

**The Garda Inspectorate:
Driving Collaborative Reform Through a
Model of Equilibrated Governance**

PhD 2018

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A handwritten signature in blue ink, reading 'Kathleen O'Toole'. The signature is written in a cursive style with a large initial 'K' and a distinct 'O'.

Kathleen O'Toole

Summary

In the Garda Síochána Act of 2005, the Irish Government established a new oversight body, the Garda Inspectorate, to drive reforms to the operations and administration of its national police service, An Garda Síochána. Appointed in 2006 as the first Chief Inspector of this nascent body, I was tasked to build the Inspectorate as an entity and to embed in the Inspectorate's operations a system for driving effective and sustainable change. This thesis describes how applying an insider action research approach to the work of the Inspectorate culminated in recommendations that led to measurable improvements in Garda practises and produced broader knowledge in organisation science.

Action research methodology rests on the general premise that involving organisational clients in designing and implementing change processes produces better learning and provides more robust data about the inner workings of the systems under study. The researcher thus serves in a simultaneous role as an active participant in a defined, goal-oriented research cycle. While some action research modalities require an external consultant or facilitator working with a client organisation, insider action research contemplates the researcher as a change agent within the specific organisation or community. Given my dual role as researcher and Chief Inspector, the insider action research modality proved to be a logical fit for my work.

Action research comprises distinct phases of: (1) constructing, or assessing a situation calling for change; (2) planning to take action; (3) taking action; and (4) evaluating the action, leading to further, iterative cycles of the same, in which processes and goals are further refined. Five of the Inspectorate's projects, three of which focused on external Garda operations with respect to crime detection and reporting, and two of which focused on internal Garda administrative and organisational efficiency, were structured accordingly. For each, terms of reference setting forth the scope of the Inspectorate's work were drafted in collaboration with the Department of Justice. The Inspectorate identified appropriate subject matters, assembled materials regarding best practises, and prepared detailed plans for robust outreach. The Inspectorate conducted interviews, held formal meetings, and participated in informational and listening sessions with a broad spectrum of

stakeholders, including members of the public, non-governmental organisations, victims and/or their family members, stakeholders within Garda management, representative associations, and individual officers in the field. As the Inspectorate's data review gave rise to new lines of inquiry, refined processes of planning and action ensued.

Individually, each of the five core projects resulted in specific, substantive, and achievable recommendations for bringing Garda practises into alignment with accepted international standards and local stakeholder expectations. Collectively, these projects provided critical insight that informed both the framework of sequential inquiries and also the meta-cycle of my work with respect to the role and function of the Inspectorate.

Over the course of the five core projects that formed the meta-cycle of my thesis work, three clear themes emerged as critical constructs for driving thoughtful, collaborative change. 'Agile leadership' encourages an approach that is democratic, flexible, and appreciative in nature. 'Authentic engagement' refers to a commitment not just to active listening but also to honest, constructive dialogue and transparency in action. 'Contextual intelligence' embodies attention and sensitivity to occupational, organisational, and historical variables that may manifest as barriers to change if not understood and taken into account.

Ultimately, these three themes come together in a flexible balance to form a model I term 'equilibrated governance' – a conceptual framework for collaborative reform through practises that foster trust and commitment. Interdisciplinary in its potential, this tripartite model of governance caps the theoretical meta-knowledge of my thesis research, and, I submit, establishes a solid platform on which to drive accountability and reform.

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Chapter 1

INTRODUCTION AND CONTEXT

This thesis derives from a complex, insider action research project that fundamentally reshaped the institution of Irish policing. Appointed in 2006 to be the Chief Inspector of the newly created Garda Síochána Inspectorate, I was tasked with leading the establishment of a police oversight body to drive reforms to the operations and administration of an organisation still struggling in many respects to unify processes, systems and practises following the consolidation of Irish police services nearly a century prior. This task defined the focus for my thesis research.

Early in my tenure, I established contacts at the School of Business, Trinity College Dublin, in hopes of applying and extending academic theory in a review and reform of Irish policing practises. I soon concluded that applying insider action research as a methodology to my work as Chief Inspector would provide a unique opportunity to structure a lasting mechanism for driving effective change through thoughtful and collaborative engagement. Applying this methodology would also enable a scholarly and research-based contribution to the broader body of knowledge in the field of organisation science.

Table 1.1: Core Action Research Cycles

<i>Project</i>	<i>Terms of Reference</i>	<i>Approving Minister</i>	<i>Report to Minister</i>	<i>Report Published</i>	<i>Sitting Minister</i>
Roads Policing	Jun 2007	Brian Lenihan	Nov 2008	Dec 2008	Dermot Ahern
Resource Allocation	Apr 2008	Brian Lenihan	Oct 2009	Jan 2010	Dermot Ahern
Missing Persons	Jul 2008	Dermot Ahern	Mar 2009	Apr 2009	Dermot Ahern
Child Sexual Abuse	Nov 2009	Dermot Ahern	Nov 2010	Feb 2012	Alan Shatter
	Jul 2011	Alan Shatter	Jul 2011		
Frontline Supervision	Dec 2010	Dermot Ahern	Apr 2012	Mar 2013	Alan Shatter

The Garda Inspectorate conducted eight projects during my six-year tenure as Chief Inspector, five of which coincided with, and formed the basis of, my doctoral research. These five core projects, the dates the terms of reference were announced, the names of the Ministers who approved the terms of reference, the dates of submission to the sitting Minister, and the dates of official publication, are provided in Table 1.1.

The first of these core projects, Roads Policing, sought to address the crisis of deaths on Irish roads by joining heightened enforcement efforts with public educational outreach and coordination with roads safety authorities. Two subsequent projects were directed towards streamlining, coordinating, and strengthening Garda efforts relating to the recording and investigation of crimes involving, respectively, missing persons and child sexual abuse. Another two were directed towards addressing administrative and organisational inefficiencies relating to resource allocation and front-line supervision.

My goal was not simply to reform targeted aspects of Garda operations, but also – consistent with the remit of the legislation under which the Inspectorate was established – to develop a robust oversight body to guide the continuing evolution of policing in Ireland. Ultimately, this thesis establishes that success was attained on both fronts. Individually, each of the five core projects resulted in specific, substantive, and achievable recommendations. Collectively, these projects provided critical insight that informed the framework of sequential inquiries and the meta-cycle of my work with respect to the role and function of the Inspectorate. My thesis work culminated in a model of ‘equilibrated governance’ for driving thoughtful, collaborative change in organisations through a flexible balance of agile leadership, authentic engagement, and contextual intelligence.

This thesis comprises eight chapters, summarized below, that are grounded in five years of insider action research.

Chapter 1 – Introduction and Context

Successful action researchers are able to craft their work to tell a good story. In this first chapter, I begin that journey by providing an overview of my thesis project and explaining my personal background with respect to the delivery and administration of

police services. I chronicle my experience as a practitioner, and I introduce the reader to the complicated, and often misunderstood, business of policing.

Chapter 2 – Modern Policing

My practical experience aside, it was critical to frame the context and purpose of this thesis against a backdrop of modern policing, generally, and the historical complexities particular to Irish policing. In this chapter, I lay the groundwork for what I would later term ‘contextual intelligence’ – a central tenet of the governance model I propose – by providing (1) an objective, comprehensive review of the history and theory of modern policing as it developed in Common Law jurisdictions, broadly, and (2) the emergence of modern Irish policing in the context of the complicated history of the Irish State.

Chapter 3 – Governance and the Launch of the Garda Inspectorate

Transformational change should be grounded in a model of clear, effective, and situationally appropriate governance. In this chapter, I address the concept of governance generally, differentiate between private and public sector governance, and speak to the importance of governance in policing. I provide a view of emerging police governance in the Republic of Ireland and the creation of the Garda Inspectorate as one part of the oversight model ideated under the Garda Síochána Act of 2005.

Chapter 4 – The Action Research Methodology

In its nascent form, the Inspectorate produced measurable and important outcomes, but I sought to advance the rigour of the Inspectorate by bringing academic process and a structured research methodology to the Inspectorate’s work. In this Chapter, I describe Insider Action Research, compare it to other methodologies, and underscore how well it aligns with my thesis work and with policing research generally.

Chapter 5 – Bridging Practise and Theory

Before diving into the action research cycle for any project, it is critical to understand the context and culture in which the project is set, to acknowledge the individual perspective(s) that one brings to the project, and to seek out collaborative

relationships with individuals and groups who will influence, or be impacted by, the direction of the project. In this Chapter, I reflect on my personal background, as described in Chapter 1, and discuss how my experience influenced my approach to this work. I reflect on the history and culture of policing, in Ireland and abroad, as described in Chapter 2. I note the many relationships, both ones that I affirmatively forged and those that necessarily came with the territory, that influenced in varied ways the development and strength of the Inspectorate.

Chapter 6 – Deep Dive into a Core Action Research Project

During the broader meta-cycle of my research, as an insider action researcher, I undertook five core projects. To illustrate the complexity of the Inspectorate's review and the extraordinary preparation, thought, and reflection that underlay the core cycles, I chose one project, Child Sexual Abuse, to highlight in this thesis, albeit out of chronological sequence, in part because it proved to be the most challenging, political, and thought-provoking. I conclude the chapter with the Inspectorate's observations, findings, and recommendations resulting from this review, in terms of both practical contributions, and meta-knowledge that emerged as organisational themes of agile leadership, authentic engagement, and contextual intelligence.

Chapter 7 – Other Core Projects

This chapter provides synopses of the other four core projects – Roads Policing, Resource Allocation, Missing Persons, and Front-Line Supervision. Each was undertaken through insider action research. As in Chapter 6, practical recommendations and meta-knowledge produced in each of these core projects are included in this chapter.

Chapter 8 – Results and Knowledge Contribution

I conclude this thesis by describing the meta-cycle of this project and the resulting knowledge contributions regarding the development of a police governance model generally and insights into the challenges facing the Garda Inspectorate specifically. In this chapter I describe the model of equilibrated governance that emerged from this thesis research, and the underlying organisational pillars of agile leadership, authentic engagement, and contextual intelligence. I identify flaws in the legislation

that set up police oversight in Ireland that came to light during this project, and finally, I offer suggestions for further study as the Inspectorate continues to evolve.

I. My Background and Perspective

My initiation to the field of policing began on 31 October 1979, when I was appointed to the position of Patrol Officer with the Boston (Massachusetts) Police. I had accepted the job on a dare from law school classmates, thinking it would be an interesting opportunity to learn more about the application of law in practise. At the time, I was looking forward to a full-time professional career as a lawyer and intended to abandon police work following completion of my legal studies. Mere months into the work, however, it was clear to me that I had found my true vocation.

My police career has included a wide variety of assignments. In my early years, I was a patrol officer, answering calls for service in a rapid response unit in downtown Boston. I also worked as a detective and undercover operative. Working on the front line of policing in an urban environment was exhilarating, to say the least. I raced to scenes, made arrests, and solved crimes. But I also recognized that law enforcement was only one aspect of policing. I had the opportunity to save lives, deliver babies, and provide service to many people in need. Maintaining the rule of law is important, but the reality is that the average police officer devotes much more time to, and gleans greatest satisfaction from, service and problem-solving.

The front-line, uniformed patrol operation is the lifeblood of any police organisation. I would have been happy to remain at the rank of patrol officer throughout my career and have tremendous respect for those who do. My early mentors, however, encouraged me to pursue promotional opportunities. Hard work, coupled with their support, led to my rise through the ranks. Seven years following my initial appointment, I was assigned to a command position as a Deputy Chief of Police.

My most influential mentor at the time was William Bratton. Now retired from his most recent position as Commissioner of the New York City Police Department, he is recognised internationally as a talented and progressive police leader. In 1986, when he was appointed Chief of the Metropolitan District Commission Police in Boston, Bratton offered me a position on his command staff as Deputy Chief of Administration.

It was an incredible opportunity, but I was initially sceptical. ('Is that the girl's job?' I asked.) At that time, the Chief of Administration was responsible for planning, budget, human resources, training and education, information technology, and additional responsibilities well outside the realm of traditional police operations. Bratton encouraged me to accept the assignment, believing it would work to our mutual advantage. He was keen to bring better management practises to the organisation and knew I would work hard, but he also noted a significant weakness in traditional police management. Few sworn police leaders knew much about management theory and practise, yet they were responsible for large, complicated organisations. He suggested that acquiring such experience would not only strengthen our organisation, but also enhance my personal development as a leader and manager. I accepted the position with the assurance that he would appoint me Chief of Field Operations two years later, after the Administrative Bureau was modernised and the Operations Chief retired.

In tackling my first major command assignment, I surrounded myself with an able team. Leveraging their expertise, we balanced the operating budget, developed capital plans, automated systems, managed risk, devised HR strategies, upgraded training curricula, and civilianised many staff positions previously held by sworn police personnel. My policing experience and detective skills were of limited value in the assignment, and I had to tackle a steep learning curve to develop knowledge while serving in the position. Essentially, I was the 'chief operating officer.' The job was more interesting than I anticipated, mostly because I had ventured into intriguing new territory as a manager. I also became quickly convinced, however, that it made little sense to have a sworn police commander in the position; a police department would be better served by non-sworn, professional managers overseeing units such as Finance, HR and IT.

During this period, on Bratton's recommendation, I was privileged to take advantage of a unique opportunity to attend an executive programme for senior government managers at the Kennedy School at Harvard University. Although police leaders now regularly attend executive development programmes, it was unusual practise in 1987.

Previously, my professional career and academic studies had run on parallel tracks. The Kennedy School program was my first opportunity to bridge theory and practise, particularly through the case study approach. The relationships I established while there, with practitioners and academics, have been invaluable to me throughout my career. Whether developing and measuring public safety strategies or making complicated management decisions, I have leveraged the knowledge and support of the academic network I acquired early on.

Although my focus during these years was on the administrative side of the department, as a sworn member of the leadership team I was still called out regularly for emergencies and served as police operations commander during all special events. This continued exposure to front-line policing allowed me to stay connected to personnel in the field – an essential link for an effective police leader – and positioned me for a return to an operations role and continued management growth. Ultimately, after four years as Bratton's deputy, two in the administrative role and two in the operations role, I was appointed to the position of Chief of the Massachusetts District Commission Metropolitan Police (Metro Police).

This appointment provided a good opportunity to merge in practise my administrative and operational experience with academic theory in organisational efficiency. Many of the jurisdictional boundaries and powers of the Metro Police overlapped with those of the Massachusetts State Police, the Capitol Police and the Registry of Motor Vehicles Police, and for years, the notion of consolidating these four Massachusetts, state-funded police agencies had been the subject of spirited political debate. Yet despite the inefficiencies of the systems, members of the respective agencies were generally opposed to consolidation. Each organisation had a strong tradition and unique culture, and it was difficult to convince officers and troopers that a merger could produce significant benefits.

As Chief, when asked for input, I drafted the outline of a consolidation plan that I believed would both enhance efficiency and effectiveness and win the support of a critical mass of personnel. Ironically, I eliminated my own position in the proposed solution. I submitted the draft plan to executive and political leaders, and legislation was eventually drafted that included many of my recommendations. (Massachusetts

General Laws, 1991, Ch. 412) In July 1992, when the law became effective, I was asked to oversee the implementation of the merger. I did so in the rank of Lieutenant Colonel of the newly consolidated Massachusetts Department of State Police, reporting to the State Police Colonel. I had no regrets about reverting to a deputy role; it was a unique opportunity to participate in a major reform initiative. The implementation was successful and led to greater effectiveness and efficiency in Massachusetts policing. Though not a calculated strategy, the experience also positioned me for subsequent career opportunities requiring knowledge in organisation reform.

In 1994, Governor William Weld offered me a position in his cabinet as Massachusetts Secretary of Public Safety. Historically, cabinet positions were reserved for partisan political supporters and campaign donors. I was neither, but accepted the job. Then came the baptism by fire.

As Secretary of Public Safety, I oversaw twenty agencies, more than ten thousand employees, and an operating budget exceeding \$1B. Given the nature of the work, it seemed that crises came in waves. During my early days in the job, a Massachusetts parolee, Henry L. Marshall, was charged with committing murder in Tacoma, Washington. (Ranalli 1994) Shortly thereafter, a female prisoner, Joan Andrade, died following a botched diagnosis by prison nurses. (Hayward 1994) Allegations then surfaced that the State Medical Examiner had fudged the autopsy results of a famous basketball star to conceal his cocaine addiction. (Lasalandra and Bulpett 1995) The State Police helicopter crashed, killing two troopers and two civilian engineers – a crash that was attributed to poor maintenance. (Hayward and Hutchinson 1995) All the agencies involved in these high-profile events fell within the Secretariat, and crises of similar proportions continued throughout my four years in the job.

During the first six months, I managed almost exclusively in crisis mode. I certainly acquired on-the-job experience in leadership and crisis management. I learned to stand up, tell the truth and take responsibility when things go wrong. The Governor and the community seemed satisfied with the response to each disaster, but I firmly believed that my team and I could do much more. While it was critical to respond appropriately to crises, it was also important to step aside from the frenzy and

develop a strategy for the Secretariat. We needed to establish and communicate a clear purpose and strong principles, internally and externally, and to define our priorities and design projects to address them. We needed to develop proper metrics to monitor our progress. I also believed that we would be much more effective if we broke down barriers between agencies and harnessed our collective resources to address our most significant challenges – gang violence, domestic violence, quality of life issues and management deficiencies. During the latter part of year one, we developed our plan and began implementation, constantly emphasising the importance of partnership and collaboration in our reform efforts.

Four years later, at the time I left this position, crime in Massachusetts had dropped significantly. (Disaster Center 2014) Quality of life had improved in neighbourhoods throughout the state. We were also at the forefront in the development of technology solutions that made our agencies more effective and efficient. (Government Technology 1997) During my tenure as Secretary of Public Safety, I learned the very important lesson that in policing and other aspects of public safety, the next crisis is always on the horizon. Too many police leaders wait for the crisis to unfold and then respond; my team committed to a more strategic approach, including prevention, intervention and proactive problem solving.

In 1998, I was offered a position on the Independent Commission on Policing in Northern Ireland (the Patten Commission). The Commission was established to develop a ‘new beginning’ for policing in Northern Ireland as an important component of the Peace Process. (Belfast/Good Friday Agreement 1998) Serving as a member of the Patten Commission was a privilege and I learned a great deal from it. My work required me to benchmark policing in Northern Ireland against best policing practises elsewhere. Although we had progressed significantly in the United States during the 1980s and 1990s, I realised there was much to learn from policing experiences in other corners of the world.

It is noteworthy that I was one of only two career police officers on the eight-member Commission. Some police expertise was essential, but it was equally important to have objective, non-police participants. The Patten Commission emphasised in its report that policing should not be left to the police alone. It is a community

responsibility and, to get it right, there must be a strong partnership between the police and the community. (Independent Commission on Policing 1999) I felt strongly that it was important to move beyond the political rhetoric and engage with the communities served, and advocated that the Commission hold public meetings throughout the North. Ultimately, by the end of the project, the Commission had hosted forty large public meetings and had met privately with hundreds of groups and individual community members.

Two members of the Commission represented the academic community. Dr Gerald Lynch served as President of John Jay College in New York City, and Dr Clifford Shearing, a native of South Africa, was on the faculty at the University of Toronto. Several other academics from the United Kingdom, the Republic of Ireland, and the United States engaged enthusiastically in the process and contributed significantly to the Commission's work. This collaboration again reinforced that sound theory and academic rigour are invaluable when designing reform and managing change.

In September 1999, the Commission published its findings and a new framework for policing in Northern Ireland. (Independent Commission on Policing 1999) In the end, only a small percentage of the Patten Commission's recommendations addressed challenges unique to Northern Ireland; the clear majority could be applied to policing in any democracy. The report reflects a democratic process that consciously incorporated input and feedback from diverse communities. The Patten experience underscored that community trust and mutual respect are essential elements in effective police reform. I have replicated many of the Patten recommendations in the United States and the Republic of Ireland in subsequent years, and have worked hard in each instance to engage diverse communities and build trust in the process.

Following the work in the North, I returned to policing in the United States, and in 2004, I was appointed Commissioner of the Boston Police Department. It was a challenging time, politically and economically. I assumed the position when labour-management tensions were high and the City was reducing police staffing. My operations experience was extensive, but once again it was clear the job required more leadership and business acumen than policing skills. As before, during my tenure as Police Commissioner, I relied heavily on input from community members

and external advisors, including academics and business leaders. I seldom made significant decisions without the benefit of wide consultation.

II. A Major Challenge in a Related but Different Context

Two and a half years after accepting the position of Commissioner of the Boston Police, a unique opportunity arose to return to the work of oversight and reform, this time in the Republic of Ireland. During my tenure as Commissioner in Boston, the Irish Government had been in the process of drafting a legislative set of reforms to establish independent, comprehensive oversight of the Garda Síochána (the Garda Síochána Act of 2005, which I discuss more fully in Chapter 3 of this thesis).

During the period leading up to the passage of the Act, members of the Department of Justice, including Minister Michael McDowell, travelled to North America to explore effective policing practises. They visited Boston during 2005, while I was serving as Police Commissioner. I organised a series of meetings for the Minister and his team and participated personally in most of them. It was clear to me that the Minister was determined not only to address issues highlighted by multiple tribunals, but also to modernise Garda administration and operations. He was eager to learn from the experiences of others and we engaged in several constructive discussions.

Months later, following passage of the Act, a member of the Secretariat phoned to inform me that the new oversight bodies had been established and leadership positions had been posted. As a career reformer, I was intrigued by the opportunity. When working on the Patten Commission in Northern Ireland, it became clear to me that governance and oversight in policing in the United Kingdom had become far more sensible and robust than anything I had observed in the United States. I attempted to bring greater transparency and accountability to policing in Boston, but with mixed results. City leaders were not willing to relinquish control to independent overseers, and my proposal to create an ombudsman for the Boston Police Department was rejected by City Hall. McDowell, on the other hand, convinced me he was serious about reform and police accountability. As Chief Inspector, I could shape the newly established body, and I was confident the Minister would be supportive in the process. In May 2006, I accepted the appointment.

Following the initial news conference around my appointment, I was escorted to the Inspectorate offices at 87 St. Stephen's Green. The building was gutted – no floors, missing wall panels, no furniture. I was introduced to Mr John Brosnan, who had been selected for the position as Principal Officer. I was somewhat taken aback to learn that I would have no hand in selecting the senior civil servant in the office, but was assured by the Secretary General that he was 'top shelf.' Brosnan had identified one other prospect, a mid-level civil servant who could be helpful in getting the office in shape. We were definitely 'starting from scratch.' I returned to the United States for a few weeks to allow for smooth transition in the Boston Police. Brosnan assured me that he and his colleague would work to get the offices suitable in time for my return.

I was appointed as the first Chief Inspector of the Garda Síochána Inspectorate on 16 May 2006, but the Inspectorate was not officially launched until 29 July 2006, when the two deputies took up their positions. Mr Bob Olson had retired as the police chief in Minneapolis, Minnesota in the United States, and Ms Gwen Boniface had served as the Commissioner of the Ontario Provincial Police in Canada. The two deputies and I had decades of experience leading major police departments in North America, but understood that each police service has unique organisational and cultural characteristics. We also knew that policing strategies we implemented in North America would not necessarily work in the Republic of Ireland.

I was eager to get underway and determined to produce substantive work early on. Unfortunately, we soon realised that we were in the midst of summer holidays. As the days passed, Dublin became increasingly quiet. It was clear I would not accomplish much in the office on Stephen's Green during the holidays, but I knew that police stations across the country would be operating routinely. In all my leadership positions, I have made it a point to spend considerable time engaging with people in the field – listening and learning from their perspectives. I thought it would be particularly important in this instance as I was an outsider. I needed to listen, learn, and build trust.

I mapped out a plan for late July, August, and early September of 2006 that would take me to dozens of police facilities located in corners of every province. At the time, there were 704 police facilities in Ireland, from one-man rural stations to large urban

headquarters. In some instances, I planned formal meetings, but in most cases, I opted for informal visits and discussions. To my surprise, I was greeted with enthusiasm and regularly heard comments such as, 'You're the first person from Dublin who has visited this station in decades,' and 'It takes a woman from Boston to get out and listen to people in the field.' While acquiring important background knowledge of the Garda Síochána during that first summer, I continued to work with Brosnan to build the Inspectorate team and complete the renovation of the facility.

The Inspectorate began its work with a blank canvas – nothing more than the broad statutory remit described earlier. We conducted a preliminary benchmarking exercise to determine whether similar inspectorates existed, reviewing, for example, organisations such as Her Majesty's Inspectorate of Constabulary (HMIC). Although I would eventually consult closely with members of that organisation, and others, in constructing the meta-cycle of my project, I also learned that the structure and remit of other inspection bodies were quite different. I thus made a conscious decision at the time to chart a unique course for the Garda Inspectorate, and, years later, I have yet to identify a similar model.

It became acutely apparent to me during my early days at the Inspectorate that the Irish police were not accustomed to scrutiny and oversight from outsiders, particularly academics. Irish academics had written historical accounts of the Garda and had assisted in interesting projects, but it seemed that few had been deeply embedded in the Garda system. I was determined to bridge this apparent divide and reached out to acquaintances in academia for guidance.

I was soon introduced to faculty at the School of Business, Trinity College Dublin, with whom I discussed the importance of developing stronger links between theory and practise and between academics and the police in Ireland. I was heartened to learn that two senior police officers, one from the Garda Síochána and one from the Police Service of Northern Ireland, were involved in graduate studies at the Business School. The meeting evolved into a discussion about insider action research and the potential opportunity for me to bridge theory and practise while serving as Chief Inspector.

During the fall of 2008, I commenced my work as a part-time PhD student at the School of Business, which enabled me to apply an action research methodology to five of the Inspectorate's core projects. During each core project action research cycle, my team and I constructed our terms of reference, mapped our project plans, took action, and reflected carefully on our results. Many recommendations for substantive change and improvements in Irish policing were developed and implemented, and with each cycle, actionable knowledge was produced and lessons were learned that further contributed to the evolution of the Inspectorate and its practises.

Certainly, the most significant knowledge contribution emerged from the action research meta-cycle. As this thesis reflects, the research methodology, processes, and workflow within the Inspectorate became more focused and robust as I progressed through the PhD programme. The Garda Inspectorate developed as an organisation and is now recognised as an effective model for independent inspection and oversight of police. I produced a model related to policing governance, grounded in research-based practises, that is built on the pillars of agile leadership, authentic engagement, and contextual intelligence.

In my role as a researcher, it was important to reflect and consider my personal experience as a career police officer, but I also recognised the importance of objectivity and exploration beyond my own observations, particularly considering the rigour demanded by doctoral level research. In Chapter 2 of this thesis, I present broadly the theory and history of modern policing in common law jurisdictions, and focus more specifically on policing in Ireland. In Chapter 3, I describe principles of good governance generally, and the recent demand for and emergence of effective governance and oversight structures for police. These reviews, coupled with the practical perspective I have developed over the course of my career, form the context within which my thesis research took place.

Chapter 2

MODERN POLICING

To achieve and manage organisational change through an action research approach, it is important to understand the context in which the project is set. Critical to understanding that context is to identify those factors – internal, external, present, historical, and cultural, – that underlie the organisation’s evolution. (Coghlan and Shani 2013) In Chapter 1, I described and reflected upon one dimension of the context within which this thesis research is undertaken - my own career experience. As a career police practitioner, I brought to this project my personal experience and commitment to core values that have shaped my career. It was equally important, however, when constructing my action research meta-cycle, and throughout this research project, to step beyond my own perspective and consider, dispassionately, the evolution of policing, as a profession generally, and more specifically as an Irish institution shaped by the political climate in which the police have played a critical role. In this chapter, I provide an objective overview of modern policing in common law jurisdictions, with focus on the evolution of policing in Ireland. As it was against this backdrop that each action research core cycle and the meta-cycle of my thesis work took place, I returned regularly to this chapter for grounding and to guide my reflections on work accomplished. Though rooting my initial inquiry in material familiar to me through my past work, I purposefully sought out unfamiliar sources that would challenge my assumptions and biases. In the end, I was struck by how much I learned about the nuance and, in many respects, fragility of the business I have been committed to for decades, and how this acquired knowledge reinforced my determination to create a sustained foundation for police oversight in Ireland.

I. History of Policing in Common Law Jurisdictions

A. Philosophy

Historians, particularly in common law jurisdictions, trace the roots of modern policing to developments in the UK during the late 18th and early 19th centuries. Sir Robert Peel is a name familiar to many, but others who made noteworthy

contributions even earlier include Henry Fielding, Patrick Colquhoun, John Harriot and Jeremy Bentham.

Fielding, a novelist and playwright, also served as Magistrate Deputy at Bow Street Court. In 1748, he organized a group of citizens who were paid public stipends for investigating and prosecuting cases. Although they did not wear uniforms, they performed part-time, routine crime prevention patrols. Referred to as the Bow Street Runners, they are recognized as London's first formal police service. (Newman 1997)

In 1797, Scottish magistrate Patrick Colquhoun convinced merchants operating along the Thames River to organize a paid police service to address serious theft. The experiment was a great success, as the small initial investment led to massive savings. Colquhoun published a book outlining the experiment entitled *The Commerce and Policing of the River Thames*. As a result of the success, the Government passed The Marine Police Bill on July 28, 1800, transferring the policing entity into the public domain, rather than maintaining it as a privately funded effort. (Paterson 2015) Colquhoun's initiative, developed by British naval officer John Harriot and supported by utilitarian philosopher Jeremy Bentham, focused on the detection of crime and the apprehension of offenders, but also promoted prevention through visibility. Noting that a police service dedicated to prevention was 'perfectly congenial to the principles of the British Constitution' (Critchley 1978, 38-39), all three recognized the need for checks and balances in the justice system and called for separation of police and judicial powers.

Other police services began to emerge as well. In 1800, police services were formed in the city of Glasgow and other Scottish towns. In 1822, the Royal Irish Constabulary was established. Many people in the United Kingdom remained sceptical of these new organisations, however. They were accustomed to their system of volunteer constables and paid shire reeves (sheriffs) who oversaw law enforcement in their local shires and the colonies. (Roufa 2014)

Population increases led to more crime and greater public order challenges. Bentham, who continued as a thought leader in the emerging field of criminology, was among those who called for a centralised police force in London to maintain order and public

safety. Sir Robert Peel, a Minister of Parliament and Home Secretary during the 1820's, embraced Bentham's proposal, but recognized it was critical to develop a proper framework to counter public concerns that the police would resemble a military or occupying force. When the London Metropolitan Police were established in 1829, eventually absorbing the Bow Street Runners and the Thames Rivers Police, the following nine principles from Peel's model for a proper and effective police service were published as guidance to all officers:

- To prevent crime and disorder, as an alternative to repression by military force and severity of legal punishment.
- To recognise always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect.
- To recognise always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.
- To recognise always that the extent to which the co-operation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.
- To seek and preserve public favour, not by pandering to public opinion, but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humour, and by ready offering of individual sacrifice in protecting and preserving life.
- To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police

objective.

- To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
- To recognise always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.
- To recognise always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them. (Home Office UK 2012; accessed 28 March 2014)

Emphasising the overarching principle that ‘the police are the public and the public are the police’ (Peel; accessed 28 March 2014), Peel consistently underscored the importance of trust, respect and community involvement in policing. He is widely recognized as the father of modern policing.

Peel’s principles remain as relevant today as they were in 1829 and continue to provide a sound foundation for democratic policing. Researchers and historians in the 20th and 21st century have accorded proper respect to Peel and his contemporaries by endorsing his original principles and, in many cases, thematically adapting them to policing in the current era.

During my research, I met with criminologist Peter Manning. At the time, he was conducting his own research, and our discussion proved to be mutually advantageous. In his subsequent writing, Manning proposed simple but sensible criteria for assessing a police service in a democracy: police should ‘support justice, enforce the law equally, and be guided by concerns for justice.’ (Manning 2010; 247) In his book, *Democratic Policing in a Changing World*, Manning helpfully chronicled the work of several modern-day criminologists, including those I reference below, and distilled the policing principles published by each, most of which coincide with Peel’s original principles.

David Bayley's work is one such example. I also communicated with Bayley during my project. He is highly respected by practitioners and I have followed his work since my early days in policing. In 1969, he published a concise, modern version of policing principles that align, as indicated below, with the original Peelian guidelines:

- *Strive to be studiously nonviolent.*

Peel established the 'minimum force' principle.

- *Reflect what people want police to enforce.*

Peel emphasised that effective policing was an alternative to military repression and severe punishment and noted that the police would only succeed with the support of the people. He asserted that the appropriate measure for police efficiency was the absence of crime and disorder, not police activity.

- *Close the gap between those who enforce the law and those against whom it is enforced.*

Peel's best-known principle, 'the police are the public and the public are the police,' emphasised the imperative of a strong bond with the community. He also underscored the importance of seeking and preserving public favour.

- *Recruit widely from various regions, groups, and social segments in the population.*

This is an extension of the same Peelian principle: 'The police are the public and the public are the police.'

- *Become a part of a growing economy, contributing knowledge and skills.*

At first blush, this appears to be an original Bayley contribution, but it is reminiscent of the era in which the Thames River Police was established. The primary purpose of that first London police service was to address a specific problem that had led to negative economic consequences. (Bayley 1969)

Echoing the same theme, historian Hsi-Huey Liang argued that democratic police should be legalistically guided, and should focus on individuals, not group politics. Undoubtedly influenced by his extensive work on policing in the German and Prussian

states in the aftermath of World War I, Liang asserted that police should eschew terrorism and torture and strive to ensure minimal damage to civility. (Liang 1970) Two decades later, Jones, Newburn, and Smith developed criteria for judging the quality of policing and police governance, emphasising equity, delivery of service, responsiveness, distribution of power, information, modes of redress, and participation. (Jones et al. 1996) Their work, specifically on these principles, also aligns with Peel's. More recently, David Sklansky published his set of requirements for a democratic police service, which include:

- Participation of citizens in some form that augments accountability of police to the people.
- Transparency of actions and decisions.
- Workplace democracy in police organisations.
- Concern for equality of service.
- Restraint in regard to actions that increase inequality.
- Concern for the risks entailed by the privatisation of police services. (Sklansky 2005)

Sklansky's position on workplace democracy and privatization reflected some of the challenges unique to 21st century police services, but certainly his call for citizen participation, transparency and equality align with Peel's legacy.

B. Policing Structures and Culture

The early principles of modern policing remain intact nearly two centuries later, but in other respects, policing has taken very different paths. Policing structures, for example, vary widely. In the UK, at the time of my research, there were forty-five territorial police services, as well as several specialised law enforcement agencies. In the United States, within a highly decentralised system, there are an estimated 18,000 federal, state, county, tribal and local police agencies operating in overlapping jurisdictions. Canadian policing is similarly decentralised with national, provincial and local agencies providing police services.

The policing structure in Ireland stands in significant contrast to the decentralised systems that evolved in the UK and North America. When the Irish State was established in 1922, the new Government created a unitary police service, An Garda Síochána. With more than fifteen thousand sworn and non-sworn members, it has a broad policing remit that spans from national security to community policing in urban and rural neighbourhoods.

There are clear advantages and disadvantages to the centralised and decentralised models. Having practised at the local, state, and national levels of policing, I know from personal experience that the decentralised system in the United States is highly inefficient and often ineffective. Turf battles frequently erupt where agencies share overlapping jurisdiction; there are often communication gaps and duplication of effort. Too frequently, there is reluctance to partner and to harness the collective resources of federal, state and local law enforcement. When serving on the Patten Commission, I heard frequent calls from academics and community members for decentralisation of policing in Northern Ireland. I recognized the need to promote community policing and to create more robust local policing structures, but I also knew from experience that a unitary system would be more effective and efficient in the end. To that point, elsewhere in the UK, rationalisation and consolidation of police agencies have accelerated in recent times, mostly in response to economic challenges.

Unique cultural influences vary between police organisations as well. Paoline asserts that both practitioners and academics recognise the importance of police culture, but notes there are varying definitions and interpretations. He observes that police culture is usually considered in negative terms, such as ‘the blue wall of silence,’ and may be an obstacle when attempting to promote accountability or drive change in policing. (Paoline 2003; 199) Personally, I take a more optimistic view of police culture. I will be the first to acknowledge the negatives, but even Paoline cites some positive aspects of police culture that should not be understated. If properly dissected and understood, the positive aspects of occupational police culture can be leveraged as a tool in the reform process.

Reflecting on the topic of culture in modern policing, it occurred to me that much has been written about ‘police culture,’ but most of the literature focuses on the

occupational culture of policing and not the *organisational* culture of police agencies. (Reuss-Ianni 1983; Sparrow, Moore and Kennedy 1992; Manning 1994; Crank 1998; Paoline 2003) I maintain that it is important to understand both and differentiate between the two when assessing, managing or reforming a police agency. It is only when the positive and negative aspects of occupational and organisational culture have been determined that strategies can be developed to mitigate the negatives and build on the positives.

1. Police Culture – Occupational

Manning and Paoline submit that occupational cultures result from the circumstances that all vocational members experience. The work of police officers, for example, is inherently dangerous and they experience stressful situations in the field on a regular basis. They encounter criminals, witness tragedies and are expected to solve a wide variety of problems that are often beyond their control. Attributing the stereotypes to these workplace stressors, much of the literature related to the occupational culture of the police portrays police as generally distrustful and suspicious of the public, possessing a ‘we versus they’ attitude, and a ‘predisposition to peer loyalty.’ (Paoline 2003; 204) Crank argued that police officers share a common culture because ‘they respond to similar audiences everywhere.’ (Crank 1998; 26)

In a rather grim assessment of the effects of occupational and organisational pressures on police, Paoline identified two outcomes: social isolation and group loyalty. Reflecting on my personal experience, I agree in some respects, but disagree in others. During my early years with the Boston Police Department, the occupational culture seemed very insular and most police officers were reluctant to venture beyond police circles, professionally and socially. There was certainly group loyalty, but it manifested in both positive and negative ways. During particularly challenging or tragic times, the camaraderie was invaluable. Blind loyalty, however, was dangerous, particularly if it undermined truth and accountability.

Sparrow et al. assert that the following unhealthy ‘set of truths’ have evolved in the police subculture that undermine partnerships between the police and the communities they serve:

- The police are the only real crime fighters.
- No one understands the nature of police work but fellow officers.
- Loyalty to colleagues counts more than anything else.
- It is impossible to win the war on crime without bending the rules.
- Other citizens are unsupportive and make unreasonable demands.
- Patrol work is only for those who are not smart enough to get out of it. (Sparrow et al. 1992; 51)

But for the reference to 'bending the rules,' I concede that this assessment was mostly accurate at the time of their writing in 1992, at least as it applied to police culture in North America. (It is noteworthy, however, that Sparrow served as a police constable for several years in the UK, likely bringing that experience into his stated views.)

Considerable research confirms the existence of a unique occupational culture in policing, but Manning was correct when he cautioned against assumptions that police values and attitudes are uniform, static, unitary, and traditional. (Manning 1994) Others also acknowledge variations in police occupational culture, associated with ranks. Reuss-Ianni conducted research in the NYPD and determined there were two occupational cultures in existence there at the time: street cop culture and management cop culture. She asserted that the street cop culture reflected the 'working class' attitudes of police officers who expected to be in the same positions throughout their careers, while the management cop culture evolved from those who were better educated and professionally mobile. (Reuss-Ianni 1983; 121)

Assuming this cultural line did exist at the time between street cops and managers, it was unquestionably blurred in many agencies in recent decades with greater numbers of recruits with stronger educational credentials pursuing police careers.

2. Police Culture – Organisational

Paoline distinguishes universal occupational culture, which focuses on similarities across organisations, from organisational culture, which is specific to a particular entity that is part of an overall occupation. (Paoline 2003) Schein, similarly, describes

occupational culture as determined by front-line workers, as opposed to organisational culture, which is dictated from the top down. (Schein 1992) J.Q. Wilson, who published a well-known study comparing several police agencies, also noted that the top police leader defines a department's organisational culture. He concluded that there are three different organisational styles of policing: legalistic, watchman and service. Legalistic organisations have a strong emphasis on law enforcement; at the other end of the spectrum are service organisations that are more concerned about maintaining order. (Wilson 1968)

The organisational culture of a police service is no doubt highly influenced by the culture, history and politics of the community it serves. For instance, when creating An Garda Síochána in 1922, on the heels of a bloody war of independence and subsequent civil war, the newly established Irish government rejected a highly legalistic/law enforcement model and opted for a routinely unarmed, service-oriented police organisation. Conversely, police agencies in the United States have been routinely armed since the first departments were established in the nineteenth century and have gravitated toward a more legalistic, law enforcement style.

In Northern Ireland, the subject of policing has prompted contentious debate for many years. Prior to the reforms generated by the Peace Process, Nationalists saw the Royal Ulster Constabulary (RUC) as a British institution representing the Protestant Unionist Community. The police were neither trusted nor respected by most Catholics. In recent years, much has been done to reform policing in Northern Ireland with the establishment of the Police Service of Northern Ireland (PSNI), the accelerated recruitment of Catholic officers, and a conscious effort to respect and honour the traditions of both communities.

Upon reflection, albeit with less familiarity at the time with organisational culture than with occupational culture, it occurred to me that service organisations would be most closely aligned with Peelian principles. I was particularly struck that many police departments in the United States, particularly in large cities, had gravitated toward the more legalistic/law enforcement model by the time I commenced my career. In doing so, they had drifted from Peel's policing model, and many have spent decades struggling to realign with it.

C. Police Operations

Police are tasked to provide service, maintain order and enforce the laws, but as Peel and others have emphasised, agencies must balance these responsibilities in a manner that promotes community trust. Too often, police agencies place disproportionate emphasis on law enforcement; performance is measured in terms of headline crime statistics, response times for emergency calls, number of arrests executed, and cautions issued. Crime fighting may be the top priority, but crime rates have continued to soar and tensions between the police and the community have increased in many jurisdictions that focus primarily or exclusively on enforcement strategies.

Greater collaboration between police practitioners and academics in the late 20th century brought needed change to policing theory in the US. *Broken Windows* (Kelling and Wilson 1982) was the first in a series of publications acknowledging the failures of the autocratic, 'rapid response' model that emerged in North America in the 1960's. The authors proposed a new framework of proactive policing that emphasised the need to address quality of life issues and low-level crime in order to prevent the emergence of more serious crime and disorder. The authors further developed their 'Broken Windows' theory in *Thinking About Crime* (Wilson 1983) and *Making Neighborhoods Safe*. (Kelling and Wilson 1989) In *Fixing Broken Windows*, Kelling and Coles (1996) weighed the benefits and costs of the rapid-response policing model, ultimately concluding that the greatest costs were reduced interaction with the community and lost opportunities to prevent crime and disorder. In *Problem-Oriented Policing*, emphasizing that police deal with a wide range of problems including but not limited to law enforcement, Goldstein (1990) highlighted the need for a more strategic and focused approach to crime prevention and other aspects of policing.

Progressive police practitioners embraced these theories because the researchers had spent considerable time in the field establishing productive relationships with police leaders and front-line cops. They tested their theories in the real world of front-line policing. Kelling's collaboration with New York City provides one widely cited example.

Following his appointment as NYPD Commissioner in 1994, William Bratton developed a successful policing strategy based largely on the advice of Kelling. Applying the Broken Windows theory in the real-world laboratory of New York, NYPD began to pay equal attention to community policing and quality of life issues, rather than focusing exclusively on headline crime. 'Prevention' and 'intervention' may have emerged as new buzzwords in the contemporary police vocabulary, but they were certainly reminiscent of Peel's legacy.

When implementing a more community-oriented, integrated policing approach in Massachusetts at that time, others and I forged strong alliances between the police, clergy, courts, probation, parole, education, social services, health services and the community. Partnerships flourished, community trust grew, serious crime declined and the quality of life improved in neighbourhoods throughout the state.

In harnessing criminal justice resources and those of the wider community, this new model of collaborative policing allowed police managers to become more focused, using timely and accurate information to highlight crime hotspots and identify prolific offenders and repeat victims. This is not to sidestep the very real fact that guns, gangs, drugs, and other complicated issues continue to challenge many communities. Enforcement remains important, of course. But, as Paoline and others have likewise noted, the emphasis on prevention, intervention, and other Peelian principles of community engagement has reshaped both occupational and organisational police culture, and thereby fostered more effective policing. (Cox et al. 2013)

D. Composition of Police Services

To gain the trust and confidence of the community, a police organisation must reflect the community it serves. Northern Ireland stands out as a clear example of this point. When implementation of the reforms urged by the Patten recommendations commenced in 2001, 92% of the police in Northern Ireland represented the Protestant community. Even among Protestant Unionists, there was broad recognition of the need to attract Catholics to the newly established PSNI. Past conflicts and continuing tensions, however, posed significant barriers to an effective recruitment scheme. Policing, and its interplay with political conflicts, had been a

highly contentious issue in Northern Ireland for generations; indeed, family and friends were often known to disown Catholics who joined the former RUC. In some instances, they were singled out as targets by Republican paramilitary operatives who viewed them as traitors.

In one of its most controversial recommendations, occasionally referred to as 'positive discrimination,' the Patten Commission called for an ambitious plan to modify recruiting efforts to develop a critical mass of Catholics in the PSNI. As of an April 2014 report published on the PSNI's website, the percentage of Catholics employed at that time in the sworn ranks had grown to 31% and the non-sworn staff percentage was 19%. (Police Service of Northern Ireland, accessed 9 April 2014)

Much of the focus in Northern Ireland was on religious diversification, but it is equally important that a police organisation strive as well for balance with respect to its officers' race, culture, language, gender, sexual orientation, education, and socio-economic background. North American police services have struggled in this regard in recent decades, particularly with respect to diversity of race. Some organisations have been forced by court decrees to positively discriminate in favour of racial minorities to reflect their communities. Under a 1974 Consent Decree overseen by the Federal Court, for example, the Boston Police Department implemented a '50-50' rule for the composition of each recruit class – hiring one person of colour for each white person hired. This practise remained in place for 30 years, until the percentage of black and Hispanic officers in the organisation reflected their percentage in the City's population. (Murphy and Allen 2004) Most police departments in modern democracies now recognize the importance of workforce diversity and strive voluntarily to attract a candidate pool that is representative of the communities they serve.

An Garda Síochána has an impressive history of affirmatively seeking a diverse candidate pool. For example, in 1959, long before most North American police departments hired women for routine patrol assignments, the first twelve female police officers were hired in Ireland. Presently, more than 30% of sworn members are women, a percentage that is substantially higher than most modern police services.

E. Bringing Effective Business Practises to Policing

A significant weakness in modern policing is the general lack of business acumen in senior police ranks. Traditionally, and historically, senior management positions are filled from within the organisation, with sworn personnel who have risen through the ranks of operational policing and investigations, few of whom have been prepared to serve as managers and leaders. My own appointment to the position of Secretary of Public Safety in Massachusetts in 1994 is one such example. I had served in policing for fifteen years, had the benefit of a law school education, and had gained valuable administrative and management experience, but even that was inadequate to fully prepare me for the responsibility of overseeing twenty agencies and commissions, ten thousand personnel and an annual operating budget more than one billion dollars.

In moves that have challenged a well-established pillar in the occupational culture of policing, agencies are increasingly turning to civilian expertise to fill executive level positions – positions that police are either not qualified to perform, or that do not require a sworn commission to perform. This is a trend I have embraced and promoted. When I served as Commissioner in Boston, I hired a highly capable individual who had served as a senior manager at a large investment firm. He replaced a sworn police Superintendent (equivalent in rank to a Deputy Chief or Deputy Commissioner) responsible for all Administrative Services. He oversaw budget, human resources, information technology, training, and many other facets of the business. We were managing during very challenging fiscal times and his experience was invaluable. During my more recent service as the Chief of the Seattle Police Department, more than half of my executive command staff were civilians, all of whom hold one or more advanced degrees.

Police services in North America and the UK, where civilianisation has gained great momentum in recent decades, have outpaced Ireland in this area. In 1965, for example, sworn police in the United States outnumbered civilian staff by a ratio of 8.3 to 1; three decades later, that ratio changed dramatically, dropping to 2.6 to 1. (Forst 2000) In the United Kingdom, non-sworn personnel hold 40-50% of the positions in police services. In contrast, when I assumed the position of Chief Inspector in 2006,

only 7% of Garda personnel were non-sworn, and most of them served in clerical or other support positions.

II. History of Policing in Ireland

In addition to robust knowledge of the history of democratic policing generally, it was critical for purposes of my work with the Inspectorate to have a keen appreciation for the history of Irish policing in particular. While a full and thoughtful history of policing in Ireland would clearly warrant a tome unto itself, for purposes of contextualising my work with the Inspectorate and this thesis, I provide a synopsis in the remaining portion of this chapter.

A. Establishment and Evolution of Formal Irish Police Services

The first organised police service in Ireland was established under the Dublin Police Act of 1786. At that time, Dublin was the second largest city in the British Isles. The Dublin police were uniformed and armed, and operated under a centralised command system. One year later, the Baronial Police, often called the ‘Old Barneys,’ were established to provide security elsewhere in the country, in rural areas outside of Dublin. Reflecting the authority of the Church of Ireland, membership in the Baronial police was limited to Protestants. The Old Barneys wore uniforms, but only addressed issues related to minor crime and disorder; serious threats were addressed by the military.

In 1795, the Dublin Police were replaced by an unarmed civil police service, comprising approximately four hundred police constables and forty mounted personnel. This service was met with some degree of suspicion; many Irish drew similarities between this new police service and the Gendarmerie, the French National Police that was an unpopular force in many circles at the time.

1. 19th Century

The population in Ireland grew rapidly throughout the 19th century, from an estimated 5 million at the beginning of the 19th century to 6.8 million at the time of the 1821 census. O’Grada noted another startling increase to 8.5 million on the eve of the famine. (O’Grada 1995) ‘Such a rate of population growth further compounded the

already serious social and economic problems affecting rural Ireland. The decades before the famine were characterised by persistent and frequently violent outbreaks of rural unrest, chiefly through the activities of agrarian secret societies.’ (Brooks; accessed 13 April 2014) In response to these concerns and the ‘overwhelming failure of rural authority,’ Sir Robert Peel, then serving as Chief Secretary to Ireland, established the Peace Preservation Force in 1814. (Foster 1990; 294) The force was initially sent to support the baronial police in areas experiencing the most significant problems, but over time, grew to perform much of the work previously done by the militias and the army.

Peel recognised the need to address the crime and disorder in rural Ireland, but the Peace Preservation Force received a mixed reception. Some appreciated the improvements in public order, while others resented the cost of it. Even as it replaced the military in many locations, it regularly had to call on the military for assistance. Connolly noted that establishment of the Peace Preservation Force ‘involved government taking on new functions and a style of administration that diverged sharply from that in contemporary Britain.’ (Brooks; accessed 13 April 2014)

More troubling challenges began to emerge in the 1820’s, when ‘alongside local, socio-economic grievances, deeper religious and political strands could clearly be detected.’ (Brooks; accessed 13 April 2014) In the North, as Derry and Belfast grew into urban centres, police services were established in both towns in 1816. The Belfast Police remained in place until 1865, when they were disbanded and replaced by the Irish Constabulary following serious sectarian violence. Likewise, following a violent incident in which rioting Apprentice Boys were killed, the Derry Police were eventually disbanded and replaced by the renamed Royal Irish Constabulary in 1870.

The Irish Constabulary had been established as the first permanent, nationwide police service in 1822, by way of the Irish Constabulary Act. Under this Act, four provincial police headquarters were created (in Armagh, Philipstown, Ballinrobe, and Ballincolig), and the service was responsible for rural areas outside of Dublin, Belfast and Derry. In 1836, two major policing acts were passed, each with significant impact on the centralisation and reform of policing services. The Constabulary Act, passed on the 20th of May, centralised the command of the police under one Inspector General at

Dublin Castle, eliminating the four provincial headquarters. (Later, in 1846, a new headquarters and training depot were opened in Phoenix Park, the present location of Garda Headquarters.) This reformed Irish Constabulary was generally well regarded. The Act established the size of the service at 10,500 men, but subject to change; during the 1850's, the number grew to 13,000, and up to 14,400 in the 1880s. Personnel were assigned to more than 1500 small barracks throughout the country. (Westman 1979)

The Dublin Police Act of 1836 was subsequently passed on 4 July 1836. The Act created the Dublin Metropolitan Police and transferred authority for the police from the Dublin Corporation to the Government. The new organisation hired 1200 men, assigned to seven police districts. (Westman 1979) Like their counterparts in the London Metropolitan Police, police in Dublin were unarmed; their uniforms even resembled those worn in London. A civilian Commissioner, who was a magistrate rather than a Chief Constable, led each department. The Dublin Metropolitan Police remained in place until 1925 when they merged with An Garda Síochána.

In 1867, to honour the constabulary for its success in putting down the Fenian Rising, Queen Victoria changed its name to the 'Royal' Irish Constabulary (RIC). It was the first police service to be so awarded the 'Royal' title by the British Monarchy. By 1900, the RIC had personnel assigned to approximately 1600 barracks around the country. The clear majority (70-80%) of its members were Roman Catholic.

2. 20th Century

The Irish War of Independence, beginning in 1919, decimated the RIC. Beginning with two RIC members assassinated in County Tipperary, almost 400 RIC members would die over the next two years, and many more were seriously wounded. Others were pressured to resign due to the political tensions. Éamon de Valera and other members of the newly established government deemed the RIC an arm of a foreign country, and set up their own police force, the Irish Republican Police, in 1920.

In March 1920, the RIC Special Reserves were created by Winston Churchill, then British Secretary of State for War, to provide reinforcements for the RIC. Recruited from England, Scotland and Wales, they were veterans returning from World War I,

and were dubbed the Black and Tans to reflect their uniforms – half police/half army. Their main purpose was to assist in fighting the Irish Republican Army. Four months later, the RIC Auxiliary Division – known as the Auxies – was created, also to support the RIC. Likewise, most were former military officers from Britain, again recruited to assist in combatting the IRA. Republicans despised the Black and Tans and the Auxies, and both sides committed atrocities. For instance, following the murder of eleven English intelligence officers, the Black and Tans fired into a crowd at Croke Park on 21 November 1920, killing twelve people and injuring sixty more.

The truce of July 1921 ended the Irish War of Independence. While the Dublin Metropolitan Police remained intact, on 21 February 1922, the Civic Guard, an armed police service, was established to police in the Irish Free State outside of Dublin. The Royal Ulster Constabulary was formed on 1 June 1922 to police the North, which remained under British rule. The RIC was disbanded, though over the next few years, many former RIC officers (still resented by many) joined the Civic Guard in the Republic. Some were assigned as training instructors, and during the Kildare Mutiny a group of police recruits turned on them. Following that incident, a decision was made to disarm the Civic Guard. (The Dublin Metropolitan police had remained unarmed.)

The Civic Guard was renamed An Garda Síochána in 1923. Translating from Irish to English, the term means ‘Guardian of Peace.’ The Dublin Metropolitan Police merged with An Garda Síochána in 1925. At the same time, the Minister for Home Affairs dismissed a proposal to create a police committee or watch authority.

B. The Evolution of An Garda Síochána

Michael Staines, the first Garda Commissioner, was a pro-treaty member of Dáil Éireann. He served as Commissioner for only eight months, but was well regarded for his brief leadership. Staines was ahead of his time in recognising the importance of police legitimacy and he set a very important tone for the new police service. He promised that the new police service would triumph, ‘not by strength of numbers or by force of arms but by the moral authority of the people.’ (Brady 2014, 18) Today, the Irish police continue to perform as a routinely unarmed service.

Eoin O'Duffy succeeded Staines in September 1922 and remained in the position for more than a decade – a tenure marked by efforts to distinguish the Garda from its RIC predecessors through an emphasis on Catholic nationalism. In February 1933, he was eventually dismissed for encouraging a military coup.

Eamon Broy succeeded O'Duffy and remained in the position for five years, from February 1933 until June 1938. A former National Army Colonel during the Irish Civil War, Broy oversaw the creation of the Auxiliary Special Branch of the Garda, comprising IRA veterans tasked to address IRA holdouts. He eventually retired in the ordinary course of business.

Michael Kinnane, who succeeded Broy, had a remarkable run as Garda Commissioner. He served more than fourteen years, from June 1938 until July 1952. Between 1943 and 1952, during Kinnane's tenure, there was no Garda recruitment. As a result, the average age in the force continued to climb; most personnel reached their 50's and 60's by the end of his leadership.

Daniel J. Costigan was appointed as the 5th Garda Commissioner in July 1952 and served until February 1965. He was a young reformer from the Department of Justice and ahead of the times, not just in Ireland, but when compared internationally to other police leaders of that era. Among his reforms, he created an Organisation and Methods office, launched the Garda K9 unit, enhanced the Technical Bureau and introduced a new uniform. He established the Juvenile Liaison Scheme – a progressive diversion programme. He also organised the SDU (Special Detective Unit), a limited intelligence operation, and created a Crime Prevention Unit in the DMR. In 1959, he hired the first twelve women, known as *ban gardaí*, to perform visible patrol.

Costigan was also the first to recognize the importance of professional development in the organisation. He authorized a Garda representative to attend the UK Police College at Bramshill and, similarly, approved the attendance of Garda managers at FBI leadership programmes in the United States. In 1964, when hiring increased, Costigan opened the training college at Templemore.

But for the IRA Border Campaign between 1956 and 1962, the political climate in Ireland was mostly calm during Costigan's tenure. Brady remarks that there was limited support and sympathy for the IRA in the Republic at the time. The Garda Síochána addressed the IRA seriously, but cooperation with the RUC was limited. (Brady 2014)

The first significant labour dispute in the Garda Síochána – the Macushla Revolt – unfolded in November 1961 when young gardaí launched a work slowdown over pay issues. Eleven of the organisers were fired by Costigan, but were soon reinstated when the Archbishop of Dublin intervened. As Brady suggests, this marked a 'watershed moment for police labour relations.' (Brady 2014; 25)

In 1962, new regulations allowed for the creation of three representative bodies: the Representative Body for Guards (RBG), Representative Body of Chief Superintendents and Superintendents (RBCSS), and the Representative Body for Sergeants, Station Sergeants and Inspectors (RBISS). Together, these three bodies constituted the Joint Representative Body (JRB).

John Marrinan, who was twenty-eight years old at the time of the Macushla Revolt, was one of the eleven dismissed. Soon thereafter he was elected General Secretary of the newly established RBG. He served in that position until 1989 and, over the course of those many years, had great impact on the development of the organisation.

Marrinan and his RBISS counterpart, Thomas O'Reilly, were smart, well educated and politically savvy. Together, they became a powerful team, and to this day are well known, not only for their work to professionalize the police, but also for setting the stage for powerful representative associations. During the 1960's, as politics became more prevalent in policing, it became commonplace for members to seek political support for promotions, and politicians in turn saw the police as a source of political patronage. (Brady 2014)

When Costigan resigned in 1965, then-Minister of Justice, Brian Lenihan Sr, proposed an internal candidate as his replacement. William P. Quinn was appointed in February of that year. He was the first Commissioner to rise through the ranks from the position of Garda, but was nearing retirement when appointed and only served in the

position for two years. Patrick Carroll, another career police officer but also a lawyer, was appointed. He served only eighteen months, retiring in September 1968. During the Quinn and Carroll years, police faced increasing challenges. It was a period of considerable growth in Ireland, but with that growth came more challenges for the police. Traffic accidents and public order incidents increased significantly. Crime was also on the rise.

The third consecutive Commissioner selected from the ranks was Michael Wymes. When he was appointed in 1968, he faced the greatest challenges of any Garda Commissioner since the War of Independence. The tension in Northern Ireland had had a ripple effect and now threatened State security in the Republic. Crime continued to be a challenge and labour tensions increased.

A strong civil rights movement emerged in Northern Ireland as armed police confronted Catholics daily. In Derry, on October 5, 1968, the RUC clashed with those participating in a demonstration and ignited tension that resulted in violent protests and rioting. Also, on 30 January 1972, during Wyme's tenure as Commissioner, thirteen unarmed civil rights protesters were killed by British soldiers in Derry, an event marked in history as Bloody Sunday. For approximately three decades to come, the violence – which came to be known as The Troubles – continued in Northern Ireland.

Although the Garda Síochána had primary responsibility for state security, the service itself had limited security and intelligence capacity when The Troubles erupted. Nor was Irish military intelligence prepared for the challenge. Republicans became more active in the South, organising robberies for weapons and funds to support their efforts in the North. Sometimes there were obvious links between republicans and representatives of Government, and the fact that there was little political or community consensus on Northern issues made for significant challenges in policing.

In response to pressure from representative associations, the Commission of Inquiry into Garda remuneration and conditions (Conroy Commission) was established. The JRB, led primarily by Marrinan and O'Reilly, prepared robust submissions for the group. In addition to pay, working conditions and equipment, they called for other

reforms. They advocated for a modern police service, based on best international practises. They called for elimination of military practises held over from the RIC and higher educational and recruitment standards for police. They recommended better management structures and a research and development unit. At the height of labour tension, in 1969, gardaí demonstrated against the discipline system and the decision to deploy one-officer patrol units. They organised a 'blue flu' and many members called in sick.

The Conroy Commission was responsive to the concerns and recommendations the JRB presented, recommending pay raises and overtime eligibility for guards, sergeants and inspectors. The Commission addressed management issues, noting that pay and conditions were only part of the problem. Unfortunately, the Commission's recommended study of the 'role, organisation and personnel policy of the force and, in particular, its relationship with the Department of Justice' did not take place. (Brady 2014; 5)

The implementation of Conroy recommendations, however, was soon eclipsed by other challenges. As Saor Eire, one of the Republican factions, continued to gain traction, gun thefts and bank robberies became more frequent.

On 3 April 1970, Garda Dick Fallon was shot and killed in the line of duty when responding to an alarm at a Royal Bank of Ireland facility in Dublin. It was the first murder of an armed policeman in forty-four years. There was public outcry following the murder and eventually three Saor Eire members were arrested, but later acquitted. A government crisis soon unfolded; on 6 May 1970, two members of cabinet, Charles Haughey and Neil Blaney, were terminated for their alleged links to Saor Eire paramilitaries who had attempted to arrange a shipment of arms to the State.

Security challenges continued to grow in the early 1970's. Three separate Republican organisations were then operating in the South: the Provisional IRA, the Official IRA and Saor Eire. The Government and the police became more determined to address paramilitary activity, as evidenced by the creation of special courts to accommodate cases related to State security and a decision to designate a separate military prison

for such prisoners. In June 1972, it was discovered that the British were involved in secret talks with the Provisional IRA, and it also became apparent that Garda intelligence had been infiltrated by the British security services. At one point, it was discovered that a Sergeant in C3 (Intel) had provided information to the British.

The highest number of casualties from the Troubles was recorded during 1972. Demonstrations and marches increased in the Republic. Gardaí were significantly challenged by these public events, as they lacked the training and equipment to deal with public order issues. Crime, which had doubled in ten years, was rising and drugs were becoming more prevalent.

Patrick Malone was appointed Garda Commissioner in January 1973 and served until September 1975. Government, too, changed shortly after his appointment. Crises and threats to security continued unabated. On 28 March 1973, following a tip from Scotland Yard, the Irish Navy intercepted a ship containing five tons of weapons, which originated in Libya and were intended to support Republican efforts. On 3 October 1973, there was an embarrassing escape of IRA prisoners from Mountjoy prison when a helicopter landed in the prison grounds, escapees boarded, and the aircraft departed. Following that episode, Portlaoise was designated as the facility for IRA prisoners.

Minister Cosgrave convened an inquiry, headed by High Court Judge Thomas Finlay, to investigate the incident at Mountjoy. The inquiry eventually produced four reports listing many significant findings and recommendations, including the following:

- The Garda and the Defence Forces were understaffed and under-resourced.
- Staffing in C3 (Garda Intel) should be increased immediately and it should be overseen by an Assistant Commissioner.
- A Garda Protection Division should be established in the Crime Branch.
- Stronger cooperation between the Garda and Defence Forces is necessary.

In December 1973, at a time when the relationship between the two governments was improving, Irish and British representatives signed a communiqué with provisions for new cross-party and cross-border institutions to address a wide range of issues. A

Council of Ireland was proposed to address a wide range of issues, such as trade, agriculture, tourism and public health. The document also stated a commitment by both Governments to bring people to justice for all types of murder. There was an understanding that two police authorities would be created, one in the North and one in the South. Both would report in some way to the Council of Ireland. Many of the recommendations seemed sensible, but unionists rejected the communiqué, and none of the recommendations materialized. For the second time in Garda history, there was serious speculation about the creation of a policing authority (the first was in 1925). In the North, a policing authority was established.

On 17 May 1974, just weeks before the position of Assistant Commissioner, C Branch, was approved and Edmund Garvey assigned to oversee State security, there were thirty-four violent deaths in the Republic related to the Troubles in the North. It was the greatest number of deaths in one day since the beginning of the violence. Twenty-six people and an unborn child died in Dublin and seven died in Monaghan when loyalist car bombs exploded in both locations. Subsequent inquiries exposed serious weaknesses in security services and difficulties between the police and Government. The inquiries also underscored lack of effective collaboration between the Garda Síochána and the RUC.

The Report of the Independent Commission of Inquiry into the Dublin and Monaghan Bombings was released in 2004 (Barron Commission), more than thirty years after the bombing, and focused mostly on investigative failures. It noted that the greatest problem was the Garda understanding that Government policy discouraged cooperation with the RUC.

A second body, the Commission of Investigation into the Dublin and Monaghan Bombings 1974, was subsequently established in 2005 to address issues that were not included in the Barron review. The Commission focused more on police weakness prior to the events, rather than post-event investigation. In its report, the Commission noted that previous recommendations to improve intel and security units had been ignored. The report also noted that the *Garda Manual for Crime Investigation*, published in 1946, was still being used in 1974. (McEntee Commission 2007)

In September 1975, Edmund Garvey was appointed Garda Commissioner. He served in the position until January 1978. In this instance, Government passed over two deputies with seniority and selected Garvey, citing his security experience. During Garvey's tenure, however, several high-profile incidents occurred. Garda Michael Reynolds, unarmed and off-duty, was murdered following a bank robbery. There was also the kidnapping of a Dutch business leader, Teide Herrema, near Limerick to leverage the release of paramilitary prisoners. On 21 July 1976, the Provisional IRA assassinated Christopher Edward Biggs, the British Ambassador to Ireland. A few months later, one officer was killed and three others injured in the Garryhinch bombing, responding to a residence that was booby-trapped.

Police morale again deteriorated during this period as members complained of pay conditions, heavy workloads, lack of equipment and inferior accommodation. Crime continued to rise significantly as well: in 1976, reported crime rose 12.4% nationally (Dublin 11.4%, Wexford 32.1% and Limerick 36%). (Central Statistics Office Ireland 2015)

When Fianna Fail returned to power in 1977, Commissioner Garvey lost his political support and the GRB called for his removal. In January 1978, he was offered the opportunity to resign; when he refused to do so, he was sacked. He eventually sued the State for wrongful termination and won his case, with the court finding that the termination process was flawed.

Deputy Commissioner Patrick McLaughlin succeeded Garvey. It seems he was selected, in part, because of his high popularity among members. He served from January 1978 to January 1983. In the months following McLaughlin's appointment, many of the representative associations' issues were addressed. That year, the GRB was renamed the Garda Representative Association (GRA) and the RBISS became the Association of Garda Sergeants and Inspectors (AGSI). The associations were given permission to hold annual conferences. Members also received significant pay increases that year.

In April 1978, Judge Briain published his review of Garda operations, offering twenty-two recommendations, including the suggestion that an independent body be created

to investigate complaints against the police, and another suggesting that Government create a police authority. The Government ignored both recommendations, marking the third failed effort in Garda history to create a policing authority.

In 1979, Lord Louis Mountbatten and three others, including two teenage boys, were murdered in a blast just offshore Mullaghmore Village. Three additional people were seriously injured. Occurring two years after the murder of the British Ambassador, this incident underscored continuing weaknesses in security. The police quickly made two arrests. One of the suspects was convicted and sentenced to life; the other was found not guilty.

In 1980, concerns about crime increased following the 1979 rape and strangulation of Phyllis Murphy, a local woman whose body had been found a month after she disappeared. Armed robberies and other gang crimes also increased. A Special Task Force was launched; robberies decreased, but drugs became more prevalent. Gangs began to focus on small banks and post offices in towns outside Dublin. On 7 July 1980, two guards were killed in Ballaghadreen, Roscommon following a bank robbery. Three suspects with INLA connections were arrested and convicted. That same year, on 13 October, a detective was also murdered in Callan, Kilkenny following a bank robbery.

The Garda organisation reached 9700 members in 1980, following a significant hiring campaign, but the GRA complained about the quality of recruitment and training. They also noted there was no professional development for managers.

In 1981, important new technologies were introduced. IBM was contracted to develop a computer system at Headquarters, a command and control centre was designed, and a new radio system was launched.

Taoiseach Charlie Haughey, who was serving the first of his three non-consecutive terms between 1979 and 1992, made clear he wanted to be involved in security decisions. Considering his previous involvement in the 'arms scandal,' this prompted many concerns.

When Garrett Fitzgerald resumed leadership, he and Justice Minister Noonan tasked Deputy Commissioner Laurence Wren with oversight of a telephone tapping

investigation. Evidence soon emerged that confirmed the secret taping of conversations of senior politicians and media representatives. It led to the conclusion that the Garda Commissioner and the commanding officer of C3 had to be terminated. Under pressure, the Commissioner retired.

Laurence Wren was appointed Garda Commissioner in 1983 and served until 1987. Like several of his predecessors, Wren had distinguished himself in the area of security with his prior service in C3. There were many high-profile events during Wren's tenure, related to both security issues and 'ordinary' crime. Brady notes that from the beginning, 'he was confronted with a series of Garda deaths, unsatisfactory operational outcomes and high-profile coups by criminals.' (Brady 2014; 549) Several kidnappings also occurred on his watch.

During the 1980's, the GRA and AGSI did not align as closely as before, but both groups remained committed to the establishment of an independent police authority.

In September 1984, the Irish Naval Service confiscated seven tons of weapons that were destined for the IRA from a ship off the Kerry Coast. Several significant IRA arrests were made after that. Security challenges continued to be of paramount concern. Danger to gardaí was increasing, with several murders of policemen during the commission of paramilitary crimes.

1984 was also a difficult year in terms of crime investigations. There was a botched investigation of an infant death in Kerry that attracted international attention. Once again, Garda standards for investigation were called into question. The case led to a tribunal chaired by Mr Justice Kevin Lynch. The Tribunal findings observed that many previously recommended reforms had never been implemented.

Wren's successor was Eamonn Doherty, who served for a short period from November 1987 to December 1988. Doherty was known as a staunch advocate for improved police education and training. Although recruitment was frozen throughout his tenure, he advocated for better programmes, facilities, and staff going forward. Shortly after his retirement, a class of student gardaí was hired and were the first required to attend the new two-year training programme.

Commissioner Eugene Crowley served from December 1988 to January 1991. He reinforced Doherty's commitment to training and education. The continued focus led to the recognition of the Garda College as a third level institution and allowed police to receive a National Diploma in Police Studies. Also, officers of senior rank were eligible to receive bachelor degrees in Police Management.

Levels of cooperation between the Garda Síochána and the RUC varied, often depending on the relationships between governments at any given time. Following the negotiation of the Hillsborough Agreement in 1985 between the Thatcher and Fitzgerald governments, greater cooperation emerged, but the relationship was tested following the murders of RUC Chief Superintendent Bob Buchanan and Superintendent Harry Breen in March 1989. They were ambushed by IRA members after returning North from a meeting at the Dundalk Garda station. Rumours surfaced of an IRA mole at the Dundalk station. Two Garda inquiries and an independent investigation (launched in 2006) followed. The Garda reports indicated there was no hard evidence of collusion. However, in the more recent, independent probe, Judge Smithwick highlighted suspicious contacts between three members of An Garda Síochána and the IRA. He could not produce specific evidence against any individual, but concluded it was probable there was Garda collusion in the case. He dismissed the results of the earlier Garda investigations. (Smithwick Tribunal 2013)

Patrick Culligan became Garda Commissioner in January 1991 and served in the position until July 1996. He and his two deputy commissioners, O'Reilly and Moran were commonly known as 'the three wise men.' Their appointments prompted an expectation of bold reform. Within a few months, they drafted the Garda Corporate Strategy Policy Document (CSPD) 1993-1997. It was the first long-term strategy document published by the police. The original Garda mission statement from 1922 was expanded and restated. Each Garda district and division was required to prepare a unique policing plan to align with the overarching strategy, and all plans included performance metrics. A new annual report was designed, as well as a quarterly management publication.

There were encouraging signals in Northern Ireland at the time and the relationship between the two governments seemed to improve. Culligan worked collaboratively

with Sir Hugh Annesley of the RUC to build stronger links between the two police services.

For decades, the primary focus of An Garda Síochána had been State security. It appeared they could now dedicate more attention to ordinary police work. Culligan seemed determined to focus more on crime, particularly drugs and robberies. Aligning with other progressive international police leaders, Culligan spoke of the need to partner in multi-disciplinary teams and emphasise crime prevention and intervention strategies. Nonetheless, Culligan's team also struggled with increasing crime and operational challenges. In the final months of his tenure, there were two high-profile murders that fuelled fears of organised crime. On 7 June 1996, an IRA gang in the town of Adare murdered Detective Jerry McCabe. Weeks later, on 25 June, Veronica Guerin, a crime reporter for the Sunday Independent, was shot and killed by an operative from a well-known crime gang.

Patrick Byrne was appointed Garda Commissioner in July 1996, and inherited these high-profile investigations. In addition to the major investigations, Byrne was also responsible for the launch of the Criminal Assets Bureau (CAB), a multidisciplinary team agency established by Government to pursue and secure the proceeds of organised crime. Under the direction of then Chief Superintendent Fachtna Murphy and Solicitor Barry Galvin, CAB became an effective tool in addressing organised crime.

During the period of Byrne's service as Commissioner, many positive developments emerged in Northern Ireland. Throughout his tenure, Byrne maintained strong alliances with his counterpart at the RUC, and later, PSNI. The Belfast (Good Friday) Agreement was signed in Spring 1998 and the Independent Commission on Policing in Northern Ireland (Patten Commission) produced a new policing framework that led to the establishment of the PSNI. (Independent Commission on Policing 1999)

Most notable during Byrne's tenure were the developments around policing in Donegal. Only three months following Byrne's appointment, a man named Richie Barron was discovered dead on the roadside in the small town of Raphoe. The local police seriously botched the initial investigation, and further investigation revealed

evidence of corruption and incompetence. The case eventually led to the ‘Tribunal of Inquiry Set up Pursuant to the Tribunal (Evidence) Acts 1921-2002 into certain gardaí in the Donegal Division’ (Morris Tribunal), established in March of 2002.

Three months following the establishment of the Morris Tribunal, there was a general election. Fianna Fail and the Progressive Democrats formed a coalition. Michael McDowell, a founder of the Progressive Democrats and former Attorney General, was appointed as Minister of the Department of Justice. The next year, on 20 July, Patrick Byrne retired and Noel Conroy was appointed to succeed him as Commissioner.

Conroy had a strong track record as a successful investigator. For the first time in decades, security concerns were not at the top of the Garda Commissioner’s agenda. Conroy focused on crime, but also faced the fallout of the on-going tribunals and the development of new police oversight structures. To put these challenges in context, the following is a synopsis of the tribunals and the legislation that emerged during this period.

- The Honourable Mr Justice Frederick Morris, former President of the High Court, and sole member of the Morris Tribunal. developed comprehensive terms of reference to address matters of ‘urgent public importance.’ The Tribunal conducted its work over the course of six years. It published a total of eight significant reports, most of them during Conroy’s tenure. Throughout the course of its review, national and local media covered the Tribunal daily. The Morris Tribunal focused only on the behaviour of rogue officers in Donegal, but it dealt a serious blow to public confidence in An Garda Síochána.
- Just four months after establishment of the Morris Tribunal, the Government announced another high profile, sole member tribunal to review Garda practises. In July 2002, Mr Justice Robert Barr was selected to assess the facts and circumstances related to the fatal police shooting of John Carthy of Abbeylara, County Longford. Carthy, who had a history of mental health issues, was armed when he refused to open the door to police and barricaded himself in his home. After a long standoff, during which Carthy fired his weapon randomly on several occasions from his home, he finally exited, brandishing the gun. Sadly, he was shot

and killed by police within seconds. While the Barr review did not uncover any police corruption, it did raise serious questions and concerns relating to Garda practises, procedures and training. This tragedy and the tribunal that resulted from it also received considerable media attention.

In his reports, Judge Morris highlighted indiscipline in the force. Politicians felt pressure to address the mounting issues. At the same time, the newly established Police Service of Northern Ireland was gaining momentum as a model for modern, accountable policing. In contributing to the development of new structures in the North, Irish Government officials came to the realisation that a similar framework could enhance policing in the Republic.

- Minister McDowell's team also went to work on a legislative strategy. Eventually, the Garda Síochána Act of 2005, which I discuss more fully in Chapter 3, was enacted, which included the establishment of two statutory oversight bodies, the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate. The Ombudsman Commission is responsible for investigating serious cases of wrongdoing and complaints against the police. The Inspectorate's remit is 'to ensure that the resources available to the Garda Síochána are used to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services,' (Houses of the Óireachtas 2005) and to provide advice on policing matters to the Minister for Justice.

Fachtna Murphy succeeded Commissioner Conroy in November 2007, well into my tenure as Chief Inspector. He served until December 2010. Murphy was known as a decent, principled man, but his management style differed considerably from that of his predecessor. He had a reputation for being autocratic and keen to be involved in most decisions. From time to time, his resistance to certain recommendations frustrated the Inspectorate team, but nonetheless, he and I maintained a strong personal and professional friendship throughout my tenure.

When Murphy commenced his service as Commissioner, the police were well resourced. Garda sworn numbers peaked at 14,500 in 2006 following years of

accelerated recruitment and the number of civilian personnel had increased as well. Just a few years later, when the recession struck, all Government departments and agencies experienced significant cuts, including the police. Recruitment was frozen entirely in 2009 due to a Government hiring ban, and Government's will to reform and modernise the police seemed eclipsed by the economic crisis.

When Murphy retired in December 2010, Martin Callinan succeeded him. I had interacted with Callinan frequently when he served as Deputy of Operations, and I anticipated a more collaborative, democratic form of management when he assumed the role. That expectation never materialised. I seldom interacted with Callinan, in person or on the phone. He seemed to retreat to a more insular style, spending little time in the public eye. This was a stark contrast to the relationships the Inspectorate had with his predecessors.

In March 2014, Callinan resigned under significant pressure resulting from several developments, including the Penalty Points scandal and the discovery that Garda phone conversations at stations had been routinely taped without the knowledge of many gardaí or those with whom they had spoken. Callinan was also subjected to criticism for his reaction to the allegations of whistle-blowers.

Immediately following Callinan's retirement, Noirin O'Sullivan was appointed interim Commissioner in March 2014. The Government announced it would launch a selection process for the position of Commissioner, overseen by the Public Appointments Service. For the first time in the history of the State, Government further announced it would welcome international applicants for the position. There was a diverse pool of internal and external candidates. In the end, the five-person panel unanimously ranked O'Sullivan as its first choice. In fact, it was such a clear decision, she was the sole candidate forwarded to Government for consideration.

At the time of my first drafting of this Chapter, O'Sullivan had only recently been appointed, and I noted that she would face challenges as she and her deputies worked to drive cultural and operational change in the Garda organisation during an on-going period of controversy and fierce public scrutiny of the police and their leadership. Now, as I submit this final product, O'Sullivan has retired after a three-and-a-half-year

tenure as Commissioner, marked by her reputation, internationally, as a progressive leader for police reform, but ultimately doomed by a series of scandals, many rooted in longstanding acts and decisions that she inherited with the position.

III. Mission and Structure for Policing in Ireland

Just as it is important to understand the political history and social context in which an organisation operates, it is equally important to understand the stated mission to which its members are held, as well as its internal structures. To that end, in the following section, I discuss briefly the mission statement of Garda Síochána, as well as its organisational structure, which have changed insignificantly, if at all, since my work with the Inspectorate.

The current mission statement of the Garda Síochána is stated in simple terms and appears on its website: 'Working with communities to protect and serve.' Its core police functions are listed as follows:

- Detection and prevention of crime.
- Ensuring our nation's security.
- Reducing the incidence of fatal and serious injuries on our roads and improving road safety.
- Working with communities to prevent anti-social behaviour.
- Promoting an inter-agency approach to problem solving and improving the overall quality of life.

The values of the organisation are also stated: Honesty, Accountability, Respect, and Professionalism.

Garda Headquarters, which remains located at the Phoenix Park, is divided into four branches: Offices of Commissioner, Deputy Commissioner Strategy and Change Management, Deputy Commissioner Operations, and Chief Administrative Officer.

There are six Garda field regions: Dublin Metropolitan (DMR), Eastern, Northern, Southern, South-eastern and Western. An Assistant Commissioner commands each

region. The regions are subdivided into several divisions. A Chief Superintendent leads each division. Superintendents command the stations within each division, except for small sub-stations. Inspectors assigned to the regions assist senior commanders, and sergeants are primarily responsible for front line supervision.

IV. Conclusion

Every organisation is a product of its history, and the history of An Garda Síochána is indeed complex. Events consistently affected the course of policing in Ireland, and would certainly affect the launch and evolution of new governance and oversight. In my early work at the Inspectorate, prior to my formal research, I was at a disadvantage in discussions with Garda personnel and community members who often cited historical references that led to certain policing practises. Recognising, as I note at the beginning of this Chapter, that to achieve and manage organisational change through an action research approach, one must take care to understand and acknowledge the context in which the project is set, I conducted research and began drafting this chapter early in my work, to establish a clear sense of political context and Garda organisational culture. In developing the relationships between the Inspectorate, the Garda, and other Government figures, I remained mindful of the myriad influences underlying the Garda in its present state, and the extent to which forces outside of my control may serve to drive – or resist – change.

Certainly, it was critical to me in seeking to promote honest dialogue that I acknowledge my own history and perspective, as described in Chapter 1, and that I also be able demonstrate understanding and respect for the history and culture of Irish policing, as described in Chapter 2. It was also important to me, in working to establish governance protocols within the Inspectorate, to undertake a deeper inquiry into governance theory generally. In the following chapter, I describe models of governance, in both the private and public sector, and identify key principles that are reflected throughout by work.

Chapter 3

GOVERNANCE

'Principles of governance recognise that integral to the able functioning of any organisation is accountability to its purpose and stakeholders. If power tends to corrupt, as is often remarked, then a necessarily corollary to authority is an effective system of checks against the misuse thereof, always mindful of the distinction between 'individual fallibility' and 'broken institutions.' (Konnikova 2015). One need not look too far back in history to note instances of institutional corruption rooted in unchecked power. Consider, for example, the sexual abuse scandals of the Catholic Church or the series of corporate accounting scandals during the 1990s. History likewise shows that as crises have mounted, so too have efforts to establish and strengthen systems of governance to assure greater institutional transparency, oversight, and accountability. Policing is by no means an exception. In fact, in many respects, it is ground zero.

I. Principles of Governance

The word 'governance' derives from the Greek verb *kubernao*, meaning 'to steer.' The term is traced back in English literature to writings by the medieval poet Chaucer, who referred to 'gouernance of hous and lond (the governance of house and land)' in describing the rule of the realm. (Bevir 2012; 11) By common modern definition, governance has come to reflect more generally the 'establishment of policies, and continuous monitoring of their proper implementation, by members of the governing body of an organisation, including the mechanisms required to balance the powers of the members (with the associated accountability), and their primary duty of enhancing the prosperity and viability of the organisation. (BusinessDictionary.com, accessed 4 April 2017) Economist Rodolfo Apreda, in more formulaic fashion, reduced the concept of governance to three distinct tasks:

By Governance we are to understand a field of learning and practise whose main tasks are:

- The search of principles, rules and good practises that allow organizations to be efficiently run within the current institutions, at a certain date;
- The design of mechanisms of representation, legitimate modes of wielding power, enforcement of rules and procedures, accountability, control, incentives and standards of performance to be applied to organizations;
- The efficacious pursuit of goals and missions that stem from the foundational charter and statutes of the organization.

Put less rigorously, Apreda continued, governance might be thought of as simply ‘the art and techniques to care for the way a system or situation works.’ (Apreda 2003; 4)

Once traditionally considered in the context of the state in relationship to its populate, the term ‘governance’ in present usage has proliferated, as Bevir (2012) notes, to near ubiquity across a diverse range of social and organisational systems. Indeed, since the late twentieth century, the term ‘governance’ has been used widely by watchdogs, political scientists, economists and organisations, including the United Nations, the International Monetary Fund, and World Bank, to describe a broad range of activities and practises spanning the public, private, and voluntary sectors. Terms such as ‘corporate governance’ and ‘global governance’ now feature prominently in literature and daily news reports.

The concept of ‘governance’ can be distinguished from its cognate ‘government’ in both form and in theory. As geo-political systems, governments are the bodies politic constituted to execute the rules of governance (i.e., that constitute formal governance structures). Bevir notes that the term ‘government’ itself emerged in common parlance to describe a new allocation of power as sovereign, monarchical territories gave way to centralised and unified states throughout 18th century Europe. Governance, in turn, refers to the processes by which the rules are enforced – or, simply, the processes by which governments – or any organisations – govern. Bevir (2012; 2-3) explains:

In theoretical terms, governance is the process of governing. It is what governments do to their citizens. But it is also what corporations and other organizations do to their employees and members. ... Whereas government refers to political institutions, governance refers to the processes of rule wherever they occur.

Thus, whereas 'government' is traditionally considered in the sense of the political institution in which authority is vested, 'governance' controls how that authority is enforced or distributed. (Bevir 2012)

Bevir explains that changing political ideologies during the 20th century and a broader willingness to challenge historical presumptions around hierarchical order and champion new ways of management and affecting process led to the emergence of 'new governance,' a concept that acknowledges and embraces the fact that modern organisations, whether public or private, increasingly operate within a network of symbiotic relationships. (Bevir 2012) Thus, as a theoretical construct, modern governance reflects a more dynamic, iterative approach to rethinking organisational practises in response to, or anticipation of, evolving circumstances in the environment. Simply put, principles of governance have changed because the world has changed.

Bevir identifies four key features of this new, or modern, understanding of governance. One is that governance has increasingly integrated into existing administrative structures and market strategies to meet the needs of an organisation's stakeholders. It is, in that respect, a hybrid model that envisions the active inclusion of external partnerships. Another is that governance stretches across formal jurisdictional boundaries and institutional sectors, as globalisation has created demand for consistency in standards and performance. As an example, Bevir cites the International Food Safety Standards, which provide nations engaging in international food trade assurance that their imports meet, at least in theory, safety standards. (Bevir 2012)

Bevir identifies as a third feature of modern governance an appreciation for the range and diversity of stakeholders. Closely following as a fourth feature is the

interconnectedness between multiple organisations and stakeholder networks. As non-governmental organisations (NGOs), advocacy groups, and regulatory bodies have proliferated throughout the last several decades, it has become a common expectation that policy makers will routinely collaborate with their networks of stakeholders to drive towards common agendas for institutional practise. (Bevir 2012)

II. Governance in the Private and Public Sectors

Discussions of governance over the last half-century have largely predominated in the private sector. The 2001 collapse of Enron, an American energy company, for example, and the discovery of widespread accounting fraud throughout the management ranks of WorldCom, a telecommunications company, led not only to criminal charges, but also to the creation of new regulatory requirements to assure greater transparency in financial reporting and legislated mandates for greater independence of auditing firms relative to their clients. While recognising that systemic crises in any discipline will foreseeably result in a renewed push for enhanced governance structures,¹ for purposes of comparison to governance in the public sector, I focus this discussion of principles of governance in the private sector to the field of corporate responsibility.

In general terms, a firm, or corporation, comprises stakeholders, broadly defined as groups who can affect, or who are affected by, the activities of the firm. (Freeman 1984) Such groups include shareholders, of course, but also employees, customers, and suppliers. Each offers to the firm desired assets; e.g. employees bring skilled labour, suppliers offer raw materials, customers and investors provide money, etc. In economic terms, the firm provides the mechanism by which each receives a return on their exchange through means more efficient and beneficial than through independent

¹ Gaillardetz (2006; 33), for example cited to the clerical sexual abuse scandals in the Catholic Church as providing a forum for a 'fueled ... demand for greater accountability that had already been present in the church.'

market participation. Governance, in this context, can be understood in different respects. Emphasising the agency theory of corporate governance, Shleifer and Vishny (1997; 738) define the term as establishing 'the ways in which suppliers of finance to corporations assure themselves of getting a return on their investment.' Emphasising the importance of strategic direction to assure sustained return, Monks and Minow (2011) view corporate governance as principally the relationship among various participants in determining the direction and performance of corporations. Zingales (1997) likewise urged that corporate governance focus on the structures for defining authority, direction and control.

Closely tied to discussions of corporate governance are principles of business ethics – a field that emerged over the last half-century and seeks to reconcile the fiduciary obligations of corporate management with social expectations. At the heart of the debate is the distinction between 'shareholders' (i.e., those who own a financial share in the corporation's profits, or 'stockholders') and 'stakeholders' (i.e., those who may not own a direct share of the company but stand to benefit indirectly from the company's performance, such as employees, suppliers, customers, etc.). At one end of the spectrum is the strict view, espoused by mid-century economists such as Milton Friedman, that a corporation's paramount responsibility is to maximize its shareholders' returns on their investment. A corporation's governance model, accordingly, should focus on assuring that the corporation's directors and executives operate to make their corporation as profitable as possible within the bounds of the law. (Friedman 1970). At the other end of the spectrum is the concept of corporate social responsibility – the principle that corporations, which in most democratic societies have been legislatively granted many of the same rights and subjected to many of the same liabilities as citizens, have an ethical and moral responsibility to operate in a manner that benefits society as a whole, even if it leads to less profit and efficiency. (Pinnington and Laferty 2002).

If the core questions to be answered by a management structure are (1) who has control, or the right to make decisions; (2) who should be the beneficiary of those decisions; and (3) whose interests ought the corporation serve (see, e.g., Freeman 1984), there is ample room for flexibility in governance, to the extent it can be

adequately defined. At least one commentator has noted, despite the rise of terms such as 'good governance' in the common vernacular, there is anything but conceptual clarity to the term. (Gisselquist 2012) In general, however, a typical governance framework, at least in the Anglo-America tradition, comprises shareholders, who appoint a board of directors, who appoint and monitor the firm's management. In theory, the board of directors serves to protect against what Armstrong et al. (2005) identified as the 'agency problem' – or the risk that managers may pursue their own self-interest rather than the interests of the shareholders. (Armstrong et al. 2010)

Apreda cites the 1999 Principles of Corporate Governance set forth by the Organization for Economic Cooperation and Development (OECD), which identified as the defining concerns for corporate governance (1) the rights of shareholders; (2) the equitable treatment of shareholders; (3) the role of stakeholders in the governance structure; (4) disclosure and transparency of the corporation's activities; and (5) the responsibilities of the board of directors. However structured, the OECD emphasised, a common principle across all governance systems should be 'a high degree of priority placed on the interests of shareholders, who place their trust in corporations to use their investment funds wisely and effectively.' (Apreda 2003; 5) Apreda thus argues that there is a third category of persons beyond 'shareholders' and 'stakeholders' that should play an important role in governance processes: 'gatekeepers,' or 'reputational intermediaries,' comprising those external organisations or entities tasked to safeguard the interests of the shareholders (such as market regulators, watchdog groups, markets, and rating agencies such as Moody's or Standard and Poor's).

Though the principles of governance as a broader system of checks and balances extend well back in democratic political theory, it is only relatively recently that features of modern private sector governance have emerged in frameworks for public sector management. On one hand, Armstrong (2005; 10) notes, there are core aspirational differences that separate the two concepts: whereas the private sector emphasises economic gain, the public sector emphasises community well-being, 'including broader social, cultural, and environmental aims,' and there is little opportunity for convergence. On the other hand, as Bevir (2012) and Armstrong (2005) both note, there are nonetheless clear parallels between the private and public

sectors that make some comparison appropriate. If, as Armstrong asserts, the purpose of governance is 'to add value to the organisation, reduce financial, business and operational risk, strengthen shareholder confidence in the entity, and assist in the prevention of fraudulent, dishonest and unethical behaviour' (Armstrong 2005; 1), public sector governance can easily be seen as a response to what Bevir identified as a 'crisis in faith in bureaucracy' as, over the last half-century, public officials became increasingly viewed 'not as impartial experts and defenders of the common good but self-interested actors who were intent on advancing their own careers and increasing the size of their fiefdoms.' (Bevir 2012; 58-59).

As a simple analogy, one might argue there is little distinction in the abstract between public and private sector actors. Taxpayers make an investment in their government and thus require protections to secure their investment. In theory, these protections are provided through the ability to vote their representatives in and out of office, through corruption and conflict of interest laws, and a host of other rights and privileges of citizenship. If one's concern is limited to protecting against poor representation or an abuse of power, these protections may be sufficient. But if the concern is, more broadly, pushing the organisation to maximise its resources in a manner that ensures the integrity of its actions and serves the public's interest in ways beyond its legislated purpose, the importance of a governance model that balances the interests of shareholders (taxpayers), stakeholders (employees, other government agencies, community partners) and gatekeepers (accountability systems) becomes clear.

Apreda (2003) cites the United Nations' definition of public sector governance as 'the exercise of political, economic, and administrative authority to manage a nation's affairs.' Included in such a model are mechanisms and processes by which citizens and groups 'match their interests, exercise rights and obligations, and mediate differences' with the goal of promoting, supporting, and sustaining development. The UN defines 'good governance,' in turn, as a system that is:

participatory, sustainable, accountable, legitimate, acceptable to the people, tolerating, and transparent[;] promoting equity and equality, gender balance; able to develop the resources and methods of governance, to define and take

ownership of national solutions, to deal with temporal issues; service oriented, operating by the rule of law, efficient and effective in the use of resources.

(Apreda 2003; 13-14)

Consistent with these principles, recent reforms in public governance have focused on five core areas:

- Productivity (how can governments produce more services with less revenue);
- Marketization (using private-sector or market-style incentives to address inefficiencies of bureaucracies);
- Service orientation (better connecting governments with citizens);
- Policy (creating improved capacity to implement and track policy changes);
- Accountability for results (improving governments' ability to deliver on their promises).

(Apreda 2003; 15)

Armstrong et al. (2005) describe the integration of these principles into a framework of public governance that contemplates a governing body, responsible for leadership, control, and stewardship, that is supported by four 'pillars' representing areas such as strategy and direction (i.e., a corporate plan, annual plan, human resources and information technology strategic plans), performance monitoring (financial stability), structures and relationships (e.g. organisational structure, business processes, roles and responsibilities), and compliance and accountability (policies and procedures, audits, annual reports, etc.). Including other government agencies, not-for-profit or non-governmental organisations, and other community partners within this framework allows for what Armstrong et al. (2005) term 'whole of government,' or 'joined up' governance, whereby resources can be coordinated to address complex issues affecting the community. 'Community governance,' similarly, incorporates stakeholder groups of community members into the governance framework, as Armstrong et al. (2005; 9-10) describe:

Community governance is defined as community level management and decision making that is undertaken by, with, or on behalf of a community, by a group of community stakeholders. In a new framework for governance, government services across administrative levels co-ordinate their activities and develop partnerships with local government, business and other government agencies, in joined up government (which is the sharing of data, information and knowledge across government agencies and community groups), and promotion of community ownership and capacity to address local community problems.

Critical to a well-functioning public sector governance model are processes to ensure that community stakeholder participation represents the full spectrum of the community to be served and that the organisation is fully transparent and accountable to its purpose. Notwithstanding its massive charter, the World Bank is often cited as an example of a governance model that stresses both. In setting its Millennium Development Goals, for example, the organisation emphasised the importance of breaking down barriers to participation that may be rooted in 'well entrenched practises of social exclusion' to create both capability and opportunity to participate in designing policies, decision-making bodies, accountability arrangements, and regulatory mechanisms. (Helling et al 2005; 15). Apreda (2003) also notes the World Bank's emphasis on ensuring that each dimension of analysis of existing programs is associated with measurable concepts that allow for transparent tracking of program effect. Both Apreda and Armstrong conclude that there is little distinction between private and public sector governance, at least at the corporate/organisational level. It is at the community stakeholder level where public sector governance demands greater attention. Good governance includes more than merely creating structures and policies to promote engagement. It requires dedicated psychological constructs and practises that 'build such things as commitment, trust, and social capital.' (Armstrong et al. 2005; 10) Reverting to my discussion in Chapter 2 around the evolution of modern policing, I describe in this next section how governance in policing has sought to achieve this aim.

III. Governance in Policing

Police hold an unquestionably unique position at what Dunham and Alpert (2015; 3) described as ‘the interface between government and the private lives of individual citizens.’ Tasked to maintain public order and security and otherwise foster the public good, they are granted extraordinary powers to fulfil their mandate. At the same time, the magnitude of the control granted to modern police agencies leaves little room for debate that equally sweeping systems of accountability and oversight are necessary, and should be demanded, to ensure the public’s confidence and trust that such power, authority, and force will not be misused. At a bare minimum, one can argue that authority left unchecked may lead to apathy or inefficiency, thus diminishing an agency’s ability to meet its charge. At the other extreme, Dunham and Alpert (2015; 5) make the point that it is in part the degree of control citizens are granted over their police that distinguishes a police state from a democratic state. A paradoxical issue in police governance, therefore, is the need ‘to balance the unwarranted exercise of coercive power by the police with enabling their effective operation.’ (Mawby and Wright 2005; 2).

In his overview of governance principles generally, Bevir (2012) notes that the processes of governing are changing rapidly, involving more diverse actors and more diverse organisational forms. There is no question that this is true in the microcosm of policing. Until recently, for example, much of police work was done outside of the public eye, beyond media scrutiny. (Murphy and McKenna 2007) The proliferation of social media, cell phone video, in-car video systems, and body-camera systems has led to an increase in public awareness and scrutiny and has heightened the conversation around police governance, both internally and in the form of external oversight.

Community expectations and scrutiny of the police have increased in most jurisdictions, and rightfully so. After all, ‘it is a fundamental principle of a democratic society that the police should be held to account for their actions.’ (Walker 2006; 1) Most large jurisdictions now accept that proper governance, including rigorous oversight, must exist for police organisations to operate effectively and maintain community trust. But, while exciting new models for crime fighting and community

engagement have been developed and replicated globally, no universal standards for governance of police have yet emerged.

It is important in discussions of police accountability to differentiate between organisational accountability and individual accountability (the distinction, as I noted earlier, between 'individual fallibility' and 'broken institutions'). Both are equally important. At the organisational level, police agencies can, and should, be held accountable for different aspects of performance, such as crime reduction, order maintenance, and operational efficiency. At the individual level, police officers must be held accountable for the way they perform their duties.

In a guide offered as a community organising tool to promote continuing dialogue, Walker (2006) identifies four basic principles that characterise a well-governed police department. A model department, he argues, is one that is professional, accountable, transparent, and self-monitoring. A professional department is one that is effective in serving the public and continuously strives to identify and integrate current best practises. An accountable department develops robust, informed policies on the use of force, domestic violence, and other critical incidents – and holds officers responsible for ensuring their conduct conforms to these policies. An early intervention system designed to identify officers at risk for running afoul of department policy or the law is also an integral part of an accountable department. A transparent department seeks to establish open lines of communication, to be forthright, and available to the community and media. A self-monitoring department reviews and learns from critical incidents to determine whether there may be policy, training, or tactical issues that should be addressed.

As with many forms of governance, whether in the public or private sector, external oversight is recognised as a crucial element to assuring police accountability. As Walker notes, such oversight can take different forms, although one typical model involves an independent civilian review board tasked to review community member complaints against police officers and make recommendations regarding the resolution of those complaints, or discipline if warranted, to the department. An alternative approach involves an independent auditor, or inspector general, with authority to examine data, policies, procedures, and practises, make recommendations,

and issue reports with a goal to preventing misconduct and improving practises. (Walker 2006)

The United Kingdom, particularly, has made significant advancements towards establishing systems and processes that have been looked to as a model for other jurisdictions. In the UK, police organisations must account to elected police commissioners and formally established policing boards. Her Majesty's Inspectorate of Constabulary (HMIC) also subjects each service to formal review. In addition, there is external review of individual officer behaviour and discipline.

The system of police governance that has emerged in Northern Ireland is particularly robust, with both officers and the PSNI as an organisation subjected to substantial formal scrutiny. The PSNI must account to the Northern Ireland Policing Board, a nineteen-member body that includes representatives of the Northern Ireland Assembly as well as independent members of the community. Local policing boards engage with managers and officers on the front lines to develop policing priorities and strategies. The PSNI is also subject to regular inspection by HMIC and the Criminal Justice Inspectorate (CJI) of Northern Ireland. The independent office of Police Ombudsman was established to investigate serious allegations of police misconduct.

Despite some early momentum² in the decentralised North American environment, particularly in the United States, independent police governance strategies and oversight bodies have been slow to emerge, but interest in organisational and individual police accountability is increasing rapidly. Walker (2006) attributes this

² As Robert Fogelson (1977) notes, a broad reform effort began to emerge toward the end of the nineteenth century, but was short-lived. Fogelson suggests several reasons for the failure of reform; political machines were difficult to break, reformers were viewed by the police as individuals who knew little about police work, and officers saw their proposals for change as ill conceived. Without the ability to divorce policing from politics, no reform could take place without fundamentally changing the character of the political structure as well. (Dunham and Alpert 2015, 21).

piqued attention to three factors: (1) recent actions taken against police organisations by the US Department of Justice Civil Rights Division in cases where it has found a pattern or practise of abuse of citizens' rights; (2) the emergence of early intervention systems (EIS) that seek to identify individual police officers who may be prone to violations of law and policy; and (3) steady growth in the number of external police oversight bodies at the local level. The International Association of Chiefs of Police, as well, has advocated for better forms of governance structures, urging that chief executives take on a primary responsibility with respect to their governing bodies to demonstrate

‘integrity, trust, truthfulness, candor and commitment[,] ... supplying information and education on the needs and complexities of the department; maintaining good communications and access; being honest in communications; and being responsive to governing body concerns.’ (Ellis 2014; 12)

In his own critique of the Toronto Police Services Board, the governing body of the Toronto Police Services, Ellis also makes the argument for increased engagement between chief executives and their governing bodies, if for no other reason than self-preservation.

Nonetheless, no standard model has emerged for external oversight. Temporary, independent monitors have been appointed to oversee the implementation of consent decrees executed by the US Department of Justice Civil Rights Division, but there is no clearly defined structure for that monitoring. Similarly, there is no recognizable pattern in the development of external oversight bodies in the US. As noted above, some local police departments account to a police commission (or civilian review board or auditor), but most answer directly to elected officials. Of those jurisdictions that have implemented independent bodies to address police complaints and/or review police disciplinary cases, few have robust statutory power comparable to similar bodies in the UK.

Interestingly, much of the reluctance to create credible, independent police oversight bodies in the US rests not with the police agencies themselves, but with political

leaders and other government executives. This is a reality that I have personally borne witness to. As Boston Police Commissioner, I proposed the establishment of an independent police ombudsman to address complaints and serious cases of wrongdoing. To a large extent, the proposal mirrored some of the recommendations made by the Patten Commission in Northern Ireland. Professor Jack McDevitt of Northeastern University led the project to develop the model and benchmarked it against international best practises. The final proposal included a strong mediation component – a unique opportunity to resolve complaints in a more relaxed, personal forum. Ironically, the police unions were more receptive to the proposal than City Hall leaders. Politicians admitted their reluctance to cede control to an independent body.

Notwithstanding some entrenched resistance, there has been in recent years, a renewed push and growing trend towards civilian-based investigation models. Some have argued, this is the result of public and political frustration with departments' failures to meet community expectations with what seems to be increasingly visible instances of misconduct, whether real or perceived. (Murphy and McKenna 2007) The Garda Síochána Act of 2005, which introduced a new system of police governance and oversight in Ireland, is a prime example of a reform initiative that grew out of a series of reports and tribunals detailing corruption, collusion, and abuse of power.

IV. The Garda Síochána Act of 2005 and the Establishment of the Garda Inspectorate

The Garda Síochána Act (Act) was enacted by Dáil Éireann in 2005, incorporating many of the early recommendations that had been submitted by the on-going Morris Tribunal (previously described in Chapter 2). The preamble to the Act reads as follows:

AN ACT TO MAKE FURTHER AND BETTER PROVISION IN RELATION TO THE GARDA SÍOCHÁNA AND, IN PARTICULAR, TO CONSOLIDATE WITH AMENDMENTS CERTAIN ENACTMENTS RELATING TO THE GARDA SÍOCHÁNA, TO PROVIDE FOR THE ESTABLISHMENT OF A BODY TO BE KNOWN AS COIMISIÚN OMBUDSMAN AN GHARDA SÍ OCHÁNA OR, IN ENGLISH, THE GARDA SÍOCHÁNA OMBUDSMAN COMMISSION FOR THE PURPOSES OF ENSURING OPENNESS, TRANSPARENCY

AND ACCOUNTABILITY IN THE PROCESS BY WHICH COMPLAINTS AGAINST THE GARDA SÍOCHÁNA ARE INVESTIGATED AND ALSO FOR THE ESTABLISHMENT OF A BODY TO BE KNOWN AS CIGIREACHT AN GHARDA SÍOCHÁNA OR, IN ENGLISH, THE GARDA SÍOCHÁNA INSPECTORATE FOR THE PURPOSE OF ACHIEVING AND MAINTAINING THE HIGHEST LEVELS OF EFFICIENCY AND EFFECTIVENESS IN THE OPERATION AND ADMINISTRATION OF THE GARDA SÍOCHÁNA, AND TO PROVIDE FOR RELATED MATTERS.

(Houses of the Óireachtas 2005).

The six-part, ninety-eight-page Act redefined Irish policing. It describes the functions of the Garda Síochána and outlines their prosecutorial powers. It clearly delineates the respective responsibilities and powers of the Minister of Justice and the Garda Commissioner, and addresses appointments, promotions, discipline and representation of all sworn and non-sworn members in the police service. In the statute, the Garda Reserve was established, and all sworn and non-sworn positions clearly defined.

The Act also called for creation of an Audit Committee, a Garda Professional Standards Unit, and joint policing committees at the local level. It mandated the development of a code of ethics, strategic plans, and annual policing plans at the national and local levels, and requires the Garda Commissioner to submit a progress report every three years.

The Act also sets forth detailed protocols for secondments between the Garda Síochána and the Police Service of Northern Ireland and encourages cooperation with other organisations.

The Act not only redefined Irish policing but also created independent oversight with the establishment of new two bodies, the Garda Síochána Ombudsman Commission (Ombudsman Commission) and the Garda Síochána Inspectorate (Inspectorate).

The Ombudsman Commission was granted independent authority and resources to investigate external complaints against the police and cases involving police conduct, including police shootings and deaths of persons in police custody. The Inspectorate, on the other hand, was set up to focus primarily on police operations, investigations

and business practises.

Specifically, as stated in Section 117 of the Act:

- (1) The objective of the Garda Síochána Inspectorate is to ensure that the resources available to the Garda Síochána are used so as to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services.
- (2) The functions of the Inspectorate are:
 - a. in furtherance of its objective to carry out, at the request or with the consent of the Minister, inspections or inquiries in relation to any particular aspects of the operation and administration of the Garda Síochána;
 - b. to submit to the Minister
 - i. a report on those inspections or inquiries; and
 - ii. if required by the Minister, a report on the operation and administration of the Garda Síochána during a specified period and on any significant developments in that regard during that period; and
 - iii. to provide advice to the Minister with regard to best policing practise.

Under the law, the Government appoints three members to the Inspectorate, one as Chief Inspector. There is a requirement that at least one of the members must be a woman, and at least one must be a man, which is also the case with appointments to the Ombudsman Commission. Candidates must have served as senior officers in police services of other states or possess relevant experience and qualifications, and the Act prohibits the appointment of persons who are serving or have served in the Garda Síochána.

Government, at time of appointment, determines the term of office for a member of the Inspectorate. All terms and conditions of remuneration are decided by the Minister of Justice, with the consent of the Minister for Finance. A member may only

be removed for 'stated misbehaviour' or ill health that has rendered one incapable of performing the duties of office.

The Act requires the Inspectorate to submit to the Minister reports containing recommendations; the Minister, in turn, lays them before the Houses of the Óireachtas. There is a stated exception for reports that could jeopardize national security, cause the commission of a crime, prejudice a criminal investigation or jeopardize a person's safety. With the Minister's approval, the Inspectorate may enter into arrangements with other police services outside the State or any other bodies to engage persons or consultancy services, and the Act makes clear that 'the Inspectorate shall be independent in the performance of its functions.'

There is standard language in the Act about confidentiality and penalties for divulging protected information. There is also general language relating to budget provisions and appointment of staff.

The Act requires the Chief Inspector to appear before houses of the Óireachtas when requested to discuss the Inspectorate's reports and recommendations. There is a noteworthy limitation on testimony relating to this section of the Act, providing:

In carrying out his or her duties under this section, the Chief Inspector shall not:

- a. question or express an opinion on the merits of any policy of the Government or a Minister of the Government or on the merits or objectives of such policy; or
- b. provide information that might facilitate the commission of an offence, prejudice a criminal investigation or jeopardise the safety of any person.

When first reading the Act, I was struck by the language in paragraph (a) above. On one hand, the Act states the Inspectorate is 'independent,' yet on the other hand it restricts Inspectorate comment on the merits or objectives of Government or Ministerial policies. This is a point I return to in Chapter 8 of this thesis.

The Act requires that Inspectorate work be done 'at the request or with the consent of

the Minister.’ Therefore, in each instance, the Minister of Justice approves the terms of reference for an Inspectorate project. During my work, the Inspectorate initiated most projects, by forwarding draft terms of reference to the Department of Justice for consideration and approval by the Minister. In other cases, the Minister proposed the projects and assigned Department officials to work with the Inspectorate to develop and agree terms of reference.

In Chapter 5 of this thesis, I provide a synopsis of each of the Inspectorate’s first three inquiries and briefly discuss how insight gleaned through this early work influenced the framework for sequential projects and the meta-cycle of my work. From the outset of my tenure with the Inspectorate, although the first three projects culminated in concrete recommendations and measurable results, it was clear, given the span of and expectation around the Inspectorate’s remit, that our work could be streamlined and enhanced through application of academic scrutiny and rigour. It was during my early work with the Inspectorate that I was introduced to action research methodology, which I turn to in the following chapter.

Chapter 4

ACTION RESEARCH METHODOLOGY

While I was developing my graduate research proposal, I was introduced to action research as a potential methodology that would align well with my desire to produce practical results *and* academic knowledge. Drawn to the immersive, active role of the researcher as an organisational change-driver, I examined fully its many constructs in comparison to more traditional methods of inquiry to assure that, given my parallel professional directives, action research would be a proper fit for my work.

In this chapter, I discuss the emergence and principles of the action research methodology, and consider action research relative to more traditional, empirical methods of experimental design. While acknowledging critics who have questioned whether action research might properly be considered a scientific inquiry, I describe how it evolved over the 20th century to become a broadly accepted methodology in the social sciences, with specific reflection on how its agile, immersive, and cyclical approach lends validity to organisation-based, results-oriented research. I describe the prior application of action research principles to research in policing science, and demonstrate how I integrated the methodology into my work with the Garda Inspectorate. I outline the distinct phases that make up the action research cycle (each of which I later discuss with more specificity in relation to the individual topic areas of my work that are presented in Chapters 6 and 7 of this thesis). Finally, I describe how the principles of action research informed my approach to my projects and the broader meta-knowledge of my thesis work in the aggregate – a matter on which I more deeply reflect in Chapter 8.

I. Examining Scientific Inquiry

While the human drive to make sense of the natural world is well recognized to extend far back in antiquity, the epistemological foundation of modern science is almost universally attributed to Aristotle's writings on *theoria* – or research. (Hammersley 2004). To Aristotle, there existed a divine order to the universe that could be explained through natural laws. Knowledge of those laws, in turn, could be

best obtained through neutral, detached observation of the underlying phenomena. (Susman and Evered 1978). Metaphysical in its approach, Aristotle's principle of *theoria* asserts that phenomena in the physical realm are best understood through systematic, objective, and controlled observation of their individual properties that could be readily tested and confirmed. (Hammersley 2004). Scientific knowledge thus required an ability to refine and verify, through iterative cycles of observation and testing, the underlying operational theories. This emphasis on empiricism, testing, and rigorous exclusion of competing explanations forms the basis of positivist theory which submits that 'truth' can only be obtained 'from sense data that can be directly experienced and verified between independent observers.' (Hammersley 2004; 583).³

As study within the fields of sociology, psychology, and other humanistic/social sciences proliferated rapidly throughout the 19th century, the obvious limitations of an empirical and quantitative framework for the study of dynamic and highly contextualized social systems demanded an alternative to the positivist approach. Some theorists in this post-positivist movement, as it came to be known, rejected the notion that reaching 'truth' – or explaining reality – need be the exclusive goal of a scientific inquiry, thus sidestepping entirely the debate as to how to structure the means to such end. The pragmatist theory, for example, as it developed throughout the latter decades of the 19th century, operates on the utilitarian belief that knowledge should have practical application to resolve or address issues immediately at hand,

³ A rigid framework for research in the natural sciences, the scientific method comprises distinct phases. In broad terms, the researcher: (1) forms questions from prior observations of a particular phenomenon; (2) develops working hypotheses as to causal or correlative factors; (3) designs an experimental methodology to gather data to empirically test the validity of the hypothesis; and (4) analyzes that data to determine whether, to a degree of statistical certainty, the data support the working hypothesis or, alternatively, allow the researcher to empirically reject a null hypothesis that assumes no causation or correlation. The researcher may reform hypotheses, and refine experimental processes, as data may inform opportunities for greater methodological precision.

and thus embraces a methodology that encourages testing ideas in the environment to which they will be applied. Indeed, pragmatist philosopher/psychiatrist William James' theory of radical empiricism emphasised the fundamental flaw of any method of inquiry that does not equally address application. John Dewey, a founder of functional psychology and proponent of experiential education, likewise emphasised the importance of integrating action with study to achieve applicable knowledge.

II. Principles and Critique of Action Research Methodology

Likely influenced by Dewey's epistemology (Raelin 2009), Massachusetts Institute of Technology psychology professor Kurt Lewin first coined the term 'action research' in 1946 to describe a methodology that focuses on the duality of the researcher as an active participant in a defined, goal-oriented research cycle. (Lewin 1946) Like James and Dewey, Lewin highlighted the limitations of the positivist approach when applied to social systems and operations. Just as subjectivity and context were requisite to perceiving phenomena as more than a simple collection of its composite parts, he argued the same were necessary to promote effective organizational change. In other words, a researcher should not seek to drive change through dispassionate observational study alone, but should be an active participant in the inquiry.

Reason and Torbert suggest that action researchers practise on the epistemological foundation that the purpose of their research is to change the world, not simply to observe and analyse it. (Reason and Torbert 2001) Action research rests on the general premises that (1) involving organizational clients in designing and implementing change processes produces better learning and provides more robust data about the inner workings of the systems under study; and (2) only through implementing change can one truly understand a system, as the organisational change of any social process often involves variables which cannot be addressed by traditional research methods. (Reason and Torbert 2001)

Action research aims to contribute to dialectical knowledge, especially through second- and third-person experience; the learning-in-action of managers leads to research in action and, in turn, the production of actionable knowledge. (Raelin and Coghlan 2006; Raelin 1999) While similar to the traditional scientific method in that

both seek to refine knowledge through iterative cycles of planning, data collection, and review, action research – in contrast to the positivist models that were designed to develop theories purposely separated from practise in order to predict truth – intentionally does not separate theory from practise, on the grounds that better validity testing can result from the interplay of knowledge and action. Whereas positivist science requires the ‘subject’ be as detached from the research as possible so as not to introduce confounding variables into the data, the strategies springing from action research are inherently participatory – they purposely engage researchers and participants in both the inquiry and its context to incorporate bias.

Argyris et al. (1985) identified more specifically the following as principal characteristics of action research:

- Action research involves change experiments or real problems in social systems; the methodology focuses on a particular issue or problem and seeks to provide assistance to the client system.
- Like managerial decision making more generally, action research involves iterative cycles of identifying a problem, planning, acting, and evaluating.
- The intended change in an action research project typically involves re-education, a term that refers to the requirements of a critical knowledge that can change patterns of thinking and action that are presently well established. Effective re-education depends on participation by clients in diagnosis, fact-finding, and free choice to engage in new kinds of action.
- Action research challenges the status quo from a participative perspective, which is congruent with the requirements of effective re-education.
- Action research is intended to contribute simultaneously to basic knowledge in social science, to actionable research with the affected system, and to social action in everyday life.

Like traditional empirical research, action research comprises distinct phases. The learner works through a cyclical process of consciously and deliberately (1) assessing a situation which is calling for change (constructing); (2) planning to take action; (3) taking action; and (4) evaluating the action, leading to further cycles of planning, taking action, and so on. (Coghlan and Brannick 2014) Just as the empirical

researcher may adjust a methodology to account for confounding variables that may surface, action research cycles are repeated and modified to account for knowledge learned from the prior iteration, until such time the researcher determines the project is complete. (Coghlan and Brannick 2014) The results of each action cycle are considered to determine if construction was sound, the action taken aligned with the construction, and the action taken was appropriate; knowledge gathered contributes to the next cycle. (Coghlan and Brannick 2010)

In contrast to positivist science, in which researchers maintain their positions as independent observers, there is a clear relationship between the action researcher and the subject of inquiry. Action researchers are change drivers who are personally invested in their projects. While positivist science encourages dispassion, action research encourages passion. Action research is further differentiated from more empirical research models in that proposals to commence action research do not begin with questions; rather, action researchers become immersed in their work first, with a desired outcome – in my case, a collaborative and comprehensive model of governance to drive the work of the Inspectorate – and questions emerge over time. (Coghlan and Brannick 2010) Action research is research *in* action, not about action. Traditional research produces knowledge; action research produces both action results and knowledge or theory through a sequence of events and approaches to problem solving. (Coghlan and Brannick 2010)

It should be acknowledged that action research is not without sceptical opponents. As a method for research, it has been more accepted in some academic fields than others, and its academic credibility has risen and fallen over the years. Some of the criticism has focused on the quality of action research, especially when it has been done by inadequately trained researchers. In 1957, for example, Harold Hodgkinson decried the quality of the action research in education conducted by teachers who were untrained in basic research techniques. He declared that ‘research was no place for an amateur.’ (Hodgkinson 1957; 141) Hodgkinson also criticized action research on the more substantial grounds of methodology and theory. Action research, he claimed, was only problem-solving, because it did not employ the scientific method or produce a body of recognized scientific knowledge.

The challenges posed by Hodgkinson have spawned much literature, the focus of which is whether action research is scientific in its methods and outcomes. The answer to this question, I submit, ultimately depends on answers to several other questions, including: What is the scientific method and, ultimately, what is science? Is there room in science for a multiplicity of methods and objectives? Should science consist only of controlled experimentation and the production of theory-based knowledge and be divorced from a search for effective solutions to practical problems?

If 'traditional' science is understood to be aligned with positivist theory, the challenges to action research can be met by two general responses. One response is to defend action research as a legitimate methodology for producing knowledge that meets the criteria for positivist science. The scientific character of action need not be judged by the products of amateurish or insufficiently trained researchers, nor need the ready willingness of many action researchers to reject the label of positivist science show that action research is not a legitimate scientific methodology.

Kock et al. (1997) note that action research is often presented as an alternative to positivist science, thus forcing researchers to choose one side or the other. These writers argue against the need to make a choice between action research and positivist science, if researchers acknowledge an assumption of post-positivism that there is a plurality of methods and that 'each method has a validity determined by the specific situation in which it is applied and by the type of knowledge sought.' (Kock et al. 1997; 6) This argument purports to show that there is no reason in principle why action research could not have scientific validity, but that more argument is needed to vindicate specific techniques. They assert in conclusion that multiple iterations of the action research cycle as described by Susman and Evered (1978) yield research that meets or at least comes close to meeting the criteria for positivist science.

Another writer, Herman Aguinis (1993), argues that the undeniable differences between action researchers and positivists have been overstated and that some of them can be easily bridged. Thus, the two forms for inquiry 'may be less distant philosophically than some recent comparisons have recognized' (417) and action research may be thought of as a 'complement and extension' of positivist science

(427). Aguinis identifies three differences or 'discrepancies' between action research and the kind of positivist science represented by the physical and biological sciences. These discrepancies are problems in discovering causality, problems in conducting field studies without a laboratory setting, and problems in the use of qualitative versus quantitative data. In each case, Aguinis argues, the discrepancies are more a matter of degree than of kind and reflect the different subject matter and the different purpose of the research. Consequently, action research 'may be conceptualized as an application of the scientific method to a specific setting – organizations – and to a specific purpose – organizational change.' (Aguinis 1993; 426) Aguinis further observes that concerns about the scientific character of action research have been raised about all the social sciences and reflect a historical tension between theoretical and applied science.

A second response might be to admit that action research fails to meet the criteria for traditional positivist science but argue it is nevertheless a legitimate and useful form of knowledge creation and application. In other words, action research may not be 'science' as in the physical and biological sciences, but that is an inconsequential difference because this method better serves the needs for which it is employed. Susman and Evered, in their article 'An Assessment of the Scientific Merits of Action Research,' note:

There is a crisis in the field of organizational science. The principal symptom of this crisis is that as our research methods and techniques have become more sophisticated, they have also become increasingly less useful for solving the practical problems that members of organizations face.... This crisis has risen, in our judgment, because organizational researchers have taken the positivist model of science which has had great heuristic value for the physical and biological sciences and some fields of the social sciences and have adopted it as the ultimate model of what is best for organizational science. (Susman and Evered 1978; 582)

After an extended argument that action research does not meet the criteria for positivist science, Susman and Evered conclude, 'If action research has its own legitimate epistemological and methodological base, then it can contribute to the

growth of knowledge differently from what positivist science can contribute.’ (Susman and Evered 1978; 599)

Consistent with post-positivist theory, the contributions that action research can make to knowledge thus serve as correctives to the standard criticisms of positivist science: that the methodology of the physical and biological sciences is inadequate for complex systems with multiple variables and dynamic interactions; for field studies that replace experiments in laboratory settings; and, for conducting studies that require qualitative rather than purely quantitative data. In addition, action research invites strong value judgments and commitments that are counter to the ideal of value-free, positivist science but are helpful for the solution of some practical problems. Further, the lack of a need to produce universally applicable theories – as is a hallmark of positivist science – frees action research to focus on solutions to specific problems. Thus, theory generated through action research may be distinguished from theory generated through the traditional scientific approach in that the latter emphasises empirical replicability and reliability and the former is intentionally situational and individualised to the practical needs of a particular organisation. To the extent that this distinction requires an epistemological grounding, Susman and Evered offer many possibilities, including Aristotle’s concept of *praxis* (action) as separate from *theoria* (research) as distinct modes of knowledge, and Dewey’s theory of pragmatism, which fits easily with action research.

Ultimately, one might argue that the legitimacy of action research depends on how well it is done. The principles of action research concern how research problems are identified, who participates in the research, what data are collected, and what plans are developed, executed, and evaluated. There is no reason why the best available scientific knowledge and the best available scientific methods cannot be brought to the process and the results used to further advance scientific knowledge. As Aguinis concludes, ‘In fact, [action research] can be seen as the application of the scientific method to problem solving and fact finding in organizations, with the difference that there is an active participation by not only the researcher but also the members of the organization.’ (Aguinis 1993; 419)

III. Selecting Action Research

After studying insider action research during the fall of 2008, discussing it with my supervisor and other faculty members, and comparing it to other methodologies, I was convinced that, regardless of whether it met any criteria for 'science,' it was without question an appropriate choice of methodology for my project. For one thing, attempting to reduce into a positivist framework of controlled variables the dynamic, unpredictable, and often crisis-driven field of policing would be at minimum unrealistic, if not impossible. Moreover, in contrast to the empiricist's goal to isolate discrete factors that with manipulation might lead to a desired outcome, the goal of the Inspectorate was to establish a mechanism of oversight that could drive widespread organisational change – a task that could only be accomplished through dialogue and collaboration. Thus, while there is certainly a key role for data-driven police operations (the New York Police Department's CompStat model (since emulated by any other departments) for tracking crime and complaints for purposes of resource deployment is an obvious example) the limitations of quantitative analysis in effecting change, that at its core must be driven by human will and commitment, discouraged consideration of a more positivist approach to my work.

As a collaborative and situational approach to producing practical knowledge, Susman and Evered (1978; 601) note that action research 'has far greater potential than positivist science for understanding and managing the affairs of organisations.' Reason and Torbert (2001; 5) were more emphatic, arguing that '[p]articipation is a political as well as an epistemological imperative which affirms the basic human right of persons to contribute to decisions which affect them and to knowledge which concerns them and purports to be about them.' Just as good conversation requires good listening, it is only appropriate to do research 'with' people, not 'on' people, and to develop 'conditions for mutual transformation (not conditions for unilateral control).' (Reason and Torbert 2001; 19)

The emphasis of action research on democratic process resonated with my personal philosophy. In Chapter 1, I described my leadership style as 'situational,' but weighted towards 'soft' power as my default. Raelin, a leading expert in the fields of work-based learning, leadership, and action research, likewise emphasises the importance of a new

model of leadership in 21st century organisations – one that emphasises the collective over the individual, the concurrent over the serial. Raelin offers a new paradigm that he terms a ‘leaderful’ practise. Contrasting this model against the traditional hierarchical, individualised and controlling form of organisational leadership, he identifies four key tenets to a leaderful approach: concurrent, collective, collaborative, and compassionate practise. (Raelin 2003)

- *Concurrent:* In ‘concurrent’ leadership, power is shared among many, on the understanding that power shared is power increased, as leaders are called upon to exercise power according to their strengths and experience.
- *Collective:* As with concurrent leadership, collective leadership accepts that power may be exercised by many, at once; depending on the issue presented, it would be expected that those with expertise will step up and assert power.
- *Collaborative:* Collaborative leadership embraces engagement, dialogue, and respect as an avenue towards reaching democratic consensus.
- *Compassionate:* Compassionate leadership respects the importance and dignity of all stakeholders to a process and emphasises values-driven decision-making.

Certainly, in my leadership positions throughout my career, I actively strove to integrate these principles in practise.

Moreover, in the context of my work with the Garda Inspectorate, such structure – bringing scholarship to life – matched well with my mission. Reason and Torbert (2001) note the transformational nature of action research, characterized by participative relationships, experiential grounding, and normative theory. When establishing the Garda Inspectorate and stating its remit, the Irish Government signalled its intent to bring greater accountability to policing, but did not define how the Inspectorate would go about its work. The desired outcome of my research project was the development of a robust Inspectorate that would enhance governance in Irish policing, but also to inform organisation science, generally.

The flexibility of action research to work collaboratively and intentionally, and to move beyond merely identifying and understanding problems towards purposeful

implementation of solutions, matched well with my own personal commitment to collaborative change through creative approach. Whether during my work in Boston, with the Patten Commission, with the Massachusetts State Police, or more recently in my work in Seattle, Washington, I have worked hard to establish teams of high calibre professionals, to affirmatively seek out diverse and opposing viewpoints, and to drive institutional practises in a manner that reflects, to the extent possible, the common values of all. Action research, through its iterative cycles of dialogue, study, and reflection, certainly provides a framework for such process.

It should also be noted that applying the action research methodology to the field of policing was by no means novel. For example, in 2004, the International Association of Chiefs of Police (IACP) partnered with the Association of Doctoral Programs in Criminology and Criminal Justice at the National Institute of Justice in Washington, DC to host a roundtable meeting focused on fostering partnerships between police leaders and academics. The following year, the IACP published a paper that highlighted and addressed some of the challenges associated with academic research in the police environment. In the paper, the IACP warned that it is most important to select the correct methodology when conducting police research. 'In the past, flawed research methodology has not only resulted in inaccurate research results and poor policy recommendations, but has also harmed relationships between researchers and law enforcement leaders.' (International Association of Chiefs of Police 2004; 15)

The authors highlighted the tension between academics and police practitioners, noting that '[i]t is little wonder that many police departments are not particularly impressed with the research efforts of social scientists. Few studies produce immediately usable concepts. Police officers are a practical lot. As a rule, they do not want to spend time in the abstract, reflective realm. Police want concepts that they can put to use today, not theories that may explain events but offer no immediate practical value.' (Cosner and Loftus 2005) In turn, the IACP continued, researchers may myopically sidestep practitioners' interests. The academic priority is to generate and share knowledge; clear and helpful policy recommendations do not always result.

The IACP concluded that action research is a preferred model for conducting research in policing. The participatory nature of action research allows police officers and

leaders who would ultimately be affected by the research to fully engage in the process. In turn, buy-in and implementation of recommendations are more likely. The authors noted that police officers are, after all, thoroughly trained in the inquiry skills needed for research – observing situations, assessing conditions, developing hypotheses, and acting to deal with problems. (Cosner and Loftus 2005)

The IACP's emphasis on behavioural, rather than jurisprudential, research underscored the appropriateness of a social science approach to my work. I embraced action research as a methodology, but my task to formulate my research strategy was far from complete. Perhaps reflective of James' and Dewey's epistemological emphasis on agility and adaptability in application, the more generalized approach as described by Lewin has given rise to what Miller described as a 'bewildering array of activities and methods' (Miller 1994; 69) that merge action and theory, operate on the premise of collaboration between researchers and subjects, and are utilized to address organizational, community and social issues. (Indeed, some researchers now submit that action research is essentially a generic term that covers many forms of action-oriented research.)

Different forms, or modalities, can be distinguished from each other across four primary dimensions. (Raelin and Coghlan 2006) In general terms, these dimensions are:

- **Form:** To what learning end is the project designed? Is it designed to develop propositional knowledge (theoretical formulations that help learners know 'what'); practical knowledge (capturing practitioners' reasoning to help learners know 'how'); or critical knowledge (reframing usual ways of thinking, allowing learners to know 'why')?
- **Voice:** Is the inquiry designed as a first-person practise (in which learners reflect upon themselves); second-person (in which learners engage with others on issues of mutual concern); or third-person (in which learners move beyond immediate audiences to contribute to the body of actionable knowledge)? Reason and Marshall (1987) wrote that good research speaks to three audiences – me, us, and them. First-person research requires an individual to develop and practise an

‘inquiring approach’ to his or her own life and every day practise; or, as Coghlan and Brannick (2014) described simply, attend to one’s own thinking, valuing, learning, and behaviour. Second-person practise requires a group or community to work collaboratively to explore their shared concerns; third-person inquiry encourages the involvement of ‘inquiring communities’ beyond the immediate organisation. Transformational research, Reason and Marshall (1987) argued, results from the input of all three.

- **Level:** What are the different levels of reflection? Single-loop learning, as Argyris (1999; 68) described, occurs ‘whenever an error is detected and corrected without questioning or altering the underlying values of the system;’ double-loop learning occurs ‘when mismatches are corrected by first examining and altering the governing variables and then the actions.’ Triple-loop learning, as contemplated by some theorists, provides for even greater flexibility in organisational change in that it allows for experience to inform, and modify, even the foundational principles of the organisation itself. Double-loop learning, in other words, allows for modification of a project’s end goal and the rules of decision-making based on experience or changed circumstances or, as Raelin (1997) described, deliberate questioning of existing perspectives and interpretations; triple-loop learning allows for deliberate modification of those circumstances themselves. (Tosey 2012)
- **Time:** As Raelin noted, the ‘here and now’ is generally the time orientation of most modalities, but some – particularly participatory research modalities – are equally concerned with the ‘here and beyond,’ or learning that extends into the future. Both can be distinguished from traditional, retrospective learning that focuses on the ‘then and then.’

More specific distinguishing factors between action research modalities are the degree of individual versus client participation, methods for collecting data, the emphasis on reflection, the theories that inform behaviour, and the purpose of the research. (Reason 1993; Kakabadse and Kakabadse 2002) For example, action learning – a modality general associated with the work of Reg Revans – is an approach that is designed to bring workers together with the assistance of a facilitator to

address immediate concerns and develop solutions to work more effectively – a process that is ‘often more direct and short-term’ and rarely leads to third-person knowledge. (Raelin 1997; Raelin and Coghlan 2006) Clinical Inquiry (also referred to as Clinical Research) likewise brings trained facilitators into an organisation’s environment to intervene and help drive change. (Coghlan 2010) Similarly, in a learning history project, members of a group participate ‘in a dialogic reflection on past action for creating desired future practises.’ (Bradbury and Mainmelis, 2001; 342; Coghlan 2010; 166) With the assistance of an external consultant, or ‘learning historian,’ those involved in a change initiative develop a document that captures the words, experiences and understanding of those involved in the project. The goal is to promote organisational change while leveraging valuable social dynamics in the process. Learning history usually applies to an organisation that has undergone significant transformational change. Capturing the perspectives of those involved in that change provides insight to those in the present and provides learning that can inform future action, although Coghlan and Brannick (2014) note that the history of the project is presented in the participants’ own voices, which are sometimes conflicting.

Other action research modalities incorporate collaborative dialogue, but without the engagement of a facilitator. Cooperative inquiry, for example, is ‘a form of second-person action research in which all participants work together in an inquiry group as co-researchers and co-subjects.’ (Heron and Reason 2008; 366) Participants conduct self-critical examination in the group environment, generating ideas while participating in the activity that is the subject of the research. (Raelin 1999; 116; Raelin 2008; 429) Heron and Reason suggest that ‘...people collaborate to define the questions they wish to explore and the methodology for that exploration (propositional knowing); together or separately they apply this methodology in the world of their practise (practical knowing); which leads to new forms of encounter with their world (experiential knowing); and they find ways to represent this experience in significant patterns (presentational knowing) which feeds into a revised propositional understanding of the originating questions.’ (Heron and Reason 1997; 8) Throughout the course of a project, the co-researchers continue to cycle through

these four types of knowing, asking questions, generating insights, articulating meanings, and testing those meanings in actions.

Other action research modalities promote broader inquiry that facilitates learning across organisational culture, beyond an immediate issue. Action science, for example, a modality associated with work of Chris Argyris and Donald Schön, is built on the premise that 'people can improve their interpersonal and organizational effectiveness by exploring the hidden beliefs that drive their actions.' (Raelin 1997; 21; Argyris and Schön 1974) This form of action research holds that ineffectiveness often results from a disparity between espoused theory and the theory in use. Argyris and Schön (1974) suggest that when problems surface, most people tend to look for solutions that align with existing beliefs, goals, values, plans and rules without critically questioning them. They propose an alternative response that calls for more direct facilitator intervention and psychological penetration than action learning, that subjects all perspectives, interpretations and organisational norms to critical review (double-loop learning, as described above). The process promotes first-person and second-person reflection and often leads to changes in the governing variables of an organization, thereby reframing the structure in which problems are detected and addressed. As Coghlan explained, 'It challenges us to engage in self-reflection and to attend to the knowing on which we base our actions.' (Coghlan 2010; 161-162)

Similarly, developmental action research (or action inquiry) is grounded in experiences of ineffectiveness through the disparity between one's espoused theory and theory in use. Associated with the work of William Torbert, developmental action research 'offers an understanding of both our own and organizational transformation through a series of stages of development so that we gain insight into our own and organization action logics as we take action.' (Coghlan 2010; 166). Raelin (1999; 116) defines it similarly as a 'systematic attempt to enrich a person's, group's, organization's, or society's awareness of the interplay among transpersonal awareness, subjective interpretations and strategies, inter-subjective practises and politics, and the objective data and effects.' Through developmental action research, participants design new and interesting ways to view issues and accomplish goals; they determine what they would like to change and how they can make

improvements. (Torbert and Taylor 2008; Chandler and Torbert 2003; Reason and Torbert 2001)

Still other modalities offer approaches to change by shifting the narrative to what *is* working well, rather than simply what is not. Appreciative inquiry, for one, emerged from the research of David Cooperrider. It is ‘action research that builds on what is positive as a way of generating rich participation and knowledge.’ (Coghlan and Brannick 2014; xix) Participants strive for large system change through an appreciative focus on aspects of the system that are already working, rather than focusing on system deficiencies. ‘Appreciative inquiry recognizes that inquiry and change are not truly separate moments, but are simultaneous. Inquiry is intervention, and the seeds of change – that is, the things people think and talk about, the things people discover and learn, and the things that inform dialogue and inspire action – are implicit in the very first questions we ask.’ (Ludema, Cooperrider, and Barrett 2012; 15). Once a positive topic is identified, a four-step cycle is then built around that topic. The first step is discovery – appreciating the best of what is. The second step is dream – envisioning what could be. The third step is design – co-constructing what should be. The fourth and final step is destiny – sustaining what will be. (Ludema, Cooperrider, and Barrett)

While the variety of modalities may be on one hand confusing, ‘at the same time, the array of approaches indicates diversity in theory and practise among action researchers, and provides a wide choice for potential action researchers as to what might be appropriate for their research.’ (Coghlan and Brannick 2014; xiv) Kakabadse and Kakabadse (2002; 339) similarly assert that ‘...the key aspect to all of these is to understand individuals or groups and appreciate their understanding of the actual situation and, on this basis, arrive at avenues for change and improvement, during which a (re)education of individual(s) and group(s) may be required.’

Notwithstanding important distinctions between modalities, most researchers urge that broader emphasis be placed on their commonalities and adaptabilities. Coghlan and Brannick (2010; p. 61), for example, emphasize that these different modalities should not be seen as mutually exclusive, but rather, as sets of general principles, each of which generates insight, and can be adapted to different research situations.

Raelin, likewise, noted that among modalities there remains a consistent and common theme of research that produces actionable knowledge – or ‘useful contextualized theory’ – that both informs practise and meets academic standards. (Raelin 2009).⁴

As I considered different action research modalities discussed above in the context of formulating the research principles that would guide my work with the Garda Inspectorate, it became clear to me that there were aspects of each that could have direct applicability to my work, yet also aspects that would not. For example, action learning helps participants confront problems for which there are no evident

⁴ Raelin identified a series of common themes that, he urged, may form the foundation for unifying the action research modalities, at least in concept:

1. Each modality holds as a central premise that deliberate engagement and collaborative reflection on experience can expand and create knowledge and lead to improved practises.
2. Modalities are dialectic, rather than didactic; that is, they share an epistemology that is rooted in truth-seeking through experiential learning and reflection. Learning, in other words, is facilitated, rather than taught.
3. As such, each modality supports useful, rather than de-contextualised, theory.
4. The role of learners as active participants in the inquiry may lead to changes in both the self and the system at issue.
5. Each modality endorses reflection-in-action, rather than reflection-on-action.
6. The modalities, collectively, promote meta-competence over competence – asserting that the critical factor is not any one skill, but rather that adaptability of the skill to a changing environment.
7. Although it is most associated with action science, each modality espouses double-loop, rather than single-loop, learning.
8. Each modality welcomes the contribution of tacit knowledge to learning – providing opportunity to articulate conscious knowledge as a base for operational practise.
9. As research is directed towards building useful contextualized theory, outcomes are generally practise-based, rather than academic.
10. The action research modalities are comfortable with uncertainty. More interpretive than objective, the action modalities focus on constructing understanding from experience, rather than through control.

solutions. With respect to my project, the legislative language that established the Inspectorate provided little detail, and I wanted the Inspectorate team to work together to solve that problem – to develop a new model. Through programmed learning and spontaneous questioning, we could benchmark against other systems of police oversight and determine real-time, during our core projects, what would work – and what would not work – in the Irish context. On the other hand, action learning is a modality that is most often applied to short-term organisational problems and seldom produces third-person knowledge. When commencing my project, I was determined to conduct first-, second- and third-person research over the course of several core projects and years of study. The meta-cycle of my work required more than a short-term learning approach.

Similarly, while there were positive characteristics of clinical inquiry and developmental action research that could apply to the Inspectorate's work or possibly to individual core projects, it would not serve as a good framework for my broader research project. For one, we did not employ a professional facilitator, and my research project went well beyond first- and second-person practise. Moreover, the Inspectorate was starting with a blank canvas. While it was important for team members to reflect and uncover the personal knowing on which we were basing our decisions, as a new body we were not saddled with long-standing institutional norms and practises that had to be addressed.

I was inspired by the positive, optimistic underpinnings of the appreciative inquiry modality. Rather than dwelling on negatives, participants build on the positive attributes of their organisation. I was determined to maintain a positive, upbeat environment in the Inspectorate, but as a newly established body, there was little to build upon. There were few positives (or negatives, for that matter) to explore at the early stage of the Inspectorate's work. It would be difficult, if not impossible, to apply appreciative inquiry in a nascent organisational environment. I was similarly struck by the democratic principles of cooperative inquiry, particularly the notion that all participants operate on an equal playing field as co-researchers and co-subjects, but it too did not cleanly fit my research project. Democratic principles underpinned all of my work, but I was the sole researcher throughout the project and group participants

changed regularly during the five core projects and the meta-cycle of my work. Nor would a learning history approach apply well. I was drawn to the idea of capturing the voices of participants throughout this project, and committed to doing so, but a learning history exercise facilitated by a learning historian would be appropriately applied in the aftermath of a transformational project, not beforehand.

Eventually, I was introduced to the concept of insider action research. The insider action modality is distinguished from others in that, unlike structures that involve a professional, outside researcher/facilitator working with a client organization to achieve intended outcomes, insider action research (not unlike cooperative inquiry) contemplates action research within the community or organisation in which one is engaged. (Coghlan and Brannick 2014) The insider action researcher seeks not only to study some aspect of the organisation, but also to change it. (Raelin and Coghlan 2006)

Insider action research is not without its critics. On one hand, the duality between student/researcher and subject inherent in insider action research renders the modality vulnerable to scepticism, in that conducting a critical inquiry into one's own organisation necessarily imposes on the researcher challenges that do not attach to the external reviewer approach typical of other action research modalities. (Coghlan and Brannick 2014; Evered and Louis 1981) The insider action approach requires the researcher to separate and balance an organisational/employee/agent role with the inquiring role of researcher, and to recognize when to step into, and out of, each role. It requires the researcher to be deft at identifying and handling interpretations or outcomes that may be perceived negatively by the organisation, and exposes the researcher to a high potential for self-destruction if roles and politics are not considered and well-managed. (Coghlan and Brannick 2014) At the same time, however, the unique insight and perspective that an insider can bring to the inquiry can be invaluable in identifying problems or issues in what Evered and Louis (1981) termed the 'blooming, buzzing confusion' of an organisation that may be missed by an external researcher.

Notwithstanding the acknowledged challenges, insider action research was an obvious fit for my work. Coghlan and Brannick (2014) liken the research in such

projects to an actor/director, and as the Chief Inspector of the Garda Inspectorate, I wore two such hats. I led to the Inspectorate day to day, while also conducting and overseeing first-, second-, and third-person action research. Raelin and Coghlan (2006; 677) emphasize that insider action researchers 'need to learn how to look at the familiar through a fresh perspective and become open to discovering what they do not see and how their perspective is grounded in their functional role or occupational culture.' Action researchers must also, Raelin and Coghlan continue, develop relationships with people with whom they did not associate previously, change the nature of pre-existing relationships, and become involved in the organisation more broadly than they had in their functional roles. As a newcomer to a less familiar cultural environment and a relatively new organisation, I was in a particularly good position to undertake this personal reflection.

IV. Applying Insider Action Research to the Garda Inspectorate

At the time I commenced my formal action research project, the Inspectorate had been in operation for approximately two years and had undertaken three projects. The reports and recommendations that emerged from those projects were well received. Although this work was not performed during my formal research, I reflected often on early lessons learned when constructing my core projects and working through my meta-cycle.

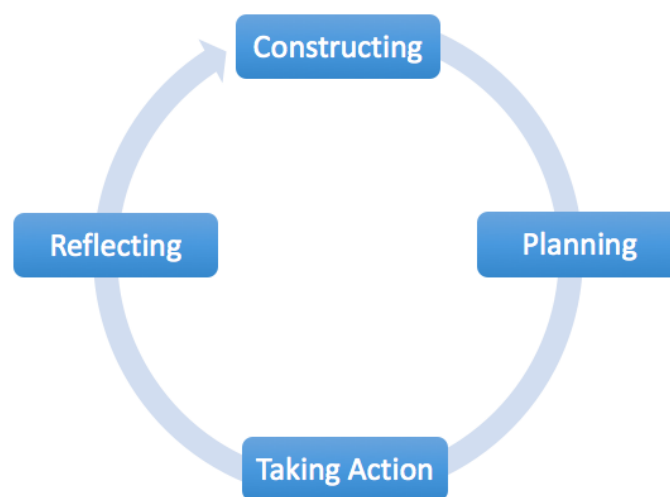
For each inspection commenced during the period of my research, I applied the cyclical process of setting desired outcomes, constructing, planning, taking action and evaluating the action. Each inspection constituted a core action research cycle. The findings and recommendations produced in each core project were published in a comprehensive report, accepted by Government, and advanced to the implementation stage. What follows below are more detailed summaries of my approach to each stage of the action research cycle.

- ***Desired Outcomes***

Proposals to commence action research do not begin with questions. Action researchers become immersed in their work first and questions emerge over time. (Coghlan and Brannick 2010) Action research is research *in* action, not about action.

Traditional research produces knowledge, while action research produces both action results and knowledge or theory. It involves a sequence of events and approaches to problem solving. (Coghlan and Brannick 2010) The cyclical process of action research includes the following steps: constructing, planning, taking action, and evaluating the action. The cycle commences again until such time the researcher determines the project is complete. The following diagram depicts the cyclical process of action research:

Figure 4.1: Action Research Cycle



A. Constructing

In earlier literature, the first action research step was referred to as ‘diagnosis.’ More recently, Coghlan and Brannick (2014) refer to it as ‘constructing.’ During this step, all parties involved participate in discussion and frame the project. They begin to identify issues and articulate the ‘practical and theoretical foundations of action.’ The importance of this step cannot be overstated. As a project evolves, and new cycles emerge, this constructing process may change, but the researcher must carefully note changes and describe how data and experience have led to changes in the constructing strategy.

During the constructing stage of my meta-cycle of action research, I continued to work with the Secretary General, Department of Justice staff and the Inspectorate team to

discuss the framework for the project. We had already worked together on three previous projects, but it was important for all to understand that we would apply a more robust methodology to our work going forward. My discussions during this constructing stage helped to focus my desired outcome.

B. Planning Action

The planning stage of action research is straightforward. The researcher and stakeholders participate in dialogue to develop the roadmap for the project; continued engagement throughout is critical.

When planning the meta-cycle of my project, I continued to work closely with those in Justice and with my Inspectorate Team. We knew that unexpected assignments from the Minister could come our way at any time (often in response to a crisis), but we also realized the importance of a strategic approach to reform. We prioritized projects that would strengthen the Inspectorate model, and produce valuable, practical results as well as academic knowledge.

C. Taking Action

When taking action, ‘engagement’ was the overarching theme of our work. I encouraged and sought out the active participation and buy-in of Justice officials, Inspectorate team members, the police and other stakeholders. At the same time, whether in the meta-cycle of our work or the core action research cycles, I was insistent that we follow our structured plans, unless we collectively agreed there was a need to adjust or deviate during our action.

Assuring rigour was a critical component of taking action. While all research is – or should be – held to high standards of rigour, action research projects are sometimes assessed with greater scrutiny, as discussed above, particularly by those committed to a more conservative, positivist approach. Action researchers are often required to go to greater lengths to defend their methodology. It was thus important to develop strict quality criteria in advance of my project and to adhere closely to those criteria. I mirrored Reason’s and Bradbury’s (2006) principles when establishing the following checklist:

Table 4.1: Checklist Against Reason and Bradbury's Principles

Question	Response
Does the research reflect cooperation between the researchers and members of the organisation?	My unwavering commitment to collaboration was evident throughout this project.
Is the research reflexive, focused on practical outcomes and governed by constant and iterative reflection?	The cyclical action research approach was applied to each core project and the meta-cycle. Many practical outcomes emerged from the core projects, and thesis knowledge was produced during the meta-cycle. With each core project and during the meta-cycle, I reflected with members of the Inspectorate and others involved in second-person practise. We learned lessons that informed the broader project. There were numerous practical improvements in Irish policing, and a model police inspectorate emerged. We also identified significant weaknesses in the broader police governance structure.
Is the project significant and will it produce valuable, sustainable change?	The results of this project will have a lasting impact in Ireland, and can also be studied and replicated in other jurisdictions.
Can I demonstrate that I have engaged in 'multiple and repetitious' cycles of action research?	This project included five core projects. Each is presented in this thesis. Each core project was cyclical, as was the meta-cycle.
Were the actions properly recorded to provide an accurate representation of the research?	The actions were recorded in the robust document library of the Garda Inspectorate, in each core project report, in the implementation tables on the Inspectorate

Question	Response
	website, and in this thesis.
Did I consistently and effectively challenge my own pre-conceived notions, biases, assumptions and interpretations?	I carefully applied first, second and third-person research principles to challenge assumptions and test conclusions.
Did I elicit and value different viewpoints, including those that contradicted my opinions and conclusions?	Engagement was an overarching theme in this project. A broad array of stakeholders representing very different perspectives contributed to each core project and the meta-cycle.
Are my interpretations and conclusions based on sound theory?	Yes. As reflected in Chapters 6 and 7, in which I describe the core projects of this thesis, I was careful to capture propositional, practical, and critical knowledge; to ensure first- and second-person practise; to structure recommendations that in a manner that reflected both single-, double-, and triple-loop learning, and to advance reforms that were not only applicable to future changes in Garda practise but would have relevance to the field of law enforcement generally.

I made it a point to reflect on this list on a weekly basis to ensure I remained true to these guidelines.

It was clearly important to assure first- and second-person practise. First-person practise aims toward greater congruity between the values one espouses and the values one enacts. (Chandler and Torbert 2003; 134) When I commenced my project, I clearly understood my first-person role as actor/director – Chief Inspector and researcher. As a career police officer, I had developed an inquiring approach to most situations, but when undertaking this project, I made a conscious attempt to be more reflective. Realizing that distractions are inevitable in the dynamic world of policing, I scheduled reflection time at the end of each day to be certain I did not miss opportunities to review material, question my own assumptions, derive insight and incorporate lessons learned into my on-going work.

Second-person practise aims toward conditions of greater trust and mutuality among co-participants. (Chandler and Torbert 2003; 134) The Inspectorate sought to be highly collaborative and transparent in its work. I was determined to create an independent oversight body that would identify weaknesses in systems, develop substantive policy and operational recommendations that would lead to significant reform, but was also based on the underlying principle that effective engagement would reap the greatest results. Simply put, I am of the firm belief that an adversarial approach to oversight and governance is not just ineffective – it affirmatively undermines progress.

In that spirit of collaboration, we readily shared data, analyses and evolving conclusions with Garda management. There were instances when sensitive or potentially damaging information was discovered. In each case, I immediately shared the information with Justice officials and Garda managers in a respectful and constructive manner. We worked collaboratively to develop responses and solutions. This gave Garda management an opportunity to address problems without delay. The Inspectorate avoided sensationalising negative findings. At the same time, the Inspectorate was straightforward and transparent when sharing data and results. When appropriate, the Inspectorate noted Garda management's timely responses to

issues raised, but never glossed over troubling discoveries. The Inspectorate was determined to be truthful, fair, and constructive in all its work.

Working collaboratively with the Secretary General, Justice staff, Garda management, representative associations, and members of the police service, the Inspectorate team produced valuable second-person inquiry during core projects and throughout the meta-cycle of my work. The Secretary General of the Department of Justice and the Inspectorate Principal Officer proved to be valuable partners, confidants and allies. I had the advantage of participating in the selection of most Inspectorate staff and focused on identifying smart people with collaborative tendencies. During my first term as Chief Inspector, I was able to establish an extraordinary team that worked as a dynamic, cohesive group. My second term, unfortunately, coincided with the economic downturn. I eventually lost the Inspectorate's first principal officer, an extremely knowledgeable and valuable member of my immediate team, to a retirement incentive programme. It was also more challenging to attract a large pool of international candidates for deputy positions. Nonetheless, throughout my research, we maintained a team of dedicated and productive professionals who worked collaboratively and cohesively.

D. Evaluating Action

Schön (1983) emphasizes that learning in action is grounded in the inquiry-reflection process. The researcher constantly asks questions, reflects on action taken and incorporates lessons learned into the project going forward. Knowledge is produced from reflection.

The evaluation/reflection stage of action research was the most exciting and valuable, whether in the meta-cycle of my work or during each core project. I kept detailed notes of my reflections, contextualised against my experience and discussions with others, which I would regularly draw from in charting agenda for upcoming meetings, considering additional outreach strategies, and ultimately drawing the conclusions that formed the basis for our recommendations.

I found this commitment to reflection to be one of the most challenging of steps, often purely in practicality, but also the most insightful and rewarding. In the dynamic

world of policing, the next crisis is always on the horizon. It is easy to be distracted by urgent, day-to-day demands and to neglect the important process of reflection. As time went on, I developed greater discipline and made more time for reflection – a practise that continues to serve me well.

E. Developing the Meta-Cycle

It is not unusual in action research for multiple cycles to operate simultaneously. As demonstrated earlier, in this project there were a number of core action research projects that operated in the context of a larger, distinct meta-cycle of reflection and learning. Core projects are typically shorter in duration and produce project results. The meta-cycle continues until the core projects have been completed and produces knowledge resulting from reflection around the core cycles. In some literature, the meta-cycle is referred to as the ‘thesis action research cycle.’ (Zuber-Skerritt and Perry 2001) In my project, as the below diagram illustrates, this was the meta-cycle that overlaid my core projects, shaped the evolving Garda Inspectorate, and produced academic knowledge in organisation science.

Figure 4.2: Action Research Meta-Cycle



V. Conclusion

A sound action research project, Coghlan and Brannick (2010) suggest, contains three main elements: a good story, rigorous reflection on that story, and an extrapolation of usable knowledge or theory from the reflection on the story. As such, they encouraged researchers to consider three questions: What happened? How do you make sense of what happened? And, so what?

In the chapters that follow, I answer these questions. At the time I commenced my project, democratic jurisdictions across the globe were searching for more effective models of police governance. In Chapters 6 and 7, grounded in the context provided in Chapters 1 and 2 and reflections described in Chapter 5, I describe what happened – how each core action research cycle and the meta-cycle were conceived, the desired outcomes, and the action undertaken in each cycle. I describe the results, both anticipated and unanticipated, and do so in a neutral, factual manner. I explained how I made sense of this work – balancing single-, double-, and triple-loop learning, and first-, second- and third-person practise.

Finally, in Chapter 8, I address the ‘so what’ of Coghlan and Brannick’s challenge. I describe how the Inspectorate evolved from a nascent, independent oversight body attempting to drive change in a large, traditional organisation, into a robust structure that can serve as a model component of police governance in democracies around the world.

In doing so, I explore how this project produced practical and theoretical knowledge not just as to police governance and oversight, but also as to organisation science more broadly.

Chapter 5

PREPARING TO BRIDGE THEORY AND PRACTISE

An important prelude to an action research project, Coghlan and Brannick (2010) emphasise, is the pre-step, in which the researcher first attends to and acknowledges the individual perspective that one brings to the project and the context and culture in which the project is set, and second, seeks out collaborative relationships with those individuals and groups who will influence, or be impacted by, the direction of the project. These audiences, Reason and Marshall (1987) assert, comprising the first, second, and third person practise of action research, are critical to the methodology.

In my work, the pre-step was grounded in the first three of the eight projects that the Inspectorate would undertake during my tenure – projects that, as I note earlier, preceded my formal thesis work. To manage these projects effectively, to successfully navigate stumbling points along the way, and to maximise receptivity of outcomes and recommendations, deep reflection on my own background and the history and culture of the agency with which I sought to collaborate was necessary. In this chapter, I address the pre-step of my work. I describe, briefly, the three projects that formed the platform for later work and informed the development of the meta-cycle of my thesis project. I discuss, in first-person practise, reflections on my approach to management and leadership, and how that approach was shaped by my mentors and experience. I note the relationships forged during the early days of the Inspectorate that carried through later work, and I identify themes that emerged through the first three projects that continued to strengthen throughout later research cycles.

I. Pre-Step Projects

A. Senior Management Structure

Within weeks of its establishment, following initial desktop research and field visits, the Inspectorate team observed two glaring differences in the Garda organisation when benchmarking it against other modern, international police services. First, there was a lack of civilian support staff at all levels, particularly in senior positions.

Second, the Inspectorate noted the risk of disproportionate emphasis on Headquarters and specialized units to the detriment of uniformed field operations. The Inspectorate felt strongly that reform in the Garda Síochána would only be effective if built on a strong foundation. The Garda organisational structure was not aligned with best international practise.

At the time, the senior command staff of the Garda Síochána included the Commissioner, two Deputy Commissioners, twelve Assistant Commissioners and the Director of Finance. Other than the Director of Finance, all were experienced and committed police officers who had risen through the sworn ranks. They had acquired substantial hands-on supervisory and management experience, but it was clear the Garda Síochána could benefit from more civilian expertise, particularly at the senior management level in areas such as Human Resource Management and Information Technology. At that point in 2006, civilian managers were disproportionately few and typically reported to uniformed Assistant Commissioners or Chief Superintendents. The Inspectorate noted that a structure of that nature was the norm in policing twenty years prior, but was not at all typical in the 21st Century. Most large police organisations in Europe, North America, Australia, New Zealand and elsewhere had moved decisively in the direction of civilianising many senior management positions (a move I strongly advocated during my tenure in Boston, as described earlier). The primary purpose was to free up police leaders to focus more appropriately on the demands of front-line operational policing, but it also enhanced management of police services by placing civilian subject-matter experts in leadership positions for which they were better skilled.

The budget of the Garda Síochána in 2006 was nearly 1.3 billion euro. There were approximately 12,500 sworn members and 1,300 non-Garda personnel employed by the organisation. The Inspectorate noted that a private corporation of that size would employ a highly specialised management team; so too should the Garda Síochána.

The Inspectorate recommended recruitment of a senior-level civilian manager to work through a transition period with the serving Deputy Commissioner responsible for all administration who was nearing retirement. At the time of that Deputy's

retirement, the new civilian manager would assume the title of Chief Administrative Officer. The person envisaged by the Inspectorate for the position was a civilian possessing the broad experience and skills commensurate with a private sector chief operating officer. The Chief Administrative Officer would oversee all administration, finance and technology systems. The Inspectorate recommended three additional senior civilian management positions – Legal Advisor, Director of Human Resource Management and Director of ICT. The Chief Administrative Officer would also have responsibility for forensic support, accommodation and fleet management.

An organisational shift of this nature may have seemed radical in respect to the structure of the Garda Síochána at the time, but the Inspectorate felt it was necessary to bring the Garda organisation in line with common practise in modern policing. The Inspectorate noted that the Commissioner previously expressed support for the concept of further civilianisation. The Inspectorate committed to follow-up study and a more comprehensive report addressing civilianization at all levels of the organisation.

Also in the first report, the Inspectorate acknowledged the emergence of new policing challenges in Ireland. It recognized the Garda Síochána's creative and effective responses to these changes, such as the development of the Criminal Assets Bureau (CAB), an internationally recognised, best-practise model for addressing the proceeds of crime. The Inspectorate also acknowledge the need to create certain other specialised units as well and commended the police for their prompt response and successes in several areas. At the same time, the Inspectorate noted the strong sense, particularly among uniformed field commanders, that the pendulum was moving too far in the direction of specialisation, to the detriment of core policing operations. Commanders assigned to Divisions and Districts in the six regions were clearly under significant pressure to field more visible patrols, in part because some of their best people were regularly transferred to support centralised and specialised units.

The Inspectorate cited its international experience when stating that the uniformed branch of any police service is the lifeblood of the organisation. It posed the question, 'Could a culture of excessive specialisation and centralisation be emerging in the

Garda Síochána?’ The Inspectorate noted the perspectives of many members of various ranks who believed strongly it was the case. Young gardaí spoke of assignments to specialised units as ‘the only way to get ahead.’ Without dashing the aspirations and spirit of young members, the Inspectorate emphasised the need for Garda management to promote strategies which would prioritise uniformed field operations, while also delivering fulfilling career paths that reward police officers who remain committed to uniformed police services. The Inspectorate recommended a simple, immediate step to acknowledge the importance of uniformed Garda operations. It recommended the redesign and publication of a new Garda organisational chart. The chart at the time depicted high profile investigative and specialised units most prominently, at the centre of the diagram, with the six Garda field regions off to the side. The Inspectorate proposed a new chart that placed the regional assistant commissioners and their personnel at the heart of the organisational chart. All support units and services were shown surrounding the regions, properly acknowledging the critical importance of field operations.

The Inspectorate’s first report, including twelve recommendations, was published in November 2006 and focused almost exclusively on civilianisation and organisational structure. Although fairly simple and straightforward, the Inspectorate’s first report was highly publicised and received positive reviews from the media and Garda personnel, particularly the nearly 11,000 front-line uniformed gardaí who appreciated that the importance of their role was highlighted. One reaction the Inspectorate did not anticipate, however, was that of the Deputy Commissioner responsible for administration. He took the recommendation to civilianise his position personally and was clearly annoyed by it.

While recognising the inherent potential for professional tension in any model of oversight, I firmly believed from previous experience, as outlined in Chapter 1, that adversarial approaches to oversight and governance were not just ineffective – they seemed to trigger human tendencies towards defensiveness and retreat when attacked, particularly when mistrust and a lack of transparency were prevalent. I reflected in particular on instances when serving as Public Safety Secretary and Boston Police Commissioner when adversity seemed to entrench positions and,

thereby, affirmatively undermined progress. Therefore, I was determined when forging early relationships as Chief Inspector, in the spirit of collaboration, to share data, analyses and evolving conclusions with Garda management, and in instances when sensitive or potentially damaging information was discovered, to share the information with Justice officials and Garda managers immediately in a respectful and constructive manner.

Accordingly, when learning of one of his deputy commissioner's displeasure, I phoned Commissioner Conroy to arrange a meeting with him and the two deputies. My senior team joined the meeting as well. I acknowledged the Deputy Commissioner's decades of service and substantial contributions to policing in Ireland, and apologised for unintentionally upsetting him, but also explained the Inspectorate was simply doing its job by making recommendations to bring Garda structures in line with best international practise. I stood by the recommendation, but committed to developing stronger lines of communication with Garda HQ. The experience underscored the need to be respectful and to avoid, whenever possible, alienating people in the inspection process.

B. Barr Tribunal Review

The second inspection was ordered by then Minister for Justice, Equality and Law Reform, Mr Michael McDowell, TD. The Barr Tribunal Report relating to the tragic death of John Carthy was published in July 2006. Mr Carthy had been shot and fatally wounded by police following a siege situation in Abbeylara, County Longford. The Minister directed the Garda Inspectorate to benchmark the recommendations contained in the tribunal report against best practises in international policing. In March 2007, the Inspectorate issued its findings, including eighty-four recommendations for improvement.

Historically, barricade incidents were not uncommon to the Garda Síochána, but events at Abbeylara were unusually tragic. Sadly, life ended for John Carthy on 20 April 2000, and many other lives were impacted as well. The Inspectorate was not tasked with reinvestigating the circumstances of John Carthy's death at Abbeylara.

Judge Barr dedicated more than four years to his review of the tragedy and issued a very comprehensive report of his findings. Neither was it the Inspectorate's role to investigate the circumstances of more recent barricade incidents. The focus always remained on the task set forth by Minister McDowell – to analyse Garda practises and procedures, considering the Barr Tribunal's recommendations, and to make practical suggestions for improvement. In approaching our task, the Inspectorate was determined to establish international best practise and use it as a constant reference point. In doing so, we carefully considered the applicability of police practises from other jurisdictions to the Irish policing environment.

We involved Garda personnel of all ranks from the very beginning of our work. Early meetings were held with the Commissioner, Deputy Commissioner Operations, Assistant Commissioner Crime and Security, Chief Superintendent Emergency Response Unit (ERU), Chief Superintendent Training and Development and Chief Superintendent overseeing negotiators. We also visited commanders and personnel in the field who had experience in other siege situations. We spent considerable time consulting with tactical commanders from other police services in Australia, Canada, the United Kingdom and the United States. The Inspectorate retained a highly qualified tactical commander from the United States to critique and validate our work throughout the project. He had served as a tactical team leader and special operations commander for twenty years. He was recognized internationally for developing curricula on less lethal force options for the International Association of Chiefs of Police and had conducted training in more than thirty countries. He was a valuable resource to the Inspectorate, but also brought great credibility to the project.

The Inspectorate reviewed several reports in addition to the Barr Tribunal report. These were the Garda Síochána investigation reports on the fatalities at Abbeylara and Graignamanagh, and a report prepared by the Federal Bureau of Investigation prepared at the request of Commissioner Pat Byrne in the aftermath of the Abbeylara fatality. The Inspectorate researched recommended practises and model policies published by the International Association of Chiefs of Police, the Police Executive Research Forum in the USA, the Association of Chief Police Officers in the United Kingdom (ACPO), the Ontario Provincial Police and the Royal Canadian Mounted

Police.

The Garda Síochána had instituted some important new practises and procedures in the period of nearly seven years since the incident at Abbeylara and it was important for the Inspectorate to acknowledge that. The Inspectorate indicated that its recommendations were intended to build on the reforms introduced by the Garda Síochána, but in truth, there were still glaring deficiencies that had to be addressed. The Inspectorate categorized its eighty-four recommendations under three main headings: (1) Initial Response, (2) On-Scene Command, and (3) Necessary Equipment.

The Inspectorate determined that six years following the tragedy at Abbeylara, police officers responding to siege situations involving firearms were still at risk. The report recommended policies, protocols, training and equipment purchases aimed at enhancing the safety of the police and all other persons involved. The Inspectorate also emphasised the importance of selecting, training, certifying and appraising the right on-scene commanders, noting that the system in place lacked criteria and substance.

The report contained numerous recommendations for improving police officer safety and operational effectiveness by purchasing proper equipment. In particular, the Inspectorate recommended the purchase of ballistic vests and shields, state of the art less lethal and lethal weapons, and command and tactical vehicles required for response to armed situations.

Prior to publication of the report, I met with John Carthy's sister and her partner. After extending my sincere condolences, I provided an overview of our process and a synopsis of our findings. I also listened carefully to their feedback and concerns. In the introduction to the report, the Inspectorate extended its sincere sympathy to the family and friends of John Carthy and empathised with members of the Garda Síochána who were at Abbeylara that day, noting that they will all forever carry the memory of the tragedy that took place.

Once again, it was important to reflect on lessons learned from this second piece of work. The Inspectorate's commitment to collaboration, particularly with senior Garda

commanders, ensured greater support throughout the process, particularly when the findings were published. Mid-level managers and supervisors were appreciative that they were involved in every aspect of the review. The subject-matter expert was well received. His credentials were second to none and he established instant credibility during the Inspectorate's first group meeting with negotiators and tactical personnel.

Following on helpful information gathered during field visits and meetings with each representative association, the Inspectorate expressed significant concerns about police officer safety. The specific recommendations to address officer safety issues were much appreciated by front-line personnel.

The Inspectorate conducted more desktop research during the second inspection. In addition to its in-depth review of the Barr Report, the Inspectorate reviewed a substantial amount of international literature related to tactical operations and negotiations with barricade persons.

There were several media inquiries during the project, but the Inspectorate avoided comment prior to publication of the report. On the day of publication, the Inspectorate organized a news conference and, once again, media attention surpassed my expectations. There was substantial coverage, but all positive. The Minister was pleased, Judge Barr complimented the Inspectorate's work, Garda Headquarters embraced the findings, the representative associations expressed appreciation for the Inspectorate's commitment to police officer safety, and the family of John Carthy spoke of the work and recommendations in very favourable terms.

It was through this project that I established many of the valuable relationships that I would maintain throughout the meta-cycle of my research. This project underscored in the pre-step the importance of a collaborative approach, and I attribute the positive results in this early, pre-thesis project to the Inspectorate's commitment to engagement.

C. Policing in Ireland–Looking Forward

The Inspectorate's third piece of work was the culmination of its first year of consultation and benchmarking. In the report, the Inspectorate outlined an assessment of Garda operations and administration and proposed thirty-eight recommendations for improvement.

The Inspectorate noted:

It is important to understand that this assessment is not a critical, retrospective view of Irish policing. Nor is this an exhaustive analysis of Irish policing today. Rather, this report prioritises certain operational and administrative issues and suggests reforms to bring the Garda Síochána in line with international best practises and enable the Garda Síochána to realize its vision of policing excellence.

The Inspectorate committed to a fair and accurate assessment of policing in Ireland during its first year of operation. As a group and individually, members of the Inspectorate travelled the country to conduct hundreds of meetings with representatives of the Garda Síochána and the communities they serve. The Inspectorate also met regularly with Minister McDowell, Secretary General Aylward and other senior Justice officials. The Inspectorate spent considerable time in discussion with Garda representative associations, the Morris Tribunal, the Garda Síochána Ombudsman Commission, and the Advisory Group on Garda Management and Leadership Development. In addition to formal and informal meetings, the Inspectorate participated in community events and encouraged communication by mail, e-mail, and phone. Personally, I spent more time at meetings and events in the field than in the office. Each event presented an opportunity to explain the remit of the Inspectorate, but also afforded me the opportunity to listen carefully. I learned a great deal and incorporated input and feedback into my work.

The Inspectorate reviewed a considerable volume of research and management reports on the Garda Síochána. It considered community concerns about violent crime, drugs, public order and road safety to gain a full appreciation of the challenges

facing Irish police. The Inspectorate also conducted independent research in Ireland and externally. At the end of the first year, the Inspectorate felt it had a good overall understanding of contemporary policing in Ireland.

The Inspectorate was conscious that Irish policing was at a crossroads, and all political parties at the time were placing a high priority on police reform and public safety issues. Following Government elections in June 2007, newly appointed Minister for Justice, Equality and Law Reform, Mr Brian Lenihan TD, was developing his agenda for policing. New appointments were also imminent at the most senior levels in the Garda Síochána. It was amidst these developments that the Inspectorate published its third report, expressing hope that it would be a catalyst for further change.

The recommendations in the Inspectorate's third report were divided into four main categories: (1) Vision and Change; (2) Organisational Structure; (3) Police Operations; and (4) Administration. It included several recommendations to enhance the management and administration of the Garda Síochána, but also suggested reforms in front-line operations.

The Inspectorate had reviewed the many glossy reports and brochures published by the Garda Síochána, but concluded at the time that management needed to articulate strategic and measurable change priorities more effectively, in clear and unambiguous terms. For example, there was an impressive multi-page document produced by Garda Headquarters that outlined the organisation's values statement, but when I inquired about it, few people beyond Garda HQ knew it existed. The Inspectorate called for a clear vision and concise values statement that members could learn, embrace and apply to practise in their daily work.

Following on the conclusions in its first report, the Inspectorate made further recommendations about organisational structures and encouraged Garda HQ to devolve greater authority to the six regions, making assistant commissioners responsible and accountable for all aspects of policing in their respective regions. The Inspectorate noted that support personnel and analysts would be required to assist at

the regional level. In the new framework, Garda HQ would operate as a corporate head office, maintaining strategic direction and control.

The Inspectorate addressed the issue of community policing in this report as well. In their travels, members of the Inspectorate were introduced to dozens of community policing initiatives, but sensed they were apart from, not imbedded in, everyday police strategies. The Inspectorate noted that community policing should be the policing philosophy at the core of the organisation, upon which the rest of the strategy is constructed, not simply an assignment or stand-alone unit.

The Inspectorate raised some preliminary resource allocations issues, calling for a more consistent rural policing model and better-managed units in urban areas. It suggested relieving superintendents from mundane tasks to free them to dedicate more time to effective supervision and management in Garda districts. It recommended the reinstatement of structured briefings at shift changes and enhancements to the role of section sergeants.

The Inspectorate also addressed the role of local gardaí by recommending they assume additional responsibilities for the prevention, detection and interdiction of crime and road safety - responsibilities too often performed by specialists only.

Once again, the Inspectorate took the opportunity to underscore the importance of civilianisation at all ranks, calling for a new civilian Chief Administrative Officer and a Human Resources Director to develop a comprehensive HR strategy for all sworn and non-sworn personnel. It emphasised the importance of a recruitment strategy that would lead to a talented, multicultural, multilingual workforce.

The report also called for a review of the recruit-training program to ensure it would provide new Gardaí with the core policing skills required to do their jobs. It cited the need to build a continuing professional development and training programme for each rank and civilian grade in the organisation. It emphasised the need to provide necessary training and professional development to enable managers in the regions to perform their roles more effectively, and to invest in leadership and executive training programmes for the superintendent and inspector ranks. It called on the Garda

management to agree a strategy and develop a timeframe for the introduction of a professional performance management system. It recommended further review of promotion processes to ensure relevance and fairness. It also suggested development of a strategy to identify highly talented employees and to accelerate their advancement through the ranks.

The report underscored stark deficiencies in technology and called for the development of a technology vision to align with the organisation's vision and strategic plan, with particularly focus on enhancement of front-line police service. Based on the Inspectorate's positive experience when involving field personnel, it urged that commanders and front line police officers be consulted in the development of the technology vision. The Inspectorate also noted the importance of involving the Director of ICT in senior policy discussions to be certain he/she would be fully aware of strategic and operational plans and able to align the technology agenda closely with them.

The Inspectorate also called for the development of a transport policy primarily driven by business needs. It noted the need to increase the size of the transport fleet, particularly the proportion of marked vehicles to enhance visibility and productivity. It also recommended the hiring of a professional, external fleet management service that would operate per specific deliverables, including the compilation of reliable data to be used in identifying the safest, most reliable, most fuel-efficient vehicles.

The Inspectorate suggested the design and publication of a strategic Garda accommodation plan. At the time, 260 million euro had been allocated by Government under the National Development Plan 2007-2013 for the replacement of out-dated accommodations that no longer provided acceptable working conditions for Gardaí.

The Inspectorate noted the need for central, secure property storage sites at the busiest locations and called for the construction of proper firearms ranges and facilities for tactical training.

Finally, the Inspectorate recommended a more strategic approach to Garda

procurement in line with the National Public Procurement Policy Framework.

II. Emerging Themes

From these three projects, discrete themes began to emerge along the lines of the first, second, and third-person practise described earlier. Below, I identify these themes, and some reflections on the same.

A. Leadership (First-Person Practise)

First-person practise aims toward greater congruity between the values one espouses and the values one enacts. (Chandler and Torbert 2003; 134) Through first-person research, the researcher examines his or her own perspective, acknowledges how that perspective has been shaped through individualised experience, and strives to develop a conscious practise of taking an ‘inquiring approach’ to his or her own life. Coghlan and Brannick (2014) described the practise more concisely as simply attending to one’s own thinking, valuing, learning, and behaviour.

When I commenced my thesis work, I clearly understood my first-person role as actor/director - Chief Inspector and researcher. At the same time, I had worked in policing for more than twenty-five years; twenty of those years, in management positions. I had also participated in the development of police oversight systems in other jurisdictions. I brought significant experience to the project, but certainly, I also had a strong perspective that was directly shaped by my background and early mentors.

Having come to Ireland to forge a new direction in police oversight, I knew that leadership – both my own leadership of the Inspectorate and our recommendations for leadership in the Garda – would be a predominant theme throughout our work. In Chapter 1, I discussed my role as Deputy for Administrative Services under Chief Bill Bratton in the Metropolitan Police Department, and how that experience, and Bratton’s observations about the knowledge gap in police management, shaped my perspective on police management and leadership. As I have reflected on that experience over my career, I have become more certain that Bratton was correct

about that knowledge gap. The clear majority of police leaders rise through the ranks as uniformed cops and detectives, but know nothing about managing large, complex organisations with thousands of personnel and massive budgets. Particularly as jurisdictions struggle with increasing demands for service, rising technology and equipment costs, and budget shortfalls, the importance of modern, effective leadership and management in policing cannot be overstated. I strongly believe that police organisations must place heightened emphasis on professional development programmes that prepare officers to assume more demanding leadership roles within the sworn ranks, and police agencies must recruit non-sworn executives to work side-by-side on command teams with sworn leaders. This was a perspective I brought to my work in Ireland and one that was only strengthened through my early work.

I am drawn to the discussion of Joseph Nye in his 2008 book, *The Powers to Lead*. Decades after Bratton imprinted on me the importance of a new style of leadership, Nye noted that many leaders had yet to catch up with a changing philosophy around leadership. Acknowledging that one needs power to lead, Nye asserts that a successful leader exercises 'smart' power – a careful balance of 'soft' power (attraction) and 'hard' power (coercion).⁵ (Nye 2008)

In contrast to the 'hard power' applied by many police leaders, whereby their power of rank they dictate policing strategies and operational plans from top down, more enlightened leaders have recognised that this autocratic style of leadership produces limited results. In the former model, officers through the ranks dutifully follow orders and perform their work, but their input is seldom sought, little is done to develop

⁵ Leadership research on gender reports the increased success of what was once considered a 'feminine style of leadership' (Nye 2008). The masculine leadership style is often depicted as autocratic and competitive, relying on hard power. The feminine model is more democratic and collaborative, applying soft power to win over followers. I see no need to perpetuate gender stereotypes; I believe that what Nye terms 'masculine' leadership is more often grounded in deep-seated insecurity than strength. Certainly, many successful police leaders, male and female, are becoming increasingly democratic in their leadership styles.

their potential, and they are not encouraged to be effective service providers or problem solvers. Those who embrace the latter approach have concluded that the true potential of our organisations will only emerge if we unleashed the talent within, at all levels. To do so, a more progressive leadership style must be applied. It may be acceptable to apply an autocratic approach when urgent, decisive action must be taken, but the norm should be a more democratic, participative leadership environment. In policing, leaders must delegate authority, not just to mid-level management and front-line supervisors, but to cops on the beat as well. Front-line officers should be encouraged and trained to be effective problem-solvers.

Throughout my career, I often referred to myself as a 'situational leader.' While as a rule I prefer to lead through a more democratic, engaged process, I also know well that in the unpredictable world of policing, split-second decisions are often required, particularly in dynamic field situations, but also in management. I don't hesitate to make those decisions and would not apologise for being autocratic when doing so. This was an approach I was committed to bring to the Inspectorate, and one that continued to evolve as I matured in my role.

B. Engagement (Second and Third-Person Practise)

A good governance model, Freeman (1984) suggests, is one that captures the interests of all stakeholders – those groups who can affect, or are affected by, the activities of the organisation. The second-person practise of action research is directed towards this goal. It requires a group or community to work collaboratively to explore their shared concerns and aims toward conditions of greater trust and mutuality among co-participants. (Chandler and Torbert 2003: 134) Third-person inquiry, in turn, encourages the involvement of 'inquiring communities' beyond the immediate organisation.

Throughout my career, I have placed a strong emphasis on engagement. In many respects, I believe that a willingness to engage is a key trait of a successful leader. Assuming my role with the Inspectorate, I was determined to create an independent oversight body that would identify weaknesses in systems and develop substantive

policy and operational recommendations that would lead to significant reform, but I was also firmly committed to active, authentic engagement with as wide an audience as possible – whether the police, members of Government, or the community. My personal observation is that police values and attitudes have improved in jurisdictions where there is stronger emphasis on engagement. The makeup of the police service becomes more diverse and stronger links with the community are established. This perspective was informed in large part by my experience in Northern Ireland, but even before, I'd sought to implement a more community-oriented, integrated policing approach in my positions. For example, while serving in the Governor's Cabinet as Massachusetts Secretary of Public Safety, others and I forged strong alliances between the police, clergy, courts, probation, parole, education, social services, health services, and the community. Partnerships flourished, community trust grew, serious crime declined, and the quality of life improved in neighbourhoods throughout Massachusetts.

During my first several months in Ireland, I placed tremendous emphasis on forging relationships. I met with personnel at all levels of the Department of Justice and visited dozens of Garda facilities to interact with sworn and non-sworn members of every rank. I also attended a wide variety of community events and meetings.

Field visits were of enormous value. In addition to building trust and reinforcing credibility, I learned a great deal about the Garda organisation. During my previous experiences in North America and Northern Ireland, I had concluded that the people working on the front lines were often the best informed as to the strengths and weaknesses of their organisations, and typically, they had valuable suggestions for addressing challenges. During my early days in Ireland, I was heartened to learn the same was the case. The conversations in Garda stations and communities throughout the country best informed my early work, and continued to inform the work of the Inspectorate going forward. Engagement would continue to be an important theme of the Inspectorate's work moving forward.

C. Context: History and Culture

To achieve and manage organisational change through an action research approach, it is important to understand the context in which the project is set. Critical to understanding the context is to identify those factors – internal, external, present, historical, and cultural – that underlie the organisation’s evolution and the framework in which one is called to act. (Coghlan and Shani 2013; 528)

As I commenced my research, to develop what later I would term ‘contextual intelligence,’ I immersed myself in the task of learning as much as I could, both about the history of policing in Ireland and the Garda Síochána, discussed in Chapter 2. In studying this history, I was careful to pay attention to circumstances where my own experience could bias my impressions. Although there are certain core principles that apply to policing in every democracy, I was particularly conscientious to note that each police service has unique history and organisational culture, and that characteristics of a police organisation usually reflect the values and desires of the community it serves. (For example, the Irish police and the community they serve are committed to a routinely unarmed service. I had previously worked in jurisdictions, USA and Northern Ireland, where police are armed. Neither system is right or wrong. During my work, I was often asked, ‘As an outsider, do you think the Irish police should be routinely armed?’ I was constantly mindful and respectful of the unique characteristics of Irish policing, and took care to assure that my previous experience did not influence or shape my work.)

The Peelian principles are at the core of policing in Common Law jurisdictions, but reflecting on my own experience during the first decade of my police career in the United States, I was only exposed to these principles, and modern-day versions of the same, when reading literature and attending academic lectures. Indeed, when attending the Boston Police Academy in 1979, my training focused on fighting ‘The War on Crime.’ We referred to ourselves as members of the ‘police force.’ It never occurred to us that we were, rather, a ‘police service.’ Police chiefs dictated the agenda without consulting the community. Our performance was measured in terms of response times to 911 calls and the number of arrests we made. Enforcement was

the priority and our police vocabulary did not include the terms prevention, intervention, problem-solving or engagement. Our system lacked transparency and accountability. We worked hard, but we had it wrong. Violent crime rose steadily, public order problems increased, and the quality of life deteriorated, particularly in our large cities. In many jurisdictions, public trust in the police eroded. It was not until the late 1980's and early 1990's that police practitioners in the US recognized the need to revisit these early principles of the profession. It is a tribute to Peel's enduring insight that police practitioners today in many corners of the world widely cite his original principles, recognising the relevance of his work in modern-day, twenty-first century policing.

In contrast, and on a very positive note, since its establishment, An Garda Síochána has maintained consistently strong roots in the community. In fact, in most towns and villages, members of the community have been and continue to be personally acquainted with their local gardaí. This was apparent to me in beginning my work, and later substantiated by data I reviewed at the time of drafting this thesis. According to a 2008, public attitude survey conducted in the midst of tribunals and critical reports, 81% of the Irish people remained 'satisfied' or 'very satisfied' with Garda services. It is a remarkable rating for any police agency. (Millward Brown 2008) Yet trust is another matter, and delicate. A poll run in 2014, for example, indicated that only 67% of respondents said they would trust Gardaí to tell the truth. In the same poll two years earlier, the number was 80%. In other words, in just a short period, public trust in the integrity of Garda members eroded, no doubt influenced by several high-profile inquiries that had or were taking place.⁶

⁶ Examples include the 2009 report of Judge Yvonne Murphy Report that confirmed inappropriate police cover-up of child sexual abuse by members of the clergy; Supreme Court Judge Nial Fennelly's review of the widespread practise of taping telephone calls in certain Garda stations dating back to the 1980's; High Court Judge John Cooke's examination of reports that the offices of the Ombudsman had been illegally bugged; and Senior Counsel Sean Guerin's examination of Garda management's response to allegations raised by whistle-blower Maurice McCabe.

Yet the ability of the Garda to maintain the public's confidence despite fluctuating trust is unique. When considering this close alignment with the community, some may deduce that police in the Republic of Ireland remained truer to Peelian principles, particularly when compared to their North American peers. By maintaining close community links, perhaps Irish police avoided some of the missteps of other agencies, particularly those in North America, where police lost ground for many years by subscribing to the fast-paced, anonymous, rapid-response model. Indeed, it is remarkable that despite serious challenges, An Garda Síochána still enjoys the confidence of the majority of Irish people.

The pre-step, Coghlan and Brannick (2014) note, is valuable for understanding the present state of an organisation, and thus provides a 'useful focus' for attention to how a future state is to be designed. Certainly, I learned a great deal during my early days in the position of Chief Inspector, and the valuable input I received from front-line police and community members provided the foundation for the Inspectorate's subsequent work. By the time I commenced my research, I had already established a wide network of acquaintances and Inspectorate supporters. I developed a good sense for the strengths and weaknesses of the Garda organisation and clearly identified priorities for review and reform. The following topics, for example, appeared consistently in my notes of early meetings in the field:

- **Significant Public Support:** Although members of the community often cited concerns highlighted in the Morris and Barr tribunals, it was clear that Garda Síochána continued to have strong community support - stronger than the support I had witnessed in any other jurisdiction. The police were very appreciative and proud of the community support and often cited statistics from independent public satisfaction surveys.
 - **Training:** There was a strong commitment to training and continuing professional development. A substantial investment had been made in the central training
-

facility in Templemore. New recruits were required to undergo a two-year, probationary training program. Senior ranking officers were offered generous opportunities to participate in courses, both at home and abroad. During my early observations, I did note two potential weaknesses that warranted further exploration. While a substantial investment was being made in training and education, I was not convinced the programs were as robust and relevant as they could be. Also, there was little consideration or effort dedicated to remote training and education. Field supervisors regularly complained that the Garda College was focusing too much on theory and not enough on practical skills.

- **Management Style:** It was clear the Garda Síochána was a very traditional, autocratic police organisation. Garda HQ dictated the agenda; bottom up input and feedback were rare.
- **Composition of Organisation:** The low number of civilian personnel was astonishing. Members of the Inspectorate had previously worked in police organisations with a minimum of 30% non-sworn personnel. In 2006, only 7% of Garda employees were civilian, and with few exceptions, they served in support and administrative positions.
- **Technology:** The lack of modern technology was remarkable. Only 2% of members had Garda email addresses at the time. There was no computer-aided dispatch outside of the Dublin Metropolitan Region; call taking and dispatch were extremely inefficient.
- **Resource Allocation:** There was no sensible strategy for resource allocation and no technology systems to support it. Garda rosters had not been amended since the 1970's.
- **Analysis Capability:** There was no formal system or unit dedicated to crime analysis.
- **Health and Safety:** There were serious, legitimate concerns relating to police officer safety. Bullet resistant stab vests were rarely issued and worn. Police lacked equipment and training to handle dangerous situations. There was little

capacity to deal with serious armed challenges. Front-line police lacked essential, practical training, such as police driving courses.

D. Context: The Garda Síochána Act

Situating the project within the context, Coghlan and Brannick (2010) emphasise, is understanding why the project is necessary; what economic, political, and social factors impact change; what are the internal drivers, and what are cultural factors. It was thus also important, for purposes of setting the context of my work, to understand the background of the 2005 Act that created the Inspectorate.

Over the course of my research, I interviewed several individuals involved in crafting the legislation, including former Minister of Justice, Equality and Law Reform, Michael McDowell TD, Mr Sean Aylward, Secretary General, and Mr Michael Flahive, Assistant Secretary. They all affirmed that the legislation was enacted for two principal reasons: (1) to address concerns about police corruption and operations that emerged during the work of the Morris and Barr tribunals; and (2) to satisfy commitments made by the Irish Government during the Peace Process to develop police governance structures like those evolving in Northern Ireland.

Assistant Secretary Mr Michael Flahive, a member of the team that drafted the original legislation, noted during my interview with him that while language relating to the establishment and remit of the Ombudsman Commission is very comprehensive and robust, there is far less statutory language relating to the Inspectorate. The priority at the time was the establishment of the Ombudsman Commission because of corruption concerns identified in the early Morris Tribunal hearings and reports. It was only at the point when the drafting process was nearing completion that discussion of the Inspectorate emerged. In Northern Ireland, in addition to the Ombudsman, Her Majesty's Inspectorate of Constabulary (HMIC) and the Criminal Justice Inspectorate of Northern Ireland (CJI) provide oversight. It became apparent that the Republic of Ireland would require an inspectorate to align more closely with the structures in the North. Initially, some suggested that an inspectorate could be established within the body of the Garda Ombudsman Commission, rather than developing two independent organisations. However, following internal debate and external advice from Senator

Maurice Hayes, that plan was abandoned because the respective missions were disparate. Under growing pressure to complete the legislative language proposal, drafters opted to create the separate inspectorate, but did not have time to conduct additional research and develop detailed language. Therefore, in the Act, structure, remit and procedures relating to the Ombudsman Commission are defined in much detail, whereas the Inspectorate is defined in broad, simple terms. In fact, only three pages of the Act focus on the Garda Inspectorate.

One provision of the Act, however, stands out. The Act requires the Chief Inspector to appear before houses of the Óireachtas when requested to discuss the Inspectorate's reports and recommendations. But there is a noteworthy limitation on testimony relating to this section of the Act, providing:

In carrying out his or her duties under this section, the Chief Inspector shall not:

- c. question or express an opinion on the merits of any policy of the Government or a Minister of the Government or on the merits or objectives of such policy; or
- d. provide information that might facilitate the commission of an offence, prejudice a criminal investigation or jeopardise the safety of any person.

When first reading the Act, I was struck by the language in paragraph (a) above. On one hand, the Act states the Inspectorate is 'independent,' yet on the other hand it restricts Inspectorate comment on the merits or objectives of Government or Ministerial policies. When engaged in the pre-step, and when constructing the meta-cycle of my research, I gave much thought to this language. By law, the Inspectorate could not question Government or the Minister. For me, it underscored the need for engagement and a collaborative approach.

III. Conclusion

Although, at the time, I did not envision my work in Ireland to manifest in a doctoral thesis, the themes that developed and insight gleaned over these first three projects

were critical in informing the process for later work and, importantly, in shaping the Inspectorate in accordance with the Act. As I reflected on these projects and themes, I also noted the following practical points as to the Inspectorate at the time:

- The Inspectorate team is robust. The Chief Inspector and Deputy Chief Inspectors have combined service of more than 100 years in policing. All served as chiefs of major police organisations and are regarded as principled, progressive leaders.
- The team of Irish Civil Servants assigned to the Inspectorate is second to none; all are very capable and committed.
- Contracting high quality, credible subject-matter experts for individual projects has produced great results, and made far more sense than hiring a large number of full-time policing generalists.
- The Minister and Department value the Inspectorate's work. One project (Barr) was assigned by the Minister following a crisis, and two projects were initiated by the Inspectorate, but enthusiastically endorsed by the Minister. Recommendations to date have been unanimously accepted by Government.
- Relationships with the Minister, Secretary General and Justice staff are strong and productive.
- The Inspectorate has established widespread credibility with the media.
- Robust community engagement has led to trust and support.
- Relationships with representative associations are strong. The Inspectorate enjoys support through the ranks, from garda to chief superintendent. Enthusiasm for Inspectorate's work continues to grow among police officers in the field.

I also noted opportunities for improvement:

- Relationships with Garda management are generally positive, but tensions emerge from time to time. Managing these relationships must be a priority going forward.
- It is important to measure progress and track the recommendations of each

report.

- The Inspectorate must capture meta-knowledge, not just project knowledge. Lessons learned from each project should inform the Inspectorate's evolution.
- It would be interesting and important to shape a police inspection/oversight model that could enhance police governance elsewhere.
- How can the Inspectorate promote a sense of urgency, while also giving people an opportunity to buy in?

I also recognized, from my early work, that, as the Inspectorate operated without a formal research methodology, it could benefit from greater academic rigour and discipline. Having concluded that action research provided a good model for my work, I sought to implement it in formal practise for upcoming projects.

Appreciative of the good relationships I had established during the first year of my tenure, I engaged in several discussions with the Secretary General of the Department of Justice. We talked at length about the context and purpose of the project. His insight was valuable and helped inform my draft proposal. I also consulted with several academics – some specialising in organisation science and others in criminology/police science. When completing the first draft of my research proposal, I shared it with several people, including members of the Inspectorate team, and incorporated feedback into subsequent drafts. In addition to enhancing the pre-step of the meta-cycle of my action research, this engagement with the Government and Inspectorate members fostered teamwork and collaboration.

During my work, the Secretary General and the Inspectorate Principal Officer proved to be valuable partners, confidants and allies. I had the advantage of participating in the selection of most Inspectorate staff and focused on identifying smart people with

collaborative tendencies. During my first term, I was able to establish an extraordinary team that worked as a dynamic, cohesive group.⁷

In the two chapters that follow, I describe the five projects the Inspectorate undertook over the remainder of my tenure, each of which constituted a core project during the meta-cycle of my thesis research.

⁷ I should note that all of my colleagues were aware of my research project. In fact, Secretary General Sean Aylward, a strong proponent of continuing professional development and academic research, was particularly supportive when I was contemplating the PhD programme. He was fascinated by the insider action research methodology and maintained strong interest throughout my project. I often had lengthy discussions with him and John Brosnan, the Inspectorate's Principal Officer about its application to our work.

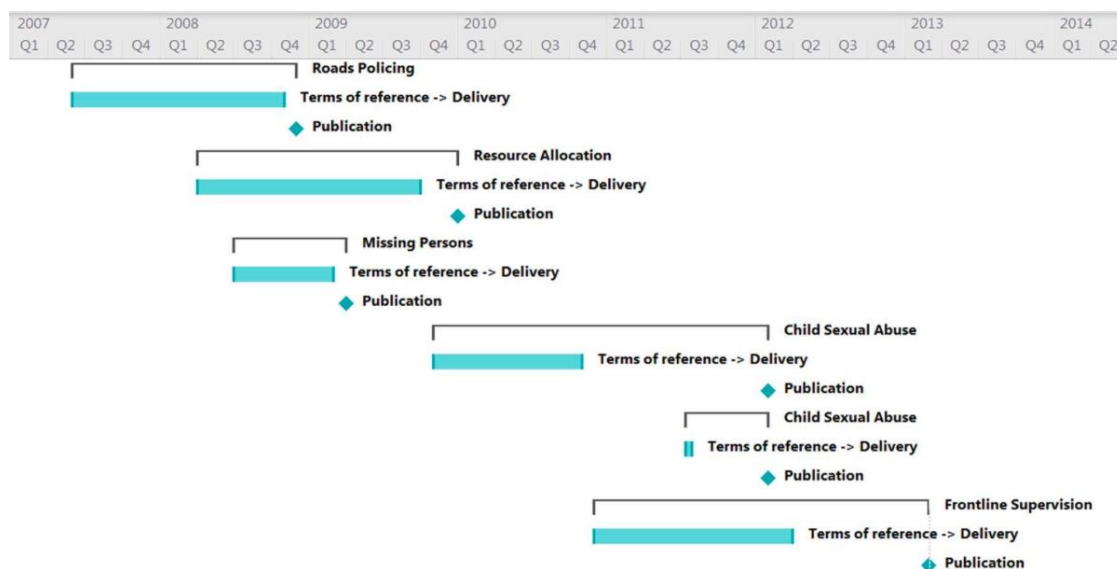
Chapter 6

A DEEP DIVE INTO A CORE ACTION RESEARCH PROJECT

In Chapters 6 and 7, I describe the five core action research cycles performed during this thesis work. For each, I begin with the issue presented, as captured in the terms of reference approved by the Minister of Justice, following discussion and collaboration with the Inspectorate. I describe the planning process during which the Inspectorate determined which information would be most useful to collect, summarize the data collected, and present the outcome of the project in the form of the recommendations that were ultimately provided in the Inspectorate's published report. Throughout, I reflect on how my own experience and bias both shaped and were challenged by the research cycles of these projects and the relationships formed throughout. Finally, I note how each of these individual projects relates to the meta-cycle of action research that produced my desired thesis outcome – the development of robust governance processes and knowledge in organisation science.

Figure 6.1 illustrates (1) the overlap between core projects, and (2) in some instances, the significant delay between the point at which the Inspectorate delivered its results and the point at which it was accepted by the Minister, and thus published.

Figure 6.1: Timeline of Core Projects



Because the inspection on Child Sexual Abuse best illustrates (1) the detailed process the Inspectorate undertook when applying the action research methodology, (2) challenges that surfaced during a core project, (3) weaknesses in police governance in Ireland, and (4) the critical importance of engagement in all aspects of the Inspectorate's work, I begin non-chronologically with this project and describe it exclusively, and in the greatest detail, in this chapter. The four additional core projects are covered in Chapter 6.

I. Core Project: Responding to Child Sexual Abuse

Desired Outcome: To recommend reforms in police practises related to child sexual abuse that will ensure proper response to allegations and enhance the safety of children.

As Peel recognized, paramount to achieving the community trust that is critical to effective policing is a demonstrated commitment to impartial service to the law, independent of influence and without regard to the social standing of individuals involved. In perhaps no other area of policing is an agency's commitment to this principle on greater display than in those investigations that involve the most vulnerable of victims, particularly when victimisation is at the hands of those who enjoy high social standing and influence. For these reasons, the Inspectorate's inquiry into Garda practises with respect to recording and investigating allegations of child sexual abuse, on the heels of prior reports identifying serious systemic flaws, was among the most important of the Inspectorate's early work.

A. Constructing

The Inspectorate's review of Child Sexual Abuse was officially requested by Minister Dermot Ahern following the publication of *The Report of the Commission of Investigation (Murphy Report)* released on 26 November 2009. (Commission of Investigation 2009)

The Secretary General contacted me several weeks in advance of the publication of the *Murphy Report*. Advising that the report would likely compel a follow-up inquiry, he arranged an informal briefing to give me a sense for the scope of the findings prior to the official release. He noted that the report would call into question some historical Garda practises, including, of great concern, allegations that Garda members had been inappropriately deferential to Catholic Church authorities in the past when handling certain cases. He reported that the Minister, Dermot Ahern, agreed the Inspectorate should objectively examine current Garda practises to ensure that cases were now being handled appropriately – an inquiry like the Inspectorate’s tasks following the Barr and Morris tribunal reports. He suggested that the announcement of an independent, credible review by the Inspectorate would bolster public trust and confidence in the aftermath of what would likely be a troubling report.

Following on my discussion with the Secretary General, the Inspectorate’s principal officer and I began scoping our terms of reference and, as short-term contracts with highly-skilled subject-matter experts had proven to be of significant value in prior inspections, set about identifying appropriate experts for this project. We selected two former FBI agents who had done considerable work for the US Conference of Catholic Bishops at the height of the clergy abuse crisis in America. I also identified two priests from the Archdiocese of Boston who were responsible for working with authorities and overhauling investigative practises following the scandal there. All readily agreed to assist, and I asked them to compile literature and best-practise benchmarking suggestions as soon as possible. Within days, we were reviewing two earlier reports on clergy sexual abuse in Ireland – the *Ferns Report* (Ferns Inquiry 2005) and the *Ryan Report* (Ryan Commission 2009). Other documents considered during preliminary desktop research were the *Children First Guidelines* (Department of Health and Children 1999), the Children’s Act (Houses of the Óireachtas Ireland 2001), and the “Draft Update to the Children First Guidelines,” later released officially in December 2009 (Office of the Minister for Children and Youth Affairs 2009).

These documents were all informative, but the Ferns Report, published four years earlier, was particularly relevant in that it included the following findings and recommendations related to police handling of cases:

- Every person to whom a complaint of child sexual abuse is made should immediately create a written record of the complaint. In the case of An Garda Síochána and officials of the Health Services Executive, the creation of such records is addressed in regulation or established practise.
- The non-disclosure of the identity of the victim or complainant does reduce the value of the information to the Gardaí, but not significantly.
- Victims, whether children or adults, are reluctant to report abuse to statutory authorities. Efforts should be made to reduce this reluctance by enhancing public confidence in the reporting and investigative system.
- As is the case in many other jurisdictions, investigating Garda officers must be trained in how to interview children appropriately and be able to provide a child friendly and secure environment for interviews to reduce trauma.
- All Gardaí should notify their superior officers in writing in relation to a decision not to investigate or proceed with a referral for prosecution to the Director of Public Prosecutions any offence concerning a complaint or allegation of child sexual abuse.

Some obvious questions around which to frame our inquiry, accordingly, derived from the extent to which these recommendations had been implemented in the four years since the issuance of the Ferns Report, specifically:

- Are individuals receiving complaints of child sexual abuse creating a record of the complaint?
- Is there good evidence that police are taking cases seriously even when victims are not identified or will not cooperate?
- Are current Garda policies and practises regarding the reporting and investigation of cases adequate and promoting public confidence in the system?

- What training and facilities have been provided for investigation, and are there good written records of decisions not to investigate or proceed with a referral for prosecution?

The Murphy Report, published in November 2009, provided the initial basis for gauging how much progress had been made responsive to the Ferns Report. As the Secretary General had presaged, it identified failings on the part of An Garda Síochána in certain historical child sexual abuse cases, including undue deference to the Catholic Church and its hierarchy. In the days following publication, both the Garda Commissioner and the Minister of Justice responded with strong statements, condemning those who abused children and acknowledging, to some degree, the State's failures. I sensed, however, an inclination to soften the blow of investigative deficiencies highlighted in the report by deflecting to prior societal failings, no longer relevant. Consider, for example, the following excerpt from the Commissioner's statement on 27 November 2009:

These contacts occurred at a time when a misguided or undue deference was often shown to religious institutions and figures by many in our society. Such deference can have no place in a criminal investigation.

The irony stood out to me. As much as undue deference may have been shown the Church and others of high esteem, had the police benefited from similar deference with respect to a lack of rigour in investigating these crimes?

Comments from the lengthy statements issued by the Minister of Justice to the Dail on 1 December 2009, and to the Senedd on 3 December and 9 December 2009, and my reflections on the same in italics, underscored this theme. For example:

- '[J]ustice must be blind to position, power or clerical rank.' *And yet, police are likewise in positions of power and rank; there should be no undue deference afforded them either.*
- 'I can assure the House today that it is clear from my contacts with the Garda Commissioner that neither he nor his force will rest until everything possible is

done to make sure the perpetrators of this awful abuse pay for their crimes.’ *Yet, how much has changed with respect to Garda policies and practises in the four years since the Ferns Report was published?*

- ‘In fairness to members of An Garda Síochána, it is only right to point out that the commission makes no criticism of current arrangements for investigating allegations. Reflecting the comments of victims, the commission is quite complimentary about the current arrangements.’ *This statement struck me as remarkably defensive and, again, unduly deferential to the police. Why, I wondered, was the Minister so confident of current arrangements? Again, this statement seemed to perpetuate a thematic, excusatory inference that police were merely bystanders to a bigger societal issue; yet following statements conceded the need for deeper review.*
- ‘I pay tribute to the professionalism and sensitivity of individual members of An Garda Síochána, as reflected in the commission’s positive remarks. There are, however, no grounds for complacency. Both the Garda Commissioner and I accept that, in this constantly evolving area of law enforcement, it is necessary to review our approaches continuously to ensure that the highest standards and best international practises are adhered to. It is against that background, and having consulted with the Commissioner, that I have asked the Garda Inspectorate to review arrangements for Garda handling of complaints of sexual abuse against children. I do not believe anyone for one moment doubts the commitment of the Garda Commissioner and his force to pursue allegations of this kind in question with determination and professionalism. It is worth noting the accountability arrangements for An Garda Síochána have been transformed and modernized by the Garda Síochána Act 2005 from the arrangements that were in place during the period covered by the report.’

I noted the inconsistency of this acknowledgement of need – indeed, request – for new independent review with the overarching tone of other statements seemingly absolving police of responsibility in the past.

Against this backdrop of prior reports and statements, the Inspectorate sought to develop the structure that would guide an objective, comprehensive assessment of Garda policies and practises in the handling of child sexual abuse cases.

1. Terms of Reference

The Inspectorate had to be mindful of the political climate, but could not be distracted or unduly influenced by it. Similarly, as a researcher, it was important that I not allow my own perceptions of police defensiveness to influence or cloud the inspection and review. It was our job to follow the facts and data dispassionately – and ultimately to make sensible recommendations to enhance the safety of children. It was thus important to frame terms of reference that would support the objectivity of the process and the eventual outcome. Judge Murphy's inquiry had focused on the sexual abuse of children by members of the clergy in the Archdiocese of Dublin; the Inspectorate proposed terms of reference that were guided by the Murphy Report, but broader in scope and dedicated to a review of Garda policies and procedures for handling all allegations of child sexual abuse. Agreed upon with Justice staff, and approved by the Minister, these terms of reference were formalized in a 23 December 2009 letter to the Inspectorate from the Department of Justice and required accounting of:

- The relevant portions of the Murphy Report;
- Best practise in comparable jurisdictions with respect to dealing with allegations of child sexual abuse;
- Initiatives put in place by the Garda in recent years to bring Garda practises in line with international best practise, and those put in place to implement the recommendations of the Ferns Report;
- The provisions of the Children First national guidelines for the protection and welfare of children; and
- Requirements of dealing with allegations of historical sexual abuse.

B. Planning

Grounded in the terms of reference, the Inspectorate structured a research plan and inspection programme comprising three distinct components: (1) review and analysis of the above-referenced, previously issued reports and guidelines; (2) quantitative review of past and current cases and prior Garda initiatives in recent years (especially post-Ferns); and (3) qualitative review of Garda initiatives and practises, including recording and investigation of allegations, victim support, referral to prosecution, and relationships with other agencies critical to the overall system of accountability. For purposes of promoting transparency and collaborative dialogue and soliciting feedback to guide the continuing planning and action cycles of this project, the Inspectorate prepared a robust engagement strategy with broad representation from police, prosecution, human services, academic and administrative stakeholders.

Table 6.1, which spans the next six pages, summarises the initial engagement strategy, identifying specific areas of focus for each meeting.

Table 6.1: Engagement Strategy

Party	Areas of Focus
Assistant Commissioner, Crime and Security	• Joint-training of the Garda Síochána and the staff of the HSE in Children First • Training of specialist investigators for child sex abuse cases • Evaluation of investigations of child sex abuse cases • Monitoring of prosecutions • Court outcomes • Analysis of PULSE, including quality of categorization and information maintained
Chief Superintendent, Crime Policy and	• Policy in relation to investigation of child sex abuse • Availability of Aide Memoir (checklist for investigation of child sex abuse cases)

Party	Areas of Focus
Administration	• Modernisation of PULSE for improved recording of child sex abuse incidents • Relationship / interaction with NBCI • Analysis of Portal • Training (Joint-training) in interviewing children • Interaction with NGOs e.g. Barnardo's, One in Four
CSO – Cork	• Analysis of quality of statistical information on PULSE • Gaps in statistics • Analysis of gaps • Recording methods (fields)
Templemore Training College	• Course content for new trainees in Children First guidelines • Specialist course for interviewing children • Joint training of Garda and HSE staff in Children First and interviewing of victims • Other training undertaken / proposed (e.g. with NGOs)
Vetting Office Thurles	• Review operation of vetting of applications • Number received annually • Number of staff • Arrears • Any arrangements to put the Vetting Office on a statutory basis
Lucan and/or Ballymun Garda	• Assess operation of sex abuse unit

Party	Areas of Focus
Stations	• Numbers working in the unit • Does the unit deal with all sex abuse cases in the District only or do all Divisional cases go to Lucan or Ballymun? • IT systems • File management of cases • Training availed of by members of the unit • Current training available • Level of interaction with HSE staff • Review child sex abuse entries on PULSE • Review filling system of Form 9.2 • Review Joint Action Sheets • Track investigation file
Superintendent National Bureau Criminal Investigation (NBCI)	• Matters arising from the material supplied • Audit
Assistant Commissioner Western Region	• Update in relation to processing and prosecuting child sex abuse cases • Level of interaction with the Church • Level of interaction with HSE • Training for members dealing with investigation of child sex abuse

Party	Areas of Focus
	• PULSE- recoding of child sex abuse incidents • Statistics available relating to reports of child sex abuse cases
Sligo Garda Station	• View specialised interviewing rooms for children • Liaise with involved investigators to discuss obstacles to investigation and prosecution in the murder of a teenager • Review operation and interaction with members of the Garda Síochána and the HSE in the operation of Children First • Discuss any other child sex abuse case which resulted in generating best practise in future cases • File management systems • Training availed of by investigating members dealing with child sex abuse cases • Analysis of unsuccessful child sex abuse prosecutions • Review child sex abuse entries on PULSE • Level of interaction with HSE staff • Review filing system of Form 9.2 • Review Joint Action Sheets • Track investigation files
Head of HIS	• Operation of Children First • Amendments to Children First • View on interaction between An Garda Síochána and the staff of HSE • Vetting

Party	Areas of Focus
	• Mandatory reporting • Soft information • Level of interaction with An Garda Síochána • Any issues which arise from this interaction – areas for improvement • Sharing of information with An Garda Síochána • HSE Audit
Chairperson and Members of the Fern's Enquiry	• Review Ferns Recommendations • Analysis of role of Gardaí in investigation of child sex abuse in the Diocese of Ferns • Factors impacting on their investigation • Issues of similarity between the Ferns report and Murphy Commission report
Archbishop of Dublin	• Views on operation of Children First • Mandatory reporting • How is soft information handled? • How is the working relationship with An Garda Síochána? • How does the Archbishop report child sex abuse to An Garda Síochána? • Recommendations to improve interaction with An Garda Síochána • HSE Audit
Judge Murphy	• Update Judge in relation to progress and direction of the Garda

Party	Areas of Focus
	Inspectorate • Discuss gaps/issues the Commission discovered which refer to gardaí • Issues relating to the gardaí which have arisen post publication of the Murphy report
CEO, National Board for the Safeguarding of Children in the Catholic Church	• Level of interaction with An Garda Síochána • Level of interaction with the Children's Office and other child welfare agencies • Any protocols signed – with whom? • Level on cross-border initiatives undertaken • Best practise initiatives implemented • Provision of training • HSE Audit
Children's Ombudsman	• Discussion in relation to the Ombudsman's review of Children First • Discuss both the Ombudsman's and the Garda Inspectorate's recommendations for changes to the operation of the Children First's guidelines • Did their review cover any other organisation other than the Children's Office? • Does the Ombudsman receive child sex abuse complaints? If so, how are these processed? Is there a protocol in place?
Director of Public	• Quality of investigation files • Are files returned to members for further investigation

Party	Areas of Focus
Prosecutions	(statistics)? • Which files are prosecuted in court and what are the main reasons for failure to reach a prosecution? • What additional supports do the Gardaí need to improve the attrition rates in child sex abuse cases? • Why must hard copies of files be forwarded to Office of the DPP?

In addition, to prepare for its qualitative and quantitative reviews of practises, the Inspectorate initiated numerous information requests to the Garda, seeking vast data relating to the investigation and prosecution of child sexual abuse offences, whether in circulars, directives, code provisions, manuals, reports, statements, protocols, training, facilities, data, investigatory files, employment practises, plans, and communications.

C. Taking Action

1. Document Review

The Inspectorate methodically sought to establish a firm baseline status of recommendations from prior reports. Included in this initial work was a follow-up, more detailed review of reports relating to clergy abuse of children in Ireland, including the Murphy Report (Commission of Investigation 2009), the Ferns Inquiry (2005) and the Ryan Report (Ryan Commission 2009) (previously described in this thesis).

Additionally, the Inspectorate considered the Children First guidelines of 1994 (Department of Health and Children 1994) and 2009 (Office of the Minister for Children and Youth Affairs 2009). The guidelines provided good insight into the policies and procedures of An Garda Síochána and other statutory and non-statutory

agencies, including the HSE. To gain an international perspective, many other documents produced by the World Health Organisation (WHO), the Catholic Church, and organisations in other jurisdictions, including the UK, Australia and North America, were reviewed.

The Inspectorate also studied the findings of the *National Review of Compliance with Children First: National Guidelines for the Protection and Welfare of Children* published in 2008 by the Office of the Minister for Children and Youth Affairs. This document was particularly helpful as it identified barriers that undermined practical implementation by social workers and gardaí.

The Chief Inspector is required by the 2005 Act to advise the Minister of Justice on policing. Therefore, it was important to engage continuously with the Department of Justice, as without the confidence and support of the Minister, the Secretary General and Justice staff, the Inspectorate would be less effective. The Inspectorate also requested from the Department of Justice any relevant material on child sexual abuse that could inform the inspection. The Inspectorate noted, from reading the material provided, good initiatives by the Department with respect to prevention, investigation, and prosecution efforts. For example:

- Five interview suites appropriate for interviewing victims of child sexual abuse were in operation and being fully utilised in Santry, Cork, Letterkenny, Waterford and Sligo. Two additional interview suites, in Limerick and South Dublin, were planned.
- Garda and HSE workers underwent joint training in specialised interviewing. The training was organised by An Garda Síochána. At that point, 100 gardaí had been trained and a further eighty-eight personnel were scheduled to be trained in 2010. Crime Training Faculty were visiting all trained interviewers and assessing their work as part of a quality control exercise.
- A joint Garda/HSE protocol on missing children from care was under review.
- The Department of Justice was chairing a Council of Europe group of specialists on child-friendly justice.

- In recent years, there had been eight Acts, apart from the Criminal Law (Human Trafficking) Act 2008, with the primary aim of protecting children and other vulnerable persons against sexual abuse.
- The Department established the Anti-Human Trafficking Unit in February 2008.
- The National Action Plan to Prevent and Combat Trafficking in Human Beings was published in June 2009 and a Child Trafficking Working Group had been established.
- GSOC was preparing a Child Welfare and Protection Policy. A Child Protection Officer and a Deputy Child Protection Officer had been appointed to safeguard the interests of the child and act as a referral point to the HSE in stances where GSOC staff had concerns regarding a child's welfare and/or protection. GSOC also had on-going contact with the Ombudsman for Children.
- The Department provided funding through the Commission for the Support of Victims of Crime to CARI (Children at Risk in Ireland). This group established an advocacy and support service called CASS in response to the needs of child victims of sexual abuse who are called as witnesses in criminal court.
- The Forensic Science Laboratory was prioritising cases concerning child victims of sexual abuse and reports were being generated within a week of receipt.

Upon reflection, however, two points stood out to me. The first was an announcement that An Garda Síochána was *about* to launch a Children's Strategy; the second was that COSC had developed a National Strategy on Domestic, Sexual and Gender-based Violence, to be launched in March 2010. Both initiatives showed clear acknowledgement of the need to link with the State system of prevention and effective response to domestic and sexual violence against children – an important and laudable commitment. At the same time, I could not help but question the extent to which these new developments were more intended as 'damage control' – or attempts to pre-empt the Inspectorate's work.

The Department also suggested that we reread the Minister's speeches presented in the Seanad on 3rd and 9th of December during the debate into the *Murphy Report*. The following salient points were made by the Minister during those debates:

- The Criminal Justice Act 2006 introduced a new offence of reckless endangerment of children, following a recommendation to that effect in the report of the Ferns enquiry.
- The work of the DVSAIU is now supplemented by a series of initiatives and measures designed to enhance the investigative ability of An Garda Síochána and provide specialist officers nationwide with the skills required to deal with victims of sexual offences. These measures include the establishment of a crime training facility to train senior investigating officers, incident room managers and detectives; the training and appointment of specialist child interviewers based throughout the country; establishing and rolling out dedicated child interview suites in each region; and developing and implementing a youth and children strategy for the period 2009 to 2011. These initiatives are designed to bring An Garda Síochána into line with best international practise.
- The Children's Office, in co-operation with the Department of Justice, has commenced the process of preparing the heads of a Bill in respect of the use of soft information.
- A revised edition of *Children First Guidelines* will be published shortly.
- Children's Office is committed to bringing forward legislation to ensure State employees and staff from key agencies in receipt of Exchequer funding and who are working with children will have a duty to comply with the *Children First Guidelines*.
- The Government does not propose to introduce any form of mandatory reporting at this time. International evidence suggests that mandatory reporting serves only to swamp child protection systems with high volumes of reports, often resulting in no commensurate increase in substantiated cases.

Again, upon reflection, I was struck by the subtle acknowledgement among these comments that little had been done since the Ferns Report. The report many have precipitated the Criminal Justice Act of 2006, but two years had passed in the interim. Legislation to ensure compliance with the Children First guidelines was a good step – but was that an acknowledgement that compliance had been lacking to that point? These would be important questions to follow up on.

2. Fieldwork

Without question, there was substantial overlap between different phases of the action research cycle. While planning continued, the Inspectorate also commenced action by attending meetings, participating in calls, and capturing data, which in turn often informed subsequent planning phases of upcoming action. Thus, while this section primarily focuses on the field work that was undertaken, it is important to remember that the feedback loop between the planning and taking actions phases of the research cycle continued throughout.

a. Case Files

The Children First Guidelines require the Garda Síochána and the HSE to prepare notification forms when first learning of a child sexual abuse allegation. Both agencies must transmit copies of the forms to the other and maintain records of all such notifications. These forms establish the foundation for mandatory follow-up meetings and action. During the planning phase, the Inspectorate had requested all notification files for the years 2007–2009. After reviewing submissions from most Garda stations, the Inspectorate developed a list of specific investigative files to review at each station it would visit.

Prior to reviewing files on-site, the Inspectorate developed a chart that it updated throughout the course of the project, evaluating each case across three measures: (1) Does the investigation file indicate any action/reduced risk where either no formal statement was made, or where the statement was withdrawn? (2) Does the investigation file record how the case was closed or the investigation suspended (for example, does it contain a Sgt/Inspector/Superintendent closure note)? (3) Are there

notes in the file to indicate that a Sgt/Inspector/Superintendent reviewed the file at any time?

The initial review of case files was alarming. The Inspectorate discovered a variety of local systems, from written logs to excel spreadsheets. Personnel in some stations were consistently recording cases as required on PULSE, the national police database; others, in violation of policy, were clearly not doing so. A review of cases from different stations demonstrated the significant inconsistency in recording. For example:

- Of the 12 cases reviewed from Gorey, four (33%) had an associated PULSE number.
- Of the 13 cases reviewed from Sligo, seven (54%) had an associated PULSE number.
- Ballymun showed the greatest consistency; of the 29 cases reviewed at that station, 21 (73%) had an associated PULSE number.
- At the other end of the spectrum, however, of the 29 cases reviewed from Tallaght, only four (14%) had been reported to PULSE.

The notification data provided by the 79 Garda districts that responded to our initial request showed that this inconsistency was not an anomaly limited to the four districts sampled. The Inspectorate noted there were many instances in which complaints were not recorded in PULSE. When cases were recorded in PULSE, they were often cited in the 'Attention and Complaints' category only and not recorded as official crimes. Extrapolating from the sample data, of the 2,083 notifications the Inspectorate received from Garda districts, the Inspectorate found:

- 895 complaints that were not entered in PULSE.
- 729 complaints that were not recorded as offences.
- 27 cases involving multiple injured parties that were recorded as a single offence.

- 291 notifications that were not recorded under ‘Attention and Complaint’ in accordance with Directive 165/07.

The Inspectorate estimated, therefore, based on that data, an alarming under-recording of child sexual abuse cases in PULSE of up to 80%.

The absence of PULSE numbers was a glaring concern, with significance far beyond the mere appearance of shoddy record keeping. The Central Statistics Office (CSO), an independent national body with broad responsibility across government, is responsible for publication of all crime statistics – but bases its analyses and crime reports on data provided from the Garda PULSE system, assuming those data to be reliable. In earlier inspections, CSO and Garda managers had boasted about the independence in crime reporting in Ireland, noting that the CSO, not the police, were ultimately accountable for producing reports. The failure to record incidents properly on PULSE was both in direct violation of Children First guidelines and Garda policy and resulted in under-recording of crime. The Inspectorate focused on this concern throughout the project, flagging crime recording generally for further study.

b. Examining Practises

In addition to reviewing prior written materials and case files, it was important for the Inspectorate to benchmark Garda practises against international best policing practises regarding child sexual abuse investigations and to listen to the perspectives of stakeholders in the field. To guide the former inquiry, members visited Chicago Police Headquarters and the Chicago Child Advocacy Center and, in the U.K., the Cambridgeshire Police, London Metropolitan Police, Hampshire Police, and the Child Exploitation and Online Protection Centre. The Inspectorate met with the Law Enforcement Liaison for the National Center for Missing and Exploited Children in Washington, DC. Representatives of the UK Association of Chief Police Officers (ACPO) also provided insight and support to the Inspectorate.

To inform its inquiry, the Inspectorate identified relevant background materials and established detailed agendas in advance of each meeting. As one example, prior to a

meeting with senior managers from the Office of Children, the Inspectorate advised that it would be looking to discuss the Children First guidelines, specifically with respect to a 2008 review of compliance with the guidelines, revised 2009 guidelines, the Child Protection Notification System and the National Child Care Information System, the standard notification forms, and records of Garda-HSE liaison forms. The Inspectorate identified as a substantive point for discussion with senior Justice and Garda managers the legislation envisaged in the child protection area, to include the Garda National Vetting Unit, duty to comply with Children First, duty to share information and cooperate, and a statutory basis for Children First Guidelines/mandatory reporting. The Inspectorate also advised that it would be seeking additional documents relating to guidelines on the Identification and Management of Non-Accidental Injury to Children.

As another example, also showing the intersection of planning and taking action, is an outline prepared in advance of the Inspectorate's meeting with the Director of Public Prosecutions, comprising topics that emerged from the Inspectorate's early desktop research, meetings and discussions. The Inspectorate advised it would seek discussion of prior reports, the inspection to date (including desktop research and in-depth inquiries of practises across the US and in London, Hampshire, and Cambridgeshire in the UK; meetings to date; and station visits to date, including NBCI, Ballymun, Sligo, Gorey, Tallaght and Loughrea Stations). The Inspectorate identified substantive themes from best international police practises, including (1) clear strategic commitment to child protection; (2) recognition of factors particular to child sexual abuse investigation (such as reluctance on the part of the victim to make a formal complaint) and strategies to address those factors; (3) establishment of close multi-disciplinary teams involving police, social services, health care, education, and prosecution authorities; (4) trained specialists within police child protection units; (5) an emphasis on speed in investigations in the interest of victim well-being and evidence gathering; and (6) quality crime recording arrangements, case tracking, and data systems. Finally, the Inspectorate sought DPP feedback on specific issues regarding An Garda Síochána, including (1) the quality of child sexual abuse files, and consistency with which they are being sent to the DPP; (2) specialisation of positions

within the Garda for child sexual abuse investigations, and perhaps greater specialisation within prosecutors' offices; (3) investigation, prosecution, and court timelines; and (4) relationships between the DPP and NBCI.

In the end, the actual meetings with stakeholders were of mixed value. The meeting with the DPP, for example, was of limited value. We had sought to discuss our thoughts openly with the DPP and solicit feedback, given the DPP's unique perspective as the receiver of Garda reports recommending or not recommending prosecutions in child sexual abuse cases. The Inspectorate was able to validate information it captured earlier in the project, but did not garner any new insight. I sensed the DPP was guarded in his discussion. In fairness, the DPP was not previously acquainted with members of the Inspectorate, and some guardedness was understandable. This meeting underscored that it would be essential for the Inspectorate to build trust going forward. Nonetheless, it was important to engage early with the DPP, as he and his team were critical players in protecting and advocating for victims. They did seem appreciative of the opportunity to meet, to learn from the Inspectorate's work to date, and to establish lines of communication with the Inspectorate for future projects.

Station and unit visits, on the other hand, were most helpful as they provided opportunities to communicate extensively with field commanders, detectives, and police officers, whose input was invaluable. Throughout its work, the Inspectorate placed a high priority on engaging with front-line police and mid-level managers to the greatest extent possible. Additionally, constant interaction with officers and supervisors reinforced the Inspectorate's credibility with those in the field and their representative associations. As was true for all other stakeholders, although we always allowed time for informal discussion, it was important to develop a clear agenda in advance to allow those participating to prepare appropriately. Again, we sought to work collaboratively. We emphasised that we were focusing on systemic weaknesses and wanted to work *with* Garda members to design solutions and fix problems. The tables on the following pages provide summaries of meetings in the field with Garda personnel, including observations and reflections I recorded at the time.

Table 6.2: Meeting with the Garda Vetting Officer

Notes	Reflections and Observations
Recommendation that Garda vetting be extended on a phased basis to all organisations working with children.	<i>Will require additional resources.</i>
The Office opened in Thurles in November 2005, and its thirty-three staff members processed vetting applications from 120 organisations in January 2006 (600/700 applications).	
Currently, the Vetting Office provides a service to 18K-19K organisations. These include about 4,500 schools, 3,500 crèches, hospitals, youth organisations, church dioceses and charities. Vetting applications now run at about 7,000 per week.	
The Office achieved the ISO 9001 standard in 2007. It has been through two external audits, neither of which found a control failure.	
The Vetting Office processes an application by searching PULSE records for any information on the subject.	<i>Red Flag - Problematic if PULSE not accurate.</i>
The Vetting Office has contributed to the drafting of the proposed legislation to put vetting on a statutory footing.	
Superintendent hopeful of an IT solution as well as significant increase in personnel.	

Table 6.3: Meeting with the Garda College

Notes	Reflections and Observations
Training courses include: • Senior Investigating Officer (SIO) • Incident Room • Investigative Interviewer Training • Detective Sergeant Training Programme • Detective Garda Training Programme • Serious Incident Canvas Coordinator (House to House enquiries) • Disclosure Training 100 Senior Investigating Officers are presently trained.	
Garda/HSE training protocol is being drafted and it is anticipated that joint training will commence.	<i>Limited entry level training on the subject.</i>
130 specialist interviewers are trained.	<i>Conflicts with numbers provided by others.</i>

Table 6.4: Meeting with Detective Superintendent, NBCI

Notes	Reflections and Observations

Notes	Reflections and Observations
1,100 sex offenders have obligations under the Sex Offenders Act, 2001. There are approximately 300 more sex offenders in the community without obligations under the 2001 Act.	
About 60% of sex offenders have been risk assessed.	<i>What about all that never appeared in PULSE?</i>
All child sexual abuse cases involving a member of the clergy are reported by local Gardaí to NBCI.	<i>What about cases where no formal statement is made?</i>
A church delegate (one per diocese and for each of the 140 religious orders in the state) in receipt of an allegation of child sexual abuse against a member of the clergy is obliged by church policy to notify An Garda Síochána and the HSE.	
The Gardaí follow up on a notification from a church delegate to ensure that the person making the complaint is aware that s/he has the option of complaining to An Garda Síochána.	<i>No mandatory requirement for police to record.</i>
Help lines are still open to receive allegations of child sexual abuse.	<i>Not 24/7 – often answering machine.</i>
D/Superintendent said that deference to members of the clergy in the context of allegations of child sexual abuse was a thing of the past and that an entirely different culture now pertains.	<i>Following on statements by Commissioner and Minister. General consensus – it was a historical problem – not a problem now.</i>

Notes	Reflections and Observations
Resource constraints don't allow NBCI to engage in internet chat rooms.	<i>Must be addressed. Growing concern internationally.</i>
NBCI works with COSC, Rape Crisis, and Violence against Women. Some criticism from time to time that Garda response varies from station to station.	<i>He also implies this is strictly a historical issue.</i>
57 gardaí are specially trained to interview children.	<i>Conflicts with larger number provided by College.</i>
No central point of contact in the HSE for child sexual abuse. There is one HSE Childcare Manager in most counties and a few in Dublin.	<i>Like Garda – no senior level contact who owns the responsibility.</i>
HSE operates on a 9-5 basis.	<i>Undermines collaboration and timeliness.</i>

Table 6.5: Meeting with the Office for Children

Notes – Office for Children	Reflections and Observations
There is still quite an amount of work to be done around the publication of the revised Children’s First Guidelines, in particular to put the Government on notice of what an amended child protection framework would look like. The memo to Government will most likely recommend: • The creation of a Children’s First National Office in the HSE • The creation of a steering group, comprised of representatives from all the important stakeholders • An independent chairperson of this group who will report to the Minister • The creation of a cross sectional overview body to ensure compliance and standards with Children First	
An Garda Síochána have not been contacted with regards to the rollout of the new Children’s First Guidelines throughout the force. The Children’s Office indicated that no Garda stations were visited during the review to assess how Children’s First was being implemented. Children’s Office spoke of tensions between the HSE and the Children Office as to their respective roles.	<i>More examples of lack of coordination between state agencies.</i>

Table 6.6: Meeting with Garda Focus Group

Notes – Garda Focus Group	Reflections and Observations
Where a child is involved, this is a welfare situation and immediately the garda will complete a Health Board Order Referral Form 9.2. The 9.2 Form will go to the Sergeant, then to the Superintendent for onward transmission to the HSE for notification. The 9.2 Form comes back down from the Superintendent for investigation and an investigation file is now opened. The information from the 9.2 Form is now re-typed again into PULSE.	<i>Members of this group have clear understanding as to what is supposed to happen, but clearly there are deviations from station to station.</i>
As the alleged child sex abuse case has yet to be investigated, it is unclear on entering the incident for the first time on PULSE whether an offence has occurred. The incident will often be recorded as an attention and complaints incident.	<i>Several state this supports their rationale for all the entries into Attention and Complaints.</i>
The focus group informed the Inspectorate that the more accurate location to obtain statistics on child sex abuse cases is in the Correspondence Register held in the Superintendent's Office. Every Children First case gets a reference number and tracked on the Correspondence Register. The Register is a manual record and not tracked on PULSE.	<i>This is helpful information, but another indication of the variety of recording methods and failure to follow policy.</i>
PULSE may not be re-categorised from e.g. Attention and Complaints to a Sexual Offence as a member may forget to do so. Where a suspect is put on pulse as a sex offender, and following a full investigation the charge is not substantiated, then <u>the entry on Pulse cannot be deleted</u>.	<i>They are obviously concerned about false claims and their inability to amend the record. This is understandable but must be balanced with the interests of victims.</i>

Notes – Garda Focus Group	Reflections and Observations
When NBCI receive a 9.2 form from each Superintendent, it is then manually entered on an Excel spread sheet.	<i>Another stand-alone system in NBCI.</i>
Generally, letters are received from the Diocese to the Superintendent. The Dublin Archdiocese will contact NBCI directly. The gardaí present acknowledged that they would not necessarily know the Church Delegate in their area.	<i>Inconsistent from place to place. Concerning that most do not know church delegate in their local area.</i>
No policy relating to informing a responding unit of previous incidents at the residence they are attending. However, the categorisation of incidents on PULSE may not provide the full history, for example, if there is a previous incident of child sex abuse. For confidential reasons this information while possibly on PULSE will not be available to all members accessing PULSE.	<i>Lack of effective information dissemination and sharing.</i>
The confidential helpline is an answering machine.	<i>Given serious nature of these cases, should it be answered 24/7?</i>
Contact between the gardaí and the HSE operates differently around the country.	<i>Not surprising; confirms Inspectorate's observations.</i>
Different practises were noted by those in attendance as to who would attend HSE meetings from the Garda side. Some stated community gardaí would attend if the attending garda was unavailable while others stated that no one would attend, forwarding regrets.	<i>Confirms inconsistencies.</i>

Notes – Garda Focus Group	Reflections and Observations
Those present noted historical difficulties from their experience or point of view when HSE staff were adopting Children First. Sligo was noted as a frontrunner in adopting new practises.	
Procedure concerning the Joint Action Sheet was not felt to be uniform.	
The Garda members suggested that a significant difficulty in building a working relationship with HSE staff resulted after joint training was stopped in 2000.	<i>Confirms lack of collaboration.</i>
Training for new members by way of an introduction to Children First was believed to take the form of a one-hour lecture in Templemore.	<i>Limited training over a two-year student officer training period considering the importance of the issue.</i>
Strategy Meetings/ Child Protection Conferences/ Meetings with HSE: Group advised that this form of meeting seldom occurred. It is common practise that the contact at this level is made by phone.	<i>Again, confirms lack of collaboration and adherence to guidelines.</i>
It is either the liaison sergeant or the investigating sergeant that goes to the meetings. If they are not available, they sent their apologies.	<i>Sense lack of urgency.</i>
The group felt that they always had to be careful about what they said at any meeting with the HSE since there was an on-going investigation.	<i>Again, concerns about lack of information sharing in important child protection cases.</i>

Notes – Garda Focus Group	Reflections and Observations
The sergeant from Athlone advised that the nearest specialist interview suite was in Santry.	<i>Considerable distance for victims to travel. Suitable, convenient facilities are required.</i>
There are no joint interviews of children done by the HSE and the Garda Síochána except perhaps in Sligo.	<i>Lack of collaboration and evidence inconsistency at local level.</i>
If the persons involved declined to make a formal statement it would depend on the garda as to the level of support that would be offered.	<i>Lack of consistency and contrary to best practise.</i>
There is a duty to take a note and investigate any complaint.	<i>They acknowledge duty, but there is little clarity as to how it should be recorded.</i>
Some members expressed a wish that the DPP could be more involved in the investigation process and offer support to the investigating gardaí.	<i>Recognition that better collaboration is necessary.</i>
If uniform officers are investigating a case of child sexual abuse, there should be a detective assisting. More special victim interviewers are required.	<i>Inspectorate agrees.</i>

Table 6.7: Meeting with Detective-Sergeant, Child Protection, Ballymun

Notes – Child Protection, Ballymun	Reflections and Observations
Sergeant said there was an ‘excellent’ relationship with the HSE ‘next door.’	
The CPU maintains a hardcopy index of notifications by surname. Each notification is also recorded chronologically in a yearbook and given a unique reference number (N/YYYY). The names and yearbooks are cross referenced. Each referral is recorded on PULSE under attention and complaints.	<i>This is a unique local practise.</i>
Every incident is put on PULSE. There is no defined time within which an incident must be put on PULSE.	<i>Again, local prerogative. Differs across stations.</i>
The practise is to put an initial report on PULSE and invite the injured party to return to the station at an appointed time to provide a statement	<i>At least they are entering into PULSE, albeit in Attention and Complaints.</i>
A file is not sent to the DPP if there is no formal complaint. There is no statement in such cases and, accordingly, ‘nothing for the DPP to decide.’	<i>Concerning. No record if no formal complaint. All discretion in the hands of the police. No checks and balances.</i>
The garda who witnesses an incident or takes a complaint is automatically the investigating garda. The specialist interviewer attached to the CPU conducts interviews with children under 14 years and vulnerable adults.	<i>No consistent level of experience of investigators. Varies from station to station.</i>
D/Sergeant acknowledged that it was not the practise in	<i>Lack of collaboration</i>

Notes – Child Protection, Ballymun	Reflections and Observations
Ballymun to complete joint action sheets even though it is required by the Children First Guidelines. There is no joint record of liaison team meetings with the HSE.	<i>and adherence to policy.</i>
There is no CSA category on PULSE. CSA cases are included under Sexual Offences/Sexual Assault. A PULSE incident must be closed by the investigating garda. Only the investigating garda, the inspector, and more senior ranks have access to PULSE records of sexual offences. The d/sergeant believed that he should have access because he is supervising such cases.	<i>No category – difficult to maintain statistics, even if properly recorded. Concerns about information sharing consistent with previous discussions.</i>

Table 6.8: Discussion with Specialist Child Interviewer, Ballymun

Notes – Child Interviewer, Ballymun	Reflections and Observations
‘The sooner the specialist interview takes place the better.’ The specialist interview is conducted in the specialist interview suite, away from the Garda station.	<i>Important to have adequate number of specialist interviewers and facilities.</i>
The investigating garda is the point of contact for the family but specialist interviewers take follow up contacts – ‘It is hard to detach. You wonder how they got on.’	<i>Again, concern about information sharing and continuity in investigation.</i>

There is no formal support for specialist interviewers.	
<u>Wish List</u> : Feedback from investigating garda. Facility on PULSE to review cases referred for specialist interview. Specialist interviewers to be full-time. Definitive manual for CSA cases.	<i>Investigators and interviews need more support – very difficult and stressful work.</i>

Table 6.9: Meeting with Superintendent, Sligo

Notes – Superintendent, Sligo	Reflections and Observations
Superintendent stated that relationship with HSE in both areas was excellent at the highest level but that on the ground issues existed due to the conflicting goals of both organisations – investigation of crime vs. social services.	<i>Child welfare should be the common goal.</i>
When a notification is received by the Supt from the HSE, the District Clerk copies it to the Detective Sergeant (D/Sgt). A phone conference on the case between the Supt and the HSE could then take place, if urgent. Supt and D/Sgt discuss the nomination of an investigating member.	<i>Again, local practises. No consistent national practise.</i>
Decision as to detective or uniform: Superintendent stated this depended on several factors, for example, the complexity of the case. A more difficult investigation is assigned to a detective.	<i>Differs from other places where garda who takes initial report automatically becomes investigating officer.</i>
The practise in Sligo is to hold a Strategy Meeting with the HSE as the first step in the investigation. This strategy meeting involves four people, 2 from HSE (Team Leader and Social Worker) and the investigating member and Detective Sergeant from the Garda. Superintendent said that there is a reluctance to share	<i>At least a meeting takes place, but there is clearly a lack of trust and restatement of</i>

Notes – Superintendent, Sligo	Reflections and Observations
information in written format with the HSE as the goals differed and the HSE, in his experience, had disclosed Garda information to family members.	<i>different goals.</i>
The initial meeting by the SVI and social worker with the child is used to build rapport. The second meeting takes place to take the child statement on DVD at the special interview suite. There are delays in arranging interviews existed as Gardaí and HSE staff members were not always available due to different work schedules. Joint interviews can take several weeks to set up.	<i>Of the nineteen cases examined, only eight noted time between reporting and the date of first interview. In cases where times were noted, they varied from two weeks to twenty-eight weeks with an average of ten weeks. Delayed interviews are concerning. Garda and HSE must collaborate and be available. Appropriate facilities are also important.</i>
The new Garda policy document did not give a specific deadline but provides for a progress report after ten days. In the London Met, a progress report is given on all investigations every seven days. The Superintendent felt such deadlines would be difficult to meet in terms of getting the child's statement.	<i>Timeliness an issue.</i>
If a witness refused or was unwilling to make a formal statement, the investigation ends.	<i>Very concerning – Victims are often traumatised and</i>

Notes – Superintendent, Sligo	Reflections and Observations
	<i>hesitant to cooperate.</i>
All cases were forwarded to the DPP prior to a decision to close them, even where the statement was withdrawn.	<i>Good practise. Was not the case in other locations visited.</i>
The correspondence register was not used to track notifications.	<i>Again, inconsistent with other locations.</i>
Another issue raised was confusion experienced by families when getting conflicting information messages from the HSE and Gardaí. In the Superintendent's view, there was disagreement on processes to be followed between the Gardaí and HSE.	<i>If so, again lack of effective collaboration.</i>

Table 6.10: Example of Questions Posed, Sligo

Question/Answer, Sligo	Reflections and Observations
<i>What data is recorded on Joint Action Sheet? <u>Answer:</u> The sheet will note meeting times and attendees and is supplemented by Garda reports. Gardaí and HSE keep separate records of strategy meetings.</i>	<i>Again, emphasis on separate missions and protection of Garda information.</i>
<i>How often were meetings held with HSE? <u>Answer:</u> There would be on-going telephone contact as required, but there is no formal schedule of regular meetings. The Detective Sergeant and HSE</i>	<i>Sligo is held out as the best practise nationally, but there is still considerable room for</i>

Team Leader have regular meetings.	<i>improvement.</i>
<i>What information was made available to units responding to domestic violence and child abuse calls? <u>Answer:</u> Gardaí would have local knowledge, but unless they specifically requested it, there was no formal policy in place to provide such information. The dispatcher may advise if 'repeat business,' but there is no child protection alert.</i>	<i>Lack of basic information sharing and appropriate dispatch protocols.</i>
<i>How does the Regional Assistant Commissioner review the cases? <u>Answer:</u> He would make a written request to each Supt in his area to have the data manually compiled.</i>	<i>No policy. Technology will enhance process and information sharing.</i>

Table 6.11: Meeting with Detective Inspector, Sligo

Notes – Detective Inspector, Sligo	Reflections and Observations
He maintains his own correspondence register to track cases. He used personal discretion to set a review period of 40 days. He felt the 10-day requirement outlined in the new policy from the Commissioner would contain minimal information. An Excel database was manually maintained of all live cases which he believed was unique to the Northern Region. Joint interviews with HSE arranged after joint strategy meeting held.	<i>Again, lack of continuity nationally. Variety of local systems. Concerns about timing. Case example: The allegation was made on 28 March and the SVI interview took place on 20 April, 25 days later.</i>

Table 6.12: Meeting with Sergeant, Gorey

Notes – Sergeant, Gorey	Reflections and Observations
Garda who answers an incident call or who takes the report in the station fills out the notification form and sends it to the District Office. The District Office sends the 9.2 Form to the HSE.	<i>Responsibility and discretion left to individual officer.</i>
A Child Sexual Abuse (CSA) file is created and details relating to the case are entered on a spreadsheet in the District Office.	<i>Again, a local practise rather than national system.</i>
Sergeant supervises/monitors the cases by reviewing each file approximately every three weeks and issuing reminders to the investigating gardaí if he has not received an update.	<i>Concerns about timing when compared to international standards.</i>
When receiving a Children First notification from the HSE (Form 9.1) the form goes directly to the District Office to be noted on the spread sheet and to create a CSA file.	<i>Again, local district practise.</i>
Sergeant stated that it was the policy to investigate the case first before putting the incident on PULSE. If it was not deemed an offence, it did not go on PULSE. It was also disclosed that if a suspect is identified in a child sexual abuse case the offence is recorded as ‘detected’ on PULSE.	<i>Again, concerns regarding inconsistent/inaccurate recording of crimes and detections.</i>
It was also stated policy to send every case of child sexual abuse to the DPP for a decision on whether to prosecute.	<i>Good practise, but verify it is happening.</i>

Table 6.13: Examination of Station Files, Gorey

Notes – Station Files, Gorey	Reflections and Observations
There were 40 Children’s First notifications relating to child sexual abuse in Gorey. However, only 22 CSA files were produced for examination. 9 of the 22 cases were not yet entered on PULSE. It was clear that the number of files sent to the DPP was not as reported. Only 12 cases were sent to the DPP.	<i>Trust, but always verify with data.</i>

Among the matters we were particularly interested in discussing during our station visits were (1) recording and investigation of child sexual abuse allegations; (2) notification of allegations; (3) training; and (4) support. In addition, we sought to examine notification forms for the previous three years to determine whether they were consistent with the Children First guidelines, specifically with respect to PULSE reporting and information required on the forms. Also, stations were notified that the Inspectorate would review all child sexual abuse investigation files for the most recent three-year period.

The feedback contributed by front-line personnel was candid and important. From these visits, for example, the Inspectorate learned:

- If the alleged child sex abuse allegation has yet to be investigated, it is unclear when entering the incident for the first time on PULSE whether an offence has occurred. The incident will often be recorded as an Attention and Complaints incident, not a sexual offence.
- The more accurate location to obtain statistics on child sex abuse cases is in the Correspondence Register held in the Superintendent’s Office. Every Children First

case gets a reference number and is tracked on the Correspondence Register. The Register is a local, manual record and not tracked on PULSE.

- PULSE may not be re-categorised from, e.g., Attention and Complaints to a Sexual Offence; similarly, where a suspect is entered into PULSE as a sex offender, that entry cannot be deleted should, following a full investigation, the charge not be substantiated.
- There is no policy relating to informing a responding unit of previous incidents at the residence they are attending. Further, the categorisation of incidents on PULSE may not provide the full history, for example, if there is a previous incident of child sex abuse. For confidential reasons, this information, while possibly on PULSE, will not be available to all members accessing PULSE.
- Garda members suggested that a significant difficulty in building a working relationship with HSE staff resulted after joint training was stopped in 2000.
- The police felt they always had to be careful about what they said at any meeting with the HSE since there was an on-going investigation.
- Training for new members by way of an introduction to Children First was believed to take the form of a one-hour lecture in Templemore.
- Some members expressed a wish that the DPP could be more involved in the investigation process and offer support to the investigating gardaí.

Feedback from other stakeholder discussions corroborated gardaí impressions in some respects, but highlighted substantial differences in understanding in others. For example, the Garda College discussed a robust series of training courses for senior investigators, detectives, and detective sergeants. It included disclosure training, incident room training, and training for a Serious Incident Canvas Coordinator. The college reported that 100 senior investigating officers, and 130 specialist investigators were so trained. On the other hand, the College acknowledged that it was only now in the process of drafting a Garda/HSE training protocol, and while it is anticipated that joint training would commence, there was only limited entry level training at that time.

Our initial discussions with front-line responders and first-line supervisors yielded discrete themes that formed the basis for further discussions with Garda management. A thorough aide memoire, which was prepared in advance of a meeting with the Deputy Commissioner and which captures well the concerns that were flagged during our review, is outlined in the following table:

Table 6.14: Aide Memoire for Meeting with Deputy Commissioner

Meeting with Deputy Commissioner 17 May 2010	
Set Scene	Child Sexual Abuse is big news nationally and internationally Series of reports: • Ferns, Ryan, Murphy, • Children's Office policy reviews • Children's Ombudsman review of Children First • Special Rapporteurs, • PA Consulting on HSE, • HSE Task Force • Óireachtas Committee
Meeting with Deputy Commissioner 17 May 2010	
Terms of Reference	Copies Attached
Inspection to Date	• Desktop international research • In-depth looks across the US and in London, Hampshire, and Cambridgeshire in the UK. • Met with: • A/Commissioner • C/Supt and Supt NBCI • NBSCCC • Ombudsman for Children

	• Professor, London University (20 years' experience researching, consulting, training and publishing around child sexual abuse) • Visited: • NBCI • Ballymun, Sligo, Gorey and Tallaght stations • Excellent presentation at Loughrea Garda Station
Today	Would like to share our thoughts based on our work so far and hear from you on how you see the future for the Garda Síochána in relation to child protection. I intend to offer some candid views, something we do not necessarily do in our reports.
Best International Police Practises	• Clear strategic commitment to child protection • Focus on child welfare/protection, not solely directed towards prosecution. • Recognition of factors peculiar to child sexual abuse and adoption of strategies to deal with them, e.g. addressing the implications of reluctance on the part of a victim to make a formal complaint. • Close multi-disciplinary team-working involving police, social services, health care, education and prosecution authorities. Adoption of risk management and problem-solving approaches in association with partner agencies. • Trained specialist police in child protection units. • Emphasis on speed in investigations in the interest of the victim and evidence gathering. • Quality crime recording arrangements, case tracking and data systems.
Benchmarking Garda Síochána against Best International Practise	

Clear strategic commitment to child protection

- The Commissioner's recent public statements and new policy are welcome. They are a signal to the public and to victims that the Garda Síochána takes child sexual abuse seriously.⁸
- Best international practise points to a need to go further. For instance, it is difficult for the public and other agencies to identify a lead senior manager on child sexual abuse. UK police services have assigned responsibility for management of child sexual abuse to an identified ACPO level officer. This sends an important message both outside and inside the organisation. We are likely to recommend something similar. Is this something that you would be prepared to do?
- The Garda Strategy Statement 2010-2012 contains a high-level goal: *'Support and protect the most vulnerable members of our communities, including children and victims of domestic violence and sexual crime.'* However, there is no specific reference to child sexual abuse in the document or in any of the divisional and regional plans that we have seen. (The only related reference is in the 2010 police plan for Kilkenny Division which mentions specialist child interviewers.) Given public concerns about child sexual abuse and its high media profile, this came as surprise to us.
- While the new policy ranges over many relevant areas, we are not sure that it fully reflects all the measures being taken around child sexual abuse. We do not want to short-sell your story. Would it be possible for you to provide us with a complete statement of the initiatives being taken to address child sexual abuse?

Focus on child welfare/protection, not solely directed towards prosecution

- We have accumulated evidence that the primary Garda focus in cases of child sexual

⁸ In April 2010, during the fieldwork phase, the Garda Commissioner published the new Garda *Policy on the Investigation of Sexual Crime, Crimes Against Children and Child Welfare* (An Garda Síochána 2010). According to Garda Management, the policy was designed to provide practical guidance to police officers. It was a significant step in consolidating and clarifying Garda policy on the investigation of child sexual abuse offences. The policy served as an important reference document for the Inspectorate during the inspection.

abuse is on achieving a prosecution. If there is no prospect of a prosecution, Garda interest ends. Any subsequent follow-up is seen as a matter solely for the HSE.

- This stance is underpinned in policy by the narrow role defined for the Garda Síochána in Children First, i.e. *'The specific focus of An Garda Síochána is on the investigation of alleged offences and whether a crime has been committed.'* (6.6.1) This is an inadequate role definition that ignores the wider Garda Síochána community protection remit, i.e. the strategic goal for 2010-2012 to *'Support and protect the most vulnerable members of our communities including children...'*
- We are not advocating for the Garda Síochána to take over the social services function of the HSE. What we would wish to see is a future in which the Garda Síochána and the HSE have a shared common goal of child protection, where child welfare is the ultimate focus. In many ways, the present inordinate emphasis on the investigation/prosecution role of the Garda Síochána could well be a barrier to closer Garda/HSE team working.
- Internationally, police and social services train and work closely together. In some US locations police and social services personnel are co-located for child protection purposes. Their emphasis is on managing risk to children and achieving best possible outcomes for children. Prosecution is seen as a means to an end in protecting children.
- This differs significantly from what we are seeing in this country. We have not seen close team working with the HSE even in areas where the relationship between the Garda Síochána and the HSE is regarded as good. Previous reviews have already identified that the problem here lies mainly with the HSE. However, fixing that problem also requires a fresh look at the Garda role and how it is discharged. We would welcome your views.

Recognition of factors peculiar to child sexual abuse and adoption of strategies to deal with them, e.g. addressing the implications of reluctance on the part of a victim to make a formal complaint.

- It is well recognised that children, for a variety of reasons including fear and intimidation, are reluctant to provide formal statements alleging sexual abuse, especially in cases where the abuser is a member of the family.
- There appears to be a high proportion of cases where complainants make allegations to the Garda Síochána but do not provide formal statements. Our research shows that out of 300 reports of child sexual abuse by way of 'Children First' notifications in four Garda

districts, some 31% of them resulted in no formal complaint being made or a formal complaint being withdrawn. In our view, it is not acceptable to deny investigation, or to terminate an investigation, in this significant number of cases. We intend to make recommendations for early risk assessment of such cases and the adoption of strategies in child sexual abuse cases that recognise from the outset that there is a likelihood that no formal statement will be made by the injured party.

- In the absence of early risk assessment, there is a real danger that potentially very serious cases of child sexual abuse will not be investigated. This could result in serious damage to children and, in turn, to the reputation of An Garda Síochána if serious abuse were seen to have taken place after initial complaints had not been followed up. We noted last week that, because the eldest daughter in the 'Loughrea' case had withdrawn an allegation of rape by her father ten years earlier, no investigation had taken place. Worse still, the earlier rape allegation is not recorded on PULSE.
- We have seen too many cases deactivated because a formal complaint is not made. The Murphy report also cites such cases. Are such deactivations a concern to you given that it is recognised that abused children have difficulty in making and sustaining complaints? Have you proposals to address this?
- It was mentioned some time ago that legal advice was being sought from the Attorney General in this area. Do you know if this advice is yet to hand?

Close multi-disciplinary team-working involving police, social services, health care, education and prosecution authorities.

- All the evidence available to us indicates that Children First is not operating as intended and is certainly not working in accordance with best international practise.
- We recognise the difficulties long-since identified (Gardaí and social workers having different working hours, administrative areas are not co-terminus, industrial relations issues in the HSE etc.) But there are widespread fundamental breakdowns in the operation of Children First.
- For instance, we have found that Joint Action Sheets are available only in respect of 44% of notifications, notwithstanding the view expressed in the Garda observations to the Director General of the Children's Office that '*use of the joint action sheet is from the Garda perspective essential.*' Also, the data so far to hand from Garda districts shows that

case plans are prepared in no more than 21% of child sexual abuse cases. This shows that contrary to An Garda Síochána view conveyed to the Children's Office the guidelines on joint working and co-operation between Children First agencies are not being adhered to.

- This situation contrasts completely with best practise multi-disciplinary team working in other jurisdictions and is not in the best interests of children.
- Do these statistics surprise you? Are you concerned about investing considerable resources in a new Children First training programme if the fundamental problems are not being addressed in a meaningful way?

Trained specialist police child protection units.

- Child protection, including investigation of child sexual abuse, is a difficult, demanding and complex business. The Inspectorate has since its inception been a strong advocate for a generalist rather than a specialist approach to policing. In our first report, we argued for uniformed Gardaí to be put at the centre of the Garda organisation chart to highlight their centrality to the whole operation. In this inspection, however, we see a need to make an exception to our general stance.
- We have come across some exceptionally committed people during our inspection and greatly value their contribution to protecting Irish children. But we do not see that the interests of An Garda Síochána and the public are best served by maintaining a generalist approach to the investigation of child sexual abuse. From the US and Canada to the UK and Australia, police services have long since specialised in this area, recognising that:
 - Child protection work requires specialist skills and expertise. These are enhanced by full-time investigative experience.
 - The cost of training all police officers to the required standard for risk management, problem solving and investigation is prohibitive.
 - Sharing information in a way that keeps all needed officers in the picture while still maintaining confidentiality for victims etc. is more easily achieved in a specialist environment.
 - Investigations show better outcomes for children.
 - Partnership working with social services etc. is more easily achieved by reducing

personnel turnover, having officers work the same hours, and in some cases sharing the same accommodation.

- An important point to make here is that offences related to children must be handled differently in all settings – police, prosecution, judicial, social services, etc. We very much welcome the decision to train specialist child interviewers. This is the way forward. But more specialisation is needed. In our view, specialist Child Protection Units in which Garda personnel are specially trained for child sexual abuse investigations are essential.
- We have noted that both Judge Murphy and the Óireachtas Joint Committee on the Constitutional Amendment of Children also favour specialisation in An Garda Síochána in this area but that the Commissioner has resisted the idea. Is this still the Garda position?

Emphasis on speed in investigations in the interest of the victim and evidence gathering.

- International best practise is increasingly emphasising speed in investigations in the interest of evidence gathering and reducing the trauma on children.
- We are concerned by the delays that we have seen in activating Garda investigations and in carrying them out. We have yet to see more broadly based statistics from PULSE, but the records we have examined show that it is not at all unusual for investigations to be on-going for 9 to 12 months. While investigations vary in complexity, there is nothing immediately apparent to us to justify taking this long in these cases to prepare a file.
- The new Garda policy does not set any target time for completion of investigations but does identify review/reporting intervals of 10 days, roll-over periods of 4 weeks and a case audit at three months. Had you particular reasons in setting these intervals?
- Is speed of investigations a matter that you would wish to pursue? Would you consider setting target time intervals as a management tool?

Quality crime recording arrangements, case tracking and data systems.

- Our report will recommend development of case tracking systems to enable quality data on child sexual abuse cases. We had to go to the case files to gather data for this inspection. I fail to see how Chiefs and Regional Assistant Commissioners can have a meaningful picture of the state of child sexual abuse investigations in their divisions given the absence of computerised reporting facilities.

- We didn't expect to have to look at crime recording practises in this inspection but we were shocked by local practises that we encountered. Data we have accumulated to date concern us greatly. [Distribute hand-out]
- The most disturbing aspect of the failures to adhere to good recording practise in these cases is that we are firmly of the view that it is not a problem peculiar to the four districts concerned. We spoke to people in those districts who have worked in other districts and we are quite certain that the culture and practises we have discovered are endemic in the Garda Síochána.

I specifically asked to meet with the Deputy Commissioner to share candid thoughts based on our work to that point – a degree of candour that would not likely translate into the final report. I commended the Commissioner's public statements and new policy as a welcome signal to the public and to victims that An Garda Síochána takes child sexual abuse seriously, but noted that, while the new policy ranges over many relevant areas, it did not seem to fully reflect all the measures being taken around child sexual abuse. Assuring that we did not want to short-sell the story, I asked the Deputy Commissioner to provide us with a complete statement of the initiatives being taken to address child sexual abuse.

I acknowledged a clear strategic commitment to child protection, but emphasised that best international practise points to a need to do more. I noted, for instance, that it is difficult for the public and other agencies to identify a lead senior manager on child sexual abuse, whereas UK police services have assigned responsibility for management of child sexual abuse to an identified ACPO (chief) level officer. I suggested that this sends an important message both outside and inside the organisation.

I noted that the Garda Strategy Statement 2010-2012 contains a high-level goal to *'Support and protect the most vulnerable members of our communities, including children and victims of domestic violence and sexual crime,'* but there is no specific reference to child sexual abuse in the document or in any of the divisional or regional plans that the Inspectorate had seen.

I urged a focus on child welfare and protection, not simply a goal to achieve a prosecution. I noted that if there is no prospect of a prosecution, Garda interest ends, and any subsequent follow-up is seen as a matter solely for the HSE. I explained that this stance may be underpinned in policy by the narrow role defined for An Garda Síochána in Children First: *'The specific focus of An Garda Síochána is on the investigation of alleged offences and whether a crime has been committed.'* (6.6.1) This narrow definition ignores the wider Garda Síochána community protection remit, for example, the strategic goal for 2010-2012 to *'Support and protect the most vulnerable members of our communities including children...'* I emphasised that the Inspectorate was not advocating for the police to take over the social services function of the HSE, but rather a future in which An Garda Síochána and the HSE have a shared common goal of child protection, where child welfare is the ultimate focus.

I urged those present to recognise factors peculiar to child sexual abuse, and adopt strategies to deal with them; for example, by addressing the implications of the reluctance (fear, intimidation) on the part of a victim to make a formal complaint. There appeared to be a high proportion of cases where complainants made allegations to the police but did not provide formal statements. For example, of 300 reports of child sexual abuse by way of 'Children First' notifications in four Garda districts, approximately 31% of them resulted in no formal complaint being made or a formal complaint being withdrawn. This is a significant number of cases to deny investigation, or to terminate investigation, and I advised that we would recommend early risk assessment of such cases and the adoption of strategies in child sexual abuse cases that recognise from the outset that there is a likelihood that no formal statement will be made by the injured party.

I urged trained specialist police child protection units. Although the Inspectorate had, in our first report, advocated for a generalist rather than specialist approach to policing, we recognized a need here to make an exception to that general stance. I noted that in the US, Canada, UK and Australia, police services had long recognized the need for specialisation in this area.

I highlighted the need for quality crime recording, case tracking, and data systems. I noted specifically how disturbed the Inspectorate was by the observed failures to

adhere to good recording practise in these cases, and our belief that this culture and poor practise are not isolated among the four stations we visited but rather endemic in the Garda.

The Deputy Commissioner and his staff seemed genuinely surprised and concerned about the Inspectorate's early findings, particularly the discrepancies in recording of incidents and lack of cooperation between police and the HSE. The conversation was frank, but respectful and productive. I assured the Deputy Commissioner that the Inspectorate would work with his team on solutions to address concerns and would record any efforts made by them in our final report.

This meeting represented a critical juncture in the relationship between the Garda and the Inspectorate. This was certainly an opportunity for the Inspectorate to embarrass police and Justice officials. Our strategy, however, was to engage with Garda management and work collaboratively on solutions. Armed with our data, quantitative and qualitative, we could always resort to a more adversarial approach should they respond dismissively or were they unreceptive to our criticism and suggestions, but we firmly believed it was far more productive to be transparent about our findings while also acknowledging the efforts undertaken by the police to solve the problems identified.

The Deputy Commissioner, in turn, acknowledged the Inspectorate's concerns, agreed that such findings could seriously undermine public trust, and committed to work collaboratively and urgently on solutions. Importantly, he delivered, particularly on the recording issue. Within days, a plan was developed and work began to rectify previous mistakes. The data reflected this effort. As the Inspectorate continued to update the list of cases reviewed in each district station, it became apparent that in response to the on-going inquiries, districts were working to input more investigative files into PULSE in advance of or immediately following our site visits. During follow-up inquiry, the Inspectorate noted a significant uptick in PULSE recording in three of the four stations reviewed:

- Gorey - of 21 cases reviewed, 12 (57%) now had an associated PULSE number;
- Sligo - of 19 cases reviewed, 13 (68%) had an associated PULSE number;

- Ballymun - of 24 cases reviewed, 22 (92%) had an associated PULSE number; and
- Tallagh - where there were particularly poor statistics regarding recording on initial review - showed marginal improvement, only 9 (33%) of the 27 cases reviewed associated with a PULSE number.

D. Reviewing Action

Reflecting on the intersection of the planning and action phases of this core cycle, as the Inspectorate gathered substantial qualitative and quantitative data, the scope of the project grew well beyond initial expectations. The Inspectorate engaged in several discussions with Justice representatives and subject-matter experts in hopes of distilling the most important information and producing a sensible number of substantive recommendations that would improve police practises and enhance child safety. The Inspectorate's final recommendations fell into several broad categories:

- Adhere to Peel's principle of objective, unbiased policing through committing dedicated and specialised resources to assuring that all allegations are recorded, thoroughly investigated, and tracked; for example, by creating separate units comprising investigators, detectives, and intake personnel with specialised training in child sexual abuse investigations and inter-agency working. Consider also sustaining and increasing efforts to trace unaccompanied minors who go missing from State custody.
- Promote interagency collaboration between investigatory, prosecutorial, and social service agencies to assure a victim-focused response to allegations of child sexual abuse; for example, through joint training, co-located services, and by developing and maintaining close working relationships with non-statutory organisations that provide support and services for victims of child sexual abuse.
- Eliminate barriers between investigatory, prosecutorial, and social service agencies to assure accuracy and integrity of data relating to child sexual abuse.
- Advance public awareness on how to make complaints of child sexual abuse and promote confidence in the process; for example, by publishing information on how, where and when to make child sexual abuse complaints and how

complaints will be handled, staffing help lines for reporting of allegations of child sexual abuse on a 24/7 basis, and establishing victim-friendly options to encourage victim-friendly options to encourage reporting.

- Establish accountability mechanisms to assure that child sexual abuse allegations are timely recorded, timely and thoroughly investigated, and forwarded for prosecution where appropriate. For example: (1) establish protocols concerning the timeliness of child sexual abuse investigations with a view to having all but complex investigations completed within three months; (2) conduct formal risk assessments on every allegation of child abuse; and (3) revise child protection notification forms to include recording the date of the initial report, and revise the Children First Guidelines to state explicitly that prosecution of a sexual offence against a child will be considered within the wider objective of child welfare/protection.
- Define two categories of positive investigative outcomes: (1) number and percentage of cases referred to DPP, and (2) number and percentages of cases not prosecuted in the interest of the welfare of the victim.
- As required by policy, immediately create an offence record on PULSE of each complaint of child sexual abuse, and set a specific time limit for such recording.
- Assign Garda Professional Standards Unit to oversee adherence to crime counting rules and other Garda directives on crime recording.

The Inspectorate first submitted its findings and recommendations to Minister of Justice Dermot Ahern in November 2010. Concurrently, the report was forwarded by the Inspectorate to Garda Commissioner Fachtina Murphy. In December 2010, Commissioner Murphy retired, and in January 2011, Minister Ahern resigned. Neither of them responded formally to the report. In fact, despite numerous inquiries by the Inspectorate to the Department of Justice, there was no further action taken on the report until 13 July 2011, when, in releasing the *Commission of Investigation Report into the Catholic Diocese of Cloyne* (Commission of Investigation 2011), Minister for Justice, Equality and Defence, Alan Shatter issued a joint statement with the Minister of Children and Youth Affairs, Frances Fitzgerald. That statement read:

Following publication of the Dublin Archdiocese report, the Garda Síochána Inspectorate was requested to carry out a comprehensive review of Garda arrangements for dealing with child sex abuse. While that work has been completed, it has been agreed with the Chief Inspector Kathleen O'Toole, that prior to publication of their report, they would be given a chance to review it in the light of the findings of the Cloyne Report. This review is expected to take only a matter of weeks. (Garda Inspectorate 2013)

This statement irked members of the Inspectorate team. None of the previous reports had been delayed to this extent. There was suspicion that Justice and Garda managers were purposely withholding the report, knowing that some of the findings would be embarrassing to the police and to Government. When the new guidelines were published a few weeks later, there was little question that the timing of the publication, in advance of the release of the Inspectorate's report, was an intentional, pre-emptive move. The Commissioner was clearly concerned about the outcome of the investigation and was likely attempting to get ahead of the crisis. Personally, I thought there was a positive aspect to this development. I did not care whether improvements occurred before or after publication of Inspectorate reports, if progress was made. Ultimately, no changes to the Inspectorate's report were deemed necessary following the Cloyne Report, and I did feel compelled to note in an addendum to our report that the Inspectorate was not responsible for the delay.

II. Core Project Contributions – Addressing Child Sexual Abuse

In contrast to other projects that fell within the Inspectorate's remit during my tenure, issues concerning child sexual abuse recording and investigation had previously been the subject of well-publicised, prior inquiries in Ireland. As the Inspectorate focused specifically on structures and systems within the Garda for recording and investigating complaints, earlier reports offered context for the Inspectorate to understand how shortcomings identified in Garda practises intersected with those cited in the Ferns, Ryan and Murphy reports. Viewed through the lens of action research, at the point the Inspectorate began its work, the scaffolding for identifying issues that fell outside the scope of prior work, planning new action, taking action, and

evaluating implementation of recommendations to date, was well in place.

At the same time, the fact that the Inspectorate's review ultimately revealed alarming breakdowns in Garda practises and highlighted prior concerns regarding the lack of coordination between agencies, organisations, and communities at large who share responsibility for protecting children, underscores the magnitude and complexity of the problem. As a singular project, it would be naïve to expect that this one report would expose all gaps in Garda practises, resolve cultural divisions, and break down all barriers to communication between siloed partners. Rather, as an action researcher, I choose to reflect on this project in terms of how the Inspectorate gleaned insight from prior reviews, took action to focus on systems and processes that had not previously been subject to deep inquiry, and integrate knowledge gained through these efforts with prior insight to put forth recommendations that should frame future research cycles.

In that regard, key contributions and recommendations with respect to this core project, Child Sexual Abuse, are summarized below.

- Crime Counting. The Inspectorate made a troubling discovery about crime counting during this review. There was clear evidence of under-recording of child sex abuse cases. Some crimes were improperly categorised and many were never officially recorded. While the project was still underway, the Inspectorate brought this issue to the attention of the Deputy Commissioner of Operations. He immediately launched an effort to amend existing records and bring clarity and continuity to the recording process for sex crimes nationwide. The Inspectorate had suspected there were problems with the Garda crime counting system generally, and the suspicion was confirmed during this project. The Inspectorate provided a recommendation to address crime counting in general to ensure all crime counting methods would improve going forward. While prior reports had indicated underreporting from the Catholic Church and institutional settings to the Garda, this was a new, affirmative discovery of broken processes within the Garda itself.
- Ineffective Interagency Coordination. The findings highlighted a recurring

problem that the Inspectorate, and others, had identified previously – the lack of effective interagency collaboration, particularly between the police and the HSE. The Inspectorate acknowledged some positive initiatives, but noted that effective collaboration was still the exception and not the rule. The Inspectorate called for a focused, joined-up approach to address the very serious and complicated issue of child sex abuse.

- Case Handling. The Inspectorate produced a comprehensive assessment of Garda processes relating to the handling of allegations, including the management of information, the investigation of cases, the prosecution of cases, the monitoring of cases, and evaluation of results. The Inspectorate offered recommendations to address all the weaknesses discovered.
- Related Concerns. As the Inspectorate took a broader consideration of threats to children than prior inquiries, the Inspectorate identified additional concerns that would need attention going forward, specifically with respect to child trafficking, internet threats, vetting processes for individuals who work with children, and management of sex offenders. The Inspectorate did not conduct exhaustive research or review in these areas, but did provide useful notes and updates on these issues and recommendations for further consideration.
- Scope. Reflecting the magnitude and complexity of the issue, the scope of this core project seemed to grow each day. Desktop research was extraordinarily time consuming. There were numerous stakeholders, and the Inspectorate felt it was important to engage with as many, as meaningfully, as possible. Ultimately, the Inspectorate had to draw a line and recalibrate – a reminder once again during each meta-cycle that Inspectorate terms of reference and action plans must be focused and realistic.
- Caretaking. The Inspectorate emphasised the importance of caretaking of those gardaí tasked with child sexual abuse investigations, and was pleased to provide support to a Garda member who felt he had been traumatized by his long-term exposure to child abuse investigations. That member recommended to the Inspectorate – and the Inspectorate agreed – that counselling be provided for

members in similar assignments. He noted that he made the recommendation to his Garda superiors previously, but had been ignored. Indeed, it was becoming a consistent theme that the Inspectorate would advocate for the health and safety of the Garda. This continued to enhance the Inspectorate's credibility and reputation with front-line police.

- Overall Progress. Of the twenty-nine recommendations presented in the Inspectorate's report, Garda management accepted twenty-six, two were accepted with modifications and one was rejected. As of this writing, seventeen of the recommendations have been implemented, and an additional eleven are in process. An update on the status of each recommendation can be viewed on the Inspectorate's website. (Garda Inspectorate 2015)

III. Notes on Meta-Learning

In the context of the meta-cycle of my work to advance knowledge in organisation science through building good governance practises for a model inspectorate, this project provided defining insight. No doubt in large part due to the heightened sensitivities and urgency around the subject matter, this project, more so than others, required me to wrestle with, and ultimately reconcile through deliberate and thoughtful reflection and calculation, the competing interests of all stakeholders involved. In Chapter 8, I describe more fully how the meta-cycle of this thesis project evolved over the course of the core projects, but for purposes of highlighting critical observations gleaned through the core project concerning child sexual abuse, two key points warrant mention here.

- Engagement. More so than other Inspectorate projects to date, findings associated with this project were particularly troubling and, potentially, outright embarrassing to the police. The Inspectorate faced a defining decision: immediate public admonishment would advance the Inspectorate's appearance of independent oversight and rigorous review – but almost certainly at the expense of alienating the organisation we were tasked to reform. We accordingly made the calculated decision to give Garda management the opportunity to address the issues prior to publication of the report, and they did so appropriately in this

instance. In our final report, we did not gloss over our findings, but we did not take the opportunity to shame either. The Commissioner, Deputy Commissioner and representative association leaders all indicated that they appreciated our approach. Allowing Garda management to respond to early findings had the reciprocal effect of increasing trust and confidence in the Inspectorate. The Inspectorate was thus able to underscore, in a manner that was particularly significant in this case, its commitment to robust, respectful, and collaborative engagement with a wide variety of stakeholders – including those subject to its scrutiny. This ability to build engagement equity would ultimately become a defining trait of the Inspectorate’s success more generally.

Another particularly troubling discovery provides a second example. During a briefing on a horrific case of family sexual abuse in Galway, the Inspectorate learned that similar allegations had been made by one of the children ten years earlier in a different Garda region. It was clear the original allegation had not been properly handled. Again, this easily could have been an opportunity to embarrass the Garda organisation. However, because the local gardaí providing the briefing were forthcoming with information and equally troubled by the circumstances, I saw no benefit in exposing the police *or* the victims to further pain and public scrutiny. After discussing the case in detail with Justice officials and Garda management, I was convinced there was commitment to reforms that would prevent similar occurrences going forward. Officers who provided the briefing and Garda managers who later became aware of it appreciated that the Inspectorate used discretion when learning of this historical information. At the same time, the case was transparently referenced in the body of the Inspectorate’s report. I firmly believe the Inspectorate struck the right balance – it truthfully stated the facts, but did not sensationalise the discovery.

- Addressing Government Commitment Through Leadership. Although Garda management embraced and implemented several recommendations during the inspection, actual publication of the Inspectorate’s formal report was delayed significantly until after a change in Government and retirement of the Garda Commissioner. Members of the Inspectorate suspected the delay was calculated.

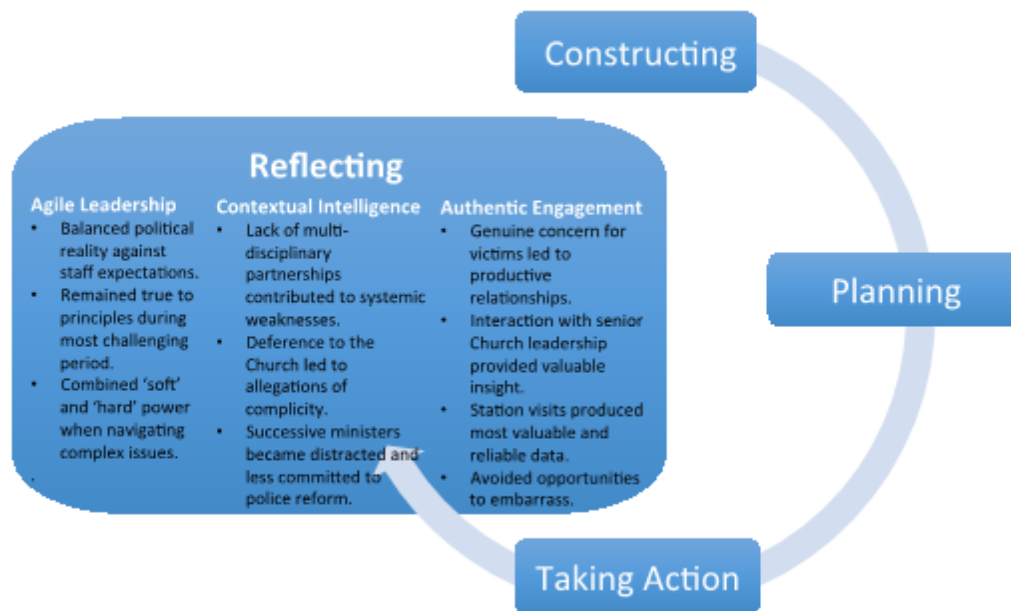
It was clear there was little the Inspectorate could do if the sitting Minister was not inclined to address and publish findings and recommendations. During the meta-cycle of this project, successive ministers seemed increasingly deferential to Garda management and less interested in police reform. A possible flaw in the police governance structure in the Republic of Ireland became more apparent. Could police governance be effective if ultimately controlled by one person – the Minister of Justice? Could an effective policing authority, a body previously recommended and rejected at least three times in Irish history, address this concern? In Chapter 8, I flesh out in more detail how this concern evolved over the meta-cycle of my thesis work.

IV. Conclusion

Reflecting more generally on the meta-cycle of my work, certainly the Child Sexual Abuse core project was the most challenging, and highlighted the fragility of the policing governance structure in Ireland. As the Inspectorate increasingly struggled to convince Government and Garda management to acknowledge and address serious issues with a sense of urgency, the need for greater checks and balances in the Irish system became clear. The Inspectorate laboured to mitigate challenges by engaging constructively and tirelessly with a broad range of stakeholders, including victims, police, clergy, other community members, government officials and the media. Despite tension at times, the recommendations that came forth from this project were comprehensive, grounded in best practise, and transparent in process, analysis, and substance. The results demonstrate the value of the action research methodology: practical recommendations that improved handling of child sexual abuse cases, and meta-knowledge that informed the evolution of the Garda Inspectorate.

The value of agile leadership, contextual Intelligence and authentic engagement, that first surfaced during the pre-step of my research and was apparent in other core projects, was again underscored during this cycle. Figure 6.2 illustrates examples:

Figure 6.2: Child Sexual Abuse Meta-Knowledge



This chapter demonstrates the level of work and commitment the Inspectorate dedicated to each core project. The following chapter provides synopses of the other four projects, as it would be impractical to incorporate this level of detail for all cycles in the body of this thesis. However, all data captured during the Inspectorate's work was entered and remains stored in the Garda Inspectorate database.

Chapter 7

OTHER CORE PROJECTS

While I do not provide the same level of detail in the body of this thesis, the Inspectorate applied equal rigour to all core projects. In this chapter, I describe four additional core action research cycles, identify core contributions resulting from each and depict meta-knowledge produced in the organisational themes of agile leadership, contextual intelligence and authentic engagement. A broader discussion of how these projects impacted the evolution of the meta-cycle of my thesis work, and contributed to the development of a robust Inspectorate body, follows in Chapter 8.

I. Core Project: Roads Policing

Desired Outcome: To contribute to the collaborative roads safety effort in Ireland by providing recommendations that will reduce fatalities and injuries on Irish roads.

This project, which began in July 2007 prior to my formal admission to the PhD programme, was the first undertaken. It was during the inspection that I began to review literature on action research, was accepted to the PhD programme, and commenced the Graduate Research Seminar. Although it was early in my academic work, I began to apply newly acquired knowledge to the project. In particular, I began to use a cyclical approach and recognized the importance of constant reflection in my work. As in the previous chapter, I present this project and others in this chapter in the context of the action research phases performed.

A. Constructing

As across all projects, I spent considerable time engaging with stakeholders in the field, as did the rest of the Inspectorate team. We consistently heard concerns from the police, politicians and community representatives about roads safety. In 2006 alone, 365 people lost their lives and thousands were injured in collisions on Irish

roads. (Garda Inspectorate 2008; 4) It was clearly a significant public health and safety issue.

From the start and throughout my work at the Inspectorate, I maintained strong lines of communication with leadership of the PSNI, members of the Criminal Justice Inspectorate in Northern Ireland (CJI) and Her Majesty's Inspectorate of Constabulary in the UK (HMIC). It became clear during our discussions that Northern Ireland was facing similar challenges in roads safety, particularly in border areas. We concluded collectively that a combined roads policing inspection would provide a unique opportunity to harness the resources of the Garda Inspectorate, CJI and HMIC. It would also provide an opportunity for the Inspectorate to learn from the more experienced inspectors in the North.

When I proposed the notion of a combined effort to senior Irish Justice officials, they concurred. In my experience, they were generally keen to embrace and promote cross-border initiatives. It was agreed we would work closely together, but prepare separate terms of reference and reports.

The following terms of reference for the Garda Inspectorate were drafted in collaboration with Justice staff, CJI and HMIC:

- Assess An Garda Síochána's commitment and performance around roads policing, including a review of the current organisational structure;
- Examine Garda policies and procedures for roads policing with specific reference to the investigation of fatal and serious road traffic collisions;
- Assess the effectiveness and efficiency of the enforcement and prosecution of road traffic offences, including a statistical review of enforcement and its outcomes;
- Explore the relationship between education, enforcement and engineering in promoting road safety;
- Explore current levels of cross-border co-operation with Northern Ireland in roads policing; and
- Work in partnership with the Criminal Justice Inspectorate of Northern Ireland and Her Majesty's Inspectorate of Constabulary, both of which bodies will engage

in a parallel inspection of roads policing in Northern Ireland. (Garda Inspectorate 2008)

Justice managers were supportive of the cross-border project, but when presenting the terms of reference to leadership at Garda HQ, I sensed they were not nearly as enthusiastic about the combined effort. Nonetheless, the Minister granted permission and I did not anticipate any resistance.

B. Planning

I consulted with my deputies to determine which one had the most relevant experience to assist me in the supervision and management of the project. It was determined that Deputy Chief Inspector Gwen Boniface would do so.

In the planning process, the Inspectorate team had several formal and informal meetings internally, as well as meetings with CJI, HMIC, the Assistant Commissioner Traffic and the Chief Superintendent GNTB. Recognizing the value and credibility an external subject-matter expert brought to the Inspectorate's work during the Barr Tribunal Review, I contacted and retained Ms Annette Sandberg, an internationally recognized roads safety expert, who formerly served as US Department of Transportation Federal Motor Carrier Safety Administrator and Chief of the Washington State Patrol. She referred the Inspectorate to literature and best practise jurisdictions. Later in the process, she contributed content and reviewed the Inspectorate's draft findings and recommendations prior to publication.

During the planning stage, the Inspectorate also conducted a desktop review of road traffic legislation and relevant reports published by An Garda Síochána and the Road Safety Authority (RSA). Statistics from these reports underscored the scale of the challenge. The Inspectorate created a table indicating the numbers of fatalities and personal injuries on Irish roads between 1997 and 2008. From the period 1 January 1997 to 31 December 2007, 4,353 people were killed on Irish roads. (Garda Inspectorate 2008; 8)

The Inspectorate decided to study the following topics to satisfy the terms of reference:

- The Garda Síochána Strategic Review of Traffic Policing (2002)
- Organisational Structures
- Personnel Increases
- Policy and Guidelines
- Changes in Laws and Enforcement Procedures
- Forensic Collision Investigation
- Training
- Equipment
- Automatic Number Plate Recognition
- Speed Cameras
- Digital Tachographs
- Vehicle Seizures
- Traffic Watch
- Measurement of Activity and Prosecutions
- Road Safety Partnerships

The Inspectorate also compiled a list of individuals, organisations, best practise jurisdictions, and Garda locations to visit.

It was decided that representatives of the Garda Inspectorate would join CJI and HMIC teams in the North during their work and vice versa. Considering the more extensive experience of those conducting inspections in the North, a decision was made to schedule early field visits there. It would help my team frame subsequent meetings in the Republic.

Representatives of the Garda Inspectorate received a warm welcome in Northern Ireland and were very impressed by the operations of CJI and HMIC. Their inspectors were experienced and professional. Garda Inspectorate members learned from their Northern peers and were heartened by their genuine willingness to assist. Garda Inspectorate personnel were also well received by the PSNI and granted equal access to facilities and records when they attended inspection meetings in Northern Ireland.

C. Taking Action

In the Republic, the Garda Inspectorate attended formal meetings with all primary partner organisations, including the Department of Justice, Equality and Law Reform, the Department of Transport, the Road Safety Authority (RSA), the Medical Bureau of Road Safety and the Association of City and County Managers. Meetings were also organised with Mothers Against Drunk Driving (MADD), Co-operation and Working Together (CAWT) and Public Against Road Carnage (PARC).

A comprehensive briefing by the Assistant Commissioner for Traffic and representatives of the Garda National Traffic Bureau (GNTB) was provided, and field visits were made to Louth/Meath, Cork City, Galway West, Kerry and Donegal divisions. Meetings also took place with Traffic Corps personnel in the Northern Division, Western Division and Dublin Metropolitan Region. The team believed it was important to engage and listen carefully to the perspectives of personnel of all ranks in both urban and rural areas.

Days before the first meetings with Garda personnel, Deputy Chief Inspector Boniface approached me with an urgent concern. When confirming the schedule of meetings with managers at Garda HQ, she was warned there was reluctance to allow CJI and HMIC personnel to attend meetings at Garda stations and to have access like that the Garda Inspectorate was granted in the North. Days later, she said they were emphatic about it. When she asked them to provide rationale for their position, she was told it related to general security concerns.

The Deputy Chief Inspector and I were taken aback by this unexpected development. I had previously learned to be mindful of historical and cultural sensitivities, particularly during my work on the Patten Commission. Also, as a senior police leader, I was very aware of the need to ensure confidentiality and protect State security. I had taken an oath myself to abide by the Official Secrets Act (Houses of the Óireachtas Ireland 1963) and would certainly not conduct work that would jeopardise confidentiality or State security. Garda personnel and managers had been generally cooperative and receptive to members of the Inspectorate and other subject-matter

experts, all outsiders, who had worked on the previous three projects. Why was this different?

Knowing I could confide in certain Justice officials, I phoned to brief them and asked for their perspectives and advice. They were less surprised by the reaction. They agreed that reviewing statistics and discussing the topic of roads policing would hardly jeopardize State security. They attributed the reaction to historical biases, and/or a reluctance to expose possible Garda weaknesses to police officials and inspectors from Northern Ireland and elsewhere in the UK. The Justice officials did not agree with Garda management in this case, but it was clear they were not inclined to challenge them. They encouraged me to work out a compromise directly with Garda HQ.

I had a direct conversation with the Garda Commissioner and other senior leaders. The Commissioner did not back down. Some members of his command staff privately sympathized with the Inspectorate and were not necessarily of the same opinion as the Commissioner, but they were not inclined to challenge him. It struck me at the time that it was a stark example of traditional, autocratic police leadership style. It was also one of many examples of deference to the Garda Commissioner I witnessed while serving as Chief Inspector.

In the end, we had one day to work out a compromise. It was agreed that CJI and HMIC personnel would only be allowed to attend meetings that were held at Garda HQ. They would not be invited to meetings at facilities in the field. The Deputy Chief Inspector and I had the unenviable chore of notifying representatives of the CJI and HMIC that they could not attend meetings at facilities other than Garda HQ. They were disappointed, but took the news in stride and did not seem particularly surprised by it. The experience was certainly a contrast to the transparency and inclusion demonstrated by the PSNI.

The Inspectorate continued its research and proceeded with all the scheduled meetings. In each Garda division, the Inspectorate made a point of speaking with both traffic police and 'regular' Garda units, those performing routine uniformed service.

The intention was to underscore the important contribution *all* police make to roads safety.

The Inspectorate also made it a point to engage in the early stages of this project with all Garda representative associations. Each group made substantive suggestions and later encouraged their members to meet with the Inspectorate during local station visits.

The Inspectorate conducted international benchmarking by meeting with and sourcing information from the London Metropolitan Police, the New Jersey State Police, the North Wales Police, the Ontario Provincial Police, the Royal Canadian Mounted Police, the Strathclyde Police, the Swedish Police, and the Toronto Police.

In the end, the fieldwork produced a large amount of valuable data to inform the Inspectorate's findings and recommendations.

D. Reviewing Action and Core Contributions

The Inspectorate spent several weeks reflecting on meetings, analysing data captured, and framing the outline of the report. There was also considerable interaction and consultation with CJI, HMIC and the Inspectorate's subject-matter expert during this phase. The Inspectorate presented its report, *Roads Policing*, to the Minister of Justice in November 2008. The Minister accepted the report in its entirety. Containing twenty-five substantive recommendations for improvement, it was officially published and laid before Government in December 2008. The following is an overview of the findings and recommendations produced during the Inspectorate's core project phase of reflection.

- The Garda Síochána Strategic Review of Traffic Policing (2002)

The Inspectorate concluded that the 2002 review was important and paved the way for improvements in a better-resourced Traffic Corps. It expressed satisfaction that commitments made in the document were largely fulfilled. It commended An Garda Síochána for taking a leadership position by working effectively with road safety partners, providing greater police visibility, and developing targets and measures that led to a reduction in deaths and injuries.

The Inspectorate suggested that An Garda Síochána must sustain and build on that success. (Road Safety Authority 2007)

- Organisational Structure

The Inspectorate concluded that the appointment of an Assistant Commissioner to oversee GNTB was a strong signal of the importance of roads policing. It noted that the structure in the Dublin Metropolitan Region differed from the structures elsewhere in the country, but deemed the arrangement appropriate given the urban traffic challenges in Dublin. The Inspectorate noted commitment to roads policing improvements expressed by personnel at all levels of the organisation, but established that greater clarity was needed to address (1) the role of the GNTB, (2) dual reporting relationships at the divisional and regional levels, and (3) the responsibilities of the Traffic Corps relative to the responsibilities of 'regular' Garda units.

- The Future Role of GNTB

The Inspectorate applauded the establishment of GNTB and acknowledged its important responsibilities and early successes. The Inspectorate noted the need to prioritise GNTB projects. It also concluded there was lack of necessary technology tools required to accomplish the GNTB mission. The Inspectorate believed that GNTB should be responsible for timely case law updates and the development of relevant professional development courses.

- Dual Reporting Relationships

It was apparent to the Inspectorate that Traffic Corps personnel were often confused and frustrated by reporting relationships. It was not unusual for a traffic officer to have one supervisor for day-to-day operations, and another less familiar one for administrative purposes and evaluations.

- Coordinating the Traffic Corps and Regular Garda Units

The Inspectorate concluded that this was a very important issue. There was clear evidence that traffic police and 'regulars' were operating on parallel tracks with

little coordination in many regions. The Inspectorate felt that better training and direction of 'regulars' could produce positive results.

- Personnel Increases

The Inspectorate noted that the Traffic Corps had doubled in three years, from 2005 to 2008. It concluded that the increased visibility had a positive effect on roads safety, but the rapid increase led to certain growing pains, particularly relating to accommodation and equipment needs.

- Policy and Guidelines

The Inspectorate concluded that there had been notable improvements in roads policing policy, in particular relating to collision investigation. There was evidence, however, that front-line personnel could benefit from more streamlined policies and readily accessible manuals.

- Changes in Law and Enforcement Procedures

The Inspectorate concluded that the legislation allowing mandatory breath testing transformed the operating capability of the police. The Inspectorate noted that on the first anniversary of the introduction of mandatory breath testing, 21 July 2007, the RSA released statistics indicating a 22% reduction in traffic fatalities when compared to the previous twelve months. The Inspectorate encouraged continued commitment to breath testing, noting it would surely save more lives.

- Forensic Collision Investigation

It was clear to the Inspectorate that procedures and training in collision investigation had improved considerably. Fourteen specially trained investigators were stationed at various locations throughout the country. It was somewhat challenging to weigh opinions and draw conclusions in this area because there were clearly personality conflicts between the coordinator of the programme, who was located at the Garda College in Templemore, and certain managers at Garda HQ. The Inspectorate did its best to mitigate the personality issues, and based conclusions on sound evidence. The Inspectorate was impressed by the commitment of the coordinator, as well as his credentials and

vision. The Inspectorate noted that he should be assigned to the GNTB at HQ and not to a separate location at the Garda College. The Inspectorate also supported the coordinator's recommendation that investigators be issued personal equipment. Otherwise valuable time would be wasted if investigators were required to travel distances to regional headquarters to retrieve necessary tools.

- Training

The Inspectorate took the opportunity to reiterate its position on Garda driver training. During the reflection process, the Inspectorate dedicated considerable attention to this issue. The Inspectorate believed that Garda members and the public were at serious risk due to the lack of proper driver training. On a regular basis, members of the Inspectorate witnessed outrageous emergency driving habits that were unsafe and would not be tolerated in other police jurisdictions. The Inspectorate developed several recommendations in this area, including the abolition of 'Chief's Permission,' a practise that allowed drivers without proper training and certification to operate emergency vehicles.

Remarkably, this remained a contentious issue throughout my tenure as Chief Inspector. I cannot fathom why Garda Management resisted the recommendation and delayed implementation. Police officers are often injured or killed in car crashes. Why would management resist providing proper driver training to personnel? In discussions with front-line police and representative associations, members consistently called for driver training and certification. At the time, I suspected the resistance had less to do with the merits of driver training and more to do with the fact that it was recommended by the Inspectorate and not by managers at Garda Headquarters.

- Automatic Number Plate Recognition (ANPR)

The Inspectorate supported the plan to proceed with ANPR, but warned of significant back office demands that surfaced unexpectedly in other jurisdictions.

- Speed Cameras/Digital Tachographs/Other Equipment

The Inspectorate enthusiastically endorsed the Irish Government's plan to purchase speed cameras, citing reductions in fatalities following deployment elsewhere, particularly in France. The Inspectorate also favoured the introduction of digital tachographs for commercial vehicles, to replace analogue devices. It noted that police share responsibility for commercial vehicle safety and enforcement with the RSA and must coordinate efforts with them. The Inspectorate considered other equipment requirements that surfaced during the project, such as vehicles, alcometers, intoxilyzers, and speed devices. Recommendations were made in these categories as well. (Garda Inspectorate 2008, 28-30)

- Traffic Watch

On reflection, the Inspectorate questioned the value of the Traffic Watch programme. The programme encouraged members of the public to report dangerous drivers to the police. In turn, it created an expectation that the police would take immediate enforcement action against those drivers, which was rarely the case. The Inspectorate recommended re-evaluation of the programme.

- Measurement of Activity and Prosecutions

The Inspectorate applauded the Garda Síochána for clearly stating its roads policing goals. It also considered the metrics the organisation used to measure roads policing activity. The Inspectorate concluded that more focus should be placed on achievement of outcomes, rather than measurement of outputs. For instance, in response to feedback in the field, a recommendation was made to focus checkpoints on researched collision prone zones, not 'fish in the barrel' locations. The Inspectorate recommended greater utilization of technology tools to leverage and integrate valuable information already captured in the police database, PULSE, and other available data sources. The Inspectorate noted the need to provide more accessible, timely and reliable information to those in the field. Also, the Inspectorate underscored the importance of successful and timely drink driving prosecutions and expressed support for closer alignment with the courts.

- Road Safety Partnerships

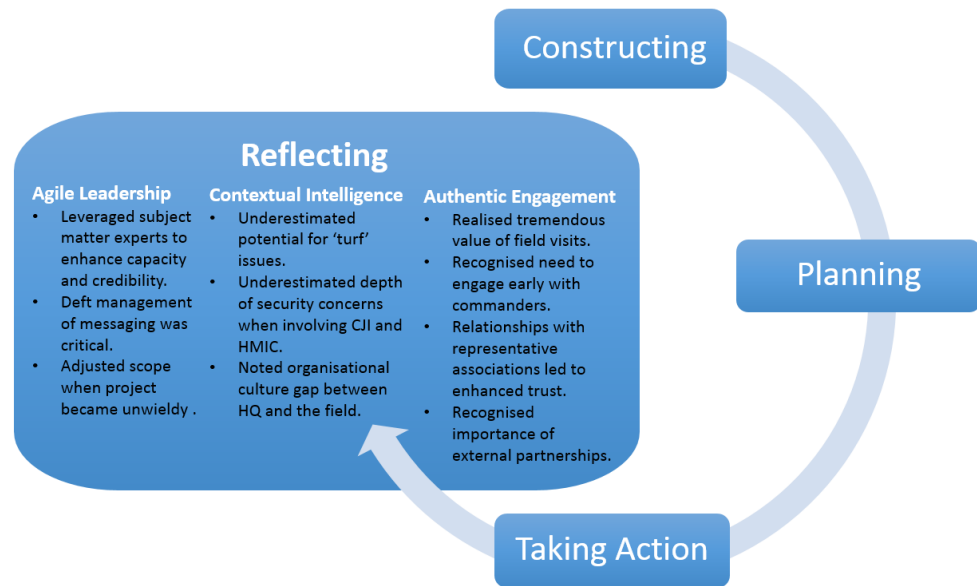
In line with recommendations made in its first three reports, the Inspectorate again emphasised the importance of partnerships. In this instance, the Inspectorate called for more collaboration at the local, cross-border, European and international levels. It also concluded that An Garda Síochána could benefit from a database that documents best practises and captures the successes and weaknesses of road safety programmes.

As noted earlier, the target in the RSA's Road Safety Strategy, 2007-2012 was to reduce fatalities by the end of 2012 to 252 deaths per annum. In 2009, there were 240 fatalities. It was the lowest number since recording commenced in 1959. (Road Safety Authority 2013) The target was met three years early. Fatalities were further reduced to 212 in 2010, 186 in 2011 and 162 in 2012. No doubt, a robust strategy, new legislation, focused goals, strong partnerships, new roads, enhanced policing and other factors contributed to substantial improvement in roads safety in Ireland. I am pleased the Garda Inspectorate had the opportunity to contribute to the overall effort.

E. Notes on Meta-Learning

Again, in support of my thesis work, it was important to venture beyond the practical contributions of this project and to reflect carefully on the meta-knowledge that evolved during this core cycle. In Figure 7.1, I categorise important lessons learned during reflection under the pillars of agile leadership, contextual intelligence and authentic engagement that were incorporated into the construction and planning of projects that followed.

Figure 7.1: Roads Policing Meta-Knowledge



II. Core Project: Resource Allocation

Desired Outcome: To contribute to a resource allocation strategy that will enhance efficiency, improve policing and contribute to the wellness of police officers.

On the day I was appointed Chief Inspector in May 2006, a reporter asked me, 'Do we need more police in Ireland?' I responded, 'First, we need to consider what the police we have now are doing, particularly those on the front lines.' During this project, the Inspectorate studied the demands on front line policing and made recommendations to promote efficiency and improve service.

As I noted earlier in this thesis, a police organisation of this nature, with thousands of personnel and an operating budget exceeding a billion euro, must be run as a business. By far, as is true of most police agencies, the largest segment of the Garda budget is allocated to personnel expenditure. In addition to a staff of 2,105 non-sworn personnel, as of 31 January 2013, the Garda employed a sworn capacity of

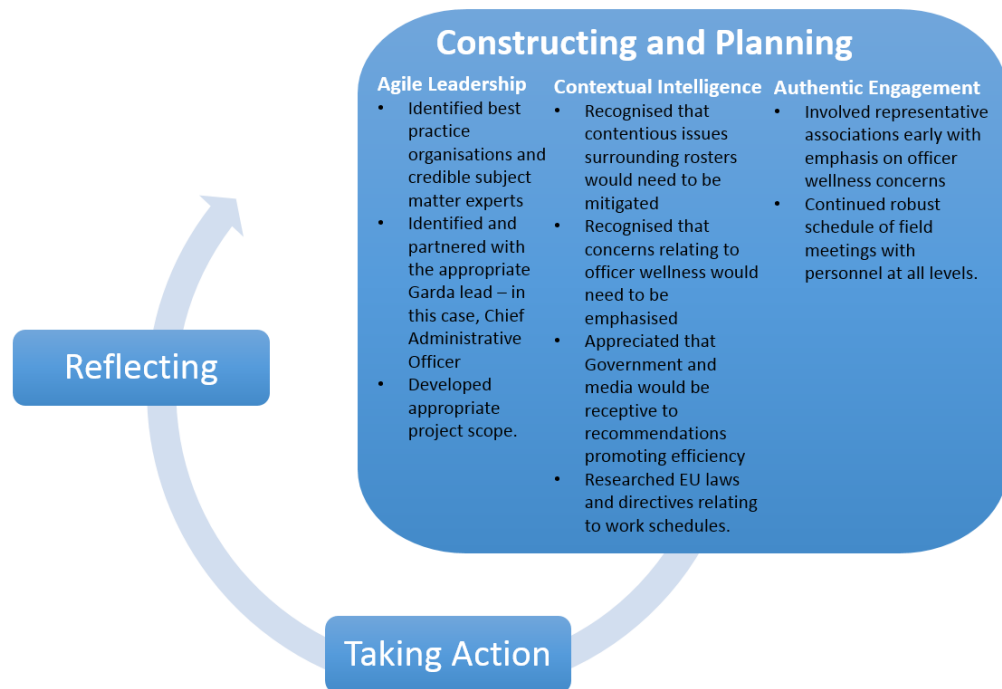
approximately 13,100, organised as is shown in Table 7.1.

Table 7.1: Distribution of Sworn Personnel

Rank	Number
Commissioner	1
Deputy Commissioner	1
Assistant Commissioner	8
Chief Superintendent	44
Superintendent	147
Inspector	270
Sergeant	1860
Garda	10762
TOTAL	13,093

To obtain baseline information on personnel allocation to make recommendations as to how deployment could be managed more efficiently, the Inspectorate initiated this project in April 2008. At that point, we were still in the process of taking action on Roads Policing, but already, knowledge points were emerging from early reflections on that work that I incorporated into the Constructing and Planning phases of the Resource Allocation action research cycle. I list certain of these points in Figure 7.2.

Figure 7.2: Knowledge Incorporated into Constructing and Planning – Resource Allocation



A. Constructing

Although initiated by the Inspectorate, I worked with Justice staff to develop appropriate terms of reference. The Inspectorate recommended an examination of Garda resource management systems, an analysis of emergency and non-emergency demands for Garda services, and an examination of potential alternative systems that would achieve better matching of Garda resources to workload. Justice staff replied that the Minister also wanted to seek advice on the development and implementation of the Garda Charter proposed in the Programme for Government. In the end, very comprehensive terms of reference were produced. (Garda Inspectorate 2010; 67)

The Inspectorate distilled the terms of reference into four key questions:

- What is the workload of An Garda Síochána?
- How is An Garda Síochána allocating its human resources to meet the workload?
- Are there better ways to allocate Garda human resources to meet policing demands?

- What service-level targets should be included in the proposed Garda Charter?

These were simple but important questions relating to the deployment of thousands of gardaí. From experience, members of the Inspectorate knew that certain aspects of this study, particularly the focus on rosters, could potentially arouse spirited debate and resistance from representative associations.

B. Planning

Deputy Chief Inspector Bob Olson had consistently expressed interest in the Resource Allocation issue, so we agreed as a team that he would be the Deputy assigned to the project.

We commenced with a review of relevant published and unpublished reports, including reports on resource allocation in An Garda Síochána and other police services. Much of the material focused on workload measurement and roster systems.

Early in the planning phase, we realised that one of our greatest challenges would be data collection. We knew Garda technology was limited, but were surprised that An Garda Síochána did not have technology systems that routinely captured workload and deployment data. It was important to analyse existing data to get a sense for current deployment before conducting field visits, but much of the data collection and analysis would have to be done manually.

The Inspectorate collected some electronic data from the following three systems:

1. PULSE, the incident records management system in An Garda Síochána.
2. The computer aided dispatch system (CAD) in the Dublin Metropolitan Region (DMR).
3. The Garda Regional Integrated Personnel System.

During this phase, the Inspectorate also collected data manually from five Garda divisions: Donegal, Laois/Offaly, DMR South Central, DMR Western Divisions and Cork City. We thought these divisions would provide a good sampling of urban, suburban and rural deployment. The data collected included leave, sick leave and overtime

statistics for 1,334 gardaí. We scheduled follow-up visits to the above divisions.

The Inspectorate also arranged meetings with Garda managers. The Chief Administrative Officer, the highest ranking, non-sworn member of the organisation, was particularly helpful. He came to the job with considerable management experience and recognised the need to bring better business practises to the organisation. He was a great resource to the Inspectorate during the planning phase, and later in the project.

The Inspectorate identified jurisdictions in the UK and North America with reputations for best practises in resource allocation. Reports and other literature were collected from these police services and meetings were scheduled.

The Inspectorate decided to focus primarily on data from 2007, as it was the last completed calendar year at the time the inspection commenced. When we discovered gaps in data, the Inspectorate focused on roster periods for which more reliable records were available. The Inspectorate captured a substantial amount of information during this early phase, but planned to capture more data manually when conducting field visits to Garda facilities.

The Inspectorate retained Dr Charles Czeisler, PhD, MD, FRCP. Dr Czeisler is the Director of the Division of Sleep Medicine at Harvard Medical School and Chief of the Division of Sleep Medicine at Brigham and Women's Hospital in Boston. He is recognised internationally as an expert in sleep medicine and shift work and, at that time, had published more than 200 articles in scientific and medical journals. In the past, I had supported Dr Czeisler's research relating to police rosters in the United States. In this instance, I believed a review of the physiological effects of Garda rosters was important.

C. Taking Action

The Inspectorate continued to capture valuable quantitative data during field visits. The Inspectorate also gathered a substantial amount of qualitative data from senior managers at Garda Headquarters and from members of all ranks and civilian staff in

the five Garda divisions visited. At Headquarters, the Inspectorate met with the Deputy Commissioner Operations, the Chief Administrative Officer and the Chief Superintendent and Superintendent in Human Resources Management (HRM). The Inspectorate also met with the Assistant Commissioner of the DMR, five divisional chief superintendents and nineteen district superintendents. During visits to nineteen district headquarters and thirty-seven Garda stations, members of the Inspectorate and staff conducted over two hundred interviews and focus groups with police and non-sworn personnel of all ranks.

The Inspectorate spent time at the Command and Control Centre in Dublin and visited five divisional call and dispatch centres.

Continuing the commitment made in previous inspections, the Inspectorate met with all the Garda representative associations and maintained lines of communication with leadership of those groups throughout the course of the project.

Dr Czeisler met with the Inspectorate and guided the review of the actual working hours of 1,334 gardaí from five divisions. A PhD candidate from Maynooth University assisted him.

After discovering that much of the data capture and analysis would have to be done manually, the Inspectorate realised this project would be much more complicated and time consuming than initially contemplated. Because the clear majority of Garda personnel are assigned to field operations in the six regions, a decision was made to focus exclusively on 'regular' Garda units, those performing routine patrol assignments.

D. Reviewing Action and Core Contributions

The inspection was labour intensive but produced much information. It was important to distil that information and produce a clear, focused report that would enhance front-line policing and provide greater value for money.

During this project, Ireland's financial position deteriorated significantly and the Inspectorate was mindful of that downturn. Noting serious management deficiencies,

we worked hard to produce sensible recommendations, but at the same time did not avoid making suggestions with cost implications where spending would be necessary to realize greater efficiency in the end. For instance, the Inspectorate encouraged investment to plug serious gaps in Garda technology. The Inspectorate noted that computer aided dispatch systems and resource information systems had been standard technologies in modern policing for decades. For other recommendations requiring capital expenditure, the Inspectorate suggested interim measures.

The Inspectorate considered and acknowledged the moratorium on recruitment, but took the opportunity to emphasize the need to increase the ratio of civilian staff going forward.

In its report, *Resource Allocation*, the Inspectorate recommended:

- A plan for future recruitment of both police officers and police staff that aims to bring the ratio of police staff to police officers in line with international norms, and identifies priority areas for civilianisation. Advantage should be taken of opportunities to acquire civilian staff with the required skills that become available through increased mobility across the public service. Future recruitment of police officers should be linked to a target ratio of one member of police staff to every three serving police officers.
- Review of the operation of the Garda Reserve to better define its role, considering practical experience of its first three years in existence.
- Prioritisation in the Garda IT programme of a new human resource information system and a resource management system. Given its potential to bring about greater efficiencies in front-line policing, the resource management system should be developed first.
- Release of sworn personnel from administrative duties at Garda stations through changes in station opening hours and civilianisation, particularly in the DMR.
- Reduction in the volume of administrative transactions at Garda stations. An Garda Síochána should also examine the scope for use of on-line application forms

and arrangements to limit the handling of cash.

- Creation of new rosters and work-hour policies consistent with the European Working Time Directive to protect the health of members and the safety of gardaí and the public.
- Development of an electronic system for management of all leave records, including sick leave records.
- Review of sick leave, long-term sick leave and injuries on duty, as well as, standardisation and consolidation of such systems across the organisation. Records should be formatted such that local and central managers can quickly discern patterns requiring intervention. Back-to-work interviews should be adopted consistently in all Garda districts, supported by a training programme for supervisors and managers.
- Examination of the factors impacting Garda availability for core police duties, including immigration duties, static protection duties, inefficient office technology systems, and waiting times in court.
- Immediate steps to improve the quality of computer-aided dispatch data in the Dublin Metropolitan Region to derive maximum benefit from it for resource management purposes.
- Graduated response to calls for assistance. An Garda Síochána should adopt the widely accepted practise among police services in other jurisdictions of locating a helpdesk in control rooms to enable the needs of some callers to be met without dispatch of a patrol car.
- Deployment of more one-officer mobile units to non-emergency calls in urban areas where back-up is close at hand and use of more motorcycles and bicycles for this purpose. One-officer patrols in extensive rural areas should be avoided.
- New managerial and supervisory approaches to resource deployment based on robust and timely data.
- Establishment of a National Resource Deployment Team to develop a resource

allocation plan. The team should include sworn personnel, a civilian analyst and a professional project manager experienced in the development of strategic resource allocation in a police environment.

- A pilot programme in the DMR for implementation of the national resource allocation plan. Experience gained in the pilot should inform rollout in the other five regions.
- Development of a national computer-aided dispatch system, incorporating GPS facilities, a geo-directory and demand profiling software (DPS).
- As a first step in the development of a national computer-aided dispatch system, replacement of the out-dated system in the Dublin Metropolitan Region. The control room manager should report directly to the Assistant Commissioner DMR.
- Pending control room rationalisation, computerised recording of the particulars of every 999 call received at the twenty-two divisional control rooms outside the DMR, including the time of the call, dispatch time, arrival time at scene and the call clearance time.
- Development and publication of a policy on telecommunications contacts with members of the public.
- Design of only two mirror-image national Garda control rooms, absent conclusive evidence there is a case for a third.
- Consideration of co-location and integration of the control room systems of An Garda Síochána and other emergency services.
- Establishment of a resource deployment unit in each Garda region, commencing in the DMR. These units would determine the numbers of Gardaí required for duty at any given time based on predicted and planned policing requirements. Each regional resource deployment unit would include personnel with operational policing experience and civilian analyst expertise.
- One of the first tasks of the DMR Resource Deployment Unit should be the development of incident data recording standards and effective data audit

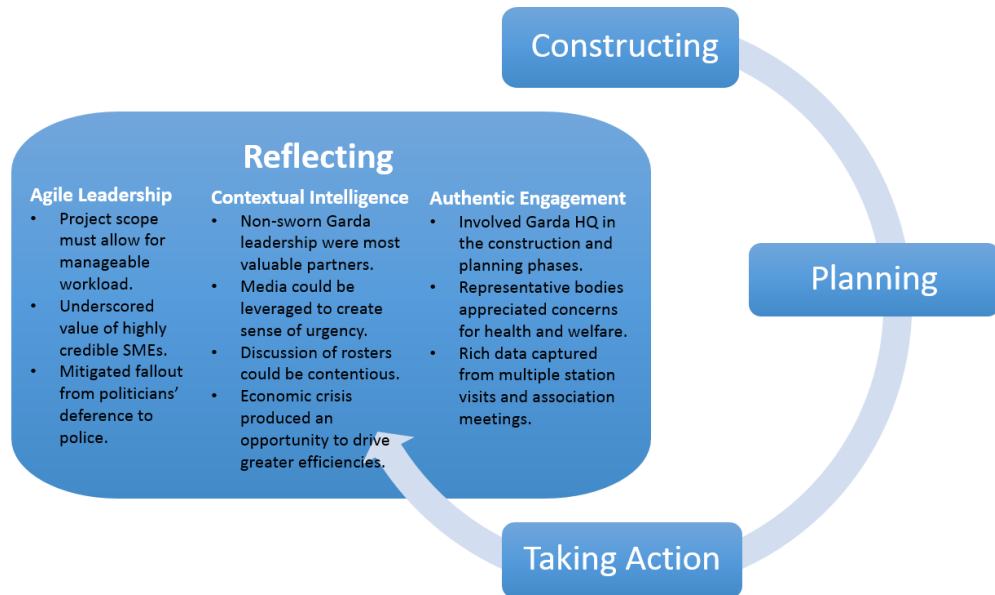
procedures to ensure completeness and accuracy of computer aided dispatch data. The new standards would require immediate updating of dispatch records by all front-line officers as their operational status changes ('At Scene' etc.). Updating should be done by means of voiceless transmissions on the new digital radio system. Officer safety should be paramount when developing these standards.

- Discussions between Garda management and representative associations on new rosters. The new rosters should: (a) be consistent with the terms of the European Working Time Directive; (b) provide the flexibility to have the right numbers of Gardaí on operational duty to match predicted levels of demand for police services; (c) incorporate recognised health and safety guidelines for shift working; (d) provide sensible work-life balance for Gardaí, giving good notice of work rotations and allowing some weekends free.
- Response-time targets for emergency and non-emergency calls. The targets should include dispatch-time targets for control room staff.
- Callers be given an estimated time of arrival of a Garda unit.
- Training for call takers that will enable them to identify calls that do not necessitate dispatch of a Garda unit. In such cases, calls should be routed to a Garda helpdesk, which can give callers appropriate advice, assistance and/or information. (Garda Inspectorate 2009; 8-10)

Garda management rejected none of the recommendations in the report, but some were modified or delayed due to financial considerations. Of greatest significance, Garda management and representative associations acknowledged that new rosters were essential to align with the EU Working Time Directive and to promote officer wellness. The implementation update table outlining the status of each recommendation is available on the Inspectorate website. (Garda Inspectorate 2015)

The bullets in Figure 7.3 again highlight meta-knowledge in the categories of agile leadership, contextual intelligence and authentic engagement that will be discussed further in Chapter 8.

Figure 7.3: Resource Allocation Meta-Knowledge



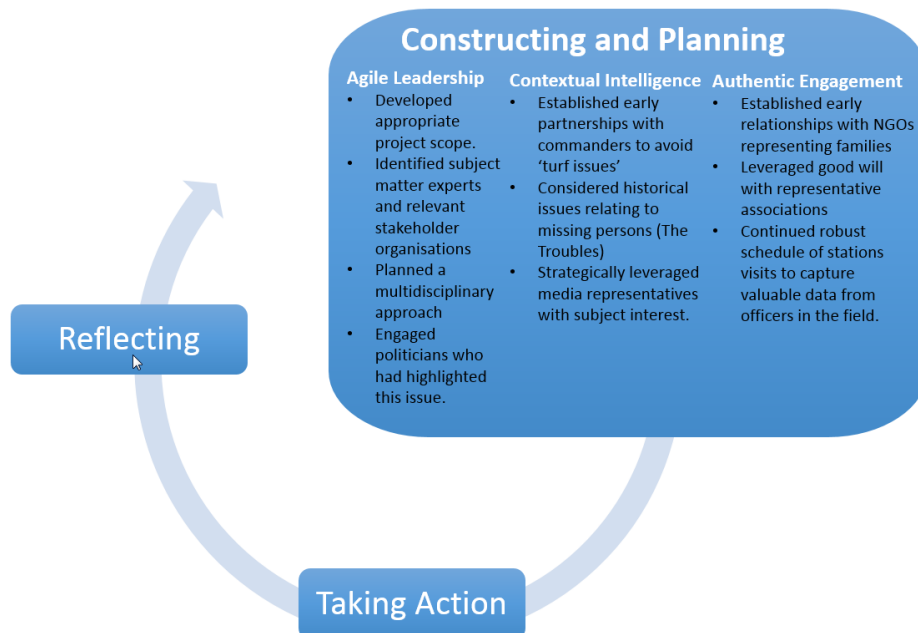
III. Core Project: Missing Persons

Desired Outcome: To improve missing persons investigations, foster partnerships with statutory bodies and NGO's, and enhance support services to loved ones of those who are missing.

The third core project commenced during my thesis research focused on Missing Persons. The Programme for Government 2007-2012 included a special requirement for the Garda Inspectorate to conduct a review and advise the Government on the need to establish a dedicated missing persons unit within An Garda Síochána and a response network like 'Amber Alert' in the USA. (Department of the Taoiseach, 2007) Minister Dermot Ahern initiated this project in July 2008, shortly after the Inspectorate began work on Resource Allocation and four months before it finalised and submitted its report on Roads Policing. As shown in Figure 7.4, again I incorporated into the Constructing and Planning phases of the Missing Persons action research cycle key knowledge points that were emerging from early reflections on the

Roads Policing work and strategies that were becoming more refined through the constructing and planning phases of the Resource Allocation project.

Figure 7.4: Knowledge Incorporated into Constructing and Planning – Missing Persons



A. Constructing

The language in the Programme for Government provided a foundation for the development of the Terms of Reference. Draft terms were created during meetings with Justice staff and Garda managers, and then approved by the Minister. Mirroring the language in the Programme for Government, the terms of reference required that the Inspectorate's report include an examination of:

- The current practise in Ireland regarding missing persons;
- The arrangements needed to deal with missing children with children groups;
- Alert systems operating in other countries – including Amber Alert in the USA – and how effective such systems would be in an Irish context; and
- The use of existing international mechanisms to assist in tracing missing persons, such as Europol, Interpol, the Schengen Information System (SIS) and the European Union proposal currently under consideration (Department of Justice Ireland 2008).

B. Planning

Once again, I consulted with my two deputies to determine who had the most relevant experience and would be best suited to assist me in organising the project. We collectively agreed that Deputy Chief Inspector Gwen Boniface would work with me on this inspection. Gwen was also assigned to Roads Policing, but the fieldwork on that project was finished. Furthermore, Deputy Chief Inspector Bob Olson was already committed to the Resource Allocation study. (It was not unusual for Inspectorate projects to overlap; at one point, I was working on three projects simultaneously.)

Recognizing from previous projects the importance of a collaborative approach, Boniface and I invited Garda managers responsible for the Missing Persons Bureau to meet with us and to assist in our planning. I was mindful of the importance of a positive working relationship, particularly on the heels of a difficult relationship with the Assistant Commissioner for Traffic during the Roads Policing project. The initial planning meeting was very informative and productive. It was agreed that the Chief Superintendent and Superintendent would work side-by-side with the Inspectorate team during the work. In fact, they were very helpful during the development of our action plan. It was important for the Inspectorate team to learn as much as possible about existing practises regarding missing persons in Ireland and to leverage the valuable relationships they had already fostered, particularly with other European nations.

The Inspectorate commenced a desktop review of relevant legislation, reports and statistics published by the Garda Síochána, other police organisations, non-governmental organisations and the media. The Inspectorate also planned field visits to Garda divisions and districts. Individual and group meetings were arranged with several representatives of Garda Crime and Security and the Professional Standards group. International benchmarking was planned in Europe and North America. The Inspectorate and Garda representatives agreed on organisations known for best practises in missing persons investigations and services. During the planning phase, the Inspectorate also established links with groups in Ireland dedicated to missing

persons and their families. The Inspectorate committed to formal and informal meetings with them as well.

During the planning phase, it was important to establish the context in which a successful missing persons programme would operate. I became keenly aware of the complexity of the Missing Persons issue. I learned about on-going investigations in urban, suburban, and rural neighbourhoods, as well as others that stretched across many nations. The investigations involved children and adults, some who were likely taken against their will and others who had purposely disappeared. At the time, I noted my first impressions: (1) Strong partnerships are essential. Even the less complicated, local cases required a strong collaborative approach. (2) In nearly every case, the loved ones of missing persons are devastated. They must be treated with respect and compassion during all phases of an investigation. Their perspectives would be of great value to the Inspectorate.

C. Taking Action

As outlined in the introduction to the Inspectorate's report, many of the methods used were like those applied to previous inspections.

Fieldwork commenced with briefings on practises by the Garda Missing Persons Bureau. The inspection team then consulted three Garda districts in Dublin (Tallaght, Coolock, and Ballymun) and the Galway West Division. The Garda Professional Standards Unit provided a briefing on its assessment of policies and procedures regarding missing persons. The inspection team also met with representatives of the Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau to gain understanding of the issues regarding unaccompanied minors arriving in the country.

The team consulted with families who had missing loved ones and with Missing in Ireland Support Service (MISS), an Irish non-governmental organisation that provides services and advocates on behalf of missing persons and their families. The team also met with public representatives and a member of the media who had taken particular interest in the issue.

The Inspectorate undertook international benchmarking by meeting with and sourcing materials from several other police services and agencies. These services included the Police Service of Northern Ireland (PSNI), West Yorkshire Police, French National Police, Belgian Federal Police, Royal Canadian Mounted Police, Ontario Provincial Police, U.S. Federal Bureau of Investigation, and the National Police Improvement Agency in the United Kingdom. The team consulted with Europol and Interpol. The Inspectorate also reviewed 'Amber Alert' type systems and guidelines in France, Belgium, the United Kingdom, the United States, and Canada. (Garda Inspectorate 2008)

D. Reviewing Action and Core Contributions

The Inspectorate distilled and analysed the vast amount of data captured during the inspection. It concluded that An Garda Síochána had laid a solid foundation in the establishment of its Garda Missing Persons Bureau. The Bureau had been working to align itself with international best practises. At the same time, there was scope for improvement, and our inspection team partners from the Garda agreed.

The Inspectorate concluded that the Missing Persons Bureau should receive an expanded mandate and resources to strengthen coordination of missing persons investigations and services across An Garda Síochána. Front-line gardaí and their supervisors needed clear guidance and expanded training on missing persons procedures. There was also scope for improved communication, support, and collaboration with the families of missing persons, other state agencies, non-governmental organisations and external policing organisations.

Following careful reflection, the Inspectorate put forward detailed findings and eighteen recommendations for improvement. It recommended:

- Assignment of day-to-day responsibility for missing persons to district superintendents and their personnel, allowing the Garda Missing Persons Bureau to advise and assist in high-risk cases.
- Allocation of additional resources to the Missing Persons Bureau, including sworn police officers and non-sworn administrative and analytical staff.

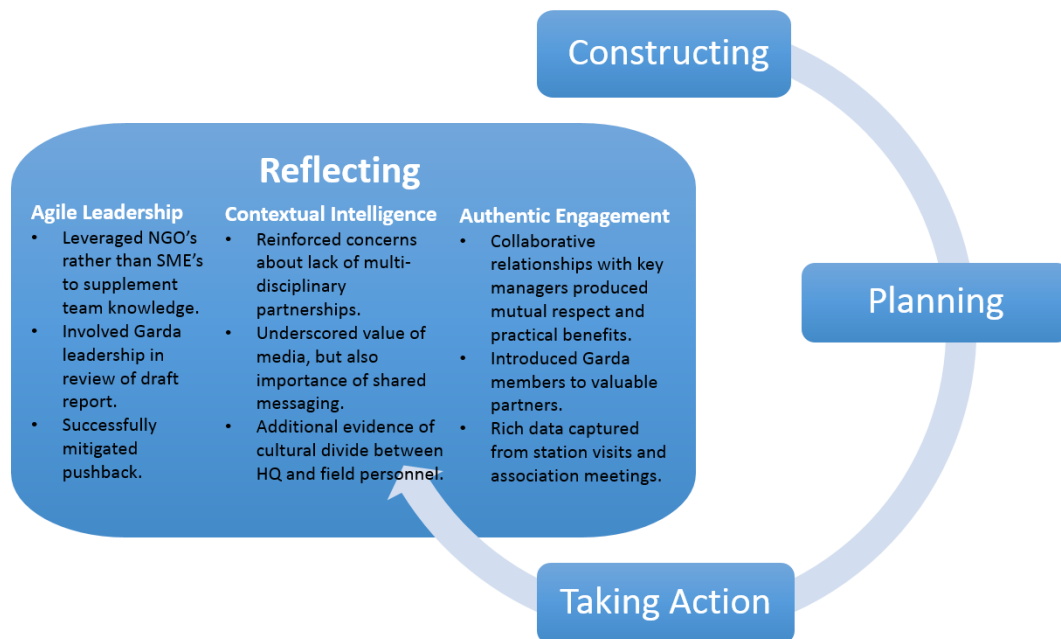
- Designation of personnel in each police district to be responsible for all missing persons cases and to coordinate as necessary with the central Garda Missing Persons Bureau and external partners.
- Development of specific missing persons procedural guidance for call takers, front-line officers and supervisors.
- Detailed instructions to front-line officers and supervisors on their responsibilities when new agreements regarding missing persons are reached with partner organisations.
- Continued investment in training of personnel in the Garda Missing Persons Bureau to ensure they remain subject-matter experts.
- Collaboration between the Garda Missing Persons Bureau and the Garda College to develop updated training about missing persons for new students, in-service and specialist personnel.
- Joint training and execution of agreements with Garda partners, including the Health Service Executive, Civil Defence, Irish Mountain Rescue Association, sub-aqua and other search organisations, non-governmental organisations, and the PSNI.
- Expedited release of enhancements to the PULSE information system to improve the quality of missing person incident records and introduce the online risk assessment tool.
- Designation of the Garda Missing Persons Bureau as the body responsible for both official missing persons webpages. The Inspectorate further recommended improvements to these webpages to increase the ease with which they can be found and understood by the public.
- Development of a missing persons database that allows for collaboration and coordination with the Police Service of Northern Ireland and other police services across Europe.
- Expedition development of a joint protocol between An Garda Síochána and the

Health Service Executive that clearly defines arrangements for addressing the issues of children in care who go missing.

- Development of a more active relationship with Missing in Ireland Support Service (MISS) and other non-governmental organisations dedicated to missing persons.
- Establishment of a cross-border working group on missing persons with the Police Service of Northern Ireland, lead to an all-island approach to missing persons.
- Development of standardized protocols with the UK and other international partners for cross-border investigation of missing persons cases.
- Development of an alert system for missing children that includes strict criteria and provisions for international collaboration. The Inspectorate recognised that this is a challenging task that will require the support and participation of many government agencies, NGOs and private sector representatives.
- Discussions with Northern Ireland to explore development of an all-island alert system (Garda Inspectorate 2009).

Figure 7.5 illustrates examples of thesis meta-knowledge in the categories of agile leadership, contextual intelligence and authentic engagement produced when reflecting carefully on this core project, which will be further discussed in Chapter 8.

Figure 7.5: Missing Persons Meta-Knowledge



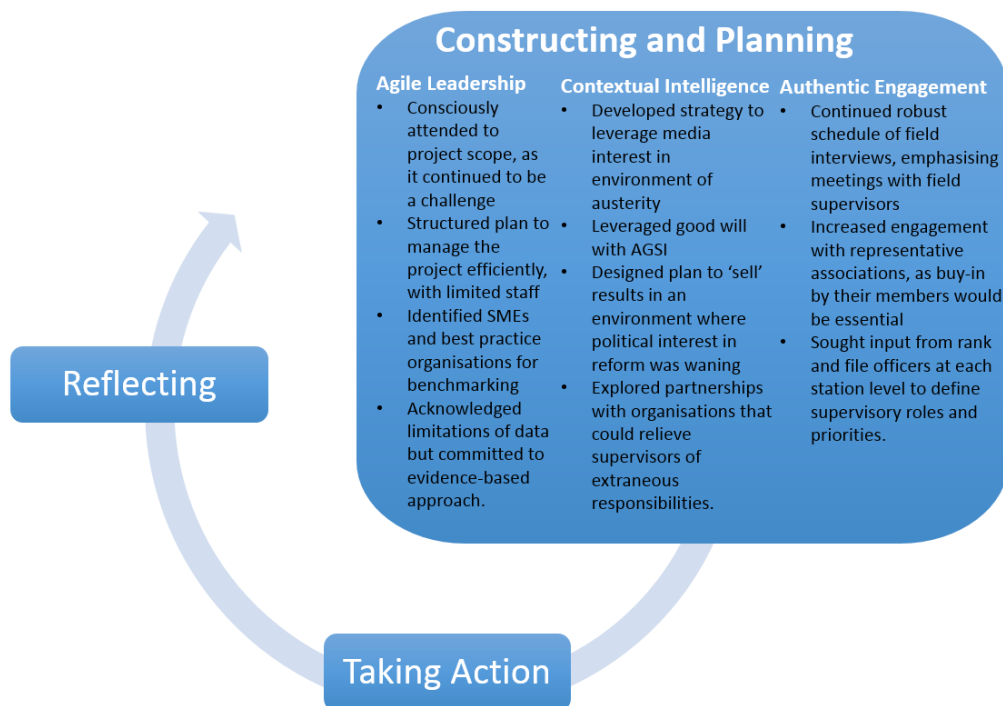
IV. Core Project: Frontline Supervision

Desired Outcome - To enhance front-line supervision of police in Ireland, leading to more effective and efficient police services.

The Inspectorate initiated this core project shortly after delivering its report on Child Sexual Abuse to the Minister of Justice. Since the publication of its first report in 2006, the Inspectorate consistently emphasised the importance of front-line policing. It noted that uniformed patrol is the most critical and visible function of any police organisation. Whether on foot patrols, bicycles, motorcycles or in patrol cars, front-line, uniformed police maintain order and provide service 24/7. Enforcing the law is by no means their only responsibility. They are usually the first to respond, day or night, to people in need, whether victims of crime, accident victims, vulnerable children, the elderly, or ordinary citizens seeking routine advice or service.

At the point the Inspectorate commenced work on this project, the Inspectorate had delivered and published its reports on Roads Policing, Resource Allocation, and Missing Persons. But for the addendum in response to the Cloyne Report, our work on the Child Sexual Abuse report had also been completed. The themes of agile leadership, authentic engagement, and contextual intelligence that had emerged early became increasingly refined over these four projects, and an image of how these themes came together to complement each other through interplay and overlap was becoming increasingly clear to me. Again, I intentionally drew upon the meta-knowledge formed through the earlier projects during the Constructing and Planning phases of Frontline Supervision action research cycle, as reflected in Figure 7.6.

Figure 7.6: Knowledge Incorporated into Constructing and Planning – Frontline Supervision



A. Constructing

Working with the Department of Justice and Garda Management, the Inspectorate prepared draft terms of reference for the review of front-line supervision during the

fall of 2010. This inspection was timely, as much attention was focused on the expenditure of public resources, and the Inspectorate had already underscored the importance of effective and efficient deployment of front-line personnel in its *Resource Allocation* report. In presenting this proposal to the Minister of Justice, the Inspectorate noted that proper management and supervision of personnel are equally important. Minister Dermot Ahern granted approval on 8 December 2010 and the project commenced. The Terms of Reference required the Inspectorate to examine the level and quality of supervision of front-line staff, primarily uniformed sergeants. The Inspectorate was also directed to pay particular regard to:

- Supervision and management.
- Roles and priorities for Sergeants and Inspectors including management of resources under their control.
- Arrangements to provide Sergeants and Inspectors with the knowledge, skills and competencies required to contribute to the delivery of efficient and effective police services.
- Current issues and other factors influencing Sergeants and Inspectors in An Garda Síochána and means to address them.
- Supports, including guidance and information systems, to help Sergeants and Inspectors discharge their responsibilities.
- Accountability/Performance management arrangements.
- Allocation of resources by supervisors.

B. Planning

The Inspectorate gathered and reviewed a substantial amount of literature relating to front-line supervision. Several documents were considered in the early research phase. These included:

- Morris Tribunal Reports (2004-2008).
- 2008, 2010, and 2011 reports of Her Majesty's Inspectorate of Constabularies (HMIC) in the UK that address front-line policing and supervision.
- A report from Audit Scotland (2010).
- *Supervision of Police Personnel, Seventh Edition* (Iannone et al. 2008).

The Inspectorate also reviewed all internal Garda policy documents and operational orders, including *The Garda Code* (An Garda Síochána 2009) and *The National Strategy for Community Policing* (An Garda Síochána 2009).

To assess the breadth of supervision in the organisation, the Inspectorate requested operational data on available resources and deployment. As noted in its report, *Resource Allocation*, the Inspectorate found a glaring deficit of basic information relating to demand and deployment.

The Inspectorate also contacted the Association of Garda Sergeants and Inspectors (AGSI), expressed a commitment to maintaining strong lines of communication during the project, and encouraged their leadership to consider a written submission to inform the Inspectorate's work.

For this project, the Inspectorate did not require the assistance of external subject matter experts. Members of the Inspectorate had decades of experience in front-line policing and supervision. The Inspectorate did prepare an outline for international benchmarking in England, Scotland, Wales and the USA.

The Inspectorate conducted this project on the heels of two highly complex reviews – *Resource Allocation* and *Responding to Child Sexual Abuse*. I was determined to keep the terms of reference concise and the scope of the project reasonable.

The Inspectorate completed its review of all documentation and reports gathered. The purpose was to identify possible gaps in front-line supervision requiring further exploration and analysis. Given the lack of reliable data, it was difficult to draw a coherent distinction between the front line and other Garda functions. The Inspectorate expended significant effort in manually translating, analysing, and validating raw data provided by An Garda Síochána.

C. Taking Action

With pressure on public expenditure resulting from the global economic crisis, police services in many jurisdictions were redefining priorities and rethinking the allocation of resources. Some had adopted the mantra 'front-line first' and had redeployed staff to reflect this priority. In line with previous reports issued by the Inspectorate, An

Garda Síochána was placing greater emphasis on front-line policing and was developing strategies to deploy resources more effectively. Proper supervision would be an essential element of any future policing strategy.

Building on successful engagement in previous core projects, the Inspectorate was eager to visit the front line to gain a clear perspective from police officers in the field. Several Garda districts were visited, both urban and rural, including: Store Street and Crumlin Districts in the Dublin Metropolitan Region (DMR); the Ennis and Kilrush districts in the Clare Division; the Henry Street District in the Limerick Division; and the Cavan and Monaghan districts in the Cavan/Monaghan Division. The Inspectorate also attended meetings at Garda Headquarters and the Garda College. Throughout the process, the Inspectorate met with members of all ranks, patrolled with front-line officers, and attended many meetings and focus groups. Time was also spent with members of the Garda Reserve and non-sworn staff. They also provided valuable insights into the front-line's vital support network.

In each region, division and district, the Inspectorate met with the Regional Assistant Commissioner, the divisional Chief Superintendent or deputy, and the District Superintendent or deputy. The Inspectorate also met with representatives from joint policing committees and staff associations in all the districts visited. The Inspectorate met with the two Deputy Commissioners and representatives of the Garda Analysis Service. A meeting was also held with the Garda Ombudsman Commission.

When benchmarking Garda supervision against practises in other police jurisdictions, the Inspectorate consulted with HMIC Scotland, the Central Scotland Police Service and the Strathclyde Police Service. In England and Wales, the Inspectorate visited the Wiltshire Constabulary, the Greater Manchester Police, the West Yorkshire Constabulary, London's Metropolitan Police and the British Transport Police. The Police Service of Northern Ireland was also consulted.

In the United States, the Inspectorate visited the International Association of Chiefs of Police and the FBI's National Academy, both headquartered in Virginia. At the National Academy, an in-depth discussion was conducted with a large group of police supervisors from departments throughout the United States. The Inspectorate also

visited the Philadelphia Police Department and the Montgomery County, Maryland, Police Department.

D. Reviewing Action and Core Contributions

The Inspectorate carefully processed and reviewed the qualitative and quantitative data it had captured and then prepared eleven recommendations to enhance supervision and address barriers that weaken the front line's effectiveness. While the Inspectorate identified numerous areas in which processes or structures needed improvement to enhance frontline supervision, the Inspectorate purposely streamlined the number of recommendations. The process of producing the implementation tables was becoming more cumbersome for the Inspectorate and An Garda Síochána with each successive project, and, frankly, I questioned the ability of the Garda organisation to absorb and implement a large number of recommendations on the heels of previous reports and other on-going reforms. Below are operational and administrative gaps that the Inspectorate identified during its review.

- Although initial data analysis suggested that the overall number of sergeants (2,151) appeared adequate (equating to an approximate ratio of one sergeant to six gardaí), further analysis revealed that this ratio was not consistent on the ground, and in many cases the span of control increased significantly at the front line. This was a concern. The Inspectorate also found that many sergeants were performing cumbersome administrative duties, distracting them from supervising in the field. It concluded that many of these responsibilities could be streamlined, automated, or assumed by those of garda rank or civilian staff. The Inspectorate produced clear evidence that more sergeants could be released to the front line.
- The Inspectorate identified significant gaps in supervision at the front line, as well as inconsistencies in the roles and responsibilities of supervisors. Less experienced members of the organisation in many areas of the country were working without adequate supervision. The Inspectorate expressed the firm view that each station operating a 24/7 service should have a sergeant in the field. To accomplish this, the organisation would have to redeploy more sergeants to dedicated patrol.

- Apart from the deficiencies in the deployment of sergeants, the Inspectorate identified two other impediments to front-line supervision. The first was unnecessary bureaucracy relating to prosecution. The second was the significant time required for court attendance. As noted below, it recommended strategies to address both. (In relation to bureaucracy, the Inspectorate noted the considerable time and commitment given to internal paperwork. Like many police organisations, An Garda Síochána is a highly bureaucratic organisation. During the inspection, however, unnecessary, time-consuming bureaucracy was raised as an issue in focus groups on many occasions. The Inspectorate was frequently told that front-line sergeants, who ideally should patrol with gardaí, were seldom available to do so. The Inspectorate found this unacceptable.)
- The Inspectorate discovered that administrative processes differed from place to place. In the DMR, for example, decisions on straightforward offences, such as minor thefts, were streamlined, eliminating unnecessary bureaucracy. This was not the case in the rest of the country. Significant efficiencies could be realised by implementing the DMR policy throughout the organisation.
- Many sergeants complained that file supervision duties were taking inordinate amounts of time. Some suggested that a system of accreditation could be introduced for more straightforward offences. This would allow experienced gardaí, on proof of competence, to determine if a file contains the necessary evidence for prosecution.
- Costs associated with court attendance were substantial. Court duties accounted for approximately 25% of the normal Garda overtime budget. During this inspection and during its previous review of Garda resource allocation, the Inspectorate examined the participation of gardaí in court. In addition to raising budgetary concerns, the Inspectorate found that the demands of court disrupt the quality of service on the front line. While the effective prosecution of offenders is vital, the inordinate amount of time officers spend in court is not consistent with that necessary to provide evidence. It was also determined that there is no requirement for gardaí to seek permission to attend court. Therefore, supervisors were left with unexpected gaps in front-line coverage. The Inspectorate called for

streamlining of the system for court attendance. (The Inspectorate had previously acknowledged the benefits of the court attendance reforms piloted in the DMR. Presentation by sergeants had released gardaí from excessive time in court. The Inspectorate recommended replication of this model. The Inspectorate noted that An Garda Síochána must work in collaboration with the courts and the Director of Public Prosecutions to design a more effective and efficient system for court attendance.)

- The Inspectorate reviewed current accountability systems, including command and control and daily accountability meetings, throughout the organisation. The Inspectorate consistently asked senior managers the following simple question: *'Can you tell me **now** how many members are on duty in your district/ division/ region/organisation?'* This question could not be readily answered. The Inspectorate noted that to be a fundamental problem for an organisation with an annual budget of 1.3 billion euro and more than 15,000 sworn and non-sworn personnel.
- Command and control systems in An Garda Síochána were limited, for the most part, to directing resources to calls for service. The Inspectorate called for enhanced protocols that would lead to greater accountability and efficiency. Computer Aided Dispatch (CAD) was limited to the DMR. The Inspectorate noted that the system was not being used to its capacity as a management tool. It suggested that control rooms across the country should more closely record and monitor the activity of gardaí throughout their shifts.
- There were clear deficiencies in systems for personnel logging on and off duty. The Inspectorate reiterated its previous recommendations for automated resource management and the provision of a national command and control system.
- The Inspectorate examined systems and practises related to daily accountability meetings, but found there was little focus during these meetings on resource allocation and supervision. It called for a focus on topics of resource allocation and supervision in every accountability meeting, to lead to greater efficiency and

effectiveness.

- The Inspectorate examined how front-line members were briefed and inspected. Parades and briefings were observed, but they did not occur before every tour of duty. There were no formal equipment and uniform inspections. There were examples of effective briefings and deployments undertaken, but they usually involved regular units only. There was little evidence that other front-line personnel were briefed effectively and no evidence of detective briefings. The Inspectorate noted that procedures for briefing and inspection could be enhanced without additional cost.
- In conjunction with the Deputy Commissioner Operations' development of a new strategy for a more effective and efficient delivery of police services, an immediate review of the roles, locations and status of all personnel. This would help Garda management determine how each member contributes to service delivery and inform them as to the level of supervision required.
- Immediate review of each sergeant's current role to determine how support staff and improved business processes can ease administrative burdens and release sergeants for front-line deployment. The Inspectorate also recommended a fundamental review of duty patterns to ensure greater sergeant coverage at night.
- Assignment of a sergeant for field supervisory duty of front-line staff to each station operating a 24/7 front-line patrol service.
- Assignment of all processes relating to detained persons to sergeants. Stations designated for detentions greater than six hours should be rationalised. The Inspectorate noted that these stations should be staffed by sergeants on a 24/7 basis. It suggested that processing of detainees who are likely to be released in a speedy manner could continue to occur at local stations, but a sergeant would oversee initial processing.
- Replication in other regions of DMR decision-making process related to prosecution of straightforward offences.

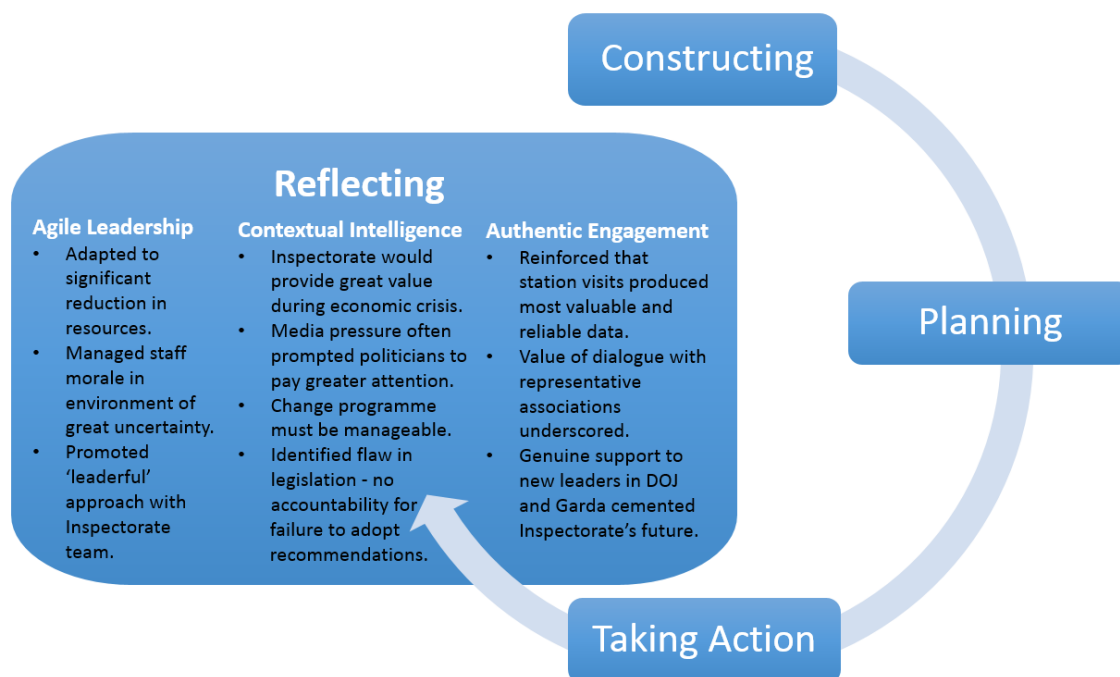
- Development of a system that authorises experienced gardaí to assist more junior members with case management of certain prosecution files. The system would address high volume, straightforward offences, and would ease administrative burdens on sergeants, freeing them to perform front-line supervisory duties.
- Replication of procedures for court presentation, prosecution and attendance that exist in the DMR in other regions.
- Development of an effective system for supervision of court attendance, thereby reducing unnecessary overtime and time spent away from critical front-line activity.
- Development of training programme for new sergeants immediately following promotion. The Inspectorate recommended refresher supervisory courses as part of the Continuous Professional Development Programme.
- Designation of divisional control rooms as the login point for all front-line gardaí. The Inspectorate suggested that front-line staff should inform the control room of their presence when going on and off duty, and should regularly provide updated availability status. It noted that systems and practises for signing on and off duty should be improved and applied uniformly at all levels of the organisation.
- Prioritisation of resource allocation, availability and visibility. The Inspectorate stated that effective supervision and deployment of resources should be a standing agenda item at all accountability meetings throughout the organisation. (Garda Inspectorate 2013; 9-10)

The findings and recommendations of this core project were forwarded to Minister Alan Shatter in April 2012. The report was not published until March 2013.

With the five projects comprising the meta-cycle of my thesis work completed, the thematic pillars of agile leadership, authentic engagement, and contextual intelligence – what Armstrong et al. (2005; 10) would identify as the psychological constructs and practises to ‘build such things as commitment, trust, and social capital’ – were clear in my mind as the foundation for an effective governance model. The meta-knowledge

learned through this project, shown in Figure 7.7 on the following page, reflects this refinement.

Figure 7.7: Frontline Supervision Meta-Knowledge



V. Conclusion

By 30 April 30 2012, I had completed six years in the position of Chief Inspector. Although I was not inclined to remain in the position after completing my second term during the summer 2012, the Secretary General encouraged me to stay for an additional nine months to ensure continuity. One of the Deputy Chief Inspectors had transferred to chair GSOC and the other completed his assignment and returned to North America. Their positions went unfilled for several months in 2012-2013. In fact, I was the only member left to complete the work on Front-line Supervision. It was a discouraging period for the Inspectorate. We were understaffed and morale was poor because Justice was delaying selection of inspectors and publication of reports. There was no direct interaction with the Minister.

I was determined to ‘keep the ship afloat,’ complete important work with the assistance of the remaining team members, and actively participate in the selection process for my successor and the new deputies. Government was rightfully distracted by the economic crisis and the Minister expressed little interest in police reform. Nonetheless, the Inspectorate continued to receive widespread support from the media, the community and gardaí on the front lines. The Inspectorate did not have the same momentum it had early on, but it continued to produce steady work and recommendations were being implemented. The political and economic conditions were difficult, but the Inspectorate continued to drive significant reforms.

The quality of the Inspectorate’s work improved with each cycle of action research. Lessons learned on reflection were carefully applied to each successive project. In addition to its many substantive contributions to policing in Ireland, the Inspectorate learned important lessons that informed its evolution; many while encountering barriers and frustrations. In the end, the practical contributions and knowledge produced significantly outweighed the challenges.

In this chapter, I identified certain knowledge points learned during each of the five core action research projects. In the next and final chapter of my thesis, I discuss more completely the meta-knowledge that emerged and became increasingly refined over the course of these five projects, and how the three pillars of agile leadership, contextual intelligence, and authentic engagement balance to form the model I term ‘equilibrated governance.’

Chapter 8

CONCLUSIONS AND KNOWLEDGE CONTRIBUTIONS

When I started this thesis work, I was three projects into my term leading the Garda Inspectorate, a newly established oversight body, broad in its remit but nascent in form. Determined to bring rigour and structure to the operation of the new Inspectorate, I sought to leverage local partnerships with academic experts. Through these partnerships, I became convinced that applying an insider action research approach to the Inspectorate's work would not only assure our recommendations were grounded in scientific review, but would also contribute valuable knowledge in the areas of police governance and organisation science.

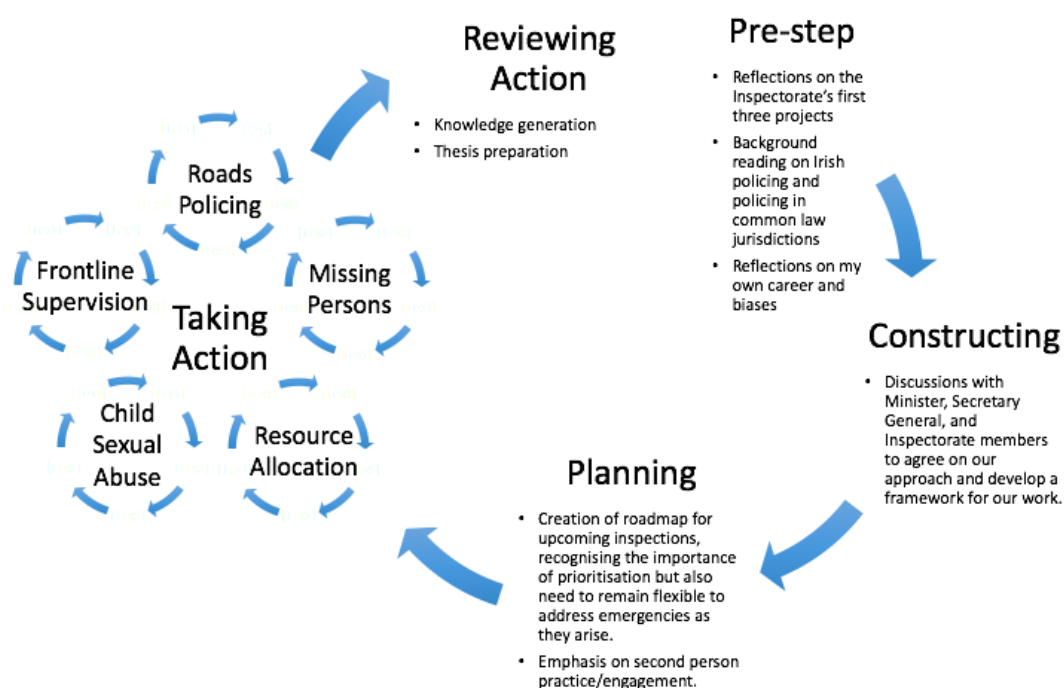
As I note throughout this thesis, I came to the Inspectorate with an established record of, and commitment to, a collaborative approach to reform. Action research methodology appealed to me precisely because it is, as I describe in Chapter 4, an engaged, interactive process, focused around desired outcomes. Defining desired outcomes in the context of my core projects was easy. The Inspectorate's overarching remit, as established by its enabling Act, was to advise the Minister as to best practise with respect to the operations and administration of the Garda organisation. At the level of each core project, the Inspectorate was charged by the terms of reference specific to that inquiry to produce recommendations, grounded in best practise, for addressing identified deficiencies or maximising opportunities to improve. In terms of reaching these practical goals, the action research framework of deliberative construction, planning, engagement, and reflection aligned with my commitment to drive reform collaboratively, to the extent possible, and with stakeholder support.

Adopting action research methodology allowed for clearly defined iterative phasing and review, not only of the Inspectorate's practical work with respect to specific inquiries, but also regarding my task to configure the broader governance model for the Inspectorate.

In Chapter 4, in describing the action research methodology, I depict the four phases of the action research cycle, generically (Figure 4.1). In Figure 4.2, I show the

sequencing of the core projects within the meta-cycle of my thesis work and how knowledge gleaned through the reflecting phase of each informed the constructing phase of subsequent work. Figure 8.1, in turn, illustrates the action research processes throughout the pre-step, constructing, planning, and reviewing phases of the meta-cycle of my work and the positioning of the core projects as comprising the taking action stage of the broader project.

Figure 8.1: Action Research Meta-Cycle



During the pre-step, I read as much as I could on the background of Irish policing and, to supplement my knowledge, of policing in common law jurisdictions. I also reflected on my experience of nearly three decades in policing at the time. With the Inspectorate's first three projects either complete or well underway, I reflected on how practical and theoretical insight gleaned through the experience of leading those projects was already bearing upon the Inspectorate's practises. As I moved into the constructing and planning phases, I engaged the Secretary General and others to agree priorities and to develop a framework for the Inspectorate's work, one that

emphasised outreach and engagement. The Inspectorate then moved into what simultaneously comprised the taking action phase of my thesis work – the five core inspections around roads policing, missing persons, resource allocation, child sexual abuse, and frontline supervision.

As described in Chapters 6 and 7, applying action research methodology to the five core projects that underpin this thesis led to measurable impacts on Irish society and policing: road deaths plummeted, systems were designed to support families of missing persons, new rosters were recommended to improve efficiency and promote officer health and safety, serious crime recording and investigation issues were addressed, and front-line supervision of officers in the field was enhanced. Beyond these focused inspections, however, emerged a governance process that would continue to drive collaborative reform of the Irish police.

As the Chief Inspector of this newly established body, I was tasked with more than simply producing valid, practical inspection results. My simultaneous tasks were to establish the operational and administrative foundation for the Inspectorate as a body *and* to identify and develop the conceptual framework for how the Inspectorate, as an organisation, would support and promote the collaborative reform to which we were committed. The former encapsulates the practical knowledge that emerged during the meta-cycle of my thesis work. The latter, a conceptual model of governance – that which Armstrong et al. (2005; 10) identified as the psychological constructs and practises that ‘build such things as commitment, trust, and social capital’ – comprises the theoretical meta-knowledge and the contribution of this thesis to organisation science more broadly. In this final chapter, I describe both these practical and theoretical outputs of my work, and in so doing, answer the “so what” of Coghlan and Brannick’s (2010) challenge.

I. Practical Knowledge Contribution

Manfra (2009) distinguishes practical knowledge outcomes of action research from theoretical contributions as a matter of both focus and scale. Whereas theoretical knowledge is aimed towards seeking deep change and improvements within society as a whole, and is thus concerned with social and cultural factors that may be at play,

practical knowledge is more narrowly directed at specific issues, or ‘craft knowledge.’ (Manfra 2009; 41). Manfra seems to suggest a philosophical tension between the two in terms of the research process itself. In structuring my work, I identified more with the characterisation framed by Argyris (1985) – understanding action research as intended to contribute simultaneously to basic knowledge and actionable research within an affected system, but also to social action more broadly. The Inspectorate certainly focused its work around specific systemic aspects of Garda operations and administration, as directed under the applicable terms of reference, but in so doing, we also captured practical and theoretical knowledge that informed the evolution of the Inspectorate itself. At a practical level, we developed practises around how inquiries would be conducted, how stakeholders would be engaged, necessary staffing, and presentation of deliverables.

Deferring discussion of the broader theoretical contributions of my work to later in this chapter, the practical outcomes of my work are evident at both the base level of each core project and with respect to the overall formation and evolution of the Inspectorate as a body. As described in Chapters 6 and 7, and as the reports and recommendations that emerged from the five core projects clearly show, adhering to the principles of action research led to practises that became increasingly refined over the meta-cycle of my thesis work and produced clear, concise, and practical results related to Garda investigations, operations, and administration. At a more macro level, this work also served to guide the evolution of the Inspectorate itself. Below I identify key practical lessons learned during the meta-cycle – points that seem simple, but, as I allude to earlier, are often lost in the over-bureaucratisation of oversight structures and process.

A. An effective police inspectorate need not be a large, bureaucratic body.

Even if overseeing a sizable police service, an inspectorate tasked with promoting effectiveness and efficiency must itself be an appropriate example. When I was initially appointed to the position of Chief Inspector, I was told that a preliminary budget would be provided, with the understanding that Government would welcome

a more comprehensive proposal from the Inspectorate team as the organisation took shape. During those early conversations, the Secretary General estimated that a full-time staff of forty personnel would be reasonable. I was convinced we could perform rigorous inspections and produce high-quality output with far fewer.

As I note earlier in Chapter 1, I began my work in Ireland with the assistance of two career Justice employees who had already been selected by the Secretary General. Together, we focused immediately on the recruitment and selection of two deputy chief inspectors.

I leveraged my professional policing networks in Europe and North America to ensure we developed an impressive candidate pool, and I served personally on the committee that ultimately selected Gwen Boniface and Bob Olson for the positions. Boniface had served for nearly ten years as the Commissioner of the Ontario Provincial Police in Canada and had an extraordinary reputation as a principled and progressive leader. Olson had well over thirty-years of police experience and served as police chief in three communities in the USA, including Minneapolis, MN. He was also well respected by his peers, as evidenced by his election to the position of President of the Police Executive Research Forum in Washington, DC, a highly regarded, non-profit think tank. As a team, the Chief Inspector and Deputy Chief Inspectors cumulatively possessed more than a hundred years of policing experience and had served at the highest levels of large organisations. It would be difficult for anyone to question the team's credentials.

Limiting the initial staffing to this core team proved both effective and efficient. The larger and costlier Ombudsman Commission had substantial difficulty becoming organised and took several months to open its doors for business. In contrast, by the time the deputies took up their positions in late July 2006, the Inspectorate had already announced we would undertake two pieces of work – the short-term, general assessment of the Garda organisation and management structures, and the review of the Barr Tribunal findings to identify gaps in Garda practises and procedures. The lesson learned was clear: by deciding to start small and grow incrementally as needed, rather than taking time to front-load personnel before undertaking work, we were more productive, more immediately, and at lower cost.

B. Whether comprising full-time staff or part-time consultants, the Inspectorate team must establish legitimacy.

Reflecting on the Barr review provided good opportunity to strategise thoughtfully as to how we could supplement resources most efficiently. In that case, we had contracted a subject-matter expert from the United States who had experience second to none. He was a SWAT commander who had authored model policies for the International Association of Chiefs of Police and instructed in dozens of countries throughout the world. Combining his impressive background and cordial, respectful demeanour, he quickly established credibility during our first meeting with the Emergency Response Unit (ERU) of the Garda Síochána. The mutual trust and rapport that emerged established foundational legitimacy for our work going forward, valuable results and a productive, collaborative process.

This experience informed the constructing and planning stages during the meta-cycle of my project, as we noted (1) the value of experienced, highly credible consultants, and (2) the benefits of retaining individual subject matter experts as consultants when needed, rather than attempting to expand expertise by employing a larger, full-time staff. We held true to our commitment to maintain staffing well below the level estimated as reasonable by the Secretary General. I made this conscious decision to keep the core team lean, not only to manage responsibly, but to leverage a portion of our budget to hire valuable subject-matter experts when necessary.⁹ With this approach, the Inspectorate was supported during my tenure by a team spanning six to

⁹ For example, during the Roads Policing project, the Inspectorate retained Annette Sandberg, Former Chief, Washington State Patrol and Administrator, US Federal Motor Carrier Safety Administration. For the Missing Persons, the Inspectorate retained Robert Snow, National Center for Missing and Exploited Children, Washington, DC. For Resource Allocation, Dr Charles Czeisler, expert on physiological effects of rosters, Harvard Medical School, provided expert services, as did Peter Bellmio, a police staffing expert. For the Child Sexual Abuse project, the Inspectorate engaged a broad spectrum of experts, including Kathleen McChesney and Bill Galvin, former senior FBI officials and advisors to US Conference of Bishops, and Father Sean Connor and Father John Connolly from the Archdiocese of Boston.

twelve dedicated personnel.¹⁰ At one point, that included a Fulbright scholar who spent a year contributing to our work, and at other times, we engaged student interns who assisted with data capture and analysis.

Throughout my tenure, the Inspectorate remained an efficient and nimble operation. The Secretary General, Government ministers and Justice staff often noted that the Inspectorate provided great value for money. Indeed, the full-time team and annual operating budget was a fraction of that anticipated when the Inspectorate was first established.

C. Inspectorate reports should be concise, straightforward and evidence based.

The principle of simplicity whenever possible – of quality over quantity – ran throughout the work of the Inspectorate. We were conscious that we were reporting to a busy audience less interested in theoretical musings than in concise reports, containing sensible, evidence-based recommendations grounded in best international practise. Indeed, the Secretary General consistently pressed this point.

D. Recommendations must be achievable.

¹⁰ During the meta-cycle of the project, the three-year terms of the Deputy Chief Inspectors expired, and a decision was made by the Department of Justice to refresh the team. Boniface and Olson had established solid relationships with members of the Justice staff and Garda organisation, but it was thought that change was in order for two reasons: (1) concern about EU law that awards employment rights to one serving in a contract position for a particular period, and (2) the belief that a reform body should refresh on a regular basis to ensure new thinking. I understood the Justice position, but on reflection I would caution against a rigid policy regarding turnover. The second team of deputies was capable and enthusiastic, but neither had served as chief of a major organisation. They did not possess the same level of command experience and political acumen. When considering re-appointment versus new candidates, the experience and credibility of candidates should be weighed against concerns about term limits.

Over the course of the first three inspections that preceded my formal thesis work, I became increasingly concerned, when preparing tables to guide the Garda's implementation of Inspectorate's recommendations, as to whether the Inspectorate was producing them faster than the police could absorb or effectively implement them. In the Barricade Persons report, for example, the Inspectorate published eighty-four recommendations. Having led major police organisations, I was in good position to appreciate the difficulty of prioritising thoughtful implementation processes amidst the day-to-day demands and complexities of policing. Over each of the core projects that formed my thesis work, I took care during the reflecting phase to narrow the number and complexity of recommendations, and to distinguish and prioritise the achievable over the aspirational. Of note, because we had instituted action research as an approach to our work, I was not concerned that paring down recommendations would lead to their loss, but rather, allow for iterative improvement over time as recommendations were tracked and assessed.

E. The Inspectorate must maintain a commitment to honest dialogue and develop relationships unburdened by ego.

In Chapters 6 and 7, I describe instances of professional tension between the more autocratic culture of the Garda and the Inspectorate's carefully deliberated commitment to collaboration whenever possible. I noted, for example, my bewilderment over the resistance by Garda management to our recommendation regarding driver training, despite data reflecting the serious risk to officers and widespread support from the rank and file. I discussed in detail the measured approach with which the Inspectorate engaged Garda management early around its findings in the Child Sexual Abuse inspection, purposefully avoiding sensationalism.

While disagreements were not uncommon, there is no question that the Inspectorate's deliberate approach to honest dialogue created an environment, over the course of its work, that allowed for ego and autocracy to give way to mutual trust, respect, and a platform for reform based on a more democratic process. Such collaboration will not always be possible, but it should always be a goal.

F. The Inspectorate must have an effective, independent communications strategy.

In a free state, no government agency can control the media, nor should one aspire to do so. Yet it is critical to have strategies to highlight work and to meet the information demands of a public audience. After serving for decades in high profile, police command positions, my colleagues and I knew this well, and understood the importance of transparency and effective communications.

As Chief Inspector, when responding to inquiries from the media, Government and the community, I applied my own experience, coupled with the skills of an Assistant Principal Officer assigned to the Inspectorate, who had previously worked in a media relations assignment in the Department of Justice. Our communications strategy evolved over time as our inspections proceeded. Initially, responding to and engaging with the media was a significant challenge, as there was tremendous interest in the subject of police oversight and the Inspectorate team. As it was impossible for the Inspectorate to keep a low profile, I made a concerted effort to be accessible and transparent, while also working to avoid the perception of self-promotion. There is no doubt that initial media stories around Inspectorate appointments bolstered the organisation's reputation, but subsequently we avoided personal profile pieces and sought to limit engagement to discussions of Inspectorate business. When publishing reports, for example, the Inspectorate either organised news conferences or distributed press statements. I then responded on a case-by-case basis to requests for follow up interviews.

In addition to responding to inquiries, it was important to have a pro-active communications plan to keep the public abreast of our work. To this end, the Inspectorate launched and maintained a web site. The site was not particularly sophisticated, but it allowed us to post general information about the Inspectorate as well as published reports and implementation tables. The implementation tables in particular were a useful communications strategy. They provided a simple overview of progress, and promoted a sense of urgency in the reform process, as Garda management was mindful they would be held to account each time the tables were updated.

This two-pronged approach proved efficient. By balancing proactive outreach with responsive availability, the Inspectorate was able to maintain transparency without the cost of a full-time communications team.

G. The Inspectorate's 'independence' must be clearly defined and carefully preserved.

A police inspectorate will be more effective if it exists apart from the formal body it is charged with overseeing and/or reviewing. When enacting the Garda Síochána Act of 2005, the Government widely touted the creation of 'independent' oversight bodies. At the time, there was no specific definition of 'independent,' but it was clear the bodies were to exist apart from the Garda organisation. Both the Inspectorate and the Ombudsman Commission were separately funded and reported directly to the Minister of Justice.

Creating structural independence is straightforward. Defining operational independence is more complicated. The operational independence of the Garda Inspectorate was never clearly defined, and thus, the Inspectorate's effectiveness was sometimes undermined by power dynamics as new players assumed their roles as Garda Commissioner, Minister of Justice and Secretary General. For instance, one Garda Commissioner unilaterally asserted that he had the authority to reject or modify Inspectorate recommendations, even after they had been accepted by the Minister and laid before Government.

Fortunately, this weakness did not ultimately undermine or deter the Inspectorate. A key practical finding of my work, however, is that the operational independence of the Inspectorate must be more clearly delineated – without question, a flaw in the 2005 Act that I return to in the conclusion of this chapter.

While perhaps simplistic in concept and hindsight, the practical knowledge that emerged throughout my thesis work was critical in both establishing within the Inspectorate a culture centred on collaborative reform and laying the groundwork for the Inspectorate's administrative processes. As Armstrong et al. (2005; 10) remind us, good governance requires more than merely structures and goals; it requires those

dedicated 'psychological constructs and practises' necessary to build trust and legitimacy. I turn now to these constructs.

II. Theoretical Knowledge Contribution

In Chapters 5, 6, and 7, I introduce the themes of 'agile leadership', 'authentic engagement,' and 'contextual intelligence' that emerged early, during the pre-step to my thesis work, and were strengthened and refined throughout the five core projects. These themes, categorically in line with the principles Apreda (2003) identified as key to constructive models of governance, ultimately form the basis for a model I conceptualise as equilibrated governance – a framework that enables, encourages, and centres around a culture a collaborative reform. Interdisciplinary in its potential, this tripartite model of governance caps the theoretical meta-knowledge of my thesis research, and, I submit, establishes a solid platform on which to drive organisational change.

A conceptual diagram of this model of equilibrated governance is presented in Figure 8.2. Consistent with Armstrong et al.'s (2005) discussion noted above, it is a model that is built on themes. These themes of agile leadership, authentic engagement, and contextual intelligence, which surfaced throughout Chapters 5, 6 and 7, are represented in Figure 8.2 as distinct, yet by no means mutually exclusive, components of the construct. Collaborative reform – the end goal supported and empowered through this equilibrated governance model – lies at the intersecting core of these balanced themes.

Figure 8.2: Equilibrated Governance Model



Before diving into this model and its composite themes, I offer this prefatory note. While the term 'equilibrated governance' is unique in its conceptual nuance, certainly none of the terms I borrow to describe the underlying themes that form this model are novel. Collaborative reform, for example, is a term that is widely used and conceptually synonymous with many others. Consider, for example, the discussion in Chapter 3 around 'community governance' and 'joined-up governance.' As such, it is a term that can be subject to broad interpretation. As I use the term here, I refer simply to a commitment to bring about organisation and cultural reform through as partnered an approach as possible, across a diversity of stakeholders, whether community members, advocacy groups, Garda management, representative associations, or others. Similarly, I adopt the terms agile leadership, authentic engagement, and contextual intelligence simply because, semantically, these are the words that best align with the concepts. As such, in describing below how these themes developed, intersected, and coalesced throughout my work, I seek not to introduce new definition to these terms, but rather, to describe how each is

conceptually unique within the context of the governance model derived from their balance and interplay – a model that does stand alone as a unique contribution to the field of organisation science.

I use the term ‘equilibrated’ deliberately because it depicts both state and process. While conceptually similar terms such as ‘balanced governance’ and ‘collaborative governance’ appear in literature, ‘equilibrated’ is intended to imply not simply balance, but more dynamically, a system that, when inevitable crises or pressures arise, has intrinsic capacity and mechanisms to drive the organisation back into balance, or equilibrium. ‘Equilibrated governance’ contemplates fair representation of all stakeholders and, critically, the agility to bend process as needed or appropriate. It is a model that ensures legitimate outcomes because it purposefully reflects and balances the inputs received.

A. Agile Leadership

Leadership was unquestionably a predominant theme throughout my work. In Chapter 1, I described my twenty-seven years, to that point, of policing experience, much of it in management and leadership positions. I had come of age as an officer when police in America were fighting the ‘War on Crime.’ Training and operations were typically based on military models, organisational charts were almost exclusively hierarchical, and autocratic leadership was the norm. Although I enjoyed my experiences in front-line policing and never resented autocracy as I rose through the ranks, I firmly believed that a more democratic and collaborative leadership style could produce better results. I have, accordingly, practised a predominantly democratic leadership style through the years, yet I also understand and appreciate it cannot be an exclusive mode of dealing. Leaders must be free to employ hard power on appropriate occasion, particularly when called upon to make split-second decisions or when facing stubborn resistance. Indeed, as Roderick Kramer (2006) notes, it is often a bully with vision and disdain for social constraints that ultimately succeeds.

Parker et al. (2015) discuss their concept of agile leadership as a contrast to the rigidity of more traditional management models. They argue that whereas traditional,

hierarchical management theory subscribes to the approach of managing risk, facilitating planning, and promoting stability through tight controls and inflexible structure, an agile approach assumes that the people who comprise organisations have the intrinsic ability to navigate change, will be driven to work collectively in autonomous teams to manage changes in conditions as they arise, and thus focuses more on removing hierarchical barriers in order to allow teams the flexibility to reform as the situation requires. In other words, whereas in traditional theory, employees may be viewed impersonally as expendable or interchangeable, in an agile leadership model employees are valued stakeholders in – or owners of – the organisation's success.

This understanding of agile leadership aligns well with my own conceptualisation. In Chapter 4, I described Raelin's model of a 'leaderful' practise as comprising the four tenets of 'concurrent,' 'collective,' 'collaborative,' and 'compassionate' leadership, all of which were well represented in the Inspectorate's work. For example:

- All members of the Inspectorate were expected to exercise leadership concurrently. The first deputy chief inspectors had extensive experience, similar to mine, often worked independently on projects, and exhibited strong leadership in their roles. The first principal officer was a career Justice manager who was universally respected in government circles and could leverage the support and resources required. I encouraged him to recruit, select, and mentor the Inspectorate support staff.¹¹

¹¹ In Raelin's leaderful model, the leadership capacity of the entire team is leveraged, including those working in support positions. There was no better example than my executive assistant, Yvonne Phillips. She had phenomenal organisational skills, strong relationships across Government departments, and brought great work ethic and enthusiasm to the job. She performed as an able and reliable leader when organising Inspectorate events and managing day-to-day communications with members of the community.

- Members of the Inspectorate certainly demonstrated collective leadership. We held great respect for one another and harnessed our talents and experience to produce solid results. When conducting simultaneous core cycles, one of the deputies and certain staff members were assigned primary responsibility for a project, but we met regularly to ensure all team members were updated on the entire body of work and to leverage the talent and experience of the broader team for a task or decision. As noted in the core projects, when necessary, we contracted subject-matter experts and leveraged talent from the Department of Justice and Garda organisation.
- The collective leadership of the Inspectorate is reflected in our democratic approach, both internally and externally. It was particularly valuable and productive when conducting our fieldwork. We travelled to hundreds of Garda facilities throughout the country and attended daily meetings with police and community members. Our efforts were well received by front-line police and those living and working throughout Ireland. It was apparent that people appreciated the interaction and opportunities to contribute. The positive feedback was also reported widely in the media. Over time I became increasingly aware that the Inspectorate's profile could potentially threaten or intimidate members of the Garda management team, but I addressed this concern by maintaining strong lines of communication and genuine friendships with leaders at Garda HQ – a point that I underscore when discussing authentic engagement below.
- The Inspectorate consistently demonstrated compassion in its work as well. When conducting our work on missing persons, we met with many families and friends of those missing and advocated on their behalf. When performing the inspection on child sexual abuse, we listened carefully and sympathetically to victims, their families and clergy members. We also supported gardaí who had been deeply affected by their work in this area. The Inspectorate also set an important example of compassionate leadership by aligning with families of gardaí killed in the line of duty, and was instrumental in convincing Garda management to pay greater attention to their needs.

To Raelin's model, I would add 'practicality' as a necessary element of agile leadership. Building off Nye's concept of 'smart power' as an appropriate balance of 'soft' and 'hard' power, I include in the concept of 'agile leadership' acknowledgement of the inherent practical necessities of the organisation, in terms of both culture and capacity. This more holistic concept of agile leadership best reflects the Inspectorate's approach. We thoughtfully and intentionally applied the right balance of soft and hard power ('smart' power) to open and maintain lines of communication with police on the front lines. At the same time, as I note earlier in this chapter when discussing the practical importance of attending to the achievability of recommendations, we were conscious of the limitations of the organisation to implement rapid change, and were careful to prioritise our recommendations to strike a balance between urgency and manageability. Ultimately, the positive response the Inspectorate received from many, including representative bodies and Garda members at all levels, sworn and civilian, many of whom made valuable contributions to the Inspectorate's work and accepted, with open minds, our recommendations, validated this leadership approach.

This outcome underscored Nye's point that most people react more favourably to a softer approach.¹² At the same time, I was constantly mindful of the contrast to

¹² To be clear, neither coaxing through 'soft power,' nor a commitment to collaborative reform, should be mistaken as 'passive' or 'submissive.' To the contrary, there were certainly occasions throughout the course of the Inspectorate's work, as noted in Chapters 6 and 7, when professional tension emerged. For example, I recall the day I was interviewed on RTE's Morning Ireland following publication of the Inspectorate's report on Roads Safety. I fairly outlined our findings and recommendations, and went out of my way to compliment Garda performance in many areas. Immediately following the interview, I received several complimentary text messages from Garda members, representative association officials and community members. A few hours later, however, I received a voice message from the Secretary General of Justice, who reported, 'I don't know what you said during that radio interview this morning, but the Garda Commissioner is livid.' I returned the call and assured him that I had simply stated the facts and said nothing provocative. In response, he commented, 'Well, you know, Kathy, you're playing with their train set. And worse, you're a girl playing with their train set.' We both had a good laugh, but at the same time it was an

traditional police leadership, and purposely worked to avoid the 'contrast' evolving into a 'conflict' with Garda management. I often recalled Judy Marshall's caution to 'Know when to persist and when to desist.' (Marshall 1999)

B. Authentic Engagement

I use the term 'authentic engagement' to refer to a commitment, not just to active listening, but also to encouraging honest, constructive dialogue and transparency in action, especially in situations where suspicion or scepticism may be high and ideologies and perspectives at odds. Professor John Kotter of the Harvard Business School, an expert on leadership and change, discussed this practise of 'jumping into the fray, walking up to the lions instead of running away,' observing that 'showing respect for all, and using simple, clear, and common sense responses, can not only keep good ideas from getting shot down, but can actually turn attacks to your advantage in capturing busy peoples' attention, helping them grasp an idea, and ultimately building strong buy-in.' (Kotter and Whitehead 2010)

As Chief Inspector, I took seriously my own responsibility to model the practise I expected of my team. I took every opportunity to engage, whether with the team in my office or in the field with police and community members. I listened carefully and paid close attention to the evolving needs and expectations of all.

Authentic engagement allowed the Inspectorate to reflect the input of front-line police and community members in our work, enhancing the Inspectorate's credibility and bolstering the community's support. The information we received from front-line gardaí, who emphasised the need for progressive leadership and management, innovative technologies, and important health and safety improvements, was straightforward, unfiltered, and reliably consistent. When in the field, particularly in remote areas of the country, police and community members alike often commented,

important lesson. Many similar experiences unfolded during the meta-cycle of my work. I concluded that instances of professional tension were inevitable, and that was not a bad thing – in fact, it was a benefit. It demonstrated that the Inspectorate was performing its role as an independent, effective oversight body, yet able to do so through non-adversarial process.

‘Nobody from Garda HQ has been here for years.’ When speaking to student officers in Templemore, the senior staff were surprised that I would solicit input and feedback from student gardaí, but class members approached me after to express appreciation and enthusiasm. When attending representative association events, I explained that I was there to listen, not to lecture, and encouraged constructive, honest dialogue.

This focus on authentic engagement proved Kotter and Whitehead’s (2010) point. Authentic engagement led to strong relationships and favourable feedback, from internal and external stakeholders. Spending considerable time at Garda facilities and public meetings across the country built trust, cemented important relationships, informed the Inspectorate’s work, and enhanced the team’s credibility. In addition to winning the confidence of many, the continuous interaction with police, non-sworn staff, and community members produced valuable content that was reflected in the Inspectorate’s findings and reports. Indeed, it is fundamentally the case that absent this engagement, much of the critical data we relied on in forging our recommendations would not have been captured.

C. Contextual Intelligence

It was critically important that we not simply involve stakeholders in all aspects of the Inspectorate’s work, but that we also strive to understand their perspectives, or at least understand what shaped their perspectives. This task - easier said than done - is at the heart of ‘contextual intelligence’ – the third pillar of an equilibrated governance model.

Kutz (2008) offers the following definition of ‘contextual intelligence’:

Contextual Intelligence is the ability to quickly and intuitively recognize and diagnose the dynamic contextual variables inherent in an event or circumstance and results in intentional adjustment of behavior in order to exert appropriate influence in that context. Kutz (2008; 23).

Nye (2008), likewise, emphasises in discussing engagement the importance of recognising potential barriers to change. In an equilibrated governance model, while appreciating the overlap, I distinguish contextual intelligence from engagement in that

engagement provides the channels and opportunities for dialogue, while it is only with contextual intelligence that one can truly understand and appreciate those barriers.

In Kutz' definition, the importance of intuition – the 'innate ability' to instantly assimilate new information into old – is emphasised and distanced from more situational leadership approaches. While I don't disagree that some are more gifted with innate ability to intuit a situation than others, I see no reason to limit one's grasp of context by what can be naturally intuited, as opposed to what can also be learned and assimilated into thoughtful practise. As I use the term, contextual intelligence embodies, first and foremost, sensitivity to occupational, organisational, and community culture and capacity – matters that are less subject to intuition than to discovered learning. Contextual intelligence requires learning and understanding the history and consequence of events to implement an effective strategy. By way of example, I return to my observations of the organisational power culture that existed among senior Garda managers. In Chapter 2, I described my considerable study of history and the evolution of Irish policing, which was invaluable in helping me to understand Irish culture and, more specifically, the culture of the police. In reflecting upon the power culture of Garda management, I appreciated that this culture was, no doubt, deeply rooted in security challenges associated with the Troubles.

D. Balance and Interplay of Agile Leadership, Authentic Engagement, and Contextual Intelligence in an Equilibrated Governance Model.

In Figure 8.2, I present equilibrated governance as a tripartite balance of its thematic parts. While each of agile leadership, authentic engagement, and contextual intelligence is conceptually unique, the model also allows for common elements that span thematic lines. Because one can easily derive conceptual overlap between the three composite themes, a Venn diagram serves well as an illustrative model. Each composite theme may be a distinct logical set, but none are mutually exclusive.

The emergence of common traits across the principal thematic parts of equilibrated governance is consistent with core tenets of action research that reject rigidity of modelling and anticipate the integration of new concepts as iterative review drives

refinement of process. See, e.g., Raelin and Coghlan (2006; 685); Raelin (1999; 117) In my model, the element of emotional intelligence is one such example. In psychology, emotional intelligence is described as the ability of persons to recognise their own emotions, and those of others, and to use this information to adapt thinking and behaviour to a given situation. (Colman 2008). Nye (2008) discusses emotional intelligence as that empathetic capacity that allows leaders to channel their personal passions and attract others through outreach. Goleman (1998) describes emotional intelligence as a five-part model comprising self-awareness (knowing one's own strengths and weaknesses while using 'gut feelings' to drive decisions), self-regulation (controlling one's own emotions to situationally-appropriate responses), social skill (persuasion through managing relationships), empathy (recognising and appreciating the emotions of others), and motivation (being driven to achieve).

Figure 8.3: Emotional Intelligence

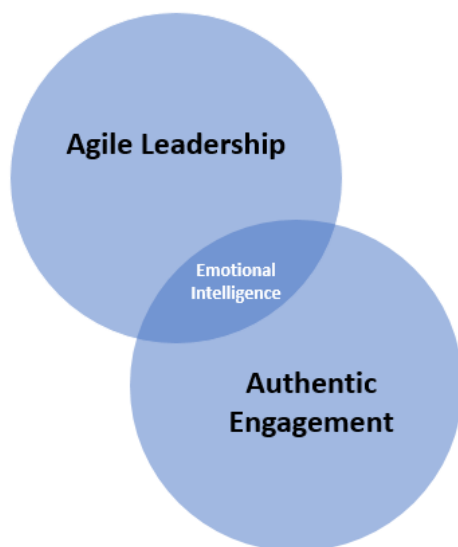


Figure 8.3 illustrates how emotional intelligence emerges from and aligns with agile leadership. The significance of emotional intelligence as a key trait of an agile leader is certainly not a novel observation. Both Nye (2008) and Goleman (1998) consider emotional intelligence principally in the context of leadership, and appropriately so. Within the context of an

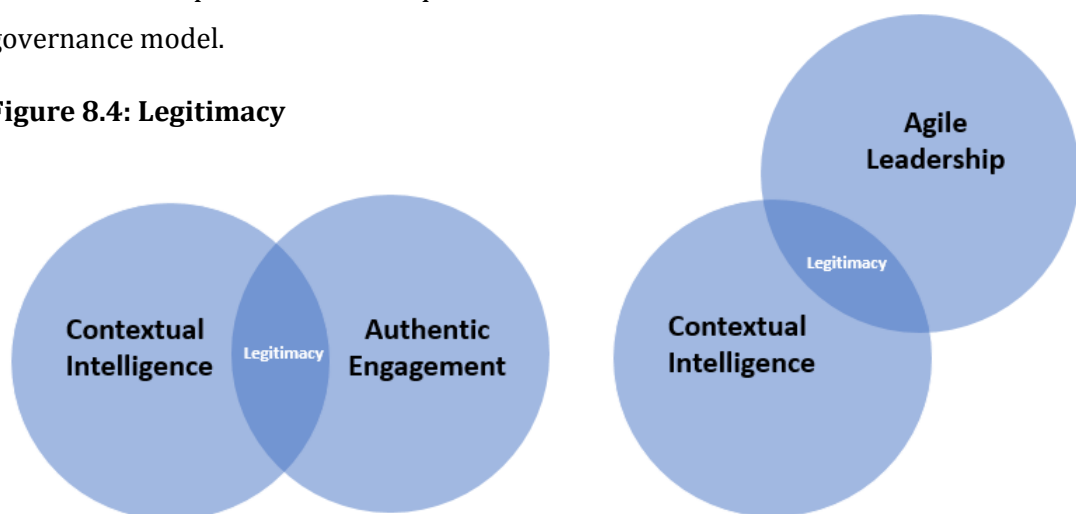
equilibrated governance model, the ability to seek out dialogue, to solicit and reflect upon the input of others, and to earn through these relationships the confidence and trust of others, is squarely in line with principles of agile leadership. At the same time, the process of connecting with others and building support through empathic dialogue – emotional intelligence in action – is central to the theme of authentic engagement, and it is here that one can derive overlap between agile leadership and

authentic engagement. Without a process for authentic engagement, soliciting stakeholder participation across an expansive spectrum (as Helling 2005; 15 urged, breaking down barriers to participation that may be rooted in ‘well entrenched practises of social exclusion’), the potential for agile leadership will be undercut.

‘Legitimacy’ is another such trait that emerged from the crossover of thematic boundaries. The concept of ‘legitimacy,’ a term with many definitions, has been and continues to be a topic of robust study and debate throughout all fields of social science. Certainly, in the context of police oversight, the concept of legitimacy could well be a thesis unto itself. To be clear, in using the term, I do not intend to infer for these purposes meaning beyond its semantic application. Rather, I use the term ‘legitimacy’ in this instance to refer to the acceptance and recognition of the Inspectorate as an authority and to assuring that the work of the Inspectorate, whether in building relationships, reporting data, or issuing recommendations, was based on evidence and assessment that could be defended with logic, fact, and best practise. The inter-relationship between these two definitions is obvious; only by proving itself through practise, process, and work product would the Inspectorate build legitimacy.

Figure 8.4 illustrates the emergence of legitimacy as a trait common across each of the core thematic pillars of the equilibrated governance model.

Figure 8.4: Legitimacy



In this context, organisational legitimacy is rooted in contextual intelligence but strengthened through agile leadership and authentic engagement. Contextual intelligence enables agile leaders to adjust their approach or response to a given situation and to leverage relationships to maintain momentum. Accepting that contextual intelligence can and should be grounded in knowledge-gathering, attention to this component of the model demands a practise that incorporates into engagement strategies an affirmative effort to understand not simply the 'asks' of a requestor, but also genuine appreciation for the history and culture of the audience and topic at issue. To succeed in the context of my work, it was not enough to simply engage with all members of stakeholder groups, whether members of the Inspectorate team, Justice managers and staff, Garda personnel, leaders and members of the community, media personnel, Government officials, and others. It was only by truly understanding and appreciating the backdrop against which their perspectives took shape – contextual intelligence – that I would win their confidence.

A stark example of how contextual intelligence overlapped with agile leadership, and in so doing bolstered the Inspectorate's legitimacy, can be found in navigating issues around Garda management's strong reaction to allowing HMIC and the CJI of Northern Ireland into Garda stations during our roads policing review. Understanding the organisational and occupational culture of the Garda organisation was a key element of contextual intelligence. In Chapter 2, I discussed the importance of understanding both organisational and occupational culture of the agency under review. I list the same as key elements of contextual intelligence in the equilibrated governance model presented in Figure 8.2. In this instance, it was my understanding and appreciation for the organisational and occupational cultures of the Garda – my contextual intelligence – that helped me to navigate these issues as they arose and informed my decisions as to how best to assert leadership. I understood the lingering concerns of those who had worked for decades on security issues, and although aggravating to members of the Inspectorate, I intentionally chose not to embarrass or pressure Garda management. I chose to reserve a more aggressive leadership approach for more important issues, thus preserving crucial relationships with senior Garda managers. At the same time, cognisant of the importance to maintain channels for authentic engagement, I made personal calls to HMIC and CJI to express my regrets

and apologize for the situation. They were gracious and appreciative, and continued to be very helpful to the Inspectorate going forward.

Emotional intelligence and legitimacy are two traits that emerged over time as common across the three thematic pillars of the equilibrated governance model, and as the model becomes further refined through continuing iterative process, it should be expected – consistent with principles of action research – that additional traits or subthemes may emerge. Fundamentally, however, the purpose of this governance model – a conceptual framework of constructs and practises that ‘build such things as commitment, trust, and social capital’ (Anderson 2005, 10) – remains consistent. Implicit in the balance of agile leadership, authentic engagement, and contextual intelligence, and at the overlapping core of an equilibrated governance model, is an underlying and steadfast commitment to principles of collaborative reform. Collaborative reform, as I consider the term, is grounded in the premise that to realise the true potential of an organisation, stakeholders must buy into the process and embrace ownership of the outcome. Optimal output, in turn, demands legitimacy of process. In the context of the equilibrated governance model, agile leadership promotes and reflects engagement; authentic engagement brings stakeholders into the process and informs leadership; and contextual intelligence allows leaders to balance stakeholder priorities with the culture and history of the organisation.¹³

¹³ Of note, during the course of my research, the United States Department of Justice Office of Community Oriented Policing Services (COPS) launched a number of collaborative reform initiatives with police agencies in America. It described collaborative reform as ‘an independent and objective way to transform a law enforcement agency through an analysis of policies, practises, training, tactics and accountability methods around key issues facing law enforcement today.’ (USDOTJ 2015) The COPS Office provided subject-matter experts and extensive research and analysis to police services in need of operational and cultural reform. The Garda Inspectorate plays a similar role in Ireland, albeit on a permanent rather than temporary consulting basis.

III. Testing the Equilibrated Governance Model

Earlier in this chapter, I return to the overarching goal of my work to build the organisational capacity and operational processes by which the Inspectorate would drive, in as collaborative and participatory a process as possible, reforms to the operations and administration of the Garda organisation. As the outcomes of the individual core projects and the practical and theoretical knowledge developed over the meta-cycle of my work demonstrate, the Inspectorate was indeed off to a good start. Through agile leadership, authentic engagement, and contextual intelligence, I had built a solid coalition, particularly with the representative associations; executive committees from the GRA, AGSI, Association of Garda Superintendents and Association of Chief Superintendents all provided constant insight and support. Members of the representative associations fell in behind their executive board leaders in supporting the Inspectorate, and ultimately, the many Garda members and community representatives who interacted with the Inspectorate became a force multiplier and continued to support the Inspectorate's work. We were conscious to produce practical recommendations that could be realistically implemented, often for 'quick wins' – the recommendations to issue stab vests and pepper spray to all personnel to address critical officer safety issues are two such examples that were particularly well received by Garda members.

Yet, notwithstanding the true collaboration and reforms enabled through an equilibrated governance approach, it is important to note the potential vulnerability of the model, tested in full force by the impact of the economic crisis on the Inspectorate's evolution and operations. The crisis emerged mid-way through my tenure. In 2008, the country plunged into recession for the first time since the 1980's. It was discouraging news on the heels of what had been called the Celtic Tiger, a period of unprecedented prosperity. The situation grew increasingly dire in 2009 and 2010 as stocks plummeted, banks failed, and unemployment soared to the highest levels since 1967. Suddenly, all government departments and agencies were subject to the highest levels of financial scrutiny. Redundancy schemes led to significant decreases in public employment and Government departments were tasked with identifying non-essential agencies for elimination.

No government agency went unscathed, including the Garda Inspectorate. The Principal Officer, who had worked tirelessly with me to stand up the organisation, eventually opted for the retirement incentive. Other positions were lost through attrition, and there were rumours that the Inspectorate and other nascent bodies would be eliminated. In response to the speculation, the Secretary General quickly rejected the notion that the Inspectorate would be disbanded, noting that it was particularly important at the time to promote efficiency and reform. Nonetheless, it was apparent that the economic crisis would significantly eclipse all other Government business. The test for us, as a relatively nascent body, was how to maintain and evolve our equilibrium around collaborative reform in the face of the economic crisis.

Prior to the economic downturn, the Inspectorate had encountered few obstacles; we were operating in a comfortable state of driving change through willing, collaborative partnerships. While certainly our work had resulted in improving and reforming Garda practises, our own organisational culture remained calm. None of us anticipated the crisis on the horizon, let alone how it would impact our own equilibrium. Yet considering Schein's literature, it made sense to me that a crisis of this proportion would likely prompt an evolution of the Inspectorate's organisational culture. During the first two years of business, as the founder of the Inspectorate, the organisational culture was a clear reflection of my influence, but a more definitive culture would result from this crisis and possible fight for survival. The emerging culture would reflect (1) the traits and experience I initially brought to the Inspectorate, and (2) our shared experience through this difficult period.

The greatest challenges at the time were maintaining Inspectorate morale and focusing Government officials on anything other than the economic crisis. The Inspectorate was determined to meet its remit, which included the important and relevant responsibility of promoting effectiveness and efficiency in Irish policing. During this difficult period, we completed the Resource Allocation study, which was particularly timely, and the report on Front-Line Supervision. The Child Sexual Abuse inspection was also assigned by the Minister and completed by the Inspectorate. Apart from the economic crisis, it seemed that clergy sexual abuse was the only topic

to attract Government's attention. The media continued to follow the Inspectorate's work with interest, but Government commitment to police reform stalled, as there were too many other distractions.

It was a challenge to maintain Inspectorate momentum, particularly during the final project on Front-Line Supervision. Midway through the inspection, the deputy chief inspectors departed and I served as the single member of the Inspectorate supported by a small staff of five civil servants. Nonetheless, we produced quality work and remained true to the Inspectorate's principles. In particular, we continued to operate respectfully and collaboratively, internally and with our external partners.

In Chapter 3, I noted Apreda's more simplistically stated characterisation of 'governance' as the 'the art and techniques to care for the way a system or situation works.' (Apreda 2003; 4) It was the Inspectorate's ability to maintain focus on its overarching goal – driving systemic change through collaborative reform – by caring for the underlying principles of agile leadership, authentic engagement, and contextual intelligence that gives credence to the concept of equilibrated governance. Over the course of three decades, I had seen the economic pendulum swing from good to bad on several occasions. The results had never been as devastating as the Irish economic crisis, but based on previous experience, I remained confident that – *if we took care of the systems and processes in place to maintain focus and sustain commitment* – the Inspectorate would be well positioned to maintain its equilibrium around collaborative reform until better times eventually emerged. I constantly shared that optimism with staff and, to Government, emphasised the importance of the Inspectorate, particularly during challenging financial times. I predicted that the Inspectorate would emerge – as it has – from the crisis stronger than ever, having demonstrated its value during the worst of times.

This optimistic retrospective is by no means intended to minimize the challenges we had to overcome, and in many respects still faced towards the end of my tenure, as an entity attempting to drive reform from outside the Garda organisation. While early ministers were vocal champions for reform, towards the end of my work it was clear there was no longer a sense of urgency in the Department of Justice. It seemed the economic crisis was referenced regularly as an excuse for inaction. Successive

ministers became more distracted by political and economic concerns. The Inspectorate lacked the hard power to force change in the Garda organisation, but attempted to maintain momentum in its work by leveraging strong media support, publishing implementation tables, aligning its work with the challenges of the day, and maintaining strong professional relationships. The Inspectorate did not have the same intensity of momentum it had early on, but it continued to produce steady work product and practical recommendations. In the end, however, as much as the Inspectorate worked to coax the Garda in the right direction, it was the responsibility of the Commissioner and his management team to institute change on the heels of our recommendations, and for the Minister to hold him accountable for doing so.

This point underscores a significant weakness in the 2005 Act that our work exposed. While given robust, and largely undirected, authority to review and recommend, the Inspectorate itself was given no authority to direct that reforms actually be undertaken. On the one hand, our powerlessness in this respect only bolsters the legitimacy of the three-part model of equilibrated governance that I propose for driving collaborative reform. Certainly, the fact that recommendations were embraced, and reforms implemented, reflects the Inspectorate's ability to influence action through collaborative efforts. On the other hand, and as demonstrated by the waning of Government commitment during the economic downturn, the same also highlights the vulnerability of the Inspectorate to shifting Government priorities.

To some extent, this weakness has been addressed through the Garda Síochána Act of 2015, which established the Policing Authority as another independent oversight body to review the governance, structures and performance of the police. Yet, with the emergence of another body, so too have emerged additional challenges and questions. Collaborative reform that is supported by a model of equilibrated governance depends on the good-faith partnership of all – a partnership that must be nurtured and grounded in mutual trust and respect. The Inspectorate has demonstrated its commitment to non-adversarial process; will others? Similarly, as Ireland, like jurisdictions worldwide, face increasingly sophisticated challenges in security during an upswing in international political discord, will Government maintain the capacity, and the momentum, to push for systemic change in local policing?

VI. Conclusion and Next Steps

The opportunity to bridge academic theory and practise in this action research project has been extraordinary. Determined to establish itself as a collaborative enterprise, the Inspectorate emphasised the importance of stakeholder input from all levels, inside and external to the Garda organisation. Mindful of the professional tension and contrasting positions that we would occasionally encounter, adhered carefully to principles of nuanced thinking – the ‘reflection’ so critical to the action research cycle. At all times, we took care to ensure that the foundational underpinnings of our work product were rooted in a commitment to collaboration, dialogue, and the core values of Irish policing.

Grounding the Inspectorate’s work in action research methodology led to the creation of an oversight body that stands on its reputation for efficiency, transparency, and fairness. At a time when jurisdictions worldwide seem driven to match the complexity of the issues police face with governance structures as equally tangled, the Garda Inspectorate has held true to its simplicity in form – proving that oversight need not be overly bureaucratised to be effective. As important, while in many instances the relationships between police and their oversight bodies have become increasingly marked by adversarial character, the Garda Inspectorate has maintained its commitment to engagement and transparency, demonstrating that such a method creates momentum for reform that is driven by collaboration and buy-in, rather than autocratic rebuke. The Inspectorate continues to retain the support and respect of Government, police, media, and the community. Returning to the goals of modern governance identified by Bevir (2012) and Apreda (2003) discussed in Chapter 3, this support, I submit, reflects the successful inclusion of internal and external stakeholders, an accepted legitimacy of process, and adherence to mission. My work was specific to the field of policing, but the theoretical knowledge produced through the meta-cycle of this thesis carries well into organisation science generally.

The commitment to the principles of agile leadership, authentic engagement, and contextual intelligence that ultimately formed the model of equilibrated governance was the foundation for our work. Just as transparency and honest engagement have lent credibility to models of procedural justice, I became convinced that the

Inspectorate could grow reputation capital as honest brokers of systemic change if those engaging with it found their input and reality reflected in its recommendations. Simply put, the most effective system for oversight and accountability does not evolve from adversarial process. Change that is driven through a zero-sum calculus is change that is often destined to fail. At the same time, however, process cannot become so rooted in efforts to achieve middle ground that momentum stalls. As demonstrated by the reception to our work, the synchrony of the composite parts of the equilibrated governance model strikes that important balance.

Since completing my assignment as Chief Inspector of the Garda Inspectorate, I have continued to apply lessons learned, first in my assignment as Joint Compliance Expert overseeing federally mandated reforms in the East Haven, Connecticut Police Department, and later as Chief of Police in Seattle, Washington, where I led the police department through a rigorous series of systemic changes mandated under an agreement between the City and the United States Department of Justice. Maintaining strong relationships built on mutual trust, respect and friendship positioned me as well to participate in two recent Irish initiatives: I was a member of the 2014 Independent Review Group of the Department of Justice, and am now serving as Chair of the Commission on the Future of Policing in Ireland.

The challenges facing police, whether locally within their communities or more broadly in guarding against national security threats, are not unique to Ireland, but are common to democracies around the world. I am committed to leveraging my experience and the meta-knowledge that emerged from my thesis work to advance collaborative reform, and to promote systems of equilibrated governance, in policing and in other applicable disciplines. It is my hope that, through this work and my continued engagement in initiatives in Ireland and abroad, that I can contribute to the growing bodies of important literature in policing and organisation science.

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