



**Garda Síochána Inspectorate**

**Report No. 2**

**REVIEW**

of

**GARDA SÍOCHÁNA PRACTICES and PROCEDURES**

for

**BARRICADE INCIDENTS**

**February, 2007**

## **Foreword from the Chief Inspector**

*This report includes many recommendations developed by the Garda Síochána Inspectorate on the heels of the Barr Tribunal Report.*

*While, historically, barricade incidents were not uncommon to the Garda Síochána, events at Abbeylara revealed a new dimension in tragic consequences. Life sadly ended for John Carthy on 20 April, 2000 and many other lives were indelibly influenced that day as well. We extend our sincere sympathy to the family and friends of John Carthy. We also empathise with members of the Garda Síochána who were at Abbeylara that day and will forever carry the memory of the tragedy that took place there.*

*It is important to note that 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 exhaustive review of the tragedy and his very comprehensive report is a testament to his dedication in this matter. Neither was it the Inspectorate's role to investigate the circumstances of more recent barricade incidents. Our focus at all times remained firmly on the task set for us by the Tánaiste and Minister for Justice, Equality and Law Reform - to analyse current Garda practices and procedures, taking into account the Barr Tribunal's recommendations, and to make practical suggestions for further improvement to police operations.*

*In approaching our task we were determined to establish international best practice and use it as a constant reference point. In doing so, we also carefully considered the applicability of police practices from other jurisdictions to the Irish policing environment.*

*Personally, and on behalf of the Inspectorate, I acknowledge the cooperation and openness of the Garda Síochána in the course of our work. I also acknowledge the assistance of personnel in other police services who were generous in providing specialist advice and information.*

*The Garda Síochána has instituted important new practices and procedures in the period of nearly seven years since the incident at Abbeylara. This report makes many further recommendations aimed at promoting best police practice. I earnestly hope that these recommendations will be implemented without delay in the interest of the Garda Síochána and the community.*

Kathleen M. O'Toole  
Chief Inspector

February, 2007

# **TABLE OF CONTENTS**

	Page
<b>Introduction</b>	<b>3</b>
<b>1. Overview of Barricade Incidents</b>	<b>8</b>
<b>2. Initial Response</b>	<b>14</b>
<b>3. On-Scene Command</b>	<b>20</b>
<b>4. Negotiation</b>	<b>25</b>
<b>5. Mental Health Professionals</b>	<b>28</b>
<b>6. Emergency Response Unit</b>	<b>31</b>
<b>7. Training</b>	<b>33</b>
<b>8. Logistics and Equipment</b>	<b>36</b>
<b>9. Media</b>	<b>43</b>
<b>10. Summary of Recommendations</b>	<b>46</b>
<b>Appendix</b>	
<b>Chart 1 Barricade Incidents 2000 to 2006 by Garda Síochána Region</b>	
<b>Chart 2 Barricade Incidents 2000 to 2006 by Type</b>	
<b>Chart 3 Barricade Incidents 2000 to 2006 by Incident Commencement Times</b>	
<b>Chart 4 Barricade Incidents 2000 to 2006 by Incident Duration</b>	
<b>Chart 5 Barricade Incidents 2000 to 2006 by Rank of On-Scene Commander</b>	

# **Introduction**

## **Background**

On 20 July, 2006, the Honourable Mr. Justice Robert Barr presented to the Clerk of the Dáil the findings of a Tribunal of Inquiry established to investigate the circumstances surrounding the fatal shooting of John Carthy at Abbeylara, County Longford on 20 April, 2000.

In response to Judge Barr's report, the Tánaiste and Minister for Justice, Equality and Law Reform, Michael McDowell, T.D., requested that the newly-established Garda Síochána Inspectorate review the report, assess reforms implemented by the Garda Síochána since the tragedy at Abbeylara and recommend any additional steps needed to bring the organisation in line with the highest standards of police operations, particularly those practices relating to barricade incidents and persons suffering from mental illness.

For the purpose of this report, barricade incidents are situations in which persons secure themselves at a location, with or without hostages, and are perceived to present a threat to themselves or others.

## **Work Process**

After reviewing the Barr Tribunal Report in its entirety, the Inspectorate commenced its research on 28 July, 2006 and, during the process of its work, conducted meetings with the following:

- The Garda Commissioner;
- The Deputy Garda Commissioner with responsibility for Operations;
- The Assistant Garda Commissioner with responsibility for Crime and Security;

- The Chief Superintendents with current and previous responsibility for the Garda Síochána Emergency Response Unit (ERU) and personnel from the Unit;
- The Garda Síochána Director of Training and Development;
- The National Negotiator Coordinator of the Garda Síochána; and
- Commanders and other key Garda personnel at the scenes of siege incidents at Graignamanagh, Roscrea, Portlaoise and Gort.

The Inspectorate also communicated with tactical police commanders from several police agencies in Australia, Canada, the United Kingdom and the United States. The Inspectorate benefited particularly from the services of Major Steve Ijames, Special Operations Commander for the Springfield, Missouri Police Department in the United States of America (USA). Major Ijames is widely recognised as an international expert in police tactical operations. In addition to being a tactical team leader and special operations commander for nearly twenty years, he developed curricula for less lethal force options for the International Association of Chiefs of Police and has consulted and lectured internationally in more than thirty countries. Major Ijames was a constant source of specialist advice to the Inspectorate during the course of this review and accompanied the Inspectorate at one of its meetings with the Garda Síochána.

The Inspectorate reviewed a number of 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 for the then Garda Commissioner in the context of the Abbeylara fatality.

The Inspectorate also researched recommended practices 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, the Ontario Provincial Police and the South Australia Police. The Inspectorate also took account of the published reports of reviews conducted by the Los Angeles Police Commission into incidents involving police use of force. ([www.lapdonline.org/police\\_commission](http://www.lapdonline.org/police_commission))

Finally, to all of the foregoing meetings, contacts, research and literature reviews, the Inspectorate applied its collective experience of many years of police management and operations.

### **Need for Continuous Improvement**

Unfortunately, even in the most civilised democratic jurisdictions, tragedies resulting from police use of force will continue to devastate families and communities. When events of this nature occur, the police service involved must accept its share of responsibility and do everything humanly possible to learn from the experience.

The Inspectorate acknowledges the many reforms that have been implemented by the Garda Síochána in the years following the events at Abbeylara. These represent important enhancements in Garda expertise and capability. There is, however, no room for complacency. Practices and procedures for dealing with barricade incidents must be continuously improved and updated taking account of first-hand experience and evolving best practice in policing.

With the benefit of hindsight, the Inspectorate has developed additional recommendations, both in response to Judge Barr's findings and as a result of independent study. The hope is that these recommendations, set against the backdrop of the Barr Tribunal Report and the measures implemented by the Garda Síochána in the interim, will add significantly to the likelihood of positive outcomes to future barricade incidents. Experience suggests, however, and the Inspectorate's research has affirmed, that police operations in situations of this nature will never be an exact science. Barricade incidents do not take place in controlled conditions in which the police can adopt specific approaches secure in the knowledge that they will always produce intended outcomes.

Experience also suggests that in certain situations, police officers will be put in the position of having to make a split-second decision that can result in either a very positive

or extremely sad outcome to a barricade incident. There is no guarantee that even the best-equipped, best-trained police officers acting according to sound policies and procedures will achieve the much-desired positive outcomes in these situations. The Inspectorate is convinced that providing police officers with the necessary policies, training and equipment is essential and will substantially enhance the effective management of future operations.

### **Recommendations**

Building on the reforms introduced by the Garda Síochána in recent years, this report makes several additional recommendations to enhance police effectiveness during challenging and often unpredictable siege situations (see Chapter 10, Summary of Recommendations). There are three areas, in particular, that the Inspectorate feels are of greatest importance and must be addressed urgently. They are:

#### **Initial Response**

Six years following the tragedy at Abbeylara, police officers first responding to siege situations involving firearms continue to be at risk. This report recommends policies, protocols, immediate training and equipment purchases aimed at enhancing officer safety and the safety of all other persons involved.

#### **On-Scene Command**

While the recently initiated Garda training course for on-scene commanders is a very positive development, there are currently no criteria for selection to the programme, participant appraisals are insufficiently robust, there is no certification upon successful completion and no process of periodic re-certification. Moreover, there is no absolute requirement that actual on-scene commanders be designated from a roster of those who have successfully completed the course. The Inspectorate is firmly of the view that only those properly selected, trained and certified should act as on-scene commanders. A policy must be developed immediately to address this. It is essential that the person in

charge is appropriately prepared to assume that very significant responsibility. It is also essential that all personnel know who is in charge at a barricade incident.

### **Necessary Equipment**

This report contains numerous recommendations for police equipment. While the Inspectorate hopes all of the recommendations are embraced, we would prioritise the following:

- There should be greater availability of state-of-the art lethal and less lethal weapons, ballistic vests and shields to initial responders and second-tier responders. The on-going roll-out of new ballistic and stab vests should be completed without further delay;
- Proper communications equipment must be issued to all. Implementation of the new digital radio system should be project-managed to put effective means of communication in the hands of front-line Gardaí as a top priority; and
- Multi-purpose command vehicles and rescue/safety vehicles should be purchased as soon as possible and strategically located to serve the ERU and each Garda region.

# Chapter 1

## Overview of Barricade Incidents

Public knowledge of barricade incidents in this jurisdiction is generally confined to a small number of incidents that received considerable media attention, such as those at Abbeylara, Roscrea, Portlaoise and Gort. In reality, the Garda Síochána are called to many more barricade incidents which they manage to resolve through negotiation within a short time and which do not attract significant public attention.

### Garda Statistics

Figures obtained from the Garda Síochána, which are contained in the tables in the Appendix to this report, indicate that Gardaí responded to seventy-three barricade incidents in the years 2000 to 2006. Nearly two-thirds (44) of those incidents were in the Dublin Metropolitan Garda Region. Most of the remainder were in the South Eastern Region (11) and the Eastern Region (9).

Forty-nine of the seventy-three incidents were resolved through negotiation within four hours and a further fifteen within nine hours. Only five incidents went on for more than twenty-four hours. Twenty-one incidents involved an element of hostage taking and sixteen involved mental health issues. **The Garda Síochána have indicated that a firearm was a factor in only twelve of the seventy-three cases. A weapon or device such as a knife, crossbow or hoax explosive was involved in a further fifteen cases.** More than two-thirds (53) of all incidents began between 5pm and 9am.

### Analysis

Analysis of the Garda figures reveals that:

- There is significant variation in the nature of barricade incidents;
- Most incidents are of relatively short duration. In general, the more serious ones go on for longer; and
- While the majority of incidents have taken place in the Dublin Metropolitan Region, at least one incident has occurred in each Garda Region.

A superintendent was responsible for on-scene command at only seventeen of the seventy-three incidents. In all other cases, command was exercised at inspector (28), sergeant (24) or garda (4) rank. Initial Garda responders sought expert assistance by way of trained Garda negotiators in sixty-seven cases. The ERU attended ten incidents.

### **Policy Implications of the Data**

The foregoing data have two significant implications for developing Garda policy for dealing with barricade incidents.

Firstly, barricade incidents fall into two broad categories. Most incidents are of a less serious nature that can be dealt with by way of local Garda response, but there are infrequent serious cases where specialist intervention is required. Accordingly, the Garda Síochána should issue a set of protocols clearly directing when local officers must summon specialist assistance by way of second-tier response and national support, including negotiators, the ERU and technical support. These protocols should be readily available for local officers to consult as situations arise. The protocols document should include up-to-date contact information for all Garda personnel with relevant district, divisional, regional and national responsibilities.

Secondly, because the number of serious barricade incidents is relatively small, there are few opportunities for Gardaí to gain first-hand experience in managing an incident where there is a perceived high-level threat to life. This means that, in most cases, local Gardaí attending the scene of a significant barricade incident do so for their first time. Even when personnel have previous hands-on experience, perishable management and

operational skills are likely to diminish during the lengthy time interval between serious incidents. All of these considerations point to the need for the development of clear policies and protocols underpinning a continuous training process as recommended in the following chapters of this report.

### **Evolving Garda Practice and Procedure**

When providing evidence to the Barr Tribunal, Mr. Alan Bailey opined that the Garda Síochána were as knowledgeable of the theory of siege command prior to April, 2000 as police in the UK and elsewhere. Based on its reading of the Tribunal report, the Inspectorate accepts this view.

While circumstances vary from incident to incident, there was a common thread in the general structure of the Garda approach to incidents such as those at Abbeylara and Bawnboy. The construction of inner and outer cordons, the calling-in of negotiation, tactical and technical support, the establishment of a command post and the maintenance of written logs all point to an awareness of these requirements among superintendents as a result of the training mentioned in evidence to the Barr Tribunal.

The Inspectorate also accepts that the Garda Síochána have attended many barricade incidents before and since Abbeylara and that their experience in the face of such incidents is something that is constantly evolving. In recent years, the Garda Síochána have taken several steps to strengthen their capability in responding to barricade incidents. Members of the public will be most keenly aware of the introduction of less lethal options in the form of bean bags and OC sprays. Other significant developments have included:

- A review of best practice in managing barricade incidents leading to compilation of the On-Scene Commander Manual of Guidance;
- A dedicated on-scene commander training course;

- A more structured approach to negotiation by way of deployment of adequate numbers of negotiators;
- Involvement of a mental health professional both during Garda training and at actual incidents;
- A mental health awareness training programme;
- Improved log keeper arrangements;
- Development of an observer/marksman capability;
- Development of a first aid response;
- Video recording of the scene of high-profile incidents; and
- Improved post-incident procedures.

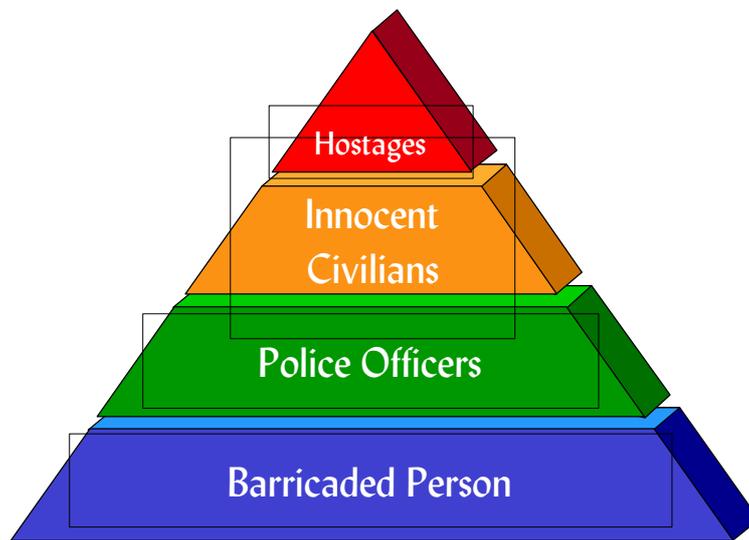
These are important incremental developments. They clearly provided new options and much better support for on-scene commanders at recent barricade incidents. A process of ongoing adoption of further measures and the introduction of better facilities and equipment to enhance the professionalism of the Garda response are essential steps if the organisation is to achieve and maintain best practice in this area.

### **Personal Safety Policy**

The remaining sections of this report deal with individual aspects of Garda practice and procedure in relation to barricade incidents. Before getting to them, however, there is one overarching policy consideration that must be addressed. This is personal safety policy. The Garda Inspectorate recommends that the Garda authorities develop a more definitive personal safety policy and instruct all members in its application.

Such policy must clearly state that police officers should never put themselves in more danger than is required. Doing so creates additional risk for all parties, including the barricaded person. To assist in the often split-second decision making process, it is recommended that the policy state clearly that, while performing dynamic risk assessment, police officers prioritise the safety of all parties involved, placing hostages in

the top priority position, followed by innocent civilians, followed by police officers, and finally considering the safety of the barricaded person.



**Personal Safety Hierarchy**

When police confront a situation involving hostages, certainly the wellbeing of those hostages is of greatest concern. If hostages or innocent civilians are in imminent danger, then the police must initiate a tactical response immediately, even if it requires putting themselves at risk.

When there is clearly no immediate threat to hostages, civilians or the police, every effort should be made to bring about a peaceful resolution. As long as a barricaded person remains isolated and contained, police officers should persist in their efforts to secure the person's cooperation. They must afford the person every reasonable opportunity to engage in negotiations and surrender peacefully. At the same time, they must be prepared to respond quickly to any sudden change in the level of threat posed by the barricaded person, recognising from experience that a negotiated outcome is not always possible, even when police operate to the highest standard in accordance with sound policy and protocols.

### **Policy Coordination**

It will be apparent to readers of the Barr Tribunal report and the present report that ensuring the availability of an effective police response to barricade incidents is both complex and multi-faceted. For this reason, the Inspectorate recommends that the Garda Síochána assign responsibility to a senior officer at national level for the coordination of all policy, planning, training, protocols, resourcing and reviews associated with barricade incidents. This officer should also have lead responsibility for the implementation of the recommendations of this report.

## Chapter 2

### **Initial Response**

While the Barr Report and reforms instituted by the Garda Síochána since the tragedy at Abbeylara have focused in large part on the role of on-scene commanders, negotiators and Emergency Response Unit (ERU) practices, the Inspectorate is particularly concerned about the safety of initial responders to calls involving persons with weapons, particularly firearms.

In this section, the Inspectorate will address policies and equipment it believes are necessary to better protect initial responders to siege situations where weapons are known or suspected to be present. The Inspectorate feels compelled to do so in light of its study of recent events and trends in Ireland, the feedback received from police officers throughout the ranks, and the personal experience and knowledge of the members of the Inspectorate of officer safety issues.

#### **Policy of Routinely Unarmed Officers**

In addressing specific issues around initial response, it is important to bear in mind the wider context in which police officers respond to calls. The Inspectorate would be remiss if it did not acknowledge and take due account in its deliberations of the State's policy of maintaining a routinely unarmed police service. Since its inception, the Garda Síochána have remained routinely unarmed, opting to enforce laws and maintain order through "moral authority".

The Inspectorate, during the early phases of its work, has concluded that it is the strong desire of the Irish people and, indeed, of the police themselves, to keep the unarmed

policy intact. The Inspectorate respects that desire but, at the same time, recognises the risks associated with the policy, particularly in a changing environment where firearms incidents are becoming more prevalent and the historic norm of respect for an unarmed police officer may be less assured.

Given the desire to maintain a routinely unarmed police service, the Inspectorate feels strongly that immediate measures must be taken to better protect police officers who are now at greater risk of confronting armed subjects, whether in siege situations, responding to crimes in progress, or on routine patrols. As the Inspectorate sees it, it is not a question of changing the overall policy but rather of working within it to enhance the safety of front-line Gardaí. Several measures recommended in this report must be taken to bring about a significant enhancement of officer safety and provide better options when responding to a call involving a person with a weapon. This, in turn, will better ensure the safety of the armed person and members of the community generally.

### **Responding to Gun Calls**

Police work, by its nature, is often dangerous. Officers routinely put the wellbeing of others before their own personal safety and rightfully so. Even highly experienced police officers often respond hastily to gun calls without giving sufficient thought to the possible consequences. Generally speaking, police officers have been indoctrinated to act swiftly when responding to emergency situations, including armed incidents.

In recent years, most police agencies have modified their use of force training curricula, particularly relating to active shooter situations. Experience has shown that quick response is not always the best response. Immediately confronting an armed person, while appropriate in some situations, may be inappropriate in others.

Police agencies must develop very clear policies and training programs in this area. It requires significant cultural change for police as well, particularly in the Irish

environment where unarmed police have prided themselves in often resolving complicated situations, even when an armed person is involved.

When responding to the first call at Abbeylara, knowing that shots had been fired, two members of the Garda Síochána, one armed and wearing a ballistic vest, went directly to the home of John Carthy. They drove the marked patrol car into the driveway of the Carthy house before immediately reversing out again on hearing shots fired from inside the house. Notwithstanding this, a short time later, Gardaí parked an unmarked Garda car close to the Carthy house where it was hit by gunfire soon afterwards. While the Inspectorate can appreciate that the officers concerned may have hoped to resolve the matter peacefully with the least fanfare and force necessary, they were putting their own safety at great risk.

More than six years later, four police officers, one armed, three unarmed, responding to a report that shots had been fired at a house in Gort, immediately proceeded to make close quarter contact with the person concerned, which resulted in a shot being fired from within the house. A marked patrol car at Gort, which again was parked in close proximity to the subject's location, was also hit by gunfire. As in Abbeylara, the Gardaí involved had put their personal safety at risk in hopes of resolving a difficult situation. Again, it was probably instinctive for them to do so, in an effort to bring a swift, uncomplicated resolution to a difficult situation.

### **Tailoring Initial Response**

The Inspectorate has several recommendations relating to initial response to calls in relation to armed persons. The Garda Síochána should develop very clear protocols relating to initial response recognising that there is no 'one size fits all'. Protocols must be put in place requiring police officers, as a first step, to risk assess the situation that is likely to confront them and develop a tactical approach. There is a significant difference between a hostage-taking situation involving an immediate threat to life and one in which an armed person is alone and isolated. Protocols, backed by scenario-based training, and

taking account of the personal safety hierarchy mentioned in Chapter 1, should be put in place to help front-line Gardaí determine what initial response is appropriate in the prevailing circumstances. In many situations, Gardaí will be faced with incomplete and unconfirmed information. This is to be expected. Notwithstanding these difficulties, first responders, using all the information available to them and observing protocols, must determine what they consider to be an appropriate tactical response.

Protocols and training must be geared towards avoiding officer-induced jeopardy. All too often police officers proceed too quickly to make close quarter contact with armed subjects in situations where there is no immediate requirement to do so. The impetus in the initial response in Abbeylara was to “get up close and talk to John...”. Such actions run the risk of escalating tensions, further jeopardising the safety of both police officers and the subject. Particularly in situations where there is no imminent threat to the personal safety of any person involved, new protocols and training should direct Gardaí to:

- Make a safe approach to a scene where an armed person is present, observing firearms protocols and wearing protective vests;
- Avoid immediately approaching the armed person where there is no specific, imminent threat to the personal safety of a hostage, innocent civilian or the person with the weapon;
- Concentrate on continued containment;
- Effect evacuations as necessary;
- Gather as much information as possible to assess the nature of the threat being posed;
- Devise a strategy for preserving public safety if the subject attempts to breach containment, armed or unarmed, before support arrives; and
- Where possible, make initial contact with the armed person by telephone.

While this may sound to many like common sense, it is counterintuitive even to veteran police officers worldwide who often feel compelled to act speedily to confront and disarm people with weapons.

### **Initial Response Equipment**

In addition to the appropriate policy and training, the Inspectorate strongly recommends the immediate procurement and issuance of equipment to better protect and assist the initial responders to armed person and active shooter situations.

Police officers responding to calls involving armed persons should, at a minimum, be equipped with the appropriate firearms and protective vests to manage a situation effectively until backup resources arrive. They should act according to clearly defined protocols and related training. One officer with an old vest and a Smith and Wesson revolver, relying on common sense and little experience in similar scenarios, will be ineffective in containing or disarming a threatening person who is unstable and more powerfully armed. In fact, he or she could compound the tragedy if not appropriately directed, equipped and trained.

Garda statistics indicate that more than four-fifths of all siege situations are resolved without assistance from the ERU. Therefore, the initial responders must be appropriately guided by sound policy, and be trained and equipped to address these hazardous situations effectively.

### **Second-Tier Response**

During a siege involving a firearm, the time between the initial call to police and the arrival of the ERU is critical. It may often take several hours for the ERU to deploy its team effectively. The Inspectorate recommends that a second-tier local response be established.

A cadre of police officers, trained to a greater level of proficiency in lethal, less lethal and tactical team operations, could be highly effective during this crucial period, particularly in more remote areas. These police officers, who would be subject to immediate redeployment or callout during an emergency situation in their respective regions, would

be primarily responsible for continuing isolation of the incident and containment of the armed person pending arrival of the ERU.

The Inspectorate was pleased to discover that the Garda Síochána have established and trained Public Order Units. The second-tier response envisaged by the Inspectorate could be accomplished by cross-training members of these existing units and developing a callout protocol for their deployment. The members involved have a head start in that they are already trained to work as teams.

The Inspectorate understands that over one thousand members of the Garda Síochána distributed across the six Garda regions have received public order training. The Inspectorate recommends that the Garda College work with the ERU and the Garda Negotiation Team to develop supplemental training and identify equipment that may be required in order to utilise some of these personnel as a second tier in response to barricade incidents. Tactical firearms training should be provided for all second-tier responders and a number of them should be trained as tactical firearms advisers. This training will serve the organisation well, as the Inspectorate envisages regional multi-purpose units that will eventually provide a good pool of candidates for the more highly trained ERU.

## Chapter 3

### **On-Scene Command**

The Barr Tribunal Report highlighted many concerns about on-scene command. To their credit, the Garda Síochána have made significant progress in this area. The On-Scene Commander Manual of Guidance has been circulated to all relevant ranks and training curricula have been developed. In addition to a two-day segment during the Superintendents' Development Course, there is now a dedicated, comprehensive five-day On-Scene Commander Course. To date, twenty-three superintendents and nineteen inspectors have received the five-day course.

The combined impact of the manual and improved training is most apparent in the more structured approach to tactical planning in the course of recent incidents. It is now policy and practice for the on-scene commander to sign off on written plans for both pro-active and reactive critical actions by tactical, negotiation and other teams. This is an important step towards best practice in scene command.

While recognising that the Garda Síochána have dedicated significant effort to improving on-scene command, the Inspectorate proposes the following additional measures that we feel are essential.

#### **Designating Command**

There are still no definitive Garda criteria for determining who takes charge at the scene of a barricade incident. There is no absolute requirement that the person in charge be someone who has received the five-day training course. In fact, in only one of three highly publicised incidents that occurred during 2006 was a clear decision taken at the outset that command would be assigned only to a superintendent who had completed this

course. In the other two cases, the designated on-scene commanders were superintendents who, while they both performed very competently, had received only the two-day command segment of the Superintendents' Development Course, but not the five-day course.

The two-day segment of the Superintendents' Development Course is desirable and will continue to be very helpful to local superintendents who frequently arrive at scenes in advance of those who are specially trained. This once-off training should, however, be supplemented by periodic refresher training as part of a programme of continuing professional development for superintendents with district officer responsibilities. Even then, the Inspectorate is firmly of the view that an individual who has successfully completed the five-day On-Scene Commander Course should relieve others who are less trained as soon as possible. Protocols should afford no discretion in this regard.

Degree of training, not rank, should be the first factor considered when designating the on-scene commander. While the Inspectorate respects a superintendent's wish to oversee events in his or her own district, the individual with, first, the greatest training, and next, the most experience, must take command during barricade incidents. A duty roster of certified members should be established in each Garda region and, preferably, an on-scene commander would be called to respond to incidents in his or her own region.

### **On-Scene Commander Course**

The Inspectorate recommends that specific criteria be established for the selection of candidates for the five-day On-Scene Commander Course. A set number of on-scene commanders should be determined. Given the number of serious incidents of this nature and the size of the jurisdiction, a constant panel of not more than thirty should be adequate.

Transparent selection criteria should be developed to ensure that the best qualified candidates with the appropriate experience and personality traits are identified for the

five-day course. Each participant on the course should undergo a rigorous assessment process, including assessment of individual performance during demanding scenario-based exercises. Participants should be required to achieve a set minimum mark on completion of training to qualify for placement on a panel of trained on-scene commanders. Superintendents who have already attended the current five-day course should fulfill the requirements for certification before being placed on the panel. An annual refresher course, incorporating a re-certification process, should be developed and mandated for members of the panel. Participation in debriefing of actual incidents should also be included in mandatory training for these members.

While training is essential, there is no substitute for experience when managing a barricade incident. Newly-trained on-scene commanders should be deployed as observers whenever possible, giving opportunities to learn from those who are more seasoned. Maintaining a reasonably-sized pool of certified scene commanders should provide more frequent callouts per individual, thereby avoiding dilution of experience.

The Inspectorate also recommends that the five-day On-Scene Commander Course be offered to superintendents only. While all members of the garda, sergeant and inspector ranks should receive training for initial critical incident response, a serious, prolonged event should be commanded by someone with the minimum rank of superintendent. As certified individuals retire or are promoted, the panel should be replenished by additional superintendents who have been appropriately selected, trained and certified.

### **Handover Protocols**

The Inspectorate also believes that specific protocols must be developed for relief and handover of command at protracted incidents. Ideally, an on-scene commander should be relieved in eight hours, and should certainly never maintain continuous command for longer than twelve hours. The protocols should also provide for the relief of log keepers. The log keeper's tour of duty should overlap the change of on-scene commander in the interest of continuity.

Comprehensive briefing will be required at each handover. Once briefed, the new commander should formally notify all personnel at the scene of the handover of command. Thereafter the commander should wear some distinguishing item clearly identifying the person in command (in South Australia it is an armband). The commander should remain at the scene at all times until formally relieved.

### **Manual of Guidance**

The On-Scene Commander Manual of Guidance is a confidential document. The Garda Inspectorate compliments the Garda Síochána on its production and sees it as an important instrument in promoting a consistent, structured approach to Garda management of critical incidents. There are good public safety reasons why the manual should remain a confidential document and, accordingly, the Inspectorate will not address it in a detailed manner in this report. Recommendations for specific technical amendments and additions will be communicated separately to the Tánaiste and Minister for Justice, Equality and Law Reform for onward transmission to the Garda Commissioner.

By way of more general comment on the manual, the Inspectorate considers that it should remain a living document. It should be reviewed annually in conjunction with refresher training for on-scene commanders and should be specifically reviewed following each serious critical incident.

### **Post-Incident Protocols**

The Garda Síochána should devise clear protocols for post-incident investigations. No member of the Garda Síochána who participated in any way during a barricade incident should be a member of a post-incident investigation team. If any firearm (lethal or non-lethal) was discharged, every firearm should be immediately impounded for examination purposes. Similarly, all logs and other police records such as tapes, photographs etc.

should be impounded for inspection. The protocols should anticipate the requirements of an investigation by the Garda Síochána Ombudsman Commission in accordance with the provisions of the Garda Síochána Act 2005.

## **Chapter 4**

### **Negotiation**

The Garda Inspectorate is impressed with the quality of the Garda negotiation team. Its leadership and members are obviously very committed and many policy and training improvements have evolved since the tragedy at Abbeylara. The Inspectorate has only a few additional suggestions relating to the subject of negotiation.

#### **Team Size and Rest Breaks**

There is currently a cadre of twenty-three trained and experienced Garda negotiators in place from which personnel can be dispatched when required to the scene of a barricade incident. Having heard from on-scene commanders and the Negotiation Team Leader, the Inspectorate is satisfied that negotiation teams of sufficient size and appropriate structure are being deployed to incident scenes. While it would appear that negotiators are currently being relieved appropriately for rest breaks, the Inspectorate recommends that the Garda Síochána adopt as policy that a negotiator be relieved after no more than twelve hours of continuous duty.

#### **Practical Training**

While formal training is essential for negotiators, some police organisations require that their negotiators participate in ongoing, practical training by assisting on crisis help lines. The experience of engaging in regular dialogue, especially with troubled or mentally ill individuals, can be very helpful to police negotiators who will inevitably be called to scenes to do the same. It is recommended that the Garda Síochána explore this possibility for Garda negotiators.

### **Third-Party Intermediaries**

Experts consulted in the course of this review recommended caution when involving third-party intermediaries. While well-intentioned third parties, such as relatives, friends, doctors, lawyers or members of the clergy, are often very eager to assist in siege situations, negotiators cannot reliably predict what the reaction of the subject will be. In some cases, unknown to police, the subject has a real or perceived problem with the third party and involving that person could actually aggravate the situation. The Inspectorate is aware of incidents in this jurisdiction in which the introduction of a third party led to further gunfire by the subject.

The Inspectorate recommends that the Garda Síochána adopt a firm policy that negotiation with a barricaded person will be conducted by a trained Garda negotiator only. In addition to the unpredictable behaviour of subjects, negotiators must consider the potentially emotional behaviour of the third parties. When handing over a phone or loud hailer to a third party, the negotiator loses control of the discussion and cannot rely on the third party to deliver the desired message. Some negotiators record messages from third parties that they play for the subject or agree to act as intermediary between the subject and the third party. As acknowledged before in this report, no two situations are identical and it is very difficult to predict a subject's behaviour. As a general rule, the use of third-party intermediaries should be avoided.

Notwithstanding the general rule, there are occasions in the course of a barricade incident when there is a real prospect of augmenting progress made by a Garda negotiator if a professional person such as a doctor or lawyer is allowed to speak with the subject in a supportive way. This worked well for the Garda Síochána in the course of a recent incident and should be retained as an option. However, it must be clear to the professional persons concerned that they are not there to negotiate. Their contact with the subject should be confined solely to affording support on matters within their particular field of expertise, as directed by the chief negotiator, upon approval of the on-scene

commander, who will note the decision and reasons for using third-party intervention in the log.

### **Vehicle**

The negotiation function is central to efforts to reach a resolution by agreement between all parties. The more complex the incident, the greater the demands on negotiators and others acting in support of them, such as mental health professionals. Accordingly, the Inspectorate recommends that a suitable vehicle be provided for negotiators and those working in cooperation with them.

## Chapter 5

### **Mental Health Professionals**

The assistance of mental health professionals can be invaluable during a siege situation. The Inspectorate envisages mental health professionals being utilised during barricade incidents to support the Garda Negotiation Team and, in the case of those professionals who have treated the subject, as a source of advice on his/her medical condition.

#### **Support to the Garda Negotiation Team**

A roster of mental health professionals should be established to work in conjunction with the Garda Síochána Negotiation Team. These professionals should attend an introductory training course and an annual refresher programme with members of the Negotiation Team. Each time negotiators are deployed, they should be in a position to call on the services of at least one mental health professional from the roster of those trained. The establishment of protocols in this area and the development of training segments must be covered in a clear memorandum of understanding between the Garda Síochána and the Health Service Executive. The Inspectorate strongly recommends that a draft memorandum, which has been in existence for some considerable time, be concluded without further delay.

The Inspectorate would be remiss if it did not acknowledge the commitment of Professor Harry Kennedy, Clinical Director at the National Forensic Mental Health Service, Central Mental Hospital, who has worked and trained very closely with the Garda Síochána Negotiation Team and the ERU in recent years. Professor Kennedy has personally responded to several siege situations and has been of great assistance to the negotiators and tactical personnel. While he certainly has the most experience during siege situations and remains totally committed to assisting the police going forward, Professor Kennedy

cannot reasonably be expected to respond to every siege that occurs in the future. A team of mental health professionals should be formally established to respond when required to incidents at locations throughout the country. Just as negotiators and on-scene commanders require relief at protracted incidents, so too will mental health professionals working in conjunction with them.

As indicated previously in this report, trained Garda negotiators should maintain control of the dialogue and other forms of communication with the subject. While each situation will present unique challenges, the risks of relinquishing control to third parties have been well established. Professor Kennedy has accompanied and advised negotiators, but has not engaged directly with the subjects. Based on its research, the Inspectorate feels that this is the proper approach. Again, the Inspectorate commends the Garda Síochána for their initiatives in this area and look forward to further progress in cooperation with the Health Service Executive.

### **Advice on Medical Condition**

In addition to mental health professionals responding from the proposed roster, on-scene commanders and negotiators should attempt to identify medical doctors, mental health professionals or counsellors who have treated the subject. While they would not necessarily respond to the scene, they should be debriefed to the greatest extent possible as to the subject's condition.

At the same time, the Inspectorate cautions against harbouring unreasonable expectations of mental health professionals. For instance, the Inspectorate understands that in response to a survey of psychiatrists conducted for the US National Tactical Officers' Association, only 7% of those surveyed felt they could accurately predict the behaviour of a mentally ill subject in the course of a barricade incident. This does not diminish the importance of mental health professionals as a source of advice and assistance to police officers managing such incidents. Police officers and mental health professionals must continue to work closely together in the interest of all persons involved in a barricade

incident where mental health issues are a factor. However, when they do so, it should not be assumed that the mental health professionals concerned will be in a position to provide definitive advice on appropriate interventions.

## Chapter 6

### **Emergency Response Unit**

The Inspectorate is very impressed by the quality and dedication of personnel in the ERU. In particular, we appreciated their professionalism, openness and eagerness to learn from their own experiences and the experiences of others.

It is clear that many reforms have been implemented by the ERU and its commanders since the tragedy at Abbeylara. The Unit's policy for barricade incidents is now incorporated into the On-Scene Commander Manual of Guidance.

As stated in a presentation provided to the Inspectorate, "It is also now policy for the ERU firearms tactical advisor and team leader, on arrival at a barricade incident, to offer assistance in the development and documentation of all plans, namely:

- Emergency response plan
- Deliberate action plan
- Breakout plan
- Delivery plan
- Casualty/evacuation plan
- Surrender plan

These plans will be subject to constant review as the situation develops.''

In recent years, the ERU has also acquired and trained with a number of less-lethal options. These are discussed on page 40 of this report. For security purposes, the Inspectorate will not discuss these options in detail, but has concluded that there are now

effective less-lethal options available to the ERU as recommended in the Barr Report. The Inspectorate recommends that all members of the ERU be trained in the use of less lethal weapons.

Members of the ERU have attended international training courses and will continue to do so in order to maintain knowledge and proficiency in best practices for responding and managing sieges and other barricade incidents.

The ERU also participates in the Atlas Group, a consortium of European police tactical units established post 9/11. This provides an excellent forum for the Garda Síochána to learn, train and work in collaboration with other European police services facing similar challenges.

In terms of tactical operations, there is no substitute for constant scenario-based training. The Inspectorate was pleased to learn that there is a commitment to provide such training on a weekly basis but was concerned that this is not always achieved because of operational demands and the absence of tactical training facilities. The Inspectorate commends the significant contribution of the ERU to the scenario-based training incorporated in the On-Scene Commander Course.

While the ERU has worked very hard to enhance its operations, it is in need of additional equipment that will bring the unit in line with international best practice. Armoured rescue/safety vehicles should be purchased and strategically placed throughout the State for purposes such as evacuations and deliveries at siege situations. These vehicles should be available to the ERU for training purposes. In addition to the multi-purpose mobile command posts recommended later in this report for the six Garda regions, the ERU should have a similar vehicle that is appropriately equipped for their unit's purposes.

## **Chapter 7**

### **Training**

Implementation of best police practice at the scene of a barricade incident relies substantially on effective training of police officers so that they act in accordance with established policy and procedure.

This report has already made recommendations on the training of on-scene commanders in Chapter 3. This chapter addresses other training requirements relevant to barricade incidents.

#### **Strategic Commander Training**

The Inspectorate recommends that regional assistant commissioners and divisional officers receive training in strategic command as defined in the On-Scene Commander Manual of Guidance. The training should help differentiate the role of strategic commanders from that of on-scene commanders. This will help ensure that there is complete understanding of the need for the separation of strategic and operational commands at a barricade incident.

#### **Tactical Firearms Training**

The Garda Síochána should develop effective tactical firearms training tailored to the needs of detectives and uniformed members authorised to carry firearms. In all likelihood, it is those members who will be among the first officers on the scene of a barricade incident where a firearm is involved. Not only do the members require training and practice in the use of their firearms for these occasions, they also need, as first

responders, to be able to carry out a dynamic risk assessment and adopt an appropriate strategic approach to each situation they face.

The closure of firing ranges at Garda Headquarters and at the Garda College in Templemore has left the Garda Síochána entirely dependent on Army firing ranges to accommodate firearms instruction and practice for Gardaí who are authorised to carry firearms. The Army has, in turn, closed many of its ranges, exacerbating the situation. The Garda authorities are addressing this serious deficit through the acquisition of new sites for the development of Garda ranges and the purchase of electronic firearms training simulators.

The Inspectorate recommends that the Garda Commissioner should assign specific responsibility to an individual at senior level in the Garda Síochána to project manage the development of these new ranges and the introduction of the simulators, such that they come into operation at the earliest possible time. In addition, these new developments need to incorporate facilities for tactical firearms instruction.

### **Negotiator Training**

The Inspectorate acknowledges the quality of training provided to negotiators. The Inspectorate recommends that every worthwhile opportunity be taken to access negotiator training at home and abroad in the interest of ensuring adherence to leading-edge practices. Training for negotiators should incorporate debriefing on actual incidents.

### **Family Liaison**

The Family Liaison Officer plays an important role in working with the families of hostages and barricaded persons to achieve a successful outcome and to keep the families informed of developments at the scene. The Inspectorate recommends that this role be defined in the On-Scene Commander Manual of Guidance and that the existing cadre of Family Liaison Officers receive training appropriate to the role.

## **Log Keeping**

Proper log keeping is critical to effective police management at a barricade incident. The Inspectorate acknowledges improved log keeping arrangements at recent serious incidents, but pursuit of best practice requires that a short training course be provided for log keepers. Course material should include a written guide to keeping a log. This guide should also be readily available, preferably in an IT-based format, at Garda stations and in the proposed multi-purpose command post vehicles.

## Chapter 8

### **Logistics and Equipment**

The location of a barricade incident, whether in an isolated rural area or a densely populated urban setting, coupled with the time pressures involved, can present a significant logistical challenge to even the best prepared police services. Having ready-made solutions to potential logistical difficulties is important in getting operations up and running quickly and efficiently so as to provide better support for on-scene commanders and their teams.

The Inspectorate has identified a number of logistical issues impacting on the Garda response to barricade incidents. Chief among these is the lack of a modern, secure radio system, which has implications for almost every aspect of operational Garda activity. Others issues are more directly related to specific requirements at barricade incidents. The Inspectorate wishes to comment and offer recommendations as follows.

#### **Radio System**

The problems arising for the Garda Síochána from the absence of a modern police radio system are already well documented. A reliable, secure and recordable radio system is an essential prerequisite to ensuring that an on-scene commander remains in contact with all relevant personnel both at the scene and elsewhere. The current Garda radio system is both inadequate and outdated in this regard. Thankfully, at the time of writing, contract arrangements for its replacement are at an advanced stage and the construction and roll-out of a new modern radio system is imminent. The Inspectorate recommends that the planned digital radio system be implemented as a top priority in order to enhance the safety and effectiveness of front-line police officers.

In the absence of a reliable, secure radio system, the Garda Síochána use a combination of the existing radio system, the internal ERU radio system and personal mobile phones to communicate during barricade incidents. This is understandable in the circumstances but it is recognised by the Gardaí themselves as being very far removed from best practice. There are inherent, serious risks involved in communications going to some officers and not to others at the scene of an incident involving firearms. There are also significant opportunities lost in situations where communications are not being recorded for subsequent evidentiary and training purposes.

The Inspectorate will deal more comprehensively with Garda information, communications and technology needs and policy in a forthcoming report. Pending that report, the Inspectorate strongly recommends that the Garda Commissioner immediately assign specific responsibility to an individual at a senior level to project manage the introduction of the new radio system to ensure that it comes into operation without further delay. The project manager should report regularly to the Commissioner on progress of implementing of the new system against an implementation programme agreed with the contractor.

### **Command Post Facilities**

The Barr Tribunal highlighted the difficulties in trying to operate a command post from the ERU jeep at Abbeylara. In more recent serious incidents, the on-scene commander established a command post at a nearby Garda station and, by permission, in a dwelling house evacuated by the occupants. These options will not always be available and, even when they do present themselves, can be far from ideal for logistical and operational police purposes.

The Inspectorate recommends that the Garda Síochána immediately purchase and equip multi-purpose vehicles to be used as command posts. These vehicles could also be routinely used for a variety of other police purposes, e.g. as coordination centres at major concerts, sporting events, natural and man-made disasters and terrorist incidents, as

temporary Garda stations in crime hotspots and for community relations purposes. The vehicles should be large enough to accommodate the on-scene commander, log keeper and support personnel and to provide facilities for operational meetings. Facilities should be incorporated for mounting a video camera on a telescopic pole so as to maintain, where feasible and sufficiently secure, a view of the scene of the barricade incident. The vehicles should be fitted with white/situation boards and facilities for communications and information technology. They should have a storage compartment for the On-Scene Commander Manual of Guidance as well as pro-forma log books and other materials required for immediate use on arrival of the vehicle on site.

The Inspectorate recommends that at least one vehicle be available in each of the six Garda regions on the understanding that regions will pool their vehicles as the need arises. The size of the vehicle will be determined by the need to accommodate the facilities already outlined and by what is available from suppliers/coachbuilders. The vehicles should not be so large as to increase journey time unduly or to give rise to unreasonable manoeuvring difficulty.

It is further recommended that the Garda Síochána purchase a minimum of three rescue vehicles for deployment at barricade incidents for a variety of purposes, including safe evacuation of hostages, civilians or police officers, and safe deliveries to the siege location. These vehicles should be strategically located so as to be available to the ERU for training purposes and for deployment at short notice at the scene of an incident.

## **Firearms**

A review of the current state and number of firearms available in Garda districts should be conducted immediately with a view to ensuring that appropriate numbers and types of weapons are available to initial responders.

A review of the number and deployment of Gardaí authorised to use a firearm should also be conducted to ensure that adequate numbers of authorised officers are assigned and on duty in all districts for immediate response to reported armed confrontations.

### **Ballistic Vests and Shields**

There has been much expectation in recent months about the imminent procurement of “stab vests” for all members of the Garda Síochána. However, members are unclear as to the specifications for these vests. Some are under the impression that they will be ballistic resistant vests, while others say that is not the case.

Garda management has informed the Inspectorate that:

- Each member of the Garda Síochána will be issued a protective vest;
- Two types of vest are being issued. Both provide ballistic and anti-stab protection. The two types differ insofar as vests being issued to detectives will have a higher ballistic specification;
- The Garda Commissioner intends that routine wearing of the new vests will be mandatory.

The Inspectorate welcomes the provision of these vests and strongly supports the Commissioner’s intention that the routine wearing of protective vests be a mandatory requirement. Police here need ballistic and anti-stab protection given the increase in weapons crimes in Ireland and the availability of sophisticated weapons, particularly to those committing crimes relating to gangs and drugs. No police officer should be expected to respond to a gun call without the benefit of a ballistic vest.

The Inspectorate is pleased to note that all Gardaí are being personally measured for vests, as studies have shown that reliability depends in large part on proper fit. Also, the age of a vest is of significance. Research has shown that as ballistic vests age, they often

deteriorate. The issuance and maintenance of vests should be according to defined guidelines and replacement schedules.

It is understood that only a limited number of ballistic shields are currently on issue in the Garda Síochána. The Inspectorate recommends that shields be available at least to second-tier responders and members of the ERU.

### **Less Lethal Weapons**

In 2002, the Garda Síochána introduced three less lethal options - bean bag cartridges, 12 gauge ferret OC cartridges and Mark 9/12 OC aerosol projectors. These are currently available only to the ERU.

The availability of less lethal options adds to the range of police alternatives to the use of deadly force. The Inspectorate fully endorses their application in appropriate circumstances at barricade incidents. At the same time, the Inspectorate cautions against any notion that less lethal options are a panacea when police are confronted by an armed person. These options are not an alternative to firearms in all situations. There are occasions when they can be used to significant effect, but there are also times when conditions do not favour their use or, when used, they do not have the expected effect for reasons beyond police control.

When consulted in recent weeks, the Inspectorate supported a proposal from the Garda Commissioner to provide a fourth less lethal option to the ERU: a conductive energy device ('TASER'). Devices of this kind have been in use in policing for quite some time and the indications are that increasing numbers of police services are considering them. At the same time there are concerns about the use of these devices in terms of the safety of the subject. All in all, the Inspectorate considers that the Garda Commissioner is taking a measured approach in recommending their procurement for use by the ERU in defined circumstances. Any extension by way of deployment of these devices to

personnel other than ERU personnel should be the subject of careful consideration taking account of ERU experience and up to date experience of usage in other police services.

On the basis of expert advice received, the Inspectorate also recommends that the Garda Síochána continually update the less lethal options available to the ERU. Specifically, the Inspectorate recommends that the Garda Síochána introduce the latest bean bag options affording extended range. The Inspectorate also recommends the procurement of CS sprays as well as OC sprays. The availability of CS as an alternative to OC spray is particularly important where police dogs are deployed.

### **Extending Less Lethal Options beyond the ERU**

The Inspectorate is convinced that there is an overriding case for the extension of less lethal options, other than controlled electronic devices, to trained members of the Garda Síochána in all six Garda regions. At the very least, less lethal options should be available as a priority to the second-tier response teams recommended in this report. The Garda Síochána should also give strong consideration to extending less lethal options to more members authorised to carry firearms so that they would be more readily available to first responders. Indeed, in the interest of officer safety, the Inspectorate recommends that OC spray should be available to all Gardaí on operational duty.

### **Specialist Firearms Dogs**

Specially trained police dogs have been integrated into tactical units such as the ERU and have proven effective in dealing with certain aspects of siege situations, including uncontrolled exit of an armed person. The Inspectorate notes that the Garda Síochána had a police dog at the scene of a recent barricade incident and supports the Commissioner's proposal to provide additional trained dogs. It is important that the dogs be assigned to the ERU. They should be familiar with the members of the Unit and train with them to ensure that they react appropriately when deployed 'off leash'.

### **Video Recording and Lighting Equipment**

The Inspectorate was pleased to note that the Garda Síochána made a video recording of the scene of the recent Gort incident. This should be standard practice at all protracted barricade incidents. For this purpose, on-scene commanders should have access to Garda lighting systems compatible with video recording requirements. Given that the majority of critical incidents begin between 5pm and 9am, the Inspectorate recommends that the Garda Síochána acquire their own lighting facilities rather than be entirely dependent on the goodwill of suppliers at short notice.

The Inspectorate recommends that it should also be standard practice to record all police radio communications in the course of a barricade incident and to record all communications between the police negotiator and the barricaded person. It is appreciated that recording of Garda radio communications is not possible at present but the facility to do so will be available on implementation of the new digital radio system.

### **Communications Equipment**

Mindful of the difficulties often encountered in getting a subject to use the telephone and situations where a telephone is not available in the siege location, the Inspectorate recommends that, in addition to its current options, the Garda Síochána should procure a wireless loud speaker system. This allows a speaker to be placed in proximity to the subject's location while the negotiator can speak safely from a distance of 100 or more metres away. The Inspectorate also recommends procurement of covert surveillance equipment which is particularly suited to siege-type situations. The Inspectorate has already communicated with the Garda Síochána in more detail on these recommendations.

## **Chapter 9**

### **Media**

Police services operating in democratic societies must be as open and transparent as possible. To that end, it is essential for the police to maintain strong lines of communication with both the electronic and print media.

It is particularly important during a barricade incident that the police maintain effective working relationships with the media. The Garda Síochána are in an enviable position in this regard in that the media in this jurisdiction have a good record in reporting on critical incidents. While, understandably, reporters continually press for greater access to siege locations and greater information on the progress of developments, they have generally cooperated with the Gardaí. Indeed, the media are to be commended for having taken a responsible public interest line on occasions by not breaking news in relation to barricade incidents where this could have hampered efforts being made towards a resolution.

#### **Communications Protocols**

The Inspectorate notes that the Garda Síochána recently developed better guidelines for communicating with the media at the scenes of barricade incidents. This is an important development. The Inspectorate recommends that the Garda Síochána should now go a step further by developing protocols in conjunction with representatives of the media during a properly facilitated discussion.

Protocols are important in establishing clear two-way understandings on communications between the police and the media. The protocols must provide for the flow of appropriate, timely and accurate information to media organisations to enable them to communicate effectively with the public while, at the same time, protecting confidential

information that is important to furthering a police operation. Putting protocols in place prior to a crisis situation will assist in framing the expectations of all parties in advance and, hopefully, lessen the likelihood of conflict between those at the scene of a barricade incident.

Discussions that lead to the protocols should involve a review of relevant case studies. The review should emphasise that it is critical that communications with a barricaded person should be conducted only by the police during a siege situation (see also Third-Party Intermediaries at page 26). While the vast majority of media representatives act in a professional and responsible manner, the Inspectorate is aware of one barricade incident where a representative of the media is alleged to have communicated directly with the barricaded person and discouraged him from surrendering until such time as a cameraman could arrive on the scene. In another instance, it was suspected that the media may have been attempting to monitor electronic communications between the police and the suspect. While these examples are exceptional, they illustrate the need for the Garda Síochána and the media to work together in the interest of mutual best practice.

### **Protocol Provisions**

While the content of the protocols is a matter for the Garda Síochána and media representatives, the Inspectorate considers that the following provisions should be included:

The protocols should provide that media representatives at the scene of a barricade incident should remain outside the outer police cordon at all times. This is essential for the safety of both the representatives themselves and police personnel operating within the cordon. In light of the extensive resources now available to media organisations, protocols should expressly preclude an overflight by the media of a siege location.

The protocols should outline arrangements for notification of planned and ad hoc media conferences. A Garda spokesperson should continue to be assigned to deliver news

releases and respond to media questions during these conferences. A spokesperson should also continue to be available to reply to media queries between conferences. The on-scene commander should approve all news releases but, given the onerous demands of the post, the on-scene commander should never be made available to the media during an incident.

## Chapter 10

### **Summary of Recommendations**

Below is a synopsis of the recommendations included in this report. The Inspectorate believes that the Garda Síochána should develop an implementation plan for all of the recommendations herein. Based on comprehensive research and analysis, the Inspectorate feels strongly that the plan must prioritise implementation of those recommendations relating to the three following areas:

- **Initial Response**
- **On-Scene Command**
- **Equipment**

Specific recommendations are listed according to Chapter and include page reference.

#### **Chapter 1 Overview of Barricade Incidents**

- The Garda Síochána should develop protocols clearly directing when local officers must summon specialist assistance. (Page 9)
- The Garda Síochána should develop a more definitive personal safety policy and instruct all members in its application. (Page 11)
- The Garda Síochána should assign responsibility to a senior officer at national level for co-ordination of all policy, planning, training, protocols, resourcing and reviews associated with barricade incidents. This officer should have lead responsibility for the implementation of the recommendations of this report. (Page 13)

#### **Chapter 2 Initial Response**

- Protocols, backed by scenario-based training and taking account of the personal safety hierarchy, should be put in place to help front-line Gardaí determine what initial response is appropriate in the prevailing circumstances. (Pages 16, 17)

- Police officers responding to calls involving armed subjects should, at a minimum, be equipped with the appropriate firearms and protective vests to manage a situation effectively until the appropriate backup resources arrive. (Page 18)
- A second-tier local response must be established. (Page 18)
- Public Order Units should be cross-trained to perform as second-tier responders. (Page 19)
- The Garda College, ERU and Negotiation Unit should work to develop training and identify equipment needed by second-tier responders. (Page 19)
- Tactical firearms training should be provided for all second-tier responders, and selected members should be trained as tactical firearms advisers. (Page 19)

### **Chapter 3 On-Scene Command**

- The two-day scene command segment of the Superintendents' Development Course must be supplemented by periodic refresher training as part of a continuous professional development programme for superintendents with district officer responsibilities. (Page 21)
- An individual who has successfully completed the five-day On-Scene Commander Course should always relieve others who are less trained as soon as possible. Protocols should afford no discretion. (Page 21)
- A duty roster of certified on-scene commanders should be established in each region. (Page 21)
- Preferably, on-scene commanders would be called to respond to incidents in their own Garda region. (Page 21)
- A set number of on-scene commanders should be determined. A constant pool of thirty should be adequate. (Page 21)
- Selection criteria should be developed to ensure that the best qualified candidates with the appropriate experience and personality traits are identified for the On-Scene Commander Course. (Page 21/22)
- Participants in the five-day course should be required to achieve a set minimum mark upon completion of training to qualify for placement on a panel of on-scene commanders. (Page 22)

- Superintendents who have already attended the current five-day course should fulfill the requirements for certification before being placed on the panel of on-scene commanders. (Page 22)
- An annual refresher course, incorporating a re-certification process, should be developed and mandated for on-scene commanders. (Page 22)
- Participating in debriefings of actual incidents should be included in mandatory training of active on-scene commanders. (Page 22)
- Newly-trained on-scene commanders should be deployed as observers whenever possible. (Page 22)
- The five-day course should be offered to superintendents only. (Page 22)
- Protocols should be developed for relief and handover of command at protracted incidents. (Page 22)
- Once briefed, a new commander should formally notify all personnel at the scene that the handover has occurred. (Page 23)
- The on-scene commander should wear some distinguishing item. (Page 23)
- The on-scene commander should remain at the scene at all times until formally relieved. (Page 23)
- The On-Scene Commander Manual of Guidance should be reviewed annually in conjunction with refresher training and should also be reviewed following each serious incident. (Page 23)
- Clear protocols should be developed for post-incident investigations. (Page 23)
- No member who participated during a barricade incident should be included in the post-incident investigation team. (Page 23)
- When any firearm has been discharged, all firearms and less lethal devices should be examined without delay. Any firearm that was fired should be examined forensically (Pages 23)
- All logs and other police records such as tapes, photographs etc. should be impounded for inspection following an incident. (Page 23/24)
- Protocols should anticipate the requirements of an investigation by the Garda Síochána Ombudsman Commission. (Page 24)

#### **Chapter 4 Negotiation**

- Policy should require that a negotiator be relieved after no more than twelve hours of continuous duty. (Page 25)
- The Garda Síochána should explore the possibility of having negotiators participate in on-going, practical training by assisting on crisis help lines. (Page 25)
- Firm policy should state that negotiation with a barricaded person will be conducted by a trained Garda negotiator only. (Page 26)
- As a general rule, the use of third party intermediaries should be avoided. (Page 26)
- It must be clear to professional persons, such as doctors and lawyers that they are not to play the role of negotiator. (Page 26)
- Professionals providing support to barricaded persons should confine discussion to their particular field of expertise, subject to the direction of the chief negotiator, upon approval of the on-scene commander. (Pages 26, 27)
- The decision and reasons for using professional third-party intervention should be noted in the log. (Page 27)
- The Inspectorate recommends that a suitable vehicle be provided for negotiators and those working in cooperation with them. (Page 27)

#### **Chapter 5 Mental Health Professionals**

- A roster of mental health professionals should be established to work in conjunction with the Garda Negotiation Team. (Page 28)
- Mental health professionals should be required to attend introductory and annual refresher training. (Page 28)
- A clear memorandum of understanding must be concluded without further delay between the Garda Síochána and the Health Service Executive on the assignment of mental health professionals in support of Garda negotiators. (Page 28)
- Mental health professionals should accompany and advise negotiators, but should, as a rule, not engage directly with subjects. (Page 29)

- On-scene commanders and negotiators should attempt to identify medical doctors, mental health professionals or counsellors who have treated the subject and those individuals should be debriefed. (Page 29)

## **Chapter 6 Emergency Response Unit (ERU)**

- All members of the ERU should be trained in the use of less lethal weapons. (Page 32)
- Additional armoured rescue vehicles should be purchased and strategically placed throughout the country. (Page 32)
- A vehicle similar to a multi-purpose command post vehicle should be purchased and appropriately equipped for the ERU. (Page 32)

Note: Additional recommendations for equipment are included in Chapter 8.

## **Chapter 7 Training**

- The Inspectorate recommends that regional assistant commissioners and divisional officers receive training in strategic command as defined in the On-Scene Commander Manual of Guidance. (Page 33)
- The Garda Síochána should develop tactical firearms training, including dynamic risk assessment, tailored to the needs of detective and uniformed members authorised to carry firearms. (Page 33)
- The development of new ranges and the introduction of simulators should be project managed by a senior level individual assigned by the Commissioner. (Page 34)
- Facilities appropriate for tactical firearms instruction should be incorporated into plans for range facilities. (Page 34)
- Negotiators should take every opportunity to access training at home and abroad in the interest of adherence to leading-edge practices. (Page 34)
- Training for negotiators should incorporate debriefing on actual incidents. (Page 34)
- The role of family liaison officer should be defined in the On-Scene Commander Manual of Guidance. The existing cadre of Family Liaison Officers should receive training appropriate to the role. (Page 34)

- A short training course should be developed for log keepers. (Page 35)
- A written guide for log keeping, preferably IT-based, should be kept at all Garda stations and in the proposed multi-purpose command post vehicles. (Page 35)

## **Chapter 8 Logistics and Equipment**

- The Garda Inspectorate recommends that the planned digital radio system be implemented as a top priority in order to enhance the safety and effectiveness of front-line police officers. (Page 36)
- An individual at a senior level should be assigned specific responsibility to project manage the introduction of the new radio system. (Page 37)
- The project manager should report regularly to the Commissioner on progress of implementation of the new system against an implementation programme agreed with the contractor. (Page 37)
- The Garda should immediately purchase and equip multi-purpose vehicles to be used as command posts. At least one vehicle should be available in each of the six Garda regions (Page 37)
- A minimum of three rescue vehicles should be purchased to ensure safe evacuation of hostages, civilians or police officers and facilitate safe deliveries to the siege location. (Page 38)
- A review of the current state and number of firearms available in the Garda districts should be conducted with an view to ensuring appropriate numbers and types of weapons are available to initial responders. (Page 38)
- A review of the number and deployment of Gardaí authorised to use a firearm should be conducted. (Page 39)
- Routine wearing of protective vests should be a mandatory requirement. (Page 39)
- The issuance and maintenance of vests should be according to defined guidelines and replacement schedules. (Page 40)
- Ballistic shields should be available at least to second-tier responders and the ERU. (Page 40)
- The Inspectorate supports a proposal to provide a fourth less lethal option – a conductive energy device. (Page 40)

- Deployment of conductive energy devices to personnel other than ERU should be the subject of careful consideration. (Pages 40/41)
- The Garda Síochána should continually update the less lethal options available to the ERU. The Inspectorate recommends the introduction of the latest bean bag options affording extended range, and the procurement of CS sprays as well as OC sprays. (Page 41)
- Less lethal options should be available to second-tier response teams. (Page 41)
- OC spray should be made available to all Gardaí on operational duty. (Page 41)
- Specialist dogs should be assigned to the ERU. The dogs should be familiar with the members of the Unit and train with them. (Page 41/42)
- Policy should require video recording of all protracted barricade incidents. (Page 42)
- The Garda Síochána should acquire lighting facilities. (Page 42)
- Radio communications at barricade incidents should all be recorded when the technology is available. (Page 42)
- A wireless loud speaker system should be procured. (Page 42)
- Covert surveillance equipment particularly suited to siege situations should be procured. (Page 42)

## **Chapter 9 Media**

- Clear protocols should be put in place to provide for the flow of appropriate, timely and accurate information to media organisations and the public. (Page 43)
- Protocols should be developed in conjunction with representatives of the media during a properly facilitated discussion. (Page 43)
- Protocols should provide that media representative should remain outside the outer police cordon at a barricade incident. The protocols should expressly preclude an overflight by the media of a siege location. (Page 44)
- Protocols should outline arrangements for planned and ad hoc media conferences. A Garda spokesperson should be available to deliver news releases and respond to media questions at these conferences. (Page 44/45)

- A Garda spokesperson should be available to respond to media queries between conferences. (Page 45)
- The on-scene commander should approve all news releases. (Page 45)
- The on-scene commander should never be made available to the media during the incident. (Page 45 )

# **Appendix**

## Appendix

