

Submission to the Public Service Pay Commission

presented by

**The Garda Representative
Association**



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1 Introduction

1.1 Background

GRA members, in common with other members of the public service, have suffered significant pay reductions under a series of Financial Emergency Measures in the Public Interest (**FEMPI**) Acts.

In late 2015, GRA members rejected the Lansdowne Road Agreement (LRA) by a large majority.

Following a recent (ad hoc) Labour Court recommendation, the GRA voted to accept the Labour Court recommendations including acceptance of the Lansdowne Road Agreement.

The GRA is a staff association. It is **not a trade union**. The GRA is not represented on the Public Services Committee of ICTU as it is precluded from being a member of ICTU.

It is against this background that we make this initial submission.

1.2 Focus of this Document

This document sets out to speak to the Commission's initial Terms of Reference and includes the following: -

- Details of loss of earnings suffered by GRA members since 2008.
- Evidence of productivity delivered by Garda rank since 2008.
- Evidence of the Uniqueness of the Garda role.
- References to supporting documents including independent Commission reports.

1.3 Referenced Documents

As an integral part of our submission, we reference the following accompanying documents: -

- The Case for the Gardaí Clearly Stated.
- GRA Submission to the Garda Review 2016.

We also reference the following Commission reports which are available from Government Publications: -

- Conroy Commission Report (1970).
- Ryan Committee of Enquiry Report (1979)

Other relevant reports are referenced on pages 24 to 27 of the accompanying "The Case for the Gardaí Clearly Stated".

1.4 Supplementary Submissions

This submission speaks to the immediate agenda of the PSPC.

The GRA plan to make supplementary submissions as the PSPC moves on to later agenda items.

We hope to gain a fuller understanding of the Commissions' workplan at our meeting with the PSPC planned for the 19th December 2016 and to plan our supplementary submissions accordingly.



2 Summary

2.1 Overview

The PSPC Terms of Reference sets out the immediate agenda as: -
 “to provide an initial report to Government in Quarter 2 of 2017 on public service remuneration in the context of the Financial Emergency Measures in the Public Interest Acts 2009 – 2015.”

The GRA draw the Commissions attention to the following relevant data: -

- In 2.2 below, we set out the reductions in pay incurred by GRA members since 2008.
- In 2.3 below we indicate the levels of productivity delivered by Gardaí since 2008.

2.2 Garda Pay Reductions since 2008

In the following table, we summarise the loss of earnings experienced by Gardaí since December 2008. We have selected 5 comparators which represent the full range of Gardaí experience levels (see chapter 3).

Reduction in Garda Salary & Net Pay : Dec 2008 to Jun 2016				
	Average Reduction in Salary (Basic + Rent Allow. + Roster)		Average Reduction in Net Take Home Pay	
	€'s / Year	%	€'s / Year	%
Garda After 1Year : Joined After Oct 2013				
Rostered	€12,362	39.8%	€8,463	34.6%
Not Rostered	€10,132	39.8%	€7,555	35.5%
Garda after 6 Years : Joined After 1995				
Rostered	€3,188	5.6%	€5,495	15.4%
Not Rostered	2,613	5.6%	€3,982	11.6%
Garda after 11 Years : Joined After 1995				
Rostered	€3,358	5.7%	€5,849	16.0%
Not Rostered	€2,752	5.7%	€4,200	13.0%
Garda after 17 Years : Joined After 1995				
Rostered	€3,549	5.8%	€6,251	16.6%
Not Rostered	€2,909	5.8%	€4,527	13.7%
Garda after 17 Years : Joined Before 1995				
Rostered	€3,402	5.8%	€5,740	14.6%
Not Rostered	€2,789	5.8%	€4,399	12.8%

Note: Percentage Reductions are expressed as a percentage of current salaries and take home pay.



2.3 Productivity Delivered by Gardai

In chapter 4 we detail the productivity delivered by Gardai since pre-austerity 2008.

Productivity Savings Delivered by Gardai : 2008 to 2015	
	€m's
Savings in Garda Numbers per Head of Population	93.5
Reduced Overtime	58.7
Total Quantified Savings	152.2

In addition, **unquantified savings** were delivered by Gardai under a range of headings including: -

- Garda rank supervision of the Garda Reserves.
- Dealing with increasingly complex crime.
- Communicating with an increasingly diverse population with an increasing variety of languages and cultures.
- Implementation of the 'Modernisation' programme.

2.4 Garda Uniqueness

In considering Garda rank pay, the uniqueness of the Garda role is key. In chapter 5 we summarise the main factors underpinning this uniqueness much of which was recognised in the Conroy and Conroy Commissions and the HRA Review.



3 Garda Pay Reductions since 2008

3.1 Representative Examples

Gardaí are distributed across the incremental pay scale based on years of service. Those appointed before 1995 are on the Class B PRSI scale and consequently have different pay rates and deductions.

Those who joined after 1st October 2013 are on a new lower scale which now takes 19 years to reach the top point of the scale.

Approximately 93% work on rosters which involve shift work and attract an additional premium on basic pay.

3.2 Garda Distribution across the Garda Scale

The following table details the current distribution of Gardaí across the Garda pay scale.

We identify 5 focus points as being representative of the vast majority of members for pay comparison purposes.

Garda Distribution across the Garda Pay Scale : June 2016					
Point	Gross Salary €'s		Number of Gardaí	% of Gardaí	Focus Points
	Date of Joining				
	Before Oct 2013	After Oct 2013			
Post 1995					
On Attestation	25,745	23,745	301	3%	
After 22 weeks	28,302				
After 1 Year	29,834	25,472	293	3%	<<<<
After 2 Years	32,407	28,302	97	1%	
After 3 Years	35,840	29,834	3		
After 4 Years	38,110		1		
After 5 Years	40,163		3		
After 6 Years	42,138		2,388	22%	<<<<
After 11 Years	43,857		3,636	34%	<<<<
After 17 Years	45,793		1,949	18%	<<<<
Pre 1995					
After 6 Years			0		
After 11 Years	42,428.65		1		
After 17 Years	44,301.78		1,971	19%	<<<<
Total			10,643	100%	

3.3 Cost of Living Increases over the last 7½ Years

CSO.ie calculate that the overall Consumer Price Index rose by 0.5% over the period December 2008 to May 2016.

The CPI index understates the experience of many Gardaí. Rents in the major centres of population are rising and mortgage lending criteria has tightened severely.

House price inflation in Dublin has risen to 4.6% in first half 2016.



The cost of renting in areas within driving distance of Dublin, Cork, Galway and Limerick has risen by 19% in the last 12 months.¹

Garda Shift work

Because of shift work, Gardaí cannot rely on public transport to travel to and from work (e.g. shifts ending at 4am). Gardaí must have their own transport.

Reduction in Overtime

Between the years 2000 and 2008, the Force was to a considerable degree run on overtime. Gardaí bought houses and entered commitments based on these inflated earnings. The drastic reduction in overtime in the years from 2008 to 2016 has exasperated the financial hardship of Gardaí.

3.4 Garda Pay Reductions

In section 2.2 above, we tabulate the reduction in earnings experienced by Gardaí over the period December 2008 to June 2016.²

¹ Irish Independent June 2016.

² Supporting data available.



4 Garda Productivity delivered from 2008

4.1 Sources of Garda Productivity

GRA members have delivered significant productivity gains to the State under several headings including the following: -

- Increasing workload arising from reduced garda resources and a steady increase in population.
- Significant reduction in overtime.
- Training activity ceased for much of the 2008 to 2016 period.
- Increased language and cultural diversity within the population which increases the complexity of day to day communications and interactions with citizens.
- Additional hours worked at no cost under the Haddington Road Agreement – 3 x 10 hour days per year (15 hours net).

In this section, we define and quantify the value of this productivity.

4.2 Productivity – Fewer Gardaí per Head of Population.

Garda numbers per head of population have declined since 2008. The following table details how our population has grown and garda strength has declined from 2008 to 2015 (most recent data).

A key measure of productivity is Population per Garda. The following table indicates that **Garda productivity increased by 16.2%** from 2008 to 2015.

Garda Density Productivity 2008 to 2015				
Year	Irish 26 County Population CSO	Total Sworn Gardaí ³	People per Garda	
				Percentage Change
	A	B	A/B	Base 2008
2008	4,485,100	14,411	311	0.0%
2009	4,533,400	14,603	310	0.3%
2010	4,554,800	14,377	317	-1.8%
2011	4,574,900	13,894	329	-5.8%
2012	4,585,400	13,424	342	-9.8%
2013	4,593,100	13,093	351	-12.7%
2014	4,609,600	12,799	360	-15.7%
2015	4,635,400	12,816	362	-16.2%

³ Source: An Garda Síochána Annual Reports



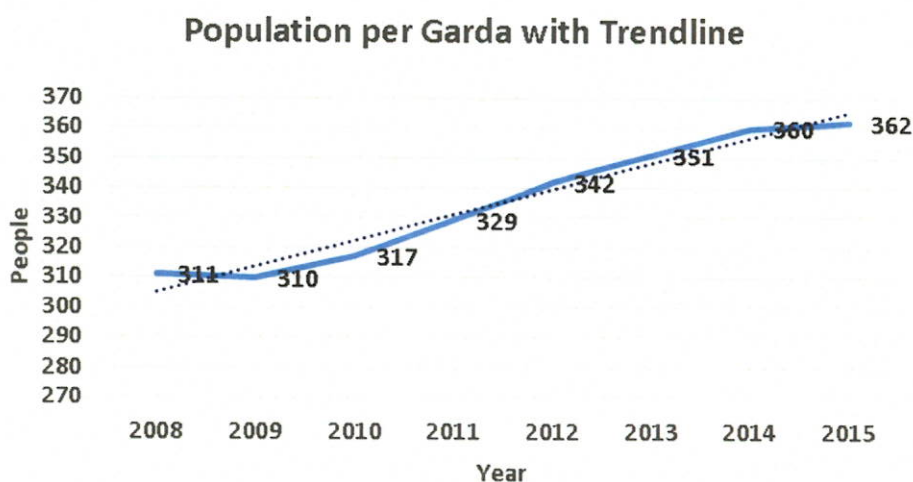
An additional 2,078 Gardaí (i.e. 16.2%) would have been required in 2015 to maintain the same levels of Garda density per 1,000 people as existed in 2008 (i.e. 4,635,400 / 311).

Assuming a weighted average total employment cost of €45,000⁴ per Garda, this equates to a **productivity saving for the State of €93.5m**. (2,078 X €45,000).

Government announced that Garda recruitment recommenced in 2014 for the first time since 2009. However, recent figures reveal that 762 Garda members departed the force or began three-year career breaks in 2014 and 2015. In that period, 550 recruits were taken into the Garda College. This was a net loss of 112 members.⁵

There will be a sharp increase in garda numbers reaching retirement over the coming years. This indicates that recruitment will continue to be under pressure to replace retirement attrition.

The following graphic reflects the productivity increase valued at €93.5m



4.3 Productivity – Supervision of Garda Reserves

Garda reserves and civilian staff numbers have grown since 2008. Garda reserves are a voluntary unpaid⁶ body who work under the supervision of Gardaí providing additional cover for patrols and major events. They first emerged in 2007/8. By 2014, garda reserve numbers had grown to 1,124. This additional supervisory responsibility that full-time Gardaí have taken on represents a significant productivity dividend for the State. This means that Gardaí at all levels throughout the force now have **supervisory responsibility**. In job evaluation based job grading systems, such an additional responsibility is judged to add significantly to the overall score and potentially the grading of a post.

4.4 Productivity – Reduced Overtime

Despite the steady and significant rate of increase in our overall population, and the significant decline in Garda numbers, Garda overtime has also fallen.

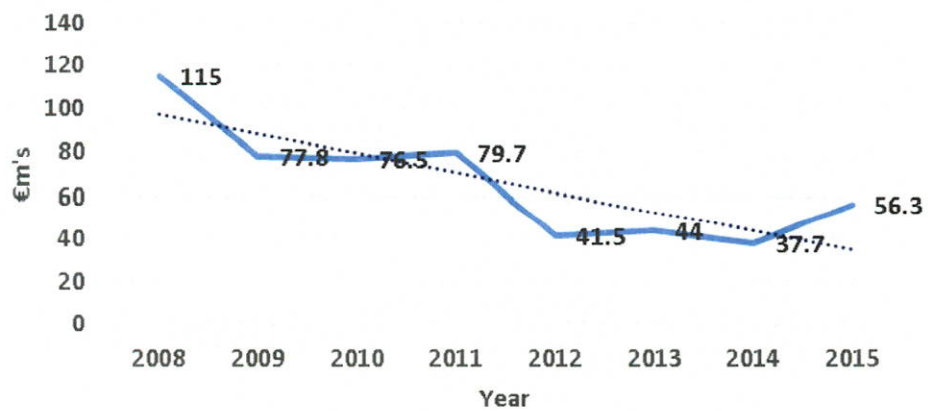
⁴ Provisional estimate – awaiting data.

⁵ Source: Irish Times online June 13, 2016.

⁶ Garda Reserves are paid an allowance.



Annual Garda Overtime €m's with Trendline



The trend line shows that Garda overtime has been reducing steadily since 2008. Overtime is down by approximately 60% since 2008 based on the underlying trend line.

Given the increase in population and the reduction in Garda numbers, this reduction in overtime represents another significant productivity dividend for the State.

The saving achieved in 2015 from the pre-austerity 2008 baseline was €58.7m (€115m - €56.3m).

5 Garda Uniqueness – a Summary

The following unique attributes apply to the role of the Garda rank as confirmed by the Conroy and Ryan Commissions and HRA Review: -

5.1 Legal and Disciplinary Oversight Bodies

The Garda rank is subject to strict disciplinary review, regulation and sanction regarding all activity at work and off-duty. This oversight is carried out by four agencies:

- Garda Management (Discipline Regulations).
- GSOC.
- The Courts.
- The Policing Authority.

Garda rank members have also been investigated in recent times by the following agencies: -

- The Data Protection office.
- The Children's Ombudsman

5.2 Legal and Disciplinary Oversight Codes

The Garda rank is subject to much more regulation than the normal citizen. Gardaí must adhere to the following codes: -

- Garda Síochána Act 2005.
- The Garda Code
- Garda Discipline Regulations.
- The (Proposed) Policing Authority Code of Ethics.

5.3 Restrictions on Human Rights

Garda rank members are subject to serious restrictions in their private lives. These restrictions are underpinned by law and Discipline Regulations. These restrictions include: -

- Prohibited spare time activities and prohibited activities of family members.
- Social Media restrictions.
- Duty to report driving offences.
- Restrictions on communications with Media.
- Denial of civil right to engage in full collective bargaining.
- Restrictions on residence locations.
- Transfers – Gardaí may be transferred as required to any location.
- Rigidity of discipline.
- Prohibited from personal insolvency.
- Prohibited from being affiliated with or a member of any political party.
- Can be prohibited by HQ direction from activities as determined by management.



5.4 Role of Policing

The Garda rank role is unique. Evidence of these distinct duties, responsibilities and dangers include: -

- Role involves the **lawful use of force** including the carriage and discharge of firearms as well as the associated responsibilities and implications.
- Obligated in law to account for all actions on duty.
- Danger inherent in the first responder 24/365 role.
- Unpredictability – no finish time certainty – may be gone for days if ordered.
- Garda is never off-duty and must take action to stop crime when off-duty.
- Responsibilities associated with powers of discretion. Frontline Gardaí must quickly assess a situation and decide on what action to take. These decisions can have far reaching consequences for the citizens involved and for the public perception of the standing of the Force. In contrast with most employments, it is the lowest paid group, the Garda rank who must exercise the most discretion and are required to make the majority of frontline responder decisions. These decisions must often be made quickly and with authority.

5.5 Personal Impacts of Role of Policing

The Garda rank role impacts strongly on the life of individual gardaí.

Examples of these impacts include the following: -

- Prevalence of Post-Traumatic Stress Disorder (PTSD) arising from the frontline first responder involvement in murders, road accidents, delivery of bad news, etc.
- Increasing Risks – firearms, syringes and other weapons – single occupancy patrol car policies are increasing this risk.
- Overt and implied personal threats from criminals and subversives.
- Impact of social media – the ever-present scrutiny of camera phones.
- Subject to public scrutiny through the media, both print and broadcast.
- Family impacts of working 24/7/365 and unpredictability, especially for childcare. Associated impact of being directed to work overtime and move location at short notice in response to crime.
- Low morale – the impact of resource deficiencies. These deficiencies include personnel, equipment, technology, training, vehicles and resource budgets.
- Exposure to spurious and vexatious complaints. Such complaints are investigated by GSOC. Long-term investigations can have a dramatically negative effect on the wellbeing of the Gardaí involved and their families.
- Fatigue arising from a combination of night duty and the requirement to attend court the next morning.
- Gardaí have exposure to endorsement on their personal private driving licence while driving patrol cars including when responding to frontline emergencies. Garda rank members have in the past found it cost



prohibitive to get income protection insurance on the open market due to the high-risk nature of their work.

- Gardaí have limited mobility of employment. Specialist policing skills are not transferrable (e.g. fingerprint expertise, etc.).

end



