a practice of recording contemporaneously property seized during a search and on completion of the search leaving the record with a person present at the search site.</p>	A	Not implemented - action ongoing.
17 Information Security	<p>The Garda Síochána should develop and publish a Lawful Business Monitoring Policy and acquire technology that enables the proactive surveillance of ICT systems to prevent and detect the misuse of information held within them.</p>	A	<p>The Garda Síochána has explained that this recommendation is dependent on legislation and significant investment. This recommendation will be subject to further monitoring.</p>

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18 Information Security	<p>The Garda Síochána should assign to the Anti-Corruption Unit responsibility for identifying misuse of information and communications technology devices and systems by the garda workforce. To facilitate this responsibility:</p> <ul style="list-style-type: none"> • The Anti-Corruption Unit should proactively monitor all garda information and communications technology devices and systems based on intelligence, analysis and organisational learning. • The Anti-Corruption Unit should review an individual’s use of garda information and communications technology systems following identified or suspected unethical behaviour or misconduct by that member of the workforce. • The Anti-Corruption Unit should be responsible for challenging, through divisional supervisory and governance structures, the use of garda ICT systems on both a random basis and where the access has raised concerns of inappropriate use. 	A	The Garda Síochána has explained that this recommendation is dependent on legislation and significant investment. This recommendation will be subject to further monitoring.
19 Discontinued Court Cases	<p>The Garda Síochána should strengthen supervision of cases it prosecutes. This should include:</p> <ul style="list-style-type: none"> • Introducing suitable guidelines and procedures to improve record-keeping. In particular, there must be requirements to explain in detail a garda decision to discontinue a case and to record explanations for a case being struck out in the District Court. • Reviewing discontinued cases should form part of the divisional Performance and Accountability Framework review process to identify patterns or performance concerns. 		Not implemented - action ongoing.

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	<ul style="list-style-type: none"> Ensuring discontinued cases that arise from the non-attendance of a garda member are reviewed by a supervisor 		
20 Fixed Charge Penalty System	The Department of Transport should undertake a review of the current statutory exemption relating to the driving of vehicles by members of the emergency services.	A	Not implemented - action ongoing.
21 Fixed Charge Penalty System	<p>The Garda Síochána must ensure that the process for cancelling a Fixed Charge Penalty Notice on the basis of the statutory exemption consider all of the relevant conditions, including those set out in regulation and policy, and be properly documented. Such an approach should ensure that:</p> <ul style="list-style-type: none"> The exceptional circumstances test is applied more rigorously in the decision-making process. The necessity to travel in excess of the speed limit, and the proportionality of this action, should be considered and balanced against the rationale for breaching road traffic laws. All risk factors, mitigating factors and evidence are taken into consideration, including: weather and road conditions, driving competence, and factors involving high risk such as proximity to schools. Vehicle data could also be utilised to confirm driving performance, and in the case of private vehicles, confirmation of driving licence, insurance and NCT should be required. 	A	Not implemented - action ongoing.

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22 Non-Public Duty	<p>The Garda Síochána should develop, publish and implement policy and guidance on charging for non-public duty. Such guidance should minimise the opportunity for inconsistency and maximise transparency for garda managers and event organisers. In support of the policy:</p> <ul style="list-style-type: none"> • The Executive Director Finance and Services should have responsibility for ensuring a consistent approach to the charging and recovery of non-public duty costs. • All non-public duty policing plans should be approved at a regional level by the Regional Assistant Commissioner. 	A	Not implemented - action ongoing.
23 Anti-Corruption Unit Operating Model	<p>The Garda Síochána should assign overall organisational responsibility for the prevention, detection and investigation of corruption to the Anti-Corruption Unit. To support this responsibility the Anti-Corruption Unit should have full visibility of all ongoing criminal and discipline investigations into members of the garda workforce</p>	A	Not implemented - action ongoing.
24 Intelligence Sharing	<p>The Garda Síochána should develop formal arrangements for the mutual sharing of intelligence between the Garda Síochána Ombudsman Commission, law enforcement agencies and the Anti-Corruption Unit.</p>	A	Not implemented - action ongoing.

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25 The Intelligence Function	<p>The Garda Síochána should provide sufficient resources to the Anti-Corruption Unit to create a dedicated intelligence team with responsibility for developing strategic and tactical understanding of corruption threats within the Garda Síochána. Specific functions should include:</p> <ul style="list-style-type: none"> • Tasking and coordinating the collection of all anticorruption intelligence. • Assessing, developing, monitoring and managing all reports of internal corruption. • Disseminating credible leads for investigation or intervention. • Maintaining a standalone intelligence database and case management system where information and decisions can be recorded. 	A	Implemented
26 Internal Investigation	<p>The Garda Síochána should provide sufficient resources to the Anti-Corruption Unit to reflect the current assessment of risk and to ensure that the unit is capable of conducting independent discipline and criminal investigations. Those engaged in counter-corruption investigations should be experienced detectives and have specific counter-corruption training.</p>	A	Not implemented - action ongoing.
27 External Investigation	<p>The Department of Justice should implement the necessary statutory framework, in line with the State's obligations under the European Convention on Human Rights relating to effective independent investigation, to ensure that all instances of conduct linked to sexual violence or abuse of power for sexual gain arising from the actions of a member of the garda workforce acting in their professional capacity which could result in a breach of an</p>	A	Not implemented - action ongoing.

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	individual's rights under Article 2 or 3 of the Convention are referred for independent investigation.		
28 Identifying the Abuse of Power for Sexual Gain	The Garda Síochána should ensure that the Anti-Corruption Unit develop and implement an external and internal communications strategy on abuse of power for sexual gain to raise awareness and encourage reporting of suspicious behaviour.	A	Implemented.
29 Reporting Wrongdoing	The Garda Síochána should develop, publish and implement a strategy to encourage the reporting of wrongdoing. This includes using and promoting: <ul style="list-style-type: none"> • Protected Disclosures. • The Integrity at Work Programme. • Confidential lines and systems for anonymous reporting. 	A	Not implemented - action ongoing.
30 Reporting Wrongdoing	The Garda Síochána should ensure that the Anti-Corruption Unit has visibility of all reports of wrongdoing including garda-managed protected disclosures to ensure a holistic understanding of the risk within the organisation.	AM	Implemented

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31 Monitoring Ethical Declarations	<p>The Garda Síochána should assign responsibility to the Anti-Corruption Unit for monitoring all counter-corruption polices and registers, including those containing ethical declarations. This should include:</p> <ul style="list-style-type: none"> • Gifts, Hospitality and Sponsorship. • Notifiable Associations. • Conflicts of Interest. • Business Interests and Secondary Employment. • Ethics in Public Office. • Post-Employment Activity. 	A	Not implemented - action ongoing.
32 Support and Intervention	<p>The Garda Síochána should develop, publish and implement a structured early intervention and support programme with the objective of identifying and supporting members of the workforce who may be vulnerable to corruption.</p>	A	Not implemented - action ongoing.
33 Capturing Organisational Learning	<p>The Garda Síochána should conduct formal reviews of cases of corruption and serious wrongdoing to understand those factors that can lead to a corruption risk and develop appropriate strategies to prevent a recurrence.</p>	A	Not implemented - action ongoing.
34 Communicating Organisational Learning	<p>The Garda Síochána should implement a counter-corruption communications strategy, which should include:</p> <ul style="list-style-type: none"> • Ensuring lessons learned and suitable real-life case studies form the basis of future training and briefing packages. • Disseminating organisational learning drawn from international trends and internally focused 	A	Not implemented - action ongoing.

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	<p>investigations including those conducted by the Garda Síochána Ombudsman Commission and other regulatory bodies.</p> <ul style="list-style-type: none">• Publishing the findings of disciplinary hearings internally.		
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