



**Garda
Representative
Association**

Facing the Challenges of Change

Conference Report

42nd Annual Delegate Conference

29–30 December 2020



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Foreword

Colleagues

We convene conference in exceptional circumstances because of an exceptional event in Irish history. The outbreak of Covid-19 at the end of February this year led to the cancellation of our Annual Delegate Conference set for the end of April and now we meet by teleconference for the same reason.

In the 18 months that have elapsed since delegates last gathered, working life for our members has been turned on its head. Career paths have been disrupted and many members have been reassigned to frontline policing at a time in their lives when many expected the requirement to work on the frontline had passed.

Despite the restrictions on movement nationally, and limited access to our headquarters at Phibsboro, the Association has continued to fully represent members successfully. Much of this is thanks to the work of our representatives who diligently addressed local issues and fed national matters back to the Secretariat.

Our feedback is that there are high satisfaction levels with their work, helping members adjust to the new roster, addressing issues such as welfare, health & safety, pay, hours, rest and childcare.

The GRA's response to the unprecedented events of the past nine months was led by our President Jim Mulligan. His leadership of the GRA through these historic times was above and beyond the call of duty. He shouldered an extraordinary workload with a skill, integrity and self-sacrifice driven by a commitment to our members on the ground.

His tenacity also extended to his insistence that Conference's direction to implement governance reform must be delivered. Details of this can be found in my report elsewhere in this publication. In summary it shows that while the reform programme directed by Conference is taking place, it is far from complete.

On the representative and advocacy front, the Association has engaged with the Departments of the Taoiseach, Health, Justice & Equality, and Public Expenditure & Reform. We also revived the Garda Consultative Council to some effect. Discussions on finalising protocols to underpin and govern a new Garda Conciliation Council which is required as a result of our access to the WRC and Labour Court are ongoing. The Council, which is independently chaired, is the main internal forum for resolving disputes.

The GRA is also extending our representation and advocacy internationally after rejoining the European Confederation of Police (Eurocop), the umbrella organisation for 35 police unions and staff organisations in Europe.

Eurocop represents over half a million police officers in 27 European countries at EU level on issues ranging from cross-border police cooperation to safety.

My thanks to the Confederation Vice President Callum Steele who met the CEC in October for his support. Mr Steele also supported our joining of the International Council of Police Representative Association (ICPRA).

ICPRA has approximately 1.5 million members in affiliated associations from four continents and has developed links with the International Labour Organisation, the workers' rights

division of the United Nations.

Covid-19

Since the introduction of the Contingency Roster, the GRA prioritised members' health and welfare and worked to preserve all the provisions and protections of the Working Time Agreement (WTA).

Within days of the first confirmed outbreak on February 28, the GRA established a Covid-19 Taskforce consisting of the Officer Board and members of the GRA Health & Safety subcommittee.



This taskforce engaged at the Garda Covid-19 Forum for all staff associations to advocate on relevant matters and insist the WTA be complied with.

We succeeded in this. While there were teething problems with availability of PPE, infrastructure at Garda stations and offices, and the development of health & safety protocols, members are no longer alerting us to these issues.



The same could not be said for communications, however. We have consistently asked Management and Government for better notice and more information in advance of the many changes required of our members in implementing public health guidelines and regulations.

Things have improved recently with a commitment that gardaí are now treated as essential workers with regard to testing. We have in recent months seen better notice of operational and regulatory changes and the new Government's Cabinet Covid-19 subcommittee includes the Minister of Justice.

Industrial Relations

One of the most important developments in the Association's history finally came to fruition at the start of the year when the GRA gained access to the Workplace Relations Commission and the Labour Court. This also led to a new Dispute Resolution Process (DRP) being agreed. Representatives at all levels are being trained in the new approach.

Despite the improved situation in respect the Contingency

Roster since the summer, it must be recognised that while we have agreement for Community Police to receive payment for loss of allowances, they have yet to receive it. I will address this and other important Industrial Relations issues in my General Secretary's report, including the tentative start to pay talks, the resumption of the Westmanstown process on rosters and Management's unacceptable approach to changing rosters.

But I must also recognise the position of new recruits of which there are over 1,000 since we last convened. Many of these young people have been sent to the frontline without completing their training; and while the Association has been able to get fair remuneration for most of them, proper financial provision for the newest trainees is still the subject of negotiation.

Governance, financial oversight and ICT

The President's report outlines some of the developments at CEC level in respect of the recommendations of the Ampersand Report which delegates tasked the CEC and Secretariat with implementing.

We have been able to introduce several improvements to governance, compliance and financial oversight. We are finalising work on a new ICT system which members can use to manage their membership and their roster. The system also improves record-keeping and administrative processes bringing greater accountability for Association finances.

On that note, the recent appointment of an accountant, as required by delegates' vote on Ampersand, will also lead to better financial governance and compliance.

In the past 18 months, the Treasurer has continued the drive to weed out the bad financial practices that have dogged this association for so long. We have twice self-reported queries to the Revenue Commissioner about our tax compliance. Thankfully, one issue we raised this year was found to be tax compliant. We await the outcome of a Vat query relating to Garda Review.

A Policing Service for the Future

Implementation of A Policing Service for the Future (PSF) has continued since we last met and is due for completion in 2022.

Pursuant to a decision of the CEC in September 2018, the GRA is actively trying to influence implementation of the PSF with a view to promoting and protecting members' interests. The GRA's approach is being led by the Deputy General Secretary Philip McAnenly and Vice President Frank Thornton.

GRA Training

The development of a GRA training programme for the new DRPs and consequent rollout to all representatives was an extensive undertaking. Due to restrictions on movement and social distancing requirements, a great deal of our planned training was curtailed. However, the Interim Assistant to the General Secretary has overseen the development of a new Moodle platform for this training. The Association remains committed to in-person, classroom-based learning as part of blended approach to training.

Communications

A new Communications & Reputation Management policy was also agreed by the CEC. This includes protocols for national and local media engagement, Social Media community guidelines and a new newsletter, GRA News, which I encourage all members to sign up to at granews@gra.ie. Since our new policy was implemented, our media appearances have increased 500% on the previous 18-month period.

Part of the development of our communications policy relates to stakeholder engagement, including the requirement that the GRA speaks with one voice in accordance to approved written policies. The Executive also agreed a new statement of Mission, Vision & Values as part of this approach.

Staff

I want to mark the retirement of Ray Dennison as Interim Assistant to the General Secretary this year. On behalf of the Association, I thank Ray for his contribution to the GRA and wish him well in his future endeavours.

He has been succeeded on an interim basis by former President Dermot O'Brien. I also want to welcome Johanna Burke our new receptionist who has enhanced our member-support capability; and our new accountant Aidan Curley whose work will enhance our financial governance and compliance.

Conclusion

I want to thank all members for their exceptional effort during this unprecedented pandemic. You have shown a level of commitment, community spirit, professionalism and courtesy that has earned plaudits and thanks at all levels of Irish society. The reputation of gardaí among the public is at an all-time high because of the exceptional effort on your part to save lives and keep the economy going.

The last time we met, our Conference theme was, 'Preparing for Change'. None of us could have imagined how much change was going to be required. With the continued rollout of PSF, necessary changes in the governance of the GRA, new regulations for all Garda staff associations due and the prospect of a Covid-19 vaccine being available in the first half of next year, the GRA is Facing the Challenges of Change. I believe, together, we will succeed in making the GRA a model of accountability, corporate governance and compliance.

I want to conclude the foreword to the GRA Conference Report for Annual Delegate Conference 2020 by marking the loss of our colleague, Detective Garda Colm Horkan, killed in the line of duty. The outpouring of emotion and respect in Roscommon, Mayo and around the country said more than words ever could. Whether as a colleague or as a friend, his warmth, thoughtfulness and generosity were always mentioned by those who knew him best. He was by every account an exceptional human being.

Ar dheis Dé go raibh a hanam.

Pat Ennis
General Secretary

General Secretary's Report

It has been an extraordinary year. The unprecedented government measures to control the spread of Covid-19 has affected every member and sector of Irish society and the Garda Representative Association is no exception. Sadly, delegates cannot meet in person due to Government restrictions, so the GRA Annual Delegate Conference 2020 is being convened using teleconference Technology.

The outbreak of Covid-19 at the end of February soon led to the Garda Commissioner declaring the public health crisis an exceptional event, in accordance with the Working Time Agreement (WTA). This led to the introduction of the 12-hour contingency roster and redeployment of members' from their usual roles. Leave was also curtailed.

This report outlines some of the many developments that have taken place over the past 18 months which, of course, has been a period dominated by Covid-19. But first, some information about proceedings for this year's Conference.

ADC 2020 proceedings

The companies contracted to provide this service are Narrowcast Media who are responsible for the broadcast technology; and Mi-Voice who will manage the integrity of voting. Only delegates elected in accordance with details furnished to the GRA Head Office and eligible to vote may attend. Each delegate will receive a voting code and results will be visible online. All proceedings will be strictly in accordance with the General Data Protection Regulation (GDPR).

Operations will be run from GRA HQ at Phibsboro Tower where the Officer Board will be based, along with GRA staff for the two days of Conference. These operations will observe Government restrictions and public health advice on social distancing and hygiene.

Mi-Voice and Narrowcast will operate from their offices in the UK. The voting process will be overseen by GRA auditors, Quintas.

Proceedings will be recorded with full copyright owned by the GRA. The public and media can view proceedings through an online streaming channel but closed sessions of the Conference will be in camera as usual.

My thanks to the GRA Conference Arrangements Committee, Standing Orders Committee, Secretariat and staff for their work on arranging this year's event.

Industrial Relations Act

While the unprecedented national effort to contain the Covid-19 virus has dominated the work of the GRA in the past nine months, another historic development for this Association has been overshadowed but cannot be overlooked.

The Industrial Relations (Amendment) Act 2019 is, without doubt, the most important piece of legislation affecting members since the 1978 Garda Síochána Act that established the GRA. It is historic. A game changer for our Association, and one of the most important improvements to member representation ever secured by the GRA on your behalf. The legislation gives us our long-held goal of access to the Workplace Relations Commission (WRC) and the Labour Court. It took effect on 01 February 2020.

The GRA, through active and collaborative negotiation, has been central to the design and development of new individual and collective Dispute Resolution Procedures and Protocols (DRPPs). These have been agreed by all Garda staff associations, Garda Management and the Government and are as good as, if not better, than dispute mechanisms developed in any sector in the last 30 years.

From a collective bargaining perspective, the protocols restructure the Garda Conciliation and Arbitration Scheme. Garda arbitration is now a function of the WRC and Labour Court. This development also allows for our formal inclusion in national pay talks. Before now we have been involved on an ad hoc basis.

For all this to work, it is vital that all parties, including the GRA, upskill our representatives; and professionalise our engagement and negotiation approaches. In order to avoid the problems of the past and create a best-practice negotiating and dispute-resolution approach, the WRC has recommended that the associations and Garda Management employ full-time Industrial Relations Officers (IROs).

The Central Executive Committee has agreed this recommendation; and the Association is lobbying for funding for the recruitment of IROs specifically trained for representing gardaí.

These posts will not be elected roles but staff positions reporting to the General Secretary. We are currently developing a business case and job specification for approval by the Central Executive Committee.

It is the intention to base these IROs around the country, and they will provide support for our elected representatives and deal with cases that require to come before the WRC.

We fully expect an upsurge in the workload placed on the Association and must be prepared for it. GRA training for all representatives has been extensively rolled out with a view to completing the programme early in the New Year.

Covid-19

The pandemic has brought about a seismic change in society and the workplace. Our members richly deserve the many compliments from the public, the Government and others for their contributions in making their respective districts, divisions and regions a safer place. Management have been fulsome in their praise of members for their professionalism, courtesy, community-spirit and flexibility in supporting the national effort. Coping with the sudden and dramatic change to working and personal lives brought about by the change to rosters and work roles has been difficult for many members.

Covid-19 Taskforce

Within days of the first outbreak of Covid-19 in Ireland, the GRA established a Covid-19 Taskforce consisting of the GRA Secretariat and Officer Board; as well as CEC representatives from the Health and Safety Subcommittee.

The Taskforce's priority was, and remains, to safeguard members' health and safety and require that terms and conditions under the Working Time Agreement (WTA) are upheld – including provisions around pay and rest. At the outset of the exceptional event, the Taskforce attended Covid-19 Forums twice weekly and reported each night to members through Covid-19 Updates on our GRA News internal newsletter mailing list.

Updates are now sent out on a needs basis and are now sometimes included in the regular GRA News newsletter.

The Association also secured a cast-iron commitment from Management that all the changes to working arrangements, brought upon us by the 'exceptional event', will not set any precedent.

While some matters such as those relating to Community Police and trainee gardaí have not been satisfactorily addressed to date, the Association has secured commitments in respect of the former and are currently negotiating improved provisions for trainee gardaí who are not based at the Garda College as intended.

Some issues have not been satisfactorily addressed at the Covid-19 Forum – or in the case of the attempt to change rosters back in late July, were not brought to the Forum and instead Management attempted to force these changes through the back door.

Garda College

The treatment of instructors at the Garda College is a legitimate cause of anger for affected members. Some have been temporarily allocated to stations that are a considerable distance from their home. Some members are receiving travel and subsistence allowance while others are not. This matter will be included on the agenda of the next Conciliation Council and on to the WRC if required.

Priority testing for Covid-19

Priority testing is a long-running cause of contention and has become more relevant since the resurgence of the virus. This matter has not been addressed to our satisfaction despite NPHET's acknowledgment that gardaí are essential workers in the pandemic response. Currently Management's de facto position is that NPHET are responsible for the employer duty of care to our members.

Family policies (childcare, alternative accommodation)

One of the most pronounced and intractable problems of the Contingency Roster is the disruption it caused to family routines. Talks in the wider public sector aimed at addressing childcare arrangements ultimately came to naught and no formal provision was made for public sector workers. Feedback from districts suggests that while local Management usually showed flexibility, this still presented a problem for many members. Self-

isolating, cocooning and the health of members' families also created difficulties around accommodation for members. Based on feedback, this problem was most pronounced in Dublin.

Weaponizing Covid-19

Despite a degree of criticism from some quarters of society, the GRA supported the use of spit guards for the protection of our members and defended their use in the media on several occasions. The fact that statistics show members were spat at twice as often as spit guards were deployed shows their use was necessary, responsible and proportionate. Gardaí were spat at 237 times between mid-April and the end of October.

The GRA also sought that An Garda Síochána adopt a policy of opposing bail in cases in which gardaí were spat at or coughed at. While no formal policy was adopted, it is our understanding this has happened since we raised the matter at an early stage of the outbreak of Covid-19 in Ireland.

Loss of allowance payment

The Association recently confirm that approximately 2,650 members who did not receive Loss of Unsocial Allowances during Phase II/III training in the Garda College since 2014 are due to receive back-payment of this money over the next two weeks. Payments will range from approximately €395 - €525 gross.

This will affect all members attested since the 15th September 2015 and who completed Phase II and Phase III training at the Garda College.

The non-payment arose because of changes to the way Garda training is delivered which affected premium payments to Probationer Gardaí during Phase II and Phase III training.

This entitlement arises from negotiations which resulted in a Conciliation Council Agreed Report (727) in 2018. The delay in payment arises from payment processing limitations within Payroll.

To overcome this, the proposed method of paying members is in three 'batches' grouped by time spent in the Garda College. The Garda College has provided Payroll with full lists by class, of the details of all members who attended training under what was known as Phase II/III.

The average weekly payment for each batch is based on the formula contained in the Agreed Report (727). These payments are due.

New daily allowance for Trainee gardai

Trainees deployed to stations are to receive a daily allowance equivalent to the 8 – 12-hr Subsistence Allowance following representations by the GRA at the Garda Covid-19 Forum.

The GRA has argued that these unattested members are experiencing financial disadvantage because of their temporary relocation from the Garda College, where they would normally receive their meals at no cost.

The General Secretary informed the Central Executive Committee last month that the finalisation of the figures involved and sanction for payment was awaited.

We impressed upon Management the need to finalise this matter as these trainees had been deployed for some time.

A HQ communication has issued which instructs that these members are to be paid the equivalent of the 8 to 12-hr subsistence allowance for each working day.

Delays in training programme

The GRA is continuing to press other issues concerning Trainees, including the expected postponement in their attestation, which would delay their progression to the first point of the Garda pay scale.

The Association received representations from affected members expressing deep worry about the potentially serious financial implications arising for them and their families, which included fear of mortgage and loan schedule default.

The GRA has sought that these Trainees will be paid a sum backdated to their original intended date of attestation based on the first point of the Garda pay scale.

Personal Protective Equipment (Trainees)

Trainees relocated to stations will not be deployed in situations where they may need the use of handcuffs, asp and pepper spray, Management has assured us.

Trainees cannot be issued with this equipment because they are not trained or certified in the use of such PPE.

There appears to be varying approaches to Trainee deployment across the country.

We have asked that instruction be issued centrally to local Management outlining the protocols for deployment.

Delay in loss of allowance payments

The Association has been informed that the Department of Public Expenditure and Reform (Dper) will not be allowing an interim compensation arrangement for loss of earnings for members on the Supplementary Unit on the Contingency Roster.

Dper have indicated that back payment will not be made until the end of the exceptional event (currently March 2021) to ensure sufficient time has passed for them to establish the exact payments due.

Needless to say, this is a very disappointing development and counter to what the Association was clearly given to understand.

The GRA was assured by Management last March that loss of allowances experienced by members temporarily re-assigned to Supplementary Units on the Contingency Roster could be claimed back at the end of each 4-week pay cycle.

However, this position shifted when Dper informed them that Payroll in Killarney did not have the capacity to process these claims due to the volume involved and technical matters.

After repeatedly raising the matter at the Covid-19 Forum, we were informed in September that the Commissioner had approved a proposal for payment which had been forwarded to Dper for sign-off.

The Commissioner has committed to making this payment and we will hold him to that commitment. As far as the GRA is concerned, the only question is the means by which the payment is to be made and when.

Up to 600 members, mainly in Community Policing may be affected by this. I can assure these members that any row-back on making this payment will be resisted through every step of our dispute procedures.

Rosters

On March 16th, 2020, the new contingency roster was introduced due to the Covid-19 pandemic. We have recently learned it will continue until March 21st, 2021 at the earliest, although members should be aware the Commissioner is entitled to vary this.

The 12-hour roster has been viewed favourably by many members who regard the four days on and four days off rotation as family friendly and provides more free time. The CEC on September 24th, 2020 agreed a mandate with 18 items for the Rosters and Working Time negotiating team which is made up of our General Secretary Pat Ennis, Vice president Frank Thornton, CEC Representatives James Morrisroe and Ronan Slevin.

This team represents us at the Westmanstown Rosters process and has been tasked to bring back the entire mandate set by the Executive of which the priority element is that the Core, Non-core and DDU rosters operate on the same work/rest day configuration and have the same shift lengths. This specific item on the mandate sends a clear signal to Management that our entire membership should be treated equally and as an Association we will not be leaving anyone on a different roster.

Pay talks

Pay talks for gardaí are expected to progress in accordance with procedures outlined by the Department of Public Expenditure & Reform (Dper) in September. The GRA attended preliminary talks last September and we were informed of the process for the new public sector pay talks.

The method for these talks is similar to the approach to the Public Sector Stability Agreement (PSSA) 2018 - 2020. As was the case last time, the generalities that apply to all public sector pay negotiations, such as cost-of-living pay increases, is part of the discussions between the ICTU Public Service Committee and Dper.

The GRA is not a member of ICTU but is a participant in national pay talks which will be overseen by the Workplace Relations Commission. Within this process, there is scope at sectoral level for each representative body, including the GRA, to negotiate specifics that apply to their members' pay, terms and conditions.

At the end of this process, a new pay agreement is finalised in talks involving all public sector representative bodies including the GRA. This approach does not differ to the plan GRA members were informed of in September.

The Association has set up a Pay Task Force and engaged independent productivity research conducted by management consultants IPC both of which will inform the Association's approach at these talks.

39-Hour Week and 1/41 Overtime Divisor

The Association regards as unacceptable both the anomaly of gardai having to work a 40-hour week and the outdated 1/41 divisor. Management views the 39-hour week demand for Gardaí as a 2.5% pay increase – a view we do not agree with.

The GRA referred the issue to the WRC and due to the absence of progress, later requested it is forwarded to the Labour Court. However, the WRC has not yet agreed to this.

While some progress may be possible on the 1/41 Overtime Divisor, it has been decided to leave that matter in abeyance until the 39-hour issue is resolved. We have sought that any resolution will have a retrospective application.

The CEC decided to press the matter which has led to a re-engagement of the parties under the auspices of the WRC which has sought separate reports from the Association and Management on the options. The report is being prepared by the Strategy & Services subcommittee and the Rosters and Working Time Task Force. Members will be kept apprised of developments.

Allowances in the Nature of Pay

The restoration of the 5 percent cut to Allowances in the Nature of Pay (pensionable) under FEMPI will be restored and paid retrospectively to October 1st.

The unwinding of the measure is legislatively based under the terms of Public Sector Stability Agreements (PSSA).

Management have informed us that the payments are being processed in Killarney but there is a backlog with no definitive date for payment as of yet. The Association will continue to apply pressure to have this payment made without delay.

Uniform

The new Garda uniform is due to be rolled out in the second half of the year and was developed with substantial GRA input. The Uniform, Equipment & IT subcommittee engaged uniform expert Cathriona Frawley to provide the Association with a professional, international perspective.

A member of the subcommittee has been appointed to a Garda oversight committee responsible for the tendering and procurement process.

A Policing Service for the Future (PSF)

Management has continued rolling out the reforms agreed in the PSF, including implementation of Operational Policing Model which will shrink the number of Garda Divisions from 31 to 22 (including the Garda College and specialist divisions).

The projects of particular interest to the GRA relate to the following:

- Operating Policing Model
- Wellness programme
- Learning and Development
- Rosters
- Review of Allowances
- Review of the Discipline regulations
- Workforce Planning and Modernization (including Civilianisation)
- Digital Strategy
- New Oversight Framework
- Performance Management
- Strategic Threat Analysis Centre (STAC)

There are aspects of the PSF that are unpalatable to some members. But we must be realistic. The PSF has cross-party support and Minister McEntee has reiterated the Government's commitment to resourcing the implementation plan. The GRA team must be well prepared.

With this in mind, the primary focus of the GRA internal development strategy is protection of members' interests. We are defining our objectives for each of these projects and setting out action plans to achieve our aims. Subcommittees are already working on specific projects with the Deputy General Secretary.

Training review

The current training review has evolved due to the Commission on the Future of Policing (COFPI) report which recommended a review of Garda training. The last review of training took place eleven years ago and the current one has not progressed as we would have liked due to the Covid-19 pandemic. A review group has been set up and the Association will make submissions. We will be requesting further involvement as key partners through other means such as working groups.

We look forward to reporting progress to members on an ongoing basis over the year ahead.

Garda Health & Wellbeing

The recent publication of the Garda Síochána Wellbeing survey provided valuable insights and some worrying feedback. Media reporting of the fact that large numbers of gardaí experience trauma in their work shone a welcome light on one of the lesser publicised occupational hazards of being a garda.

In the course of their career, members will inevitably witness harrowing scenes of injury, death and mistreatment of vulnerable people such as spouses and children. We are also seeing ever more brutal and potentially life-threatening violence – often directed at our members.

When anyone is seriously assaulted, they usually experience a residual trauma after the initial sense of shock has passed. It is particularly worrying that following the ending of the recruitment embargo in 2014, and a welcome recruitment drive since then, so many inexperienced gardaí are on the frontline, potentially exposed to scenes that more experienced members are likely to be better prepared for.

The Association has consistently argued for Management at a local level to be more aware of these inexperienced members vulnerability and asked that Garda mental health awareness be promoted with information prominently placed on the Garda Portal. We also welcome greater investment in support services announced in this year's budget.

Worryingly, the Wellbeing survey by Crowe Management consultants, also found that many gardaí felt a “stigma” about reporting mental health issues. This applies to members of all ages. Our President, Jim Mulligan, perhaps put it best in a comment about the Wellbeing survey. He said asking for help is “the right thing to do for yourself, your colleagues and your family”. Members are reminded that the Garda Employee Assistance Service is there to help.

For the record, the survey attracted 5,248 responses. The general physical wellbeing of members and staff within An Garda Síochána was moderately positive, with an average rating of 6.6 (6.4 and 7.2 for members and staff respectively). The proportion of people with long-term injury or health conditions was relatively consistent across various respondent categories.

Injury in the line of duty

Resolution of Garda claims at the High Court fell by over 35% last year compared to 2018, according to the Court Service Annual report 2019 published last July.

The low number of resolutions to Garda injury claims last year reflects grindingly slow practices by the State and sometimes Garda Management. Often claims are relatively routine and could be dealt with expeditiously but it can take years to get the State into court. Around 90% of personal injury claims are settled out of court. But under the Garda Compensation Act, which is 75 years old, the only recourse for gardaí making claims for malicious injury sustained on duty is the High Court.



(L - R) Ray Dennison former Interim Assistant General Secretary, Trevor Purcell of the Police Federation of Northern Ireland and Peter Stapleton of the Meath Division.

New legislation is due and the GRA has publicly urged the Department of Justice to bring forward planned new legislation as soon as a matter of urgency.

Malicious injury

Over 5,500 gardaí have been injured in the line of duty since 2005 – the vast majority of which are caused maliciously. However, these figures are unreliable for a number of reasons and the GRA this year got confirmation that the Garda Síochána cannot provide dependable figures because of the way they are recorded and categorised.

While assaults that led to time off may be reasonably reliable, there are many more assaults that are not reported because either a garda or their superior thinks there is no point because nothing will be done about it.

The Garda Síochána has adopted the GRA's ten-point protocol for reporting assaults and the Association will be monitoring its observance. Members are advised to report all assaults in the line of duty to their sergeant.

Garda safety

The increases in Garda claims for malicious injury is yet more evidence that gardaí are being subjected to ever more vicious assaults. In the 12 months to July, well over 200 gardaí suffered internal injuries, broken bones, cuts needing multiple stitches and more. Some of these are life-threatening and life-changing injuries.

Gardaí have been shot at, rammed, dragged along roads by cars, and assaulted with a variety of actual and improvised weapons. These incidents have occurred in both urban and rural settings throughout the country.

The GRA has called for tougher action against those who assault officers including:

- Stronger legislation to deal with people who assault members of all emergency services including mandatory sentencing
- Better personal protection equipment such as body camera and tasers
- More human resources and vehicles for quicker response and back-up times in rural areas
- More armed support units

Damage to members' property

The Commissioner has agreed to increase the limit for local reimbursement of costs for damage to members' property as a result of their work as gardaí to be increased to €5,000. He has also undertaken to consider an approach to security measures for members' protection including CCTV.

This is a long-standing issue for the GRA and members who have suffered financial loss as a result of damage to personal property resulting from their work. The Garda Chief Administration Officer is to progress a written proposal for the Commissioner's approval and will consider whether a revision of the Garda Code is required.

Focus on members' health

As part of the renewal of the terms of our member Life Policy and Critical illness schemes with Cornmarket, the GRA launched the Pink & Blue power cancer screening programme which was welcome and extensively taken up by the membership.

The next initiative that will be delivered through that partnership will be focused on members health and mental wellbeing, the delivery of this programme will be developed in the new year in conjunction with Cornmarket and we will keep you updated.

Garda Review

The CEC recently declined to support a proposal by the Board of Garda Review Limited (GRL) – which is a separate legal entity to the GRA – to bring the company into profit. Currently, the GRA is owed a sum in the region of €400,000 – €500,000 depending on the outcome of a query currently being considered by Revenue.

There is no prospect of this debt being paid back while *Garda Review* operates at such a huge loss. The board of GRL made a proposal which would have slashed the €100,000 print and distribution cost and brought the advertising revenue back to GRL.

Many on the CEC were of the view that readers would not welcome the proposed changes and therefore withdraw their subscriptions. The changes involved reinventing *Garda Review* as a weekly, online publication with a monthly printout alternative. The board's proposal would treble existing output, providing news-driven reports and expert, in-depth analysis along with the existing blend of features and member-driven content. The proposal also involved the *Garda Review* adopting an ethical framework for paying contributors. The CEC decided to adjourn

the question of whether the Association should continue to financially support publication.

GRA Training

The GRA has set up our own eLearning using the Moodle platform to assist representatives in training. This came about due to the pandemic and the inability to conduct in-person training. The GRA are staunch advocates of face-to-face training and the eLearning forum is not regarded as a replacement. It will fulfil the training role until we can return to face-to-face training. It will then be used as an assistance tool to refresh representatives' memory on the training given and will also assist with reps that are co-opted mid-term outside of training schedules.

The first course to be given is on the Dispute Resolution Procedures. Each rep will receive an email with a walk-through of how to work Moodle and then are required to do each module and the small 'etivity' attached to ensure the course outcomes are learned. We urge you to do the course as it will assist your members in a proactive way.

GRA ICT strategy

Our ICT strategy has been developed in conjunction with Inventise and for over a year and has been trialled by staff and CEC representatives. The system is nearly complete and due to be available shortly after for Conference. The system will bring our Association into the modern era and give us the following capabilities:

- **Bulk Importing of members details** – No requirement to add members one by one to the GRA database
- **Finance** – Dedicated software for Association staff to manage all Association expenses and claims
- **Correspondence** – Faster communication to and from all reps, members and internal staff
- **Project management** – An area to create projects, assign reps to the project etc, view status of the project and set project tasks
- **Case management** – Cases are created on behalf of the Association and on behalf of members, this section will provide a list of active cases that can be continuously updated and where it can be marked as resolved, inactive or pending a response

- **Roster management** – All GRA reps and members will have access to a suite of approved rosters
- **Document management** – A section available to store all documents in the GRA, only where a document is specifically shared can it be seen by the person its shared with.
- **Restriction management** – The Association will be able to control restrictions in the case of conflicts of interest, where two members/reps are in a dispute. The goal is to separate and make sure the parties cannot view each other's files and records.
- **Membership details** – An area where a member can update their own record with regards to personal information, view their work and membership details. They will also be able to see what schemes they are in, what they are paying into, what cases they are involved in how their rep is handling it etc...
- **Claims** – Members can see whether they have any claims (illness/injury, legal aid etc) and whether they're active.

Pre-retirement courses

Due to the pandemic in-person Pre-Retirement courses have not been held. The GRA have continuously raised this matter with Management who have given a commitment to holding same by alternative means. The GRA took a proactive approach and developed a presentation which can be given online to our members who are retiring.

Our insurers have also taken the same approach and developed a presentation that will also be of benefit. It is important that in the absence of pre-retirement courses retiring members should contact GRA Headquarters to be advised on what is required from them to continue certain policies.

Diversity & Inclusion

Development of the GRA's Diversity & Inclusion policy is reaching the next stage and soon we will be distributing a survey to GRA members and GRA staff through GRA News. The survey is being formulated with the help of the Irish Centre for Diversity in Waterford, who have experience in assisting trade unions in similar initiatives.

The Centre of Excellence for Diversity & Inclusion at Dublin City University (DCU) is also providing its considerable expertise as a hub for academic experts, practitioners, thought leaders and

networks that research best practice in workplace diversity and inclusion.

The decision to develop our own GRA policy was announced at Conference 2019 and follows on from the Garda Síochána's Equality, Diversity and Inclusion Strategy 2018 - 2021 entitled, "Working Together to Create an Inclusive Culture".

GRA / Tusla fostering initiative

The GRA teamed up with the Child and Family Agency, Tusla, to launch an initiative encouraging gardai to consider fostering as part of an awareness campaign among public servants.

Earlier this year, the GRA Central Executive Committee agreed to support promotion of the initiative which involves providing information to members about the various types of fostering and the financial support involved.

As part of the initiative, a garda-specific protocol accounting for the unique safety and security considerations involved for members and their families is observed when matching a child to a foster family. Legal protections and training are provided by Tusla standard to all foster carers.

Dr Jarlath McKee, Principal Social Worker at Tusla says gardai, are particularly suitable as foster carers because of their awareness of the circumstance that can lead to a child ending up in care. Gardai also have deep understanding of how much a guiding hand can lead to much better outcomes for these children as they grow older.

Two gardai are currently foster carers.

University of Limerick

The GRA's association with the University of Limerick goes from strength to strength. The number of places was increased for the intake of 2020 because the original allocation of 25 was over-subscribed.

The BA in Applied Policing and Criminal Justice (course code: LM249) is a two-year, undergraduate, Level-8 degree, which is delivered on a blended/online learning basis and incorporates a combination of self-instructional materials.

The BA programme is specifically designed for those who have completed the Level-7 BA in Applied Policing, delivered at An Garda Síochána Training College in Templemore, or equivalent.



Garda Commissioner Drew Harris and his team arriving at Conference

The Masters in Human Rights & Criminal Justice (course code: LLM/MA) is also continuing. This degree is designed to give graduates an understanding of the interaction between human rights and criminal justice, including knowledge of the legal actors, supervisory bodies and institutions central to the field. Students get an in-depth understanding of the legal regimes operating at national, regional and global levels and sources of human rights law in the field of criminal justice.

This degree can be taken on a full time, 12-month basis, or a part time 24-month basis.

AVPLS

There were some complaints about the use of AVPLS to monitor members on duty. The Association raised this with Management and obtained a written assurance that the system is not being used to monitor individual members but is being used to validate checkpoints in line with policing plans.

We have also heard that Garda rank members are being deployed in a supervisory function using AVPLS. Neither is acceptable and the Association needs to keep this under close observation. If any member believes AVPLS is being used on them individually as a supervisory Management tool, or where a member is asked to assume a supervisory function using this technology, the matter should be brought to the immediate attention of their CEC representative. If the matter cannot be resolved locally, then it will be taken up at national level.

Tetra study

On a related note, the results of a survey of members' attitudes towards digital radio technology including the Tetra system is close to publication. The survey carried out earlier this year is part of an academic study by PhD student Clíona McParland of Dublin City University Business School, supervised by Professor Regina Connolly.

The results of the study will provide the GRA with evidence-based insights into the use of Tetra GPS technology.

The data is yet to be finalised but is showing that loss of autonomy and privacy concerns – particularly in relation to the

collection, control and unauthorised use of the location data, has a significant impact on Garda members trust and commitment to the organisation.

The study has also indicated that use of the Tetra radio GPS function for location monitoring increases stress and fatigue in Garda members, which in turn also has a significant impact on their trust and commitment.

Frequent exposure to the radio frequency signal transmissions emitted from the TETRA radio systems – particularly in relation to use of multiple units, has also emerged as a strong concern amongst Garda members.

The final report will provide the GRA with evidence-based insights to our representations informing management over the data governance policies in relation to Tetra and other technologies.

Garda Síochána Ombudsman Commission

Just two complaints, both of which resulted in low-level sanctions, have been upheld this year by the Garda Síochána Ombudsman Commission (GSOC). Figures obtained by Newstalk show that from the start of the year to the middle of September, there were 1,182 complainants making 1,719 allegations against members.

Some 228 complaints related to policing Covid-19 restrictions and almost 40 percent were in relation to roads policing, the figures show.

Over 430 allegations were inadmissible and over 200 were not upheld for various reasons including insufficient evidence, non-cooperation by the complainant and vexatious complaint. Two breaches of discipline were identified to mid-September. One case resulted in a caution and the second was a Regulation 10 advice.

GRA President Jim Mulligan commented in the media, saying that despite the huge increase in interactions with the public due to policing the pandemic, there have been very few complaints upheld and even those that were, were at the lowest end of the scale.

Colm Horkan

I conclude this year's Conference Report with a final word on the death in the line of duty of our colleague and friend Detective Garda Colm Horkan last June.

As you will all be aware, there was an enormous national outpouring of grief and support. Turnout around the country for ceremonies large and small was a fitting tribute to Colm and a powerful display of solidarity with Colm's family, the community he served, his colleagues, and indeed the whole Garda family.

Representatives of the GRA attended ceremonies in Charlestown, Castlerea and Garda HQ and met with Colm's family and colleagues.

A GRA online Book of Condolence was also created which will be formally presented to the family when circumstances allow.

GARDA REPRESENTATIVE ANNUAL DELEGATE CONFERENCE 2020

In memory of
Detective Garda Colm Horkan
Castlerea District, Longford/Roscommon Division
December 1970 – June 2020
RIP



Committee & Subcommittee Reports



Garda
Representative
Association

Preparing for Change



Garda
Representative
Association

Accommodation, Health & Safety Subcommittee

Since the inception of the Garda Representative Association over 40 years ago, the Association has constantly pursued improvement in the working conditions of all members across the country. In the last number of years, the subcommittee have visited a number of stations, and highlighted these conditions, such as the working conditions in Clonmel station, through on-site inspections. The sub-committee has, since Annual Delegate Conference 2019, continued to examine workplaces where concerns have been raised by the GRA members expected to perform duty within those stations.

In July 2020, following concerns being raised by the divisional GRA committee and CEC representative Mr Ronan O'Grady, the subcommittee visited Westport Garda Station and witnessed the working conditions within the station and public office. Following this visit, the OPW announced that over €200,000 had been allocated for station refurbishment. These announcements are always welcome by the subcommittee and the rank-and-file GRA members.

Figure 1: Station Inspection Checklist

Station Visits

One of the tasks undertaken by the committee involves visiting stations where concerns have been raised over accommodation along with health and safety concerns. Members of the committee have, since Conference 2019, visited the following stations where concerns have been highlighted by local GRA personnel.

Stations visited	Dates
Dublin Port & Dublin Airport	30 May 2019
Western Regional HQ, Ballinasloe & Maam	27 July 2019
Athlone & Water Unit	7 October 2019
Navan	29 January 2020
Westport, Swinford & Castlebar	15 July 2020
Anglesea St	29 September 2020
Moate & Mullingar	9 October 2020

The subcommittee, in assessing the stations compliance with Health and Safety requirements, as set out in the Safety, Health & Welfare at Work Act (General Application) Regulations 2007, has drafted a simple station checklist which has been circulated to all Central Executive Committee representatives. This checklist (Figure 1), clearly identifies the workplaces' compliance with statutory obligations.

When the committee were visiting stations, a number of areas of concern became evident across numerous stations. These concerns, when identified locally include the positioning of lockers in corridors and emergency routes thereby causing serious Health and Safety concerns (Figure 2).

The issue of station overcrowding has also arisen with cramped workstations and changing facilities (Figure 3) given the



Figure 2: Positioning of lockers in corridors and emergency routes



Figure 3: cramped workstations and changing facilities

requirements of the Safety, Health & Welfare at Work Act (General Application) Regulations 2007 and the guidance afforded by the Health & Safety Authority in these regulations.

Role in assessing new station accommodation

The subcommittee have, since Conference 2019, become concerned with the lack of consultation where new projects are coming on stream. This matter was raised by the subcommittee with Garda Estate Management on 3rd November 2020, where the association re-iterated the necessity to adhere to the agreed Memorandum of Understanding (MOU). This adherence to the MOU can, as was the case in the construction of the Western Regional HQ, Wexford Divisional HQ, and Kevin Street, Dublin, deliver better workplace conditions for both the organisation and its members.

The subcommittee has expressed the Association's concerns over lack of engagement in the different construction/ renovation projects where updates are only become evident arising from the publication of the Commissioner's monthly report to the Policing Authority.

Stations for the future

This Association, in pursuing its aims and objectives, have always welcomed new developments. In some cases, these developments have, in recent times, been paired in a Public Private Partnership (PPP) grouping. The rollout of these PPP projects (Clonmel and Macroom) requires immediate progression to replace the antiquated and sub-standard working conditions prevalent at those centres. The Association is also critical of the political decision to remove the long overdue station in Sligo from that PPP grouping without justification. The timeframe in delivering essential station accommodation, should be fast-tracked with current station build times of more than seven years unacceptable to association members.

While Brexit is only a matter of weeks away, the necessity to improve facilities at both Dublin and Rosslare ports remain critical, given the nature of work performed by our members in these challenging environments. The subcommittee welcome the impending development of the old 'Calor' building in Dublin Port and the example whereby local management discussed the plans and layout with local members and the CEC representative in order to progress the project and iron out any problems that may arise in delivering this project. This example of local engagement should be replicated across all projects affecting GRA members.

The necessity to substantially advance the immigration and border control facilities at Rosslare Port remains outstanding and critical. Rosslare Port features as a headline project in the subcommittee's discussions with Garda Estate Management.

In the much-publicised saga concerning the Garda facilities at Harcourt Square, the subcommittee welcome the allocation of over €80 million to provide infrastructure at Military Road with site works having commenced just before the Covid-19 lockdown in March. The subcommittee, in a recent meeting with Estate Management expressed concern regarding this project, given the comments in the Garda Commissioner's report to the Policing Authority for August 2020, which said:

"Military Road will not accommodate all Garda Bureaus based at Harcourt Square and the OPW is developing proposals as to how the 'shortfall' in accommodation will be met. Funding will also be required to meet the accommodation needs of the Bureaus that will not be accommodated at Military Road."

When assessing station accommodation and its suitability for purpose, this association has always looked for structures that are solid and functional as opposed to temporary or portacabin



structures, such as currently proposed for Spiddal and illustrated above.

The subcommittee (as in the case of Spiddal station, above, and Dublin Airport etc) are available to examine any station development plans and to critique same, bearing in mind the obligations placed upon Garda Management to comply with the Safety, Health & Welfare at Work Act 2005. This Association, given the opportunity through the MOU, and with the expertise available within its membership, can assist in delivering station accommodation which is suitable to policing within the 21st century and beyond.

Covid 19 Pandemic

In these current unprecedented times, while the majority of the population have been asked to stay in and self-isolate, our members have been tasked with maintaining law and order and providing support to other governmental and non-governmental agencies. On 2nd March 2020, the association raised its concerns at the National Safety Committee and questioned the readiness of An Garda Síochána to deal with the impending pandemic. The subcommittee has actively raised the concerns of members and sought, through each Central Executive Committee, information on the availability of personal protective equipment within each division. The subcommittee continues to monitor this.

The subcommittee, in seeking proper control measures against biological agents, which Coronavirus Covid-19 has been classified, seeks the allocation of appropriate Personal Protective Equipment to all members, including the allocation of suitable prisoner transport vehicles across all Garda Districts with suitably qualified drivers. The guidelines afforded to our members should reflect public health recommendations applicable to law enforcement personnel.



Legal Assistance Subcommittee

The Legal Assistance subcommittee comprises of Frank Thornton (Limerick) chairman, Keith Plunkett (DMR West) secretary, David Conroy (Roscommon/Longford) Derek O'Donoghue (Louth) Sheila Ganly (Garda Headquarters) and Deputy General Secretary Philip McAnenly.

The subcommittee convenes monthly at the GRA Office, Phibsboro Tower, in advance of the monthly Central Executive Committee (CEC) meeting to review and consider applications submitted from members seeking assistance as provided for under the terms of the GRA Legal Assistance Scheme.

The subcommittee is charged with the responsibility of examining individual applications and ensuring they are in compliance with the Association's Scheme prior to making a recommendation to the CEC which is the final arbiter in determining the granting or declining of applications.

The volume of applications is significant and presents challenges for the Association from a financial perspective and in terms of endeavouring to ensure that we continue to support members at times of their greatest need in their careers.

This increased demand on our scheme is obviously attributable to a new era of accountability in An Garda Síochána. The increased activity of the Garda Síochána Ombudsman Commission (Gsoc) in investigating members, and the liberal invoking of the Garda Síochána (Discipline) Regulations by certain supervisors/managers, highlights the importance of members having the support of this Association and in particular recourse to legal advice when required.

The traditional informal approach by supervisors which served our members so well in the past, has eroded. Minor indiscretions, human errors or mistake were dealt with by advice, mentoring and encouragement and were not and should not be, subject to disciplinary action. The latter approach served to increase morale and foster better working relationships between members and their superiors. Members recurrently bring to our attention perceived and real anomalies and unfairness in the present regulations and in this regard the Association is currently party to a working group reviewing the Garda Síochána (Discipline) Regulations. While our engagement is currently minimal due to the current pandemic and the lack of engagement from Garda Management, to date, this Association has been invited to one meeting by way of an overview. The Association has provided a

detailed submission in relation to the review of the Garda Síochána (Discipline) Regulations.

Members will be aware that legal advice/proceedings invariably culminate in serious financial expenditure by the Association, hence the requirement to operate a limited scheme. The greater part of the business of the scheme pertains to proceedings in relation to investigations by the Gsoc and investigations under the Garda Síochána (Discipline) Regulations 2007.

In certain circumstances, assistance is provided to members for the defence against criminal allegations arising from the bona fide discharge of their duties. The goal of the Legal Assistance Scheme is to ensure our members are the recipients of due process of fair procedures in any investigation. Exceptionally, the Association, based on the merits of a particular case assists members in respect of disputed claims, discrimination and unfair treatment.

Bearing in mind the increased demands on Association funds from legal assistance requirements, the Association continuously reviews the operation of our Legal Assistance Scheme, and in the 2019 Legal Assistance Conference Report we highlighted the fact that the subcommittee would undertake to review the Legal Assistance scheme to ensure the highest attainable services are retained for members, which has not concluded and we await this draft review to be placed on the National Executive for consideration, recommendations and adoption.

Members regularly ask why they cannot retain a solicitor of their own choice to address their particular issues. The reality is that in the context of our limited scheme, it has been necessary for the Association to negotiate a set scale of fees in respect of various processes in representing our members. This is to protect the Association's funds as the fees set out are at a lower level than that which would be incurred were to operate an open panel.

This enables the Association to give a degree of cover to a greater cross-section of our membership. The panel system also ensures that members are in receipt of advice from legal advocates who have experience in dealing with Garda management, Gsoc and the Garda Síochána (Discipline) Regulations.

Nominations to for the GRA panel of Solicitors can be forwarded through members District and Divisional Committees who will send them to Regional Committees for consideration.

Training & Career Subcommittee

The Training & Career subcommittee continued our work this year to try and ensure adequate training for all the members we represent and ensure career development opportunities, whether they be promotion or lateral movement, are offered on a fair and equitable basis in line with agreed and established principles. We advocate for professionalism within the organisation by ensuring members, whatever their role, are equipped with sufficient competencies and skills through education and training. As ever, this proves a difficult and often frustrating challenge.

Prior to the restrictions taking hold, we continued to pursue meaningful engagement with Management on issues of concern. This proved quite difficult with assertions from Management that existing structures had been replaced by the implementation of CoFPI under the auspices of A Policing Service for the Future (PSF).

The Association is not named in the implementation report leaving us in a somewhat unclear position. The Association asserted that the training working group set up under partnership provides a seat at the table in relation to training under the umbrella of conciliation which has a statutory footing. This position is not fully embraced by management but in recent meetings we have received assurances that existing consultation channels will remain open. It is the aspiration of the association to have a seat on the high-level training review group established under PSF.

The Covid pandemic perhaps impacted training more than any other sphere of An Garda Síochána, leading to an even greater deficit in training and uncertainty for those undergoing training; and those in roles providing training in every area of the organisation. Divisional CPD schools and the Garda College saw the vast majority of staff re-deployed to other duties. This was something that raised serious concerns in relation to the level of support for trainees and probationers undergoing training and had a hugely disruptive and financially punishing effect on staff delivering training.

Like all educational institutions, the Garda College was hugely impacted by the necessary restrictions, perhaps more so given the residential nature of foundation training and other courses provided by the college. The changes to both the learning

environment and course content were huge and introduced very hastily implemented. This presented huge challenges for the subcommittee as we tried to ensure the integrity and quality of training was maintained while acknowledging the necessity for alternative methods to be found.

The changes to foundation training was of huge concern to the subcommittee and as ever trying to obtain clarity from management presented challenges. We have received assurances that members will graduate within the specified time frames of their B.A. in policing programme and we have also been advised that UL have approved the changes certifying that accreditation has not been compromised by the necessary training.

While acknowledging the unforeseen challenges and the difficulties faced by the organisation, the subcommittee are concerned that it is inevitable that some aspects of training have been compromised leaving those embarking on careers in the organisation at a disadvantage from those who have experienced the training programme being delivered in the format that was originally designed. There is no doubt that the impact of Covid will increase the already huge training deficit in the organisation.

It is also hugely disappointing that other statutory bodies and services continued to deliver their training programs throughout the pandemic, crucial training such as driver training remain suspended within An Garda Síochána while it continues to be delivered by agencies such as the HSE and other police services internationally who face the same challenges presented by the pandemic

Terms of Reference

- Pursue the long-held objective of achieving a ring-fenced training budget which cannot be compromised by operational demands
- Seek to engage constructively with Garda Management to find a method of addressing the shortfall in skills as a result of the lack of training in recent years
- Prioritise the delivery of training where members have statutory obligations under legislation

- Collate all training-related Conference motions that relate to training and examine what progress has been made
- Examine in detail any external reports that have highlighted shortfalls in training with a view to engaging with such agencies if appropriate to the needs of our members
- Ensure that the resources of the Association are used to maximum effect in addressing the training needs of our members
- Maximise the influence of the Association in shaping policies and attitudes towards training by actively engaging in relevant working groups
- Where necessary hold Garda management to account where shortfalls in training are compromising the delivery of policing services
- Seek a resolution to problems with CBD1 Driving restrictions
- Pursue tactical firearms training for all Firearms trained members
- Ensure that any use of Garda trainees in the live policing environment is in accordance with agreed protocols and in the interests of education/training of the members utilised
- Ensure that the education and training at the Garda College are maintained at agreed standards for Student members
- Monitor the implementation of e-learning in accordance with best practice to compliment classroom-based training as opposed to being seen as an alternative to it
- Ensure that all competitions are carried out in a fair and transparent manner in accordance with agreed protocols and established practices
- Monitor the levels of training afforded to non-sworn members carrying out similar roles and functions to sworn members

These terms of reference, along with the numerous motions from delegate conference touching on the issues of training provided a significant and varied portfolio for the subcommittee to try to progress. The subcommittee is well-placed to assist the Officer Board given the vast experience and skills base of those making up the subcommittee which includes Regular policing, Community policing, Serious Crime Investigation and Specialist Training. Having a member of staff from the Garda College on the subcommittee has proved invaluable given the various issues that have arisen in relation to foundation training

Motions that have been referred to the subcommittee from Conference 2018 are reflective of the issues that arise daily for our members and included CPD, Driver, Tactical Firearm and First aid training. We have endeavoured to pursue these issues through the various working groups, submissions to oversight bodies including CoFPI and examining best practice in other police services.

Unfortunately it has been our experience in examining most issues that financial constraints are hampering progress in professionalising An Garda Síochána and all too often we see training being treated as a cost that needs to be reduced rather than an investment that will yield benefits.

We would strongly contend that the failure to provide adequate training or recognise its value is an embedded management culture within the organisation which pre-dates the financial emergency and austerity. The neglect of training has been a significant contributory factor in the high-profile failings within the organisation of recent years. The failure to provide adequate training presents a significant risk to the individual members we represent and the organisation as a whole. This has been shown time and time again, yet we have not seen any properly resourced initiative to address this fundamental need in a comprehensive or meaningful manner. The subcommittee believes that the Modernisation and Renewal Programme does not place sufficient emphasis on education or training which would yield a significant benefit to our members and those who rely on our services by ensuring a truly professional police service whose members are equipped with the competence, professionalism and required skills to provide a world class policing service.



Uniform, IT and Equipment Subcommittee

Uniforms

The GRA employed uniform expert Cathriona Frawley who advised the Association in its consultation with Management on the new Garda uniforms due to be introduced next year.

A meeting of the uniform working group was held at Kevin St Garda Station on the 10th of December 2019. The tender for the new uniform was published with a prequestionnaire on the 28th of November 2019. It was outlined to the group that there was a four-week window for companies to reply. This was a restricted process to narrow the market. A tender document was required from each company with specifications of the new uniform.

The process was to move to phase 2 in late January early February 2020 with full procurement to follow with an award of the contract in August 2020 for measure/fit and delivery in the third quarter of 2021.

The next meeting of the working group occurred on the 26th of February 2020 at Kevin Garda Station. The tender was advertised with five companies invited to tender from the PPQ questionnaire with the budget for uniform ringfenced as this is a priority project for the Commissioner.

A meeting of the uniform working group was held at Kevin Street Garda Station on the 15th of July 2020 and extensions were granted to each company with the tendering process closing on the 11th of September 2020. This was followed by a sampling and evaluation period of ten weeks

The procurement and the tender are six months behind due to the coronavirus and bulk production should take approximately six months with delivery in the 3rd and 4th quarter of 2021.

The budget for this project is €10 million and has already been factored in to the Garda budget over the next five years. An oversight committee of the tendering and procurement process was formed with representatives from each association included. CEC representative Ray Wims is representing the GRA.

Other uniform-related developments are as follows:

- Mountain Bike uniform – Contract awarded and started 11th February 2020
- Public Order Uniform – Contact awarded and awaiting stock
- Ballistic/Anti-Stab Vest – Competition will be launched in the coming week



(L - R) Pat Ennis, General Secretary, Tom Finnan, Treasurer, Martin Sheehan (Cornmarket), Will Hogan (Quintas) and Gareth Flynn (Cornmarket).

Finance Committee

The Finance Committee is a mandatory full standing committee under the Constitution & Rules of the Garda Representative Association. Its function is, per the Constitution & Rules, "to act as a supervisory committee in all the financial affairs of the Association". It is specifically instructed to work with the GRA Trustees. The committee will carry out the following ongoing functions:

- Together with the Trustees, exercise a supervisory role in the assets of the Association. These include the finances/funds of the Association, the GRA Office Phibsboro Tower (leased), office equipment and other property, the shareholding in Garda Review Limited, the contracts surrounding any income streams into Association funds or any expenditure from Association funds including contracts of employment for staff, Association expenses policies or other service provision.
- Assist the Treasurer in his role with any matters he places before them.
- Work closely with the Association's trustees and facilitate them in carrying out their role.
- Facilitate the Association Auditor/accountant.
- Receive submissions from the Central Executive Committee (CEC) on issues that involve expenditure or income and give opinions or make recommendations on same. In conjunction with the Trustees, ensure that all finance-related decisions of the CEC made within the rules are implemented.
- Carry out role-specific instructions emanating from annual or special conferences including any relevant rule changes or other such motions.
- Consider applications for ex-gratia payments within CEC approved parameters (including matters not covered under the Legal Assistance scheme) and make recommendations to the CEC.
- As a financial supervisory committee, engage with all stakeholders, service providers where necessary.
- Seek to return extra value to the GRA membership through researching, sourcing and promoting various schemes, products or services as approved by the CEC.

- Work with the association's preferred service providers such as Cornmarket, (Life Insurance, AVC Pension scheme, Serious illness scheme, Income Protection scheme, mortgage protection, house insurance and possibly motor insurance), Blue Insurance (Multitrip travel insurance) and Chrome (House insurance).
- Work with the Association's Affinity/Loyalty Discount Scheme administrators "WRKIT" in the roll-out and promotion of the service. For the purposes of enhancing the schemes, research other businesses and services that offer beneficial rates, discounts or special offers as regards the possibility of them becoming involved in the Affinity scheme.

Some of the committee's ongoing projects are:

- Continuous monitoring of the situation regarding the landlord at Phibsboro Tower re-developing the property and its impact on the functioning of the GRA and potential to disrupt same.
- Liaising with the GRA auditors and also with the GRA investment brokers in relation to members' funds and investments.
- Engagement with Cornmarket the GRA insurance brokers in relation to the GRA members' group insurance schemes and ensuring maximum group cost savings.
- Liaising with external GRA Corporate Trustee in relation to GRA membership AVC scheme.
- Liaising with WRKIT the GRA membership group discount portal.
- Modernisation of GRA IT infrastructure.
- Involvement with process re GRA internal accountant.
- Review of staffing levels and requirements at Phibsboro Tower.
- Implementation of Conference-approved recommendations contained in the Ampersand internal review of the GRA.

- Grant Thornton review.
- Facilitation of the review of GRA financial procedures to ensure compliance with Revenue Commissioners' guidelines.
- Liaising with board of Garda Review Limited regarding the loan arrangement of the GRA.

The committee conducts its business in line with the standardised standing orders. As with all subcommittees, a member of the Finance Committee will, immediately on becoming aware of any perceived conflict of interest that may impact on the business carried out by the committee, declare such to the full committee.

The committee will review any such declaration and assess whether this requires the committee member to absent themselves for the duration of any discussions or be precluded from receiving documentation regarding the item concerned or absent themselves/be precluded from the voting process. Any inability by the committee to agree a response regarding a perceived conflict of interest shall necessitate the committee seeking governance advice, including legal advice if necessary through the office of the General Secretary.



WRC Subcommittee

The WRC subcommittee was set up as a new GRA committee in May 2018 due to our then ad-hoc and impending full access to the Workplace Relations Commission (WRC) and Labour Court, notwithstanding, any individual member's right and entitlement to lodge an adjudication application at the WRC.

The ad-hoc basis has now passed and as of 01 February 2020, the Association has full access to the WRC and Labour Court. This access is underpinned by an agreed Dispute Resolution Procedure (DRP) which must be fully adhered to in resolving industrial relations issues of an individual and collective nature at the level at which they occur. This will now involve engaging with Sergeants at an informal stage which has strict timeframes and rules which must be adhered to. The DRP caters for all stages and the newly developed representative form will assist representatives through each stage ensuring compliance with the procedures.

The Garda Representative Association helps members who intend to pursue, or are pursuing, an adjudication in the WRC. The subcommittee deals with applications from the GRA membership through the application structure and makes a representation to the CEC regarding on their admissibility for GRA representation. The recommendation to the CEC from the WRC subcommittee is made in the interests of the collective membership as to whether the GRA should be an associated party to any application going before the WRC.

Representation of members by the GRA at the Workplace Relations Commission is granted by the CEC thus agreeing to be associated on the adjudication application. This application, if appealed to the Labour Court on appeal hearings, must be recommended by the subcommittee and then referred to the CEC for approval.

The subcommittee over the past year has:

- Assisted in developing the DRPs which has been agreed by garda management and all staff associations.
- Utilised the expertise of the Deputy General Secretary who has experience in dealing with the WRC and the Labour Court to assist and guide the subcommittee.
- In conjunction with the Officer Board and under the direction of the President, have developed a representative form, which guides representatives through all stages of the DRPs.
- Management have developed an application form and the GRA in turn have developed a representative form to assist the member through the DRPs. This form will be used as the basis for a GRA application form for seeking representation.
- Once the representative form has been rolled out through representative training, an information booklet on the DRPs and WRC services will be developed for the GRA website.
- Our trainers have developed a training programme for all representatives on the DRPs and the workings of the WRC.
- A member of the subcommittee along with the General Secretary and the President have attended WRC and Labour Court training conducted by the WRC.
- Examined and consulted with trade unions as to their WRC and Labour Court protocols in conjunction with trade union Employee Relations staff.
- Attended CIPD seminars specific to employment law to keep abreast of current cases and practices.
- A member of the subcommittee is attached to the monthly IR group representing the GRA with Garda Management.
- The services of the WRC to train the subcommittee and develop our own professional in-house representations is yet to be undertaken because the Executive have decided to employ GRA Industrial Relations Officers (IROs). This process is in train, with the General Secretary engaging with the Department of Justice & Equality and Garda management in relation to the appointment of these positions. Once in situ, it is envisaged that the IROs may be utilised to run training and will be our in-house professional representatives.
- Represented members at the Workplace Relations Commission and are currently moving other applications.
- Developed a business plan to assist the General Secretary in



developing an overall business plan for industrial relations officers in the Garda representative association.

- Examine motions from conference that contain ER/IR referencing.

----- **Conditions applicable to the scheme**

As part of the WRC Assistance scheme, all applicants must be a paid-up member of the GRA on the date of the incident giving rise to the application. The conditions applicable to the scheme are that a member must, at the outset, consult with his/her local district representative and move the application through the representative structure so that dispute resolution process is fully utilised and applicable dates adhered to.

A GRA nominated person must be used at the WRC (IRO's when in place) for the adjudication process by successful applicants. The ER member of staff (IRO's when in place) will be appointed the point of contact between the association and the WRC due to time constraints attached to applications. The nominated person will consult and update the member(s) Representative at all times during the process.

An application for representation may be submitted to the GRA where a member is making a complaint or has made a complaint to the Workplace Relations Commission under the terms as set out in the WRC application form.

When a member(s) is making a complaint or has made a complaint and requests the GRA's assistance in the process, a subcommittee application form will be forwarded to the member(s). The applicant(s) will forward the completed

application form, through the committee structure within their division. It will be forwarded to the Secretary of the WRC subcommittee and nominated secretariat member. The application shall be accompanied by a comprehensive report from the member(s) concerned, highlighting the stages of the dispute resolution process utilised and the timeframes adhered to, in attempting to resolve the matter. This should be accompanied by all relevant documentation that has been submitted or intended for submission to the WRC. The subcommittee, in considering applications may refer back to the Divisional CEC representative / IRO concerned for clarification and seek further information or documentation before making recommendations to the CEC in respect of the application.

In the event of an emergency case requiring immediate intervention, this will be processed through the committee structure within the relevant division, subject to meeting the criteria set out under the terms of the scheme, and must have the approval of the General Secretary and Chair of WRC subcommittee. The CEC is the final arbiter on all matters relating to the Workplace Relations Commission representation Scheme. A member will not be granted representative assistance where:

- the CEC decides that an application for assistance should not be allowed
- the application is not processed through the District and Divisional structure within their division
- where the member(s), in the first instance, has/have not advised the CEC member or a representative of their choice within their division as soon as practicable. The scheme at all stages will be subject to review.

Benevolent Fund

Strategy & Services Subcommittee

Welfare & Transfers Committee

Rules & Representative Training

Reports not available at time of going to print.



Conference Motions passed 2019

Motion 1. Conference demands that the Central Executive Committee engages with the Garda Commissioner to amend An Garda Síochána Finance Code, Chapter 12.2, in relation to the potential maximum amount of compensation that a member can claim for damage to their personal property as a result of being a member of An Garda Síochána.

Division 1 Donegal

Delegated to and addressed by the Officer Board.

Motion 13. That Conference calls on the Garda Commissioner to carry out an optimal member numbers survey as a matter of urgency - due to the introduction of the Divisional Policing Model, the decrease in front line staff and the increased work load on our members.

Division 21 DMR South Central

Delegated to Strategy and Services

Motion 8. That Conference directs that the Central Executive Committee enter negotiations to bring all post April 1995 members pensions in line with all pre April 1995 members pensions and that such should form part of all future pay negotiations.

Division 10 Cork City

Delegated to Strategy and Services

Motion 9. That Conference directs that the Central Executive Committee to ensure that all future pay negotiations include that pension contributions made by members in excess of 30 years should be reimbursed and pension entitlements should be based on their last 30 years' service.

Division 10 Cork City

Delegated to Strategy and Services



Motion 4. That Conference calls on the Central Executive Committee to engage in negotiations with the Minister for Justice and Equality to extend the compulsory retirement age beyond 60 years of age.

Divisions 1 Donegal and 2 CDU/SDU

Delegated to Strategy and Services

Motion 22. That Conference calls on the Garda Commissioner to immediately equip all Garda vehicles with satellite navigation systems with Eircode capabilities, life jackets, appropriate lighting and all other appropriate equipment.

Division 2 Sligo/Leitrim

Delegated to Uniform and Equipment.

Motion 26. That Conference calls on the Garda Commissioner to immediately rollout an Out of Vehicle Safety Training (OVST) programme and provide the necessary equipment that is independently certified to be compliant with best international standard along with Safety, Health and Welfare at Work Act 2005.

Division 31 Kilkenny/Carlow

Delegated to Garda Training & Career Development to Liaise with Uniform & Equipment.

Motion 24. That Conference directs the Central Executive Committee to demand that the Garda Commissioner immediately seeks an increase in funding to provide an adequate level of training to all members in line with other modern organisations.

Division 21 DMR South Central

Delegated to Garda Training & Career Development

Motion 16. That Conference calls on the Garda Commissioner and the Minister for Justice and Equality to agree on protocols for the consistent provision of general practitioners' services to assist members, where necessary, in the course of their duties.

Division 31 Kilkenny/Carlow

Delegated to Garda Training & Career Development

Motion 29. That Conference

- (a) notes the startling results of the Garda Representative Association Wellbeing Survey which showed high levels of PTSD within the membership
- (b) condemns the current lack of Wellbeing Policy and insufficient counselling service.
- (c) calls on the Garda Commissioner to roll out a wellbeing policy for all members and that the first counselling session

be compulsory for each member attending traumatic incidents.

Divisions 9 Kerry and 12 Tipperary.

Delegated to Welfare/Transfers

Motion 32. That Conference demands that the Garda Commissioner ensures that Garda Management adheres to all employee assistance officers and peer supporter protocols without delay after serious and traumatic incidents and that the Employee Assistance Officer is available locally after such incidents.

Division 13 Kildare

Delegated to Welfare/Transfers

Motion 6. That Conference acknowledges the difficulty that members' encounter in terms of loss of their allowances when returning to work after sick leave and are placed by the Chief Medical Officer on light duties; and in order to address members returning in this regard, the Garda Representative Association demands that Garda Management develops a system where flexible working hours are utilised, so that those members can avail of allowances that are available to members on full duty.

Divisions 5 Galway and 26 CDU/SDU

Delegated to Officer Board and referred to Garda Conciliation Council and subject of ongoing bi-lateral discussions with Management.

Motion 31. That Conference directs the Central Executive Committee to conduct an assessment to determine the impact and implications of the ongoing civilianisation process on the roles available to sworn members who are in service beyond 50 years of age.

Division 10 Cork City

Delegated to Welfare/Transfers

Motion 33. That Conference calls on the Garda Commissioner, the Office of Public Works and the Department of Justice and Equality to immediately and significantly progress the Garda Station construction projects for Clonmel, Macroom, Sligo and Newcastle West.

Division 2 Sligo and Central Executive Committee

Delegated to Health, Safety & Accommodation

Motion 11. That Conference demands the establishment of a 24 hour Armed Support Unit in every Garda Division rather than the current status as a Regional resource.

Division 2 Sligo/Leitrim

Delegated to Health, Safety & Accommodation

Motion 14. That Conference directs the Central Executive Committee to seek the immediate implementation of a fully resourced Public Order Unit on a full-time basis in the Dublin Metropolitan Region.

Division 21 DMR South Central

Delegated to Health, Safety & Accommodation

Rule Change

Motion 12. Current rule reads

- (a) The Central Executive Committee may make provision of a general kind in relation to the reinstatement of membership to persons who have ceased to be members of the Association
- (b) The reinstatement of any member who has resigned or lapsed shall be on the following conditions
 - * Payment in full of any arrears existing at the time of Lapsing
 - * Payment in full of the amount of contribution between the time of lapse of membership and the date of reinstatement, or such lesser amount, at the discretion of the Central Executive Committee.

Delete part (b) in its entirety and replace with:

- b) The date of reinstatement shall take effect from the date of first deduction from payroll.

Proposed amended rule would then read:

- (a) The Central Executive Committee may make provision of a general kind in relation to the reinstatement of membership to persons who have ceased to be members of the Association
- (b) The date of reinstatement shall take effect from the date of the first deduction from

Motion 34

Central Executive Committee

Delegated to Rules Committee



Delegates to 41st Annual Delegate Conference



Delegates from the Kerry Division



Delegates of the Limerick Division

Delegates from the Sligo /
Leitrim Division



Representatives of the Tipperary Division



Representatives of the
Mayo Division



Representatives of the Garda HQ Division

Representatives of the DMR
North Central Division



Representatives of the Special Detective Unit Division



Representatives of the
Cork North Division



Delegates of the Galway Division



Representatives of the Cavan / Monaghan Division



Delegates of the Meath Division
along with former Interim
Assistant General Secretary
Ray Dennison (left)



Delegates of the Longford / Roscommon Division



(L - R) GRA Trustees: Mick Egan, James Boyle, Gerry Sweeney, Peter Egan and Cathal O'Gorman

Delegates of the Cork West Division



Delegates of the DMR South Division



Delegates of the Kildare
Division



Delegates of the DMR West Division

Delegates of the Kilkenny / Carlow Division



Delegates of the Cork City Division





Delegates of the Clare Division



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