

TRAJECTORIES OF POLICING IN IRELAND: SIMILARITIES, DIFFERENCES, CONVERGENCES

Aogán Mulcahy

Pp.261-79 in Deirdre Healy, Claire Hamilton, Yvonne Daly, and Michelle Butler (eds) *Routledge Handbook of Irish Criminology*. Abingdon, UK: Routledge.

ABSTRACT

This chapter examines the trajectories of policing in Northern Ireland and the Republic of Ireland. I consider the origins and development of policing in each jurisdiction; the dynamics of police-community relations; the crises and challenges that arose for each police force; and the reform measures put in place to address these. Through this analysis, I suggest that while clear differences are evident – particularly arising from political division – there are also underlying similarities. Moreover, the ongoing peace process has increased the prospects for greater convergence between policing arrangements north and south. I conclude by considering the wider lessons that policing in Ireland has for issues of accountability, legitimacy and police-community relations.

INTRODUCTION

At first glance, policing in Northern Ireland and in the Irish Republic appears radically different. Certainly, the scale of political division and political violence, and the consequent impact of these issues on the field of policing, has been much greater in Northern Ireland than in the Republic, even if the impact in both jurisdictions has been fundamental (Mulcahy 2005). However, the two police forces share a number of similarities that easily can be overlooked. Both forces – the Royal Ulster Constabulary (RUC) in Northern Ireland, until its

replacement by the Police Service of Northern Ireland (PSNI) in 2001, and An Garda Síochána in the Republic – emerged from the ashes of the Royal Irish Constabulary (RIC) in the aftermath of the partition of Ireland. While the RIC had widely been regarded as an effective and efficient police force, its role in maintaining state security and countering subversion brought it into conflict with much of the population (Malcolm 2006; O’Sullivan 1999). With the partition of Ireland, the disbandment of the RIC led to the establishment and development of new police forces in both jurisdictions. If the RIC was the same point of origin in both contexts, the trajectories to be followed differed greatly. The subsequent development of policing in each jurisdiction would greatly affect how each state responded not just to issues of crime, but also to political violence, and the respective police forces would remain prominent symbols of social and political cultures in each state, albeit in notably different ways.

In this chapter, I examine the trajectories of policing in both parts of the island. For each jurisdiction, I consider: the origins and development of policing; how legitimacy was pursued and the impact this had on levels of public support and the dynamics of police-community relations; the crises and challenges they faced, and the reform measures put in place to address these. In doing so, I highlight the similarities, differences and convergences in the field of policing in Northern Ireland and the Irish Republic, particularly those arising from political division. I conclude by considering the wider lessons that policing in Ireland has for issues of accountability, legitimacy and police-community relations.

POLICING IN NORTHERN IRELAND

When the state of Northern Ireland was created, it was stamped with an unambiguously unionist identity, yet the fact that approximately one third of the population were Catholics whose loyalty to the new state was in doubt, ensured that it was fixated on its security (if not its very survival) from the outset (Ruane and Todd 1996). The establishment of Northern Ireland was marked by considerable and widespread violence that, while concentrated in Belfast, extended across the state. Over 450 people were killed in Belfast between July 1920 and July 1922, while 23,000 of the city's 93,000 Catholics were forced from their homes during this period (Farrell 1980; Cunningham 2013; Parkinson 2004). Once this subsided, however, and with some obvious exceptions,¹ Northern Ireland was characterised thereafter by extremely high levels of stability. This reflected a number of political, social and security factors.

Unionists enjoyed a significant numerical advantage, and in electoral terms this generated enduring political dominance. Northern Ireland was governed by a single political party (the Official/Ulster Unionist Party) from its establishment until 1972. The segregated nature of Northern Ireland also meant that the electoral outcome in many constituencies was entirely predictable; Ruane and Todd (1996: 131) note that in 1933, the successful candidates in 33 of the 52 constituencies were unopposed. Northern Ireland also was a deeply conservative society, with relatively high levels of religious affiliation and practice, and in respect of a range of issues such as homosexuality and abortion, the moral and legal landscape of Northern Ireland was significantly more constrained than that which prevailed in Britain (Mitchell 2006). The differences between unionists/loyalists and nationalists/republicans in

¹ This included large-scale rioting in the 1930s, the IRA campaign during the Second World War and its 'border campaign' of 1956-62.

political orientation and affiliation were amplified through extremely high levels of segregation in the spheres of education, housing and employment.

In addition, Northern Ireland was characterised by a significant security apparatus, of which the Royal Ulster Constabulary was a key component. As well as dealing with ‘ordinary’ crime and related matters, the RUC also had responsibility for maintaining the security of the state, and policing levels were relatively high. In 1924 Northern Ireland’s ratio of one police officer for every 160 people was a much higher level of policing than prevailed in England and Wales (a ratio of 1:669), Scotland (1:751) (Weitzer 1995: 34), or the Irish Republic (1:412 in 1926; McNiffe 1997: 65). Further security was provided by the Ulster Special Constabulary (the ‘B-Specials’). These officers served on a part-time basis and mostly focused on patrolling the border, providing security for key installations, and maintaining public order. Farrell (1980: 50) estimates that in the 1920s approximately 20 per cent of all adult male Protestants served in the USC (although many of these were demobilised later in the 1920s as violence levels subsided). The legal powers available to the security forces were nothing if not impressive. This was particularly evident in the iconic *Civil Authorities (Special Powers) Act 1923* which, for instance, enabled the Minister for Home Affairs ‘to take all such steps and issue all such orders as may be necessary for preserving the peace and maintaining order’ (see Farrell 1980: 93-4).

Political Violence, Police Legitimacy and Public Confidence

Up until the 1960s, an uneasy peace generally prevailed in Northern Ireland, but growing disquiet over discrimination across a range of spheres led to the emergence of an increasingly vocal civil rights movement. Civil rights marches were aggressively policed and often met with loyalist counter-marches. This escalated into major riots and disturbances, and violence spread across Northern Ireland. The police were roundly criticised for their actions – actions

that Lord Scarman noted led to ‘the fateful split between the Catholic community and the police’ (1972: 15) – but they also were overwhelmed by the scale of the disturbances, and in August 1969 the British Army was deployed to maintain order, with the RUC moved to a largely supporting role. The 1969 Hunt Report outlined a series of measures to modernise the RUC and enhance its reputation. The B-Specials were duly disbanded – prompting a loyalist riot at which an RUC officer was killed – but the proposals that the RUC should be disarmed and no longer play a role in state-security fell by the wayside as the scale and intensity of the conflict grew dramatically.

While the army’s introduction was considered a means to stabilise the situation, its role in maintaining order on a day-to-day basis proved controversial and often counter-productive, and as paramilitary organisations increased the intensity of their campaigns, levels of violence rose dramatically. The annual number of homicides in Northern Ireland averaged 2.7 between 1962 and 1968; in 1972 alone, a peak of 376 murders was recorded, and over 200 murders were recorded annually until 1976 (Brewer *et al.* 1997). In the face of this crisis, the British government developed a new conflict management strategy in the mid-1970s based around the themes of criminalisation and police primacy. In broad terms, this entailed responding to the conflict through the ‘normal’ criminal justice system, rather than through the emergency measures (such as internment and various military operations) which had escalated rather than contained the conflict. As such, the police would move to the fore in responding to paramilitary campaigns, with the army playing a largely supporting role, and those convicted of paramilitary-related offences would be held in prisons as ‘ordinary’ criminals rather than as ‘special category prisoners’, a status that previously had been accorded to members of paramilitary organisations convicted of crimes related to the conflict (Mulcahy and Ellison 2001). This required a considerable expansion of the RUC’s capacity in dealing with paramilitary violence and public order (involving more officers, and enhanced

powers, equipment, and training). It also involved sustained efforts to enhance the RUC's legitimacy and levels of public support by demonstrating its commitment to impartiality, accountability, and to building positive relations with all sections of the public (see generally, Ellison and Smyth 2000; Ellison and Mulcahy 2001; Mulcahy 2006; Weitzer 1995).

Levels of violence diminished and in only five subsequent years did the number of conflict-related fatalities exceed 100 (the last of these in 1988). In some parts of Northern Ireland, policing was relatively 'normalised' (Brewer 1991), but in many places policing became increasingly militarised, and between 1969 and 1998 302 RUC officers were murdered. A range of surveys in the 1980s and 1990s showed that police primacy did appear to yield rewards in terms of the public's attitudes towards the police, with consistent findings that an overall majority of both Catholics and Protestants expressed satisfaction with the police. Yet, the RUC's expanded role placed it centre-stage in terms of an array of security policies that were extremely controversial – as well as scandals surrounding police interrogations, allegations of a shoot-to-kill policy, and collusion in particular – and that largely were directed towards the Catholic community (Mulcahy 2006: 69-75). As a consequence, while the RUC was often highly rated by Catholics and Protestants alike for the manner in which it dealt with ordinary crime, when we consider security policing (see Table 1), the gulf between the attitudes of Catholics and Protestants becomes apparent (McGarry and O'Leary 1999; Weitzer 1995: chapters 4-5).

TABLE 1 NEAR HERE

As Whyte (1990: 88) noted: 'There is an even greater degree of disagreement between Protestants and Catholics on security policy than there is on constitutional questions. Security issues remain an unhealed sore.'

In the peace process that followed the 1994 paramilitary ceasefires, the subject of policing generated extensive and often heated debate. Throughout the conflict, policing had been a uniquely controversial issue for the manner in which it epitomised so many of the faultlines in Northern Ireland – encapsulating issues of state, political affiliation and identity, safety and security – and it remained so during the peace process. Parading had long been a contentious event, but in the uncertainty of the peace process it assumed a greater significance, epitomised by events at Drumcree in Portadown. In previous years protests by nationalist residents had been matched by unionist determination that the parade would continue to march along its traditional (though controversial) route. In 1996, for several days the security forces prevented the parade from marching down the Garvaghy Road route. As the protests escalated, the security forces took the decision to push the parade through on the basis that they no longer were able to contain the protesters without resorting to live fire. This in turn sparked a furious reaction among nationalists across Northern Ireland. More plastic baton rounds were fired during those days than at any time since the 1981 hunger strike. The RUC was criticised for yielding to the threat posed by loyalist protesters, and the issue of police impartiality once again dominated debates about the future of policing. In a survey in February 1997 conducted for the Police Authority, 11 per cent of Catholic respondents agreed that the RUC should be ‘Allowed to carry on exactly as it is now’, compared to 68 per cent of Protestant respondents; 86 per cent of Catholic respondents indicated they thought the RUC should be reformed, replaced or disbanded (Mulcahy 2006: 104).

The Patten Report and the Transition from RUC to PSNI

As part of the 1998 Belfast Agreement, an Independent Commission on Policing (ICP) was established to make recommendations for future policing arrangements in Northern Ireland. Chaired by Chris Patten, the ICP’s report *A New Beginning* (popularly known as the Patten Report) acknowledged the depth of divisions that existed over policing:

In one political language they are the custodians of nationhood. In its rhetorical opposite they are the symbols of oppression. Policing therefore goes right to the heart of the sense of security and identity of both communities and, because of the differences between them, this seriously hampers the effectiveness of the police service in Northern Ireland. (ICP 1999: 2)

While the ICP's focus was on the future of policing in Northern Ireland, its overall approach was to outline a model of policing which could apply in any society. As such, its recommendations were designed to adhere to a series of 'first principles': promoting effective policing; ensuring impartiality and accountability; enhancing representativeness; and protecting the human rights of all. Some of the recommendations addressed different aspects of organisational structures and practices, and coalesced around proposals to modernise the *police institution* in various ways and render it more efficient. Others focused on the issue of *policing* more broadly, particularly in terms of institutions of governance and oversight, and the ethos of policing more generally.

The ICP recommended the establishment of a Policing Board (NIPB) to replace the Police Authority which had been roundly criticised for adopting a minimalist approach to police oversight. At local authority level it recommended that District Policing Partnerships (DPPs) be established to facilitate consultation and provide a measure of local accountability. It endorsed an earlier report's recommendation for a Police Ombudsman to be created to provide an independent police complaints system. It also recommended that an Oversight Commissioner be appointed to provide independent verification that the recommendations were being implemented. With a nod to the political opposition that the ICP's recommendations faced, Patten subsequently described this as 'one of our best ideas' (2010: 25). In addition, it called for human rights to be integrated into all aspects of policing, and

recommended that ‘policing with the community should be the core function of the police service and the core function of every police station’ (ICP 1999: 43).

In 2001, the Police Service for Northern Ireland formally came into being. When the dust settled on what was a bruising and contentious implementation process, the new structures of policing in Northern Ireland were given enormous acclaim. The NIPB Chairperson described the reform programme as a ‘blueprint for democratic policing anywhere in the world’, and characterised the PSNI as ‘the most scrutinized and accountable police service probably anywhere in the world today’ (Ellison 2007; Mulcahy 20013). Members of the ICP concurred, describing the PSNI as ‘the best working example of how to police a divided community’ (2010: 25) and as ‘an exemplary police organisation’ (Shearing 2010: 29).

While the ‘Northern Ireland policing model’ quickly gained in reputation as a solution to problems of policing worldwide – although the scale of the difficulties in Northern Ireland paled in comparison to the level of conflict, division and social collapse in many other ‘divided societies’ (Bayley 2008) – much of this acclaim specifically reflected the establishment of robust new institutions of police governance. Locally, the Patten Report’s recommendations initially were highly contested. Unionist opposition coalesced around a sense of betrayal at the loss of ‘their’ police service (Mulcahy 2006; see also ICP 1999: 16), while within the RUC there was considerable resentment and resistance towards the reform agenda and its implementation (Murphy 2013; see also Mulcahy 1999). Moreover, the implementation process itself was enormously contentious, and revealed the enduring divisions that remained over the practice, oversight and symbolism of policing. Nationalists viewed the British government’s approach as grudging and minimalist, and two separate Police Acts and two further implementation plans were required before the SDLP participated in the Policing Board and the DPPs, and it was not until 2007 that Sinn Fein formally endorsed the new policing structures.

Current and Future Challenges

The ICP's recommendations were based on their congruence with a set of principles that could command universal support. While 'policing with the community' was identified as the core police function, translating this ethos into practice has proven difficult. First, the wider political environment remains volatile. If the political structures were largely designed around the principle of power-sharing, relations between the parties comprising the Northern Ireland Executive, and between the two largest parties – the Democratic Unionist Party and Sinn Féin – in particular, are characterised by hostility and belligerence. Even though the devolution of policing and justice to the Northern Ireland assembly in 2010 was an important symbol of political stability, tellingly the Minister of Justice is the only position on the executive whose appointment requires cross-community support, and at present that role is held by an Alliance Party representative, David Ford.

Second, concerns remain about wider social conflict. Paramilitary violence is only a small fraction of what it was in previous years, but the threat posed by republican paramilitary groups opposed to the Belfast Agreement remains. While these groups are relatively small, their activities have the capacity potentially to destabilise the political environment, and since 2009 they have been responsible for the deaths of two PSNI officers, two soldiers, and a prison officer. Moreover, violence is not confined to dissident republicans. In recent years, large-scale rioting has erupted over contentious parade routes and also other symbolic events (such as in 2012 when Belfast City Council reduced the number of days on which the Union flag would be flown above the city hall).

Third, despite the acclaim given to the new framework of policing in Northern Ireland, enacting the vision of 'policing with the community' articulated in the Patten Report has proven to be highly problematic. At times there has been considerable police and political

resistance to an enhanced role for communities within the wider field of security provision (Mulcahy 2008a; Topping 2008a), while there is also a danger that ‘community policing’ has been cast in managerial terms rather than as a means of enacting tangible changes in policing practice (Ellison and O’Rawe 2010; Topping 2008b).

Moreover, there are considerable challenges in building productive relationships between the police and communities who had been largely hostile to them during the conflict. These difficulties are exacerbated by what the Oversight Commissioner (2007: 3) described as the mismatch between heightened expectations and the realities of ‘normal’ policing, noting that the goal of meeting ‘the expectations of the communities and residents of Northern Ireland...has not yet been reached’:

The reality of capacity issues such as resource restraints, call and response management, crime and clearance rates, coupled with the time it takes to build trust relationships, all point to an ‘expectation gap’. Normalised policing is quite simply a complex, difficult and expensive business that can never fully satisfy client demand. (Oversight Commissioner 2007: 212)

Clearly the impact of such issues varies from locale to locale, but one study conducted in a republican area in North Belfast, the New Lodge, found that in the years following the ceasefires, many residents were concerned that problems of crime and disorder were not being addressed adequately, whether by the police or paramilitary organisations. This concern was exacerbated by victimisation levels that were far above the average for Northern Ireland, and by low levels of reporting crime to the police (Ellison *et al.* 2013: 564). Moreover, following decades of overt conflict and embedded hostility to the police, the difficulties of engaging productively with the PSNI were tangible. Even though the new institutions of police governance were well-established, residents’ assessments of whether

policing had improved strongly reflected their assessments of police performance and, faced with the realities and limitations of ‘normal’ policing, they were highly critical of police responsiveness and effectiveness (Ellison *et al.* 2012, 2013; Topping and Byrne 2014).

Fourth, in addition to the above factors, one issue in particular cast a long shadow over the new structures of policing and over Northern Irish society generally: dealing with the legacy of the past. While various initiatives were launched to consider how to address unresolved aspects of the conflict, and to deal with the harrowing – and often competing – narratives of victimhood that convulsed Northern Irish society (see, for example, Consultative Group on the Past 2009), these issues were especially contentious in respect of policing (Lawther 2014). One strand of this process involved the PSNI establishing a Historical Enquiries Team (HET) to investigate unsolved killings from the conflict (Lundy 2009, 2011). This largely involved reviewing the original police investigations and any other available evidence, and while it was possible to bring charges against suspects, generally the outcome of HET investigations was to provide any relevant information to victims’ families with a view to giving them some degree of closure. Subsequently, however, the HET was criticised for being less rigorous in investigations where members of the security forces were alleged to be involved (HMIC 2013: 100). As a result of financial cutbacks, the HET was effectively shut down at the end of 2014, although it was envisaged that a smaller investigative unit would continue to review the outstanding historical cases (*Irish Times* 30 September 2014). The Police Ombudsman also became involved in investigating historical cases, including high-profile incidents in which collusion between the police and the perpetrators was alleged to have taken place. However, allegations surfaced that the Northern Ireland Office had sought to influence some investigations, and to minimise any criticisms of the RUC Special Branch. As a result of this controversy the Ombudsman, Al Hutchinson, resigned in 2011 (Criminal

Justice Inspectorate 2011; McCusker 2011), and while the Office of the Police Ombudsman continued to conduct historical investigations, such events demonstrate the potential for controversy that accompanies this role.

Policing the past is a costly enterprise in terms of resources and capacity. The Criminal Justice Inspectorate of Northern Ireland estimated that, in addition to HET resources, ‘some 40% of the PSNI overall serious crime capability was being used in legacy matters’ (CJINI 2013: 6). As the cases of the HET and the Ombudsman demonstrate, the legacy of the past can also implicate institutions in damaging controversies, a point noted by the PSNI Chief Constable in 2014 when he described the challenges of addressing legacy issues as ‘debilitating and toxic to confidence’ (*Irish Times* 6 June 2014: 9). In December 2014, amidst concerns that the Northern Ireland Assembly was in danger of collapsing due to disagreement over budgetary and policy matters, talks between all the parties in Northern Ireland and with the British and Irish governments led to the Stormont House Agreement of which measures to deal with the past were one component, including the establishment of a Historical Enquiries Unit to take forward outstanding cases from the HET and the Police Ombudsman’s legacy work. It is clear that the legacy of the past remains deeply contentious, and it is equally clear that this cannot be resolved through policing institutions alone, even though policing is likely to be central to much of this process in the coming years (see also Committee on the Administration of Justice 2015).

POLICING IN THE REPUBLIC OF IRELAND

As with Northern Ireland, the creation of the Irish Free State led to the establishment of a new police force. In the political upheaval of the time – a War of Independence, followed by a

Civil War – competing imperatives shaped this process. Nationalist sentiment demanded that policing institutions should be identifiably ‘Irish’ in orientation and reflect the ethos of the newly independent state, while pragmatism required prudent choices given the other pressing needs which the new administration faced. The outcome, therefore, was a compromise of sorts between ideology and expediency.

The RIC had been recognised as a very capable organisation and, in non-political matters at least, it was generally well-regarded. However, its role in supporting the colonial administration brought it into overt conflict with much of the population, and during the War of Independence its officers were consistently targeted by the IRA. Between 1919 and 1922, Conway (2013: 19) notes that 493 were killed during the political conflict, while a further 18 were missing and presumed dead; a further 77 died in accidents or other conflict-related incidents. Political independence saw the disbandment of the RIC and the exodus of most of its officers, yet its organisational structures provided a ready-made template for the new police force.

The Civic Guard was established in 1922, and this merged with the Dublin Metropolitan Police in 1925 to form An Garda Síochána, creating a single national police force that survives to the present day. Yet if the RIC provided the skeleton for this new policing body, the flesh on the bones was decidedly nationalist in political orientation. As McNiffe (1997) demonstrates in his detailed analysis of Garda recruits over the period 1922-52, in clear ways they epitomised the western/rural/nationalist vision of Ireland celebrated by those who fought for independence. No fewer than 38 per cent of recruits joined from the counties of Cork, Kerry, Clare, Galway and Mayo; despite the difference in population, as many recruits joined from Clare as from Dublin (5.6 per cent in each case) over this period. Most recruits came from agricultural (38 per cent) or unskilled/manual labour backgrounds (25 per cent). As few as ‘2 per cent of the Civic Guards had policing experience’ (Conway 2010: 5), while the vast

majority of initial recruits – ‘96 per cent of the first 1,500 civic guards’ (McNiffe 1997: 33) – had served in the IRA during the War of Independence; it therefore seems reasonable to assume that they brought a similarly nationalistic ideology with them into the police.

During the 1920s and 1930s, An Garda Síochána faced considerable violent opposition from those who were opposed to partition. When Fianna Fail, largely comprised of those opposed to partition and on the ‘anti-treaty’ side during the Civil War, won the 1932 general election, the police’s continued support for the institutions of government was a key point in stabilising the political environment (Brady 2000; Conway 2014). Once the conflict over the establishment of the state began to subside, policing generally assumed a less contentious character. The conditions within which officers worked often were appalling, and ‘pay and conditions’ remained a source of tension between the force and successive governments, but in many other respects the challenges facing the police during the middle of the 20th century were minimal, due to a number of features of Irish society.

First, levels of recorded crime were low, conspicuously so in comparison to other western societies. In 1950 the Minister of Justice described Ireland as ‘very free from crime’ and suggested that the population merited a ‘pat on the back for being a law-abiding people’ (Kilcommins *et al.* 2004: 62). Later that decade, the Justice Minister described Ireland as ‘freer from crime than almost any other country’ (quoted in Allen 1999: 153). Second, Irish society was in the main characterised by stability and conservatism, with extraordinarily high levels of religious observance (Inglis 1998; see also Ferriter 2012).² Third, beyond the formal structures of policing, a variety of ostensibly ‘welfare’ institutions administered what

² Kevin O’Higgins, a minister in the years immediately following independence, once claimed that: ‘We were the most conservative minded revolutionaries ever to put through a successful revolution’ (quoted in Lee 1989: 105).

O'Sullivan and O'Donnell (2012) term a system of 'coercive confinement' that far-surpassed the scale of the formal criminal justice system (see also Brennan 2015). In 1956, for instance, approximately one per cent of the population was 'confined'. Of this group, however, only 574 people were detained in the formal criminal justice system, while 29,308 people were held in various 'welfare' institutions, including Magdelane laundries, industrial schools, mental hospitals, and so on. For every person detained within the criminal justice system, 51 others were detained in this institutional archipelago. All in all, then, the formal policing conducted by An Garda Síochána was complemented, if not extended considerably, by a vast enterprise of moral policing.

Crime and Conflict

From the 1970s onwards, policing became an increasingly prominent aspect of public life in the Republic, spurred in part by a six-fold increase in crime levels in the twenty-year period between 1964 and 1983. Within this, illegal drugs played a very significant role. Prior to the late 1970s, problems related to illegal drugs were minimal by international standards.

However a rapid increase in the availability of heroin in particular in the late 1970s and early 1980s had a devastating impact on many communities, particularly in marginalised areas in Dublin. While drugs contributed significantly to crime levels – Keogh (1997) estimated that between September 1995 and August 1996, two-thirds of all crime in the Dublin area was committed by known drug-users – it also impacted on relations between the police and residents in those areas. Residents were highly critical of what they perceived as an entirely inadequate response on the part of the police and the political establishment. One senior Garda officer acknowledged this criticism, describing the 1970s as 'largely a decade of inaction' (quoted in Mulcahy 2002: 287). Brewer *et al.* (1997: 46-7) noted that government officials were 'shaken' by the scale of the drugs problem, particularly in relation to heroin use in Dublin, while senior garda officers described drugs as 'the biggest single influence on the

crime profile during their time in service'. Groups such as 'Concerned Parents Against Drugs' conducted a direct action campaign against alleged drug dealers, which in turn led to ongoing conflict with the police (see, for example, Bennett 1988; Connolly 2002; Cullen 1991; Murphy-Lawless 2002).

In this changing social climate, the issue of police-community relations emerged as a matter of public concern, particularly in the context of economically marginalised communities (Mulcahy and O'Mahony 2005). In 1982 the Association of Garda Sergeants and Inspectors expressed its concern that 'things are getting out of control' in light of police officers being 'set upon' in various locations. It noted that in parts of Dublin, 'the Gardaí are, to put it mildly, unwelcome' (AGSI 1982: 5, 7). Outbreaks of serious disorder in parts of Dublin during the 1980s and 1990s were the subject of a Dáil Committee investigation which linked the high levels of social marginalisation in those areas with the development of antagonistic relations between residents and the police (Interdepartmental Group on Urban Crime and Disorder 1992; see also Bowden 2014).

The outbreak of widespread violence in Northern Ireland also had an enormous effect on policing in the Republic (Conway 2014; Mulcahy 2005). In addition to the increased risks it posed to garda officers, it involved significant changes in police practice, including increased checkpoints along the border, responding to the challenges of a huge increase in bank robberies by paramilitaries, and also involving the police in conflict with some sections of the public, including in 1972 when the British Embassy in Dublin was burnt down by protesters following the events of Bloody Sunday in Derry that January. Significantly, the conflict also cast the police in a 'heroic role', protecting the state and its citizens from the onslaught of paramilitary violence. This bolstered the standing of the force, while also insulating it from much criticism. Many politicians and public figures were reluctant to be seen to undermine

the force given the role it played and the challenges its officers faced (Conway 2014; Manning 2012; Walsh 1999).

However, the police response to serious crime and to paramilitary activity also came under scrutiny in the face of mounting allegations that garda detectives (termed ‘the heavy gang’) were using violence to extract confessions from suspects, and in a number of high-profile cases – such as the case of Nicky Kelly and others accused of involvement in the Sallins train robbery – compelling evidence was presented that undermined the police officers’ accounts (Amnesty International 1977; Conway 2014; Dunne and Kerrigan 1984; see also O’Brian Committee 1978). Further controversy emerged from the police investigation into the ‘Kerry babies’ case, in which Joanne Hayes and her family made detailed confessions admitting to the murder of a new-born baby, even though medical evidence showed that it was all but impossible for her to have been the mother of that baby, and the body of her own baby was found buried in the garden near her home, where she had maintained it was all along (Inglis 2003). Alleged paramilitaries and serious criminals might be considered ‘disreputable’ in the eyes of the law, but the Hayes family were from a farming background in rural Ireland and had no history of criminal involvement; in many ways they were precisely the kind of family that An Garda Síochána was, by its ethos and tradition, bound to support and protect. In response to these events, a new police complaints body – the Garda Síochána Complaints Board (GSCB) – was established in 1986 to strengthen the system of police accountability. However, the GSCB repeatedly criticised the powers and resources available to it, highlighting the danger of creating the appearance of a system of police accountability, but not the reality of one (Conway 2010; Walsh 1999).

Legitimacy and Public Support

The legitimacy of policing in the Republic was pursued in parallel ways at national and community level. At the national level, An Garda Síochána embodied the cultural nationalism that underpinned the independence movement. At the community level, it sought to become embedded within local life, through active involvement in other institutions such as the Gaelic Athletic Association (Brady 2000). This yielded a system of policing in which considerable latitude was given to informal action (Mulcahy 2008b), and low-level use of violence seems to have been widely accepted and practiced within the police (Conway 2014; Kearns 2014). Successive governments proved reluctant to establish robust institutions of accountability and oversight. Thus there developed a system of policing characterized by informalism and discretion, violence, lack of accountability, and political interference. Perhaps paradoxically, this system also attracted widespread public support.

While public attitudes to An Garda Síochána have not received sustained attention historically, most commentators conclude that levels of public support for the police in Ireland were notably high. McNiffe (1997: 175) described An Garda Síochána as ‘one of the striking successes of the new state’, while Allen (1999: 136) stated that ‘their place in the social life of the community could not reasonably have been higher’. For Mac Gréil (1996: 271), the police were one of Ireland’s ‘in-groups’. During the 1980s and 1990s, a number of surveys found extremely high levels of public satisfaction with the police: 86 per cent in 1986; 89 per cent in 1994; 86 per cent in 1996; and 89 per cent in 1999 (O’Donnell 2004: 19). Between 2002 and 2008, the Garda Research Unit ran an annual series of public attitude surveys (see Table 2), and while these survey findings highlight a relatively high (and *relatively* enduring) level of satisfaction with policing, they also reveal a noticeable decline during the 2000s. Furthermore, it is clear that such figures mask a more nuanced reality in relations between the police and public.

TABLE 2 NEAR HERE

First, a high overall satisfaction rating must be distinguished from confidence in police propriety, and support for the police can co-exist with a range of concerns about police conduct. Bohan and Yorke (1987) for instance, conducted a survey in which 85 per cent of respondents expressed satisfaction with the police. In the same survey, however, 57 per cent of respondents agreed with the statement that ‘the Garda Síochána sometimes exceed their powers by abusing suspects physically or mentally’, while 40 per cent agreed that ‘in court, some Gardaí would rather cover up the facts than lose face’.

Second, people’s experiences of policing are mediated by a range of factors, including community profile and socio-economic status, with residents of local authority housing being more critical of the police and more likely to report negative experiences of policing (Browne 2008; Mulcahy and O’Mahony 2005). A study by the Institute of Criminology at UCD found that the profile and reputation of an area affected the interaction between police and public. It found that the manner in which police operated in ‘Parkway’, a Dublin suburb which the police viewed as having an ‘established, negative history’, was significantly ‘more confrontational’ than the policing style in the city centre. The authors found that in ‘Parkway’, the police responded to public order situations with such language as ‘f**k off home now’. Officers ‘simply asserted their authority and appeared unconcerned about the nature of the reaction that might be elicited as a consequence’ (Institute of Criminology 2001: 67-9).

Relations between the police and Travellers are especially problematic, reflected in satisfaction levels strikingly lower than that found for the settled population. A Garda Research Unit survey exploring the attitudes and experiences of ethnic minorities, found that Traveller respondents reported much more negative attitudes than other ethnic minority groups (which the survey found to be very high, perhaps implausibly so). The survey found that 52 per cent of Traveller respondents were satisfied with the police while 48 per cent were

dissatisfied, a stark contrast with the findings from the other national surveys. The survey also reported that 43 per cent of Traveller respondents agreed with a statement that a garda officer had behaved towards them in an unacceptable way. In contrast, only 6 per cent of ‘migrants’ and 12 per cent of ‘refugees’, and 7.5 per cent of respondents in the general survey conducted in the same year, made a similar claim (Browne, 2008: Table 49; Walker, 2007: Table 38; see Mulcahy 2012).

Scandal and Reform

By the end of the twentieth century, the Republic of Ireland seemed a far different country to that of previous decades. From being an archetypically ‘local’ society, it now was designated the ‘most globalised’ society in the world (Inglis 2008). The ‘Celtic Tiger’ economy heralded a wide range of social changes in terms of: income, wealth and consumerism; residential patterns and urban development; and culture, identity and ethnic diversity. Disclosures over the sexual and physical abuse of children rocked the Catholic Church and the state itself. Meanwhile the peace process in Northern Ireland led to a relaxation of many of the security measures put in place during the conflict. In terms of policing, a range of organisational and managerial measures were introduced to modernise the force, and an increase in police numbers and powers formed part of a new political crime-control agenda (Brady 2014; Kilcommins *et al.* 2004). Migration patterns and the growing ethnic minority population resulted in various initiatives to ensure that policing arrangements were suitable for an increasingly multicultural society, including the appointment of Ethnic Liaison Officers and measures to increase recruitment from ethnic minority groups (McInerney 2004; Walsh 2000).

If the challenges of policing were mounting from the 1970s onwards, allegations surrounding a series of events in Donegal led to a full-blown crisis and were the subject of a Tribunal

established in 2002 and chaired by Justice Morris. The volumes of reports laid bare a range of misconduct as well as a failure of management to address them effectively. These included police officers planting explosives which they then ‘discovered’ in an effort to advance their careers; planting a firearm on a Traveller encampment to justify a search; conducting an extensive campaign of harassment against one family; and numerous other instances of misconduct, indiscipline and mismanagement (Conway 2010; Morris 2004-2008).

A range of other events also highlighted concerns over police actions and accountability. In 2000, John Carty was shot dead by in Abbeylara, Co. Longford, by members of the Garda Emergency Response Unit following a stand-off. Carty was known to be mentally disturbed, and over the course of the siege he discharged his shotgun over twenty times. Nevertheless the circumstances in which he was shot provoked controversy and formed the subject of several investigations. In 2002, a ‘Reclaim the Streets’ protest in Dublin city centre escalated into conflict between police and members of the public. Media coverage appeared to show use of excessive force on the part of garda officers. In a subsequent investigation, the Chairman of the GCSB criticised a ‘general lack of cooperation’ from officers present, highlighting the fact that none proved able to identify other garda officers who were using their batons inappropriately. He stated that this led him to believe that ‘many gardai had put loyalty to their colleagues ahead of that to the force’ (*Irish Times* 19 November 2002).

The *Garda Síochána Act 2005* emerged in response to the Donegal scandal and other events. Described as the largest change to policing in the history of the state, the Act provided for the establishment of the Garda Síochána Ombudsman Commission to investigate complaints against the police, and the Garda Inspectorate to address issues of organisational efficiency and effectiveness. It also provided for police-public consultation through the establishment of Joint Policing Committees at local authority level (also making provision for the establishment of Community Policing Fora at neighbourhood-level). In other respects

through, the Act also arguably enhanced central government control over policing policy (Conway 2009; Walsh and Conway 2011).

If the 2005 Act was intended to provide a robust response to scandals in Donegal and elsewhere, particularly through a tightening up of internal and external controls, it is unclear what precise impact this has had on the cultural values and practices of garda officers.

Manning (2012: 347) suggested that while An Garda Síochána engaged with the new landscape of accountability at a rhetorical level, the organisation itself is ‘very resilient and resistant to change.’ Charman and Corcoran (2014: 17), on the other hand, found evidence that the ‘cultural change demanded by Justice Morris is evident and that this may have primarily happened because the rationale for the reforms being internally implemented was accepted by most of the Gardaí we interviewed.’

Whatever officers themselves may suggest, it is undeniable that the following years witnessed a succession of further policing controversies and scandals that cumulatively demonstrated that police practices and structures of oversight remained highly problematic. Some of this related to historical incidents. The Smithwick Tribunal (2013), for instance, investigated events surrounding the IRA murder of two senior RUC officers in 1989; it found that there was collusion and that someone in Dundalk garda station was ‘assisting the IRA’. Other controversies related to the policing of protests against the construction of a gas pipeline in Rosspoint, Co. Mayo (Garda Research Institute 2014). More recent events also shook the force to its core, and Charman and Corcoran (2014: 18) surely were correct when they stated that ‘more needs to be done to encourage the cultural validation of whistleblowing in An Garda Síochána.’

Two garda whistleblowers, Sergeant Maurice McCabe and Garda John Wilson, alleged that significant numbers of penalty points arising from road traffic offences were cancelled

without good reason, and they also alleged that in a number of other instances the police response to what were serious criminal allegations was entirely inadequate. After failing to have these issues addressed satisfactorily within the force, they provided information on these allegations to a number of TDs. From 2012 onwards, these allegations generated much media and political debate, but the whistleblowers found themselves ostracised within the force. The Garda Commissioner dismissed the substance of their allegations and in one televised parliamentary committee hearing he described their actions as ‘disgusting’. A subsequent investigation (the Guerin Report 2014) suggested that the scale and gravity of their allegations warranted an Inquiry, and in December 2014 a Commission of Investigation led by Justice O’Higgins was established to investigate a series of events in Bailieboro, Co. Cavan, including allegations that a number of serious crimes were not investigated properly, thereby allowing further serious crimes to be carried out.³

A further scandal developed when it emerged that the Garda Síochána Ombudsman Commission, the body tasked with investigating complaints against the police, had hired a UK security company, Verrimus, following concerns that its offices were under surveillance. An inquiry by Judge Cooke did not find proof of bugging (which given the technology available is perhaps not surprising), but the report nevertheless included details of a number of occurrences that – to put it mildly – left many questions unanswered (Cooke 2014). For instance, it remains unclear why an unlisted telephone used for conference calls in the office of the GSOC chairman rang several times at 1.45 a.m. immediately after Verrimus personnel conducted an ‘alerting test’.

³ The terms of reference for the Commission are available at:

<http://www.justice.ie/en/JELR/Pages/PR14000376>

In a separate development, it emerged that in some garda stations, arrangements had been put in place to allow for the recording of phone calls, including calls between individuals in police custody and their legal representatives. A Commission of Inquiry by Justice Nial Fennelly is currently investigating this practice over the time period 1980-2013.⁴ The recording system came to light following the discovery process in a civil action brought by Ian Bailey, who was suing the Garda Commissioner and the state for wrongful arrest and the fabrication of evidence surrounding the police investigation into the murder of Sophie Toscan du Plantier in west Cork in 1996. Among other things, Bailey alleged that garda officers pressured a witness into making a false statement placing him at the scene of the murder (that case is ongoing).

On foot of this avalanche of scandal and controversy, in March 2014 the Garda Commissioner resigned, and in May the Minister for Justice did likewise. Amidst this turmoil, debate over how best to ensure the integrity of policing institutions (and to repair the damage caused by these scandals) highlighted the need for robust institutions of governance and oversight to enhance accountability and protect against political interference. Yet it was not only issues of governance and oversight that appeared sorely in need of attention. In a major Garda Inspectorate report on crime investigation published in 2014, routine practices of policing were also found to be wholly inadequate. In a wide-ranging analysis, the Inspectorate found alarming deficiencies and widespread inconsistencies across a range of areas, including: officer training, the recording and classification of crimes, the claiming of

⁴ The Terms of Reference for the Fennelly Commission are available at:

http://www.taoiseach.gov.ie/eng/News/Government_Press_Releases/Government_Announcements_Terms_of_Reference_for_Commission_of_Investigation_to_be_Conducted_by_Mr_Justice_Fennelly.html

detections, investigative practices, management supports to officers, and levels of support and information provided to victims. Overall, the Garda Inspectorate highlighted:

...a police service in critical need of modernisation of its crime investigation operational and support infrastructure. The absence of up to date technology and dated inefficient investigative processes and policies, combined with poor internal audit controls, inconsistent case management and poor supervisory practices have led to the systemic operational deficiencies identified in this and other recent government initiated reports. As a result, potentially hundreds of thousands of Garda staff hours and resources, which should be spent on front-line policing, are currently allocated to those inefficient processes. (Garda Inspectorate 2014: i)

Draft legislation providing for the establishment of a Policing Authority, and to clarify and enhance the powers of GSOC, was published in late 2014,⁵ and it seems inevitable that the coming years will see further debate on the governance and accountability of An Garda Síochána.

CONCLUSION

This chapter has examined the trajectories of policing across Northern Ireland and the Republic of Ireland, exploring the origins and development of policing in each state, the nature of police-public relations, and a range of contemporary challenges. While the field of policing in both jurisdictions is characterised by clear differences, there also are striking similarities and a degree of convergence that often has been occluded, due not least to the impact of the Troubles.

⁵ This is available at: <http://www.justice.ie/en/JELR/Pages/PB14000310>.

The most immediately striking point of comparison is the differences between policing across jurisdictions. Although political violence affected both police forces, the scale of political division and its impact on policing was simply of a different order in Northern Ireland. Responding to these challenges was a defining feature of policing there: officers were routinely armed, were based in heavily fortified stations, and often patrolled with military support. Moreover, security concerns and intelligence-gathering influenced all aspects of policing in Northern Ireland. Police-community relations reflected the contested political backdrop, with sharp differences in the attitudes of nationalists and unionists. In the Republic, a more tranquil model of policing prevailed, in which police officers were (and remain) routinely unarmed, and the integration of the police into the fabric of community life – rather than its technical capacity – became a prominent theme in the official narrative of policing.

Notwithstanding these differences, the similarities are also noteworthy, even if they generally pass without remark. The police forces north and south share the same point of origin, even if subsequently they pursued different pathways in the search for legitimacy. Historically, both police forces epitomised the ‘imagined community’ (Anderson 1983) whose interests each state explicitly represented, and they largely functioned under the shadow of the dominant political structures. Their ethos, activities and legitimacy were also shaped fundamentally by issues of state security. In both states, political violence was a reflection of the disputed constitutional status of the partition of Ireland, and the police’s role in maintaining state security (and symbolising each state) drew it into conflict. This implicated both police forces in recurring controversies, even as simultaneously it cast them in a heroic light, bolstered their standing among some sections of the public at least, and shielded them from many of the criticisms they otherwise would have faced. Beyond the specific impact of political violence, both police forces operated in a climate of stability and conservatism; had little by way of independent oversight; were characterised by great latitude in terms of police practice

on the ground, particularly when applied to groups of lower social capital; and enjoyed considerable – if fluctuating – levels of public support.

As the conflict in Northern Ireland has slowly wound down since the 1990s, there is greater scope for moving beyond the constraints and security measures which so deeply affected policing in both jurisdictions. Clearly one possible outcome here is a greater level of cooperation, leading to convergences in structure, activity and ethos. Throughout the conflict, there was considerable cooperation at local level, but the political context meant that any move towards developing this at a strategic level was highly controversial and operated with little oversight (Dunn *et al.* 2002; Walsh 2011). Yet, whether in relation to ethnic diversity or organised crime, in recent years there seems greater scope for cross-border cooperation. Insofar as peace also leads to the gradual dismantling of their role as state-protector, and with it the relative freedom from scrutiny that each police force, it also may mean that the future relationship both forces develop with their respective publics is likely to be based more on the banal issues of police practice and accountability, rather than on police symbolism reflective of the dominant nationalisms of the day. In that context, it seems plausible to expect greater convergence in the treatment of a range of common challenges, and perhaps a greater degree of formal cooperation to sustain this.

On a final point, the example of policing in both jurisdictions highlights a number of issues in relation to accountability and legitimacy. First, both jurisdictions demonstrate the importance of robust accountability structures. The history of police accountability in each state is one of failure, and of gradual and grudging moves towards institutions that are independent and have sufficient powers and resources. The central role the police occupied in each society – particularly in respect of state security – made legislators reluctant to be seen to inhibit its activities. As a consequence, both environments are littered with a variety of policing scandals, many of which relate to state security either directly (in terms of particular

practices), or indirectly in terms of the latitude that was applied to other areas. In either case, problems that may have been avoided at the time were stored up for the future, and it is striking that ‘legacy’ and accountability issues continue to dominate policing debate in both contexts. One can but speculate how different things might be if accountability had been given due attention in earlier years.

Second, while recent literature highlights the role that ‘fair procedure and just treatment’ (Bradford 2011: 197; see generally Jackson *et al.* 2013) play in shaping public attitudes towards and especially confidence in the police, the analysis outlined here suggests that legitimacy can be pursued in a variety of means (see Herbert 2006), whether through a greater emphasis on the formal aspects of professionalism in Northern Ireland (and the distancing from its traditional support base within unionism that this entailed), or an emphasis on informal community links in the Republic (to the detriment of the development of formal and robust structures of public-consultation and oversight). In the case of Northern Ireland, this professionalism was evident in survey findings which continually found that a majority of Catholic and Protestant respondents expressed satisfaction with the ‘ordinary crime’ role of the RUC, and respondents always rated the performance of the police locally higher than they rated the police across Northern Ireland as a whole (Mulcahy 2006; Weitzer 1995). In the contested setting of Northern Ireland, assessments of the performance of the police were subservient to assessments of the police’s wider role. In the case of the Republic, even in the absence of any formal structures of police-community consultation, public satisfaction levels remained strikingly and stubbornly high (Mulcahy 2008b), due partly at least to the social capital An Garda Síochána accrued for the manner in which it was embedded in and affiliated with local communities. In this sense, legitimacy derived from ‘proximity’ to community structures and national ideals rather than from propriety or professionalism. Whether a resolution to the conflict means that policing north and south will be extricated from all of the

difficulties that arose from political division, and that legitimacy increasingly will coalesce around issues of service provision and procedural justice, remains to be seen.

REFERENCES

Allen, G. (1999) *An Garda Síochána: policing independent Ireland 1922-1982*. Dublin: Gill and Macmillan.

Anderson, B. (1983) *Imagined Communities*. London: Verso.

Bayley, D. (2008) 'Post-conflict police reform: is Northern Ireland a model?', *Policing*, 2: 233--40.

Bennett, D. (1988) 'Are they always right?: investigation and proof in a citizen anti-heroin movement', in M. Tomlinson, T. Varley and C. McCullagh (eds) *Whose Law and Order?* Belfast: Sociological Association of Ireland.

Bowden, M. (2014) *Crime, Disorder and Symbolic Violence: governing the urban periphery*. London: Palgrave.

Bradford, B. (2011) 'Convergence, not divergence?: trends and trajectories in public contact and confidence in the police'. *British Journal of Criminology*, 51: 179-200.

Brady, C. (2014) *The Guardians of Ireland: the Garda Síochána and the Irish state 1960-2014*. Dublin: Gill and Macmillan.

Brady, C. (2000) *Guardians of the Peace*, 2nd edition. London: Prendeville.

- Brennan, D. (2015) 'Psychiatric institutions, prisons and social control in Ireland', in D Healy, Y. Daly, C. Hamilton and M. Butler (eds), *Routledge Handbook of Irish Criminology*, Abingdon, UK: Routledge.
- Brewer, J. with Magee, K. (1991) *Inside the RUC: routine policing in a divided society*. Oxford: Clarendon.
- Brewer, J., Lockhart, B. and Rodgers, P. (1997) *Crime in Ireland 1945-1995: here be dragons*. Oxford: Clarendon.
- Browne, C. (2008) *Garda Public Attitudes Survey 2008 (Research Report 1/08)*. Templemore, Co. Tipperary: Garda Research Unit.
- Charman, S. and Corcoran, D. (2014) 'Adjusting the police occupational cultural landscape: the case of An Garda Síochána', *Policing and Society* (Advance access: DOI: 10.1080/10439463.2014.881810). Accessed: 15 February 2015.
- Committee on the Administration of Justice (2015) *The Apparatus of Immunity? Human rights violations and the Northern Ireland conflict: a narrative of official limitations on post-Agreement investigative mechanisms*. Belfast: CAJ.
- Connolly, J. (2002) 'Policing Ireland: past, present and future', in P. O'Mahony (ed.) *Criminal Justice in Ireland*. Dublin: Institute of Public Administration.
- Conway, V. (2014) *Policing Twentieth Century Ireland: a history of an Garda Síochána*. Abingdon, UK: Routledge.
- Conway, V. (2010) *The Blue Wall of Silence: the Morris Tribunal and police accountability in Ireland*. Dublin: Irish Academic Press.

Conway, V. (2009) 'A sheep in wolf's clothing?: evaluating the impact of the Garda Síochána Ombudsman Commission', *Irish Jurist*, 43: 109--30.

Consultative Group on the Past (2009) *Report of the Consultative Group on the Past*. Belfast: Stationary Office.

Cooke Report (2014) *Inquiry into Reports of Unlawful Surveillance of Garda Síochána Ombudsman Commission. Report by Judge John D. Cooke*. Dublin: Department of An Taoiseach.

Criminal Justice Inspection Northern Ireland (2013) *A Review of the Cost and Impact of Dealing with the Past on Criminal Justice Organisations in Northern Ireland*. Belfast: CJINI.

Criminal Justice Inspection Northern Ireland (2011) *An Inspection into the Independence of the Office of the Police Ombudsman for Northern Ireland*. Belfast: CJINI.

Cullen, B. (1991) 'Community and drugs: a case study of community conflict in the inner city of Dublin', unpublished MLitt thesis, Trinity College Dublin.

Cunningham, Niall (2013) 'The doctrine of vicarious punishment': space, religion and the Belfast Troubles of 1920-22', *Journal of Historical Geography* 40(1): 52-66.

Dunn, S., Murray, D. and Walsh, D. (2002) *Cross border police co-operation in Ireland*. Limerick: University of Limerick.

Dunne, D. and Kerrigan, G. (1984) *Round Up the Usual Suspects: Nicky Kelly and the Cosgrave coalition*. Dublin: Magill.

Ellison, G. (2007) 'A blueprint for democratic policing anywhere in the world: police reform, political transition, and conflict resolution in Northern Ireland', *Police quarterly*, 10: 243--69.

Ellison, G. and Mulcahy, A. (2001) 'The 'policing question' in Northern Ireland', *Policing and Society*, 11: 243--58.

- Ellison, G. and O’Rawe, M. (2010) ‘Security governance in transition: the compartmentalizing, crowding out and corralling of policing and security in Northern Ireland’, *Theoretical Criminology*, 14: 31--57.
- Ellison, G. and Smyth, J. (2000) *The Crowned Harp: policing in Northern Ireland*. London: Pluto.
- Farrell, M. (1980) *Northern Ireland: The Orange State*. London: Pluto.
- Ferriter, D. (2012) *Occasions of Sin: sex and society in modern Ireland*. London: Profile.
- Garda Inspectorate (2014) *Crime Investigation*. Dublin: Garda Inspectorate.
- Garda Research Institute (2013) *Making Policing History: studies of garda violence and resources for police reform*. Dublin: Workers Solidarity Movement.
- Gethins, M. (2011) *Catholic Police Officers in Northern Ireland: voices out of silence*. Manchester: Manchester University Press.
- Guerin Report (2014) *Review of the Action Taken by An Garda Síochána Pertaining to Certain Allegations Made by Sergeant Maurice McCabe*. Dublin: Department of the Taoiseach.
- Her Majesty’s Inspectorate of Constabulary (2013) *Inspection of the Police Service of Northern Ireland Historical Enquiries Team*. London: HMSO.
- Herbert, S. (2006) ‘Tangled up in blue: conflicting paths to police legitimacy’, *Theoretical Criminology*, 10: 481-504.
- Hunt Report (1969) *Report of the Advisory Committee on Police in Northern Ireland* (Cmd. 535). Belfast: HMSO.

- Inglis, T. (1998) *Moral Monopoly: the rise and fall of the Catholic Church in modern Ireland*, 2nd edition. Dublin: University College Dublin Press.
- Inglis, T. (2003) *Truth, Power and Lies: Irish society and the case of the Kerry babies*. Dublin: University College Dublin Press.
- Inglis, T. (2008) *Global Ireland: same difference*. Abingdon, UK: Routledge.
- Institute of Criminology (2003) *Public Order Offences in Ireland*. Dublin: Stationary Office.
- Interdepartmental Group on Urban Crime and Disorder (1992) *Urban Crime and Disorder: Report of the Interdepartmental Group*. Dublin: Stationary Office.
- Jackson, J., Bradford, B., Stanko, B. and Hohl, K. (2013) *Just Authority? Trust in the police in England and Wales*. Abingdon, UK: Routledge.
- Kearns, K. (2014) *The Legendary 'Lugs Branigan' – Ireland's most famed garda*. Dublin: Gill and Macmillan.
- Kilcommins, S., O'Donnell, I., O'Sullivan, E. and Vaughan, B. (2004) *Crime, Punishment and the Search for Order in Ireland*. Dublin: Institute of Public Administration.
- Lawther, C. (2014) *Truth, Denial and Transition: Northern Ireland and the contested past*. Abingdon, UK: Routledge.
- Lee, J. (1989) *Ireland, 1912-1985: politics and society*. Cambridge: Cambridge University Press.
- Lundy, P. (2009) 'Can the past be policed?: lessons from the Historical Enquiries Team Northern Ireland', *Law and Social Challenges*, 11: 109--71.
- Lundy, P. (2011) 'Paradoxes and challenges of transitional justice at the 'local' level: historical enquiries in Northern Ireland', *Contemporary Social Science*, 6: 89--105
- Malcolm, E. (2006) *The Irish Policeman, 1822-1922*. Dublin: Four Courts Press.

McCusker, T. (2011) *Police Ombudsman Investigation Report*. Belfast: Office of the Minister for Justice.

McGarry, J. and O'Leary, B. (1999) *Policing Northern Ireland: proposals for a new start*. Belfast: Blackstaff Press.

McInerney, D. (2004) 'Intercultural Ireland: Developing the role of ethnic liaison officers within An Garda Síochána', unpublished MPhil Thesis, Trinity College Dublin.

Manning, P. (2012) 'Trust and accountability in Ireland: the case of An Garda Síochána', *Policing and Society*, 22: 346--61.

Morris, Justice Frederick (2004-2008) *Reports of the Tribunal of Inquiry Set up Pursuant to the Tribunal of Inquiry (Evidence) Acts 1921-2002 into Certain Gardaí in the Donegal Division*. Dublin: Stationary Office.

Mulcahy, A. (2013) 'Great expectations and complex realities: assessing the impact and implications of police reform in Northern Ireland', in J. Brown (ed.) *The Future of Policing*. Abingdon, UK: Routledge.

Mulcahy, A. (2012) "'Alright in Their Own Place': policing and the spatial regulation of Irish Travellers', *Criminology and Criminal Justice*, 12: 307--27.

Mulcahy, Aogán (2008a) 'Community policing in contested settings: the Patten Report and police reform in Northern Ireland', in T. Williamson (ed.) *The Handbook of Knowledge-Based Policing*. Chichester: Wiley.

Mulcahy, Aogán (2008b) 'Policing, 'community' and social change in Ireland', in J. Shapland (ed.) *Justice, Community and Civil Society*. Cullompton, Devon: Willan.

Mulcahy, A. (2006) *Policing Northern Ireland: conflict, legitimacy and reform*. Cullompton, Devon: Willan Publishing.

- Mulcahy, A. and O'Mahony, E. (2005) *Policing and Social Marginalisation in Ireland* (Working Paper 05/02). Dublin: Combat Poverty Agency.
- Mulcahy, A. (2005) 'The "Other" Lessons from Ireland?: policing, political violence and policy transfer', *European Journal of Criminology*, 2: 185--209.
- Mulcahy, A. (2002) 'The impact of the Northern 'Troubles' on criminal justice in the Irish Republic', in P. O'Mahony (ed.) *Criminal Justice in Ireland*. Dublin: Institute for Public Administration.
- Mulcahy, A. (1999) 'Visions of Normality: Peace and the reconstruction of policing in Northern Ireland', *Social and Legal Studies*, 8: 277--95.
- Murphy, J. (2013) *Policing for Peace in Northern Ireland: change, conflict and community confidence*. Basingstoke: Palgrave Macmillan.
- Murphy-Lawless, J. (2002) *Fighting Back: women and the impact of drug abuse on families and communities*. Dublin: Liffey Press.
- O'Briain Committee (1978) *Report of the Committee to Recommend Certain Safeguards for Persons in Custody and for Members of An Garda Síochána*. Dublin: Stationary Office.
- O'Sullivan, D. (1999) *The Irish Constabularies, 1822-1922*. Dingle, Ireland: Brandon Books.
- O'Sullivan, E. and O'Donnell, I. (eds) (2012) *Coercive Confinement in Ireland*. Manchester: Manchester University Press.
- Oversight Commissioner (2007) *Overseeing the Proposed Revisions for the Policing Services of Northern Ireland - Report 19 (Final Report)*. Belfast: Office of the Oversight Commissioner.

Parkinson, A. (2004) *Belfast's Unholy War: the troubles of the 1920s*. Dublin: Four Courts Press.

Patten, C. (2010) 'Personal reflections on chairing the commission', in D. Doyle (ed.) *Policing the Narrow Ground: Lessons from the transformation of policing in Northern Ireland*. Dublin: Royal Irish Academy.

Shearing, C. (2010) 'The curious case of the *Patten Report*', in D. Doyle (ed.) *Policing the Narrow Ground: Lessons from the transformation of policing in Northern Ireland*. Dublin: Royal Irish Academy.

Ruane, J. and Todd, J. (1996) *The Dynamics of Conflict in Northern Ireland*. Cambridge: Cambridge University Press.

Scarman Report (1972) *Violence and Civil Disturbances in Northern Ireland in 1969* (Cmd 566). Belfast: HMSO.

Smithwick Tribunal (2013) *Report of the Tribunal Of Inquiry Into Suggestions That Members of An Garda Síochána or Other Employees of the State Colluded in the Fatal Shootings of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on the 20th March 1989*. Dublin: Stationary Office.

Topping, J. (2008a) 'Diversifying from within: community policing and the governance of security in Northern Ireland', *British Journal of Criminology*, 48: 778-97.

Topping, J. (2008b) 'Community policing in Northern Ireland: a resistance narrative', *Policing and Society*, 18: 377--96.

Topping, J. and Byrne, J. (2014) 'Shadow policing: the boundaries of community-based 'policing' in Northern Ireland', *Policing and Society* (Advance Access - DOI: 0.1080/10439463.2014.989152). Accessed: 15 February 2015.

Walker M. (2007) *Traveller/Ethnic Minority Communities' Attitudes to the Garda Síochána 2007 (Research Report No. 9/07)*. Dublin: An Garda Síochána.

Walsh D (2000) 'Policing pluralism', in M. MacLachlan and M. O'Connell (eds) *Cultivating Pluralism*. Dublin: Oak Tree Press.

Walsh, D. (1999) *The Irish Police: a legal and constitutional perspective*. Dublin: Round Hall.

Walsh, D. (2011) 'Police cooperation across the Irish border: familiarity breeding contempt for transparency and accountability', *Journal of Law and Society*, 38: 301--30.

Walsh, D. and Conway, V. (2011) 'Current developments in police governance and accountability in Ireland', *Crime, Law and Social Change*, 55: 241—57.

Table 1: Public attitudes towards security measures in Northern Ireland

	Catholics Agreeing (%)	Protestants Agreeing (%)
House searches are used too little	3	26
House searches are used too much	35	3
Random searches of pedestrians are used too little	6	32
Random searches of pedestrians are used too much	41	3
Vehicle checkpoints are used too little	9	34
Vehicle checkpoints are used too much	40	8
Approve of 'shoot-to-kill' actions against terrorist suspects	7	61
Approve of increased use of undercover surveillance operations	25	90
Approve of use of plastic bullets during riot situations	9	86

Source: Adapted from Weitzer (1995: 137).

Table 2: Public Satisfaction with the Police in the Republic of Ireland

	Very Satisfied	Satisfied	<i>Total Satisfied</i>	Dissatisfied	Very Dissatisfied	<i>Total Dissatisfied</i>
2002	17	69	86	11	2	13
2003	17	64	81	15	4	19
2004	15	69	84	11	4	15
2005	16	67	83	14	3	17
2006	13	67	80	16	4	20
2007	14	67	81	16	3	19
2008	11	70	81	14	5	19

Source: Adapted from Browne (2008: Table 1).