

## **Irish Policing Union President Calls For Mandatory**

### **Court Sentencing For Attacks on Gardaí**

**By Frank Thornton, President, The Garda Representative Association, Ireland**

IT'S all become too familiar. "Investigation After Shots Fired At Patrol Car In Dublin"... "Two Gardaí Bitten And Headbutted By Driver".

These are two of the most recent headlines in Irish newspapers that have become all too common and are a stark reminder of the treacherous job description that is modern day policing in Ireland.

There have been many incidents of serious assaults on members of our police force, An Garda Síochána in recent years, resulting in horrific injuries, and in the most serious occasions, death.

Between 40-50% of all occupational injuries suffered by Gardaí were as the result of an assault. The injury rate among other professions nationally here is on average 3.4%. An assault on a Garda is a direct assault on our society and I believe must carry mandatory sentencing that matches the crime.

Stricter sentencing for those who assault members of An Garda Síochána has always been an option open for the legislators, but has never been enacted.

I believe, if as a society, we want to retain an unarmed police force then we must protect members of An Garda Síochána through mandatory sentencing on all assaults on police - and court judgements which adequately acknowledged this.

Policing is a unique profession. Gardaí must carry out their duties, including enforcing legislation, arresting suspects, and protect the public effectively.

Members must stand their ground in the face of danger to protect the public. The potential for violence and confrontation is ever present when dealing with the unpredictability of human behaviour, frequently affected by the consumption of alcohol and illegal drugs. These incidents clearly carry an associated risk of personal injury.

Without question there has been a steady rise in the number of assaults on Gardaí while on duty here, a trend which shows no sign of abating. Injuries sustained by members include gunshot wounds, closed and open fractures, head injuries, dislocations, sprains along with a multitude of bruising, grazing, bites, and spits. We often have to have thick skins when forced to endure abuse

and disrespect. But no matter what the situation is that Gardai respond to, there is never an excuse for violent acts against members of our force. We are there to protect and preserve the peace, not to act as a target for random violence.

As an employer, An Garda Síochána is obliged to study, and consider international developments, that affect members' safety, and to comply with best practice.

The introduction of anti-stab vests, incapacitant spray and a modern asp baton go some way towards this, but there are other tools such as taser, and rigid-linked handcuffs which still have not been issued to every member.

Body worn cameras will also help in some situations: they may discourage assaults in the first place, and help with securing successful convictions when they do occur.

But no worker should be forced to endure increased risk to personal safety.

We can debate at nauseum as to why there is a steady upsurge in assaults on members, in the ever-changing landscape of Irish society, but the fundamental problem is Irish society *has* evolved and is ever changing, yet successive governments and their legislators remain wrapped in red tape with regards to ensuring our health, welfare and safety is prioritized as we endeavour in our role of "keeping people safe".

It is a Garda Representative Association policy that mandatory sentencing on all assaults on members is legislated for and enacted to protect the protectors. So why hasn't this been progressed, where is this policy of our Association now?

Draft bills calling for mandatory prison sentences for assaults on a member of the emergency services including doctors, nurses and Gardaí have been previously put before our houses of legislature, and have been supported unanimously by all members including the then Minister for Justice.

Unfortunately, due to delays, this draft Bill had to be reinstated on the Order Paper and is currently awaiting a date to move it on to Committee Stage. From here once successful, the draft Bill will then move on to Report and Final Stage, and it will then proceed to Senate and the Dáil (our Parliament) to undergo similar process. If it successfully passes through both Houses, it will go to the President and be signed into Law. It is difficult to attach a timeframe for this process.

There is a long road to travel yet, but thanks to the efforts of some of our politicians as well as members of our representative bodies, this journey has commenced and is now endeavouring to provide much needed protection and a deterrent for members while carrying out their duty.

It is way past time in a modern functioning democratic country that the protectors be protected for once and for all.

Legislative intervention in regard to sentencing will achieve a recalibration of justice for members of An Garda Síochána who suffer assaults in the course of their duty.

Members of An Garda Síochána are the guardians of the peace in this state and are the first and last line between civilization and chaos no more so than in recent times during the pandemic, and we believe that mandatory minimum sentences are critical if we are to achieve justice for Gardaí whom have been attacked and indeed for all frontline 24/7 emergency personnel who are victims of assault.