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## Plural Policing: The Multifaceted World of Irish State “Policing” Authorities

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*Plural Policing: The Multifaceted World of  
Irish State “Policing” Authorities*

A thesis submitted to the Dublin Institute of Technology in part fulfilment of  
the requirements for award of Masters (M.A.) in Criminology

by

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September 2013

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*Declaration*

I hereby certify that the material, which is submitted in this thesis, towards the award of the **Masters (M.A.) in Criminology**, is entirely my own work and has not been submitted for any academic assessment other than part-fulfilment of the award named above.

*Signature of Candidate:* \_\_\_\_\_

*Thomas Talbot*

*Date:* \_\_\_\_\_

## **Abstract**

The aim of this research was to explore the rather undocumented world of the wider policing community acting in an official capacity on behalf of the Irish state in 2013 and to produce a comprehensive empirical mapping of these governance entities. This group was defined as those operating in a coercive manner at the most extreme end of the social control spectrum and the research therefore focused on those organisations actively prosecuting cases in the Irish courts.

A mixed method design was used to maximise both quantitative and qualitative information. As this mapping exercise was the first of its kind, a complete collection sample was conducted and a comprehensive questionnaire was issued to all identified organisations. Simultaneously, the author completed a documentary analysis of relevant reports produced by Dáil and Seanad Éireann during the first seven months of 2013.

The research succeeded in empirically mapping a total of fifty-one policing organisations, which were active in the Irish criminal justice system. The study also discovered a substantial increase in the proliferation of these policing agencies over the last two decades. In addition, there appeared to be a greater preponderance to select the prosecution option as an enforcement method, with long established organisations now prosecuting for the first time.

The research has relevance to the Irish state, as it has for the first time documented all prosecuting (policing) organisations operating within the Irish criminal justice system, alongside An Garda Síochána and the Director of Public Prosecutions (DPP). The study allows policy makers to compare and contrast organisations performing a similar policing role with a view to maximising efficiency of resources and also to ensure that those charged with policing Irish society do so in a fair and transparent manner.

## **Acknowledgement**

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## LIST OF ABBREVIATIONS

CAR	Commission for Aviation Regulation
CCTS	Criminal Case Tracking System
CER	Commission for Energy Regulation
ComReg	Commission for Communications Regulation
CRO	Companies Registration Office
CSO	Central Statistics Office
CSSO	Chief State Solicitor's Office
DAFM	Department of Agriculture, Food and the Marine
DAHG	Department of Arts, Heritage and the Gaeltacht
DCENR	Department of Communications, Energy and Natural Resources
DECLG	Department of Environment, Community and Local Government
DJEI	Department of Jobs, Enterprise & Innovation
DoC	Department of Children
DoF	Department of Finance
DoH	Department of Health
DJE	Department of Justice and Equality
DoT	Department of Taoiseach
DPC	Drogheda Port Company
DPP	Director of Public Prosecutions
DSP	Department of Social Protection
DTTaS	Department of Transport, Tourism and Sport
EPA	Environmental Protection Agency
ESB	Electricity Supply Board
FSAI	Food Safety Authority of Ireland
GSOC	Garda Síochána Ombudsman Commission
HSA	Health and Safety Authority
HSE	Health Service Executive
IAA	Irish Aviation Authority
IFI	Inland Fisheries Ireland
IMB	Irish Medicines Board
IRA	Irish Republican Army
ISPCA	Irish Society for the Prevention of Cruelty to Animals
LGMA	Local Government Management Agency

## **LIST OF ABBREVIATIONS (continued)**

LMS (NSAI)	Legal Metrology Service of National Standards Authority of Ireland
NCA	National Consumer Agency
NERA	National Employment Rights Authority
NEWB	National Education Welfare Board
NPWS	National Parks & Wildlife Service
NTA	National Transport Authority
NTCO	National Tobacco Control Office
ODCE	Office of the Director of Corporate Enforcement
PQ	Parliamentary Question
PRTB	Private Residential Tenancies Board
PSA	Private Security Authority
PSI	Pharmaceutical Society of Ireland
PSRA	Property Services Regulatory Authority
PVDO	Plant Variety Development Office
RPII	Radiological Protection Institute of Ireland
RSA	Road Safety Authority
RSC	Railway Safety Commission
RSPCA	Royal Society for the Prevention of Cruelty to Animals
RTO	Road Traffic Offence
SEAI	Sustainable Energy Authority of Ireland
SFPA	Sea Fisheries Protection Authority
SIPO	Standards in Public Office Commission
VCI	Veterinary Council of Ireland

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# CHAPTER 1

## 1. INTRODUCTION

### 1.1 Rationale for the Research

One consequence of the post welfare state period was the transfer of traditional policing duties from state police to various factions across society. This occurrence, labelled as ‘pluralisation’ is widely recognised in criminological literature. However, it would appear from a review of existing literature that research in the field of plural policing has concentrated on the transfer of policing roles to the general public and to the ever expanding commercial sector of private security (Crawford, Lister, Blackburn, and Burnett, 2005). Much less explored are the many state agencies that now perform a policing role and it is this gap in the literature, which is the rationale for this study.

This gap is somewhat surprising given the ‘indispensable’ importance attributed to the state, and the forms of public policing governed by it, by such acclaimed scholars as Loader and Walker (2007:7). Such a study is of even greater relevance to the Irish state, which has undergone a major expansion of state agencies since the early 1990s with what MacCarthaigh (2010:11) described as being a ‘wave of agency establishment’.

### 1.2 Aim and Objectives of the Research

The role of An Garda Síochána, which acts as the lead law enforcement agency within the Irish state is complemented by an increasing number of government organisations, which pro-actively police their own particular field of responsibility. In fact, the official website for the Director of Public Prosecutions (DPP) includes a ‘Criminal Process Chart’, with the wording ‘An Garda Síochána & Specialised Investigating Agencies conduct independent criminal investigations’. The aim of this research was to explore the various policing organisations in existence in 2013 in Ireland and produce a comprehensive empirical mapping of these governance entities. A clear set of objectives, which was developed to fulfil this aim, is listed below.

1. To identify the different policing organisations in Ireland.
2. To critically evaluate and explain any emerging patterns in terms of the number of such organisations.
3. To track the policing activities of these organisations, specifically the use of prosecutions.
4. To identify the links between the policing organisations and governance.

This research was unique in that no similar empirical mapping exercise had been undertaken. It was very much an exploratory thesis to identify the policing entities of the Irish state outside of An Garda Síochána.

### **1.3 Main Findings and Recommendations**

The research identified a total of 51 Irish state agencies, authorities, boards, commissions, government departments, institutes, offices, regulators and societies, all of which have actually taken a prosecution case through the Irish Courts for breach of the legislation or regulations under their care. The study also confirmed the rapid expansion of the number of these organisations throughout the last two decades. While it is clearly evident that a wide variety of compliance and enforcement options are employed, there are indications that there has been a greater preponderance to select the prosecution option as an enforcement method, with long established organisations now prosecuting for the first time.

### **1.4 Outline of Chapters**

Chapter two presents a review of the current literature on plural policing and includes an examination of the visibility of Irish State policing providers. Chapter three details the research methodology and the rationale regarding the chosen approach. The findings of the research are outlined in chapter four while chapter five provides an in-depth analysis and discussion of these findings, which are interpreted and considered with regard to the current literature. Finally, chapter six outlines the conclusions and recommendations, which emanate from the research.

## CHAPTER 2

### 2. LITERATURE REVIEW

#### 2.1 Introduction

This chapter examines and evaluates the literature on plural policing. It maps out the development and expansion of plural policing before considering the various ways states have adapted to a networked society. The chapter then examines the possible future of plural policing before concluding with an exploration of the literature, which has specifically identified the existence and roles of a variety of policing providers.

#### 2.2 Background

##### 2.2.1 *Police, Policing and Security: Defined*

An understanding of the terms police, policing and security is of paramount importance to any study of pluralised policing. The police are one of many contributors to the maintenance of social order, uniquely situated at the most formal end of the social control spectrum. They represent an organised form of order maintenance (Cohen, 1995; Jones and Newburn, 1998), which involves ‘surveillance and sanctions’ (Newburn and Reiner, 2007:914). But while the term public police is understood to mean the single entity of state police, public policing more correctly refers to all public or state agencies that perform policing duties. Also, in the context of policing studies, the term ‘security’ is often given a wide meaning akin to crime control (Loader and Walker, 2007).

However, defining policing is acknowledged as being problematic (Newburn, 2008) and associated terms are open to wide interpretation and misuse. For example, the phrases public police and public policing are often incorrectly treated as having the same meaning. This is clearly visible when Crawford (2006:461) graphs public “*police*”, which he limits to ‘sworn officers and community support officers’, when comparing the expanding numbers of “*public policing*” against the private sector. By doing so, he incorrectly portrays police and policing as having the same meaning. The word security is equally open to misunderstanding. The term has many different meanings and is

often prone to a narrow interpretation of protection from harm. The literature indicates that this narrow meaning has been adopted on occasion, especially in direct comparisons with the private security sector (Dupont and Wood, 2006; Johnston, 2006; Loader and Walker, 2007). At other times, a wider definition encompassing crime control is applied (Loader and Walker, 2007). Indeed, the term 'security and policing' is often used within plural policing discourse (Crawford, 2006; Ellison and O'Rawe, 2010). This phrase automatically links the two concepts but equally indicates that they have very different meanings. However, the term 'security governance' is advanced to encompass all forms of policing as suggested by Johnston and Shearing (2003).

### *2.2.2 Late Modern Transformations*

From the earliest social contract theorists, the security of every citizen has been intimately linked to the state with the image of Hobbes' Leviathan representing an all-powerful state (Hobbes, 1996; Locke, 1988). The state reserved sole custody over the use of legitimate force (Weber, 1978) and was thus perceived to have primary responsibility for policing and citizen security. At the same time, state appointed police were seen to monopolise policing (Johnston and Shearing, 2003) and although private security policing existed, it was very much subordinate to the public police (Crawford, 2006) who enjoyed 'a pivotal place' in security matters (Loader and Sparks, 2007:79).

But this state centred policing structure changed with the arrival of the late modernity age, which ushered in an array of transformations across all aspects of social life. In policing terms, the bureaucratic state 'command and control' structure (Wood and Shearing, 2007:8), which had existed virtually unchallenged, was now being countered by new style networked governance that was replacing old style hierarchies (Crawford, 2006). Loader and Walker (2001) referred to this as 'a progressive de-coupling of police and state'.

This apparent shift towards plural policing was recognised as a central issue within criminology and police studies throughout the world (Jones and Newburn, 2006) with several authors raising concerns about legitimacy, accountability and fairness in this expanding pluralised policing network (Johnston and Shearing, 2003; Loader and Walker, 2007; Reiner, 2010). The literature also predicted that increased numbers of the population would be subjected to police type scrutiny (Shearing and Stenning 1983;

Wakefield, 2003; Zedner, 2004) with Zedner (2004) also forewarning of potential injustices caused by strikingly divergent policies of the different prosecution agencies. The warning issued by Johnston (2001) that diverse policing, if left unchecked may create a fragmented, ineffective, unjust and overly invasive system of policing is particularly stark. Criminologists recognised that some empirical mapping had taken place but advocated a need for increased empirical data (Loader and Walker, 2007), which was described as being ‘rather thin’ (Dupont and Wood, 2006:241).

### 2.2.3 *From Police To Policing*

In this new pluralised environment, the police retained primary responsibility for deploying legitimate force but were now seen as just one of many security providers. As Newburn (2008) correctly observed, policing and the police were no longer synonymous. This broader concept of policing, which included an assembly of formal social controls (Jones and Newburn, 1998) was aptly entitled ‘security governance’ by Shearing and Stenning (1981). Individual policing entities (or nodes) then co-existed within this pluralised security quilt (Ericson, 1994) in what Newburn (2008) referred to as a proliferation of policing beyond the police. Alongside state police, policing roles were now being discharged by a plethora of providers from the wider public sector, the commercial sector, voluntary groups and even the civilian population (Newburn, 2007). In a reference to Stan Cohen’s (1985) fishing metaphor, Shearing (2001) declared, ‘The net will be widened and thinned, but those fishing will not be exclusively state officials’. Crawford and Lister (2004) and Johnston (2003) referred to an extended policing family while Jones and Newburn (2006:4) called this new environment ‘a policing patchwork’. The public police were no longer the sole policing agent but instead a new multilateral security network had arisen (Bayley and Shearing, 2001).

The literature identifies the extent of the change but while Bayley and Shearing announced a monumental end to the public monopoly of policing claiming that ‘one system of policing ended and another took its place’ (1996), many others have convincingly countered this claim by showing that crime control has never been exclusive to the state (Crawford, 2008; Garland, 1996; Jones and Newburn, 2006; Newburn, 2001; Reiner, 2010; Zedner, 2004). Indeed, Zedner (2006) opined that pluralisation was nothing new, but simply a reversion back to eighteenth century policing; Braithwaite’s (2000) ‘night watchman state’, when crime control was very

much the business of non-state entities. Despite these differing opinions and also the fact that the police still dominate our understanding of policing (Reiner, 2010), it would appear that there is widespread agreement that there now exists a diverse multiplicity of policing providers.

## **2.3 The Expansion of Plural Policing**

### *2.3.1 Reasons for Expansion*

A number of explanations have been proffered as to why policing has pluralised. Crawford (2006) for example, has argued that the scope of the public police has been constrained by limited finances and others now provide these policing services. However, Jones and Newburn (2006) demonstrate that both police numbers and budgets have actually increased and they have claimed it is more accurate to talk about a demand-gap where the demands on public police increased more rapidly than the growth in police resources. Another theory is that society has now concluded that the police and the wider criminal justice system have a limited capacity and that the police are simply 'spread too thinly' to cope with the levels of crime (Reiner, 2010:23).

The changing nature of policing public and private spaces is also credited with the expansion of policing beyond state police. Shearing and Stenning (1981) have contended that the growth in 'mass private property' such as shopping centres has created the greater demand for private security while Newburn (2007) claims that increased policing numbers is partly due to a formalisation of informal security governance positions such as bus conductors.

The work of Mulcahy (2012) is particularly instructive when examining this question from a purely Irish perspective. Mulcahy (2012) mapped out the governance of crime and security and illustrated the lack of demand for plural policing in Ireland. He suggested that the Gardaí were deemed by the Irish public to be able to cope with existing crime levels, at least until the 1960s/1970s when increased crime statistics coupled with the arrival of heroin prompted a concerned general public as well as a sudden political interest in criminal justice matters.

### *2.3.2 Consequences of Plural Policing*

The literature indicates that the state itself has been weakened by the expansion of other policing providers. The effect of globalising and localising forces (Newburn, 2007), privatisation and regulatory expansion (Braithwaite, 2000) were deemed to have caused a hollowing out of the state (Rhodes, 1994). In contrast, several authors have applauded the increase in regulation claiming the state is actually strengthened, not weakened, by regulatory governance (Osborne and Gaebler, 1992; Rose and Miller, 1992; Shearing and Berg, 2006; Zedner, 2004). The claim is that this rule-at-a-distance concept strengthens the state by extending state influence and governance (Rose and Miller, 1992). The state also benefits from the formation of alliances across various networks (Young, 2007). In a similar context, it could be argued that global securitisation and the emergence of supranational institutions such as the European Police Office (Europol), which are seen to enhance policing capacity across Europe (Loader, 2002) either diminishes the role of the state as a sole policing provider or alternatively, actually increases the state's power by uniting with its European partners.

Another quite different consequence of pluralisation is a 'blurring of the distinction' (Zedner, 2004:3) between the state and civil society, and between public and private policing. There is now a greater overlap in techniques and roles such as patrolling, investigation and the application of sanctions according to Morgan and Newburn (1997), Newburn (2008) and Shearing (2001).

## **2.4 The Multiplicity of State Models**

It is widely accepted that states have relinquished some control over policing and that there has been a general shift from direct control to increased governance. However, states appear to have adapted to pluralism in different ways, the work of Crawford (2006) and McLaughlin (2007) is particularly insightful. Firstly, in some cases states have held on to their function as sole policing provider and in an act of 'flexing their muscles' (Bauman, 1999:50), they have increased public police powers and punitive laws in what Garland (2001) referred to as an act of denial. In other cases the state has withdrawn completely and simply allowed market forces to apply (Hayek, 1988). In addition, two other prominent models have evolved, both of which promote a network approach to policing. These are (a) nodal governance, where various public and private

entities (or nodes) work together in equal partnership within networks and (b) anchored pluralism, where pluralism and networking thrive but where the state retains overall importance and effectively acts as the lead node. Empirical research has identified that all of these models co-exist to form ‘a complex mosaic’ (Crawford *et al.*, 2005:90). The next section of this chapter provides a detailed consideration of these models.

#### *2.4.1 State withdrawal from Front-line Policing*

As outlined, one adaptation by the state was to accept that it was no longer the sole provider of security. It then proceeded to assign responsibility for crime control to the private sector and the general public. The concept of ‘responsibilisation’, which began its criminological origins with Michel Foucault (1977) and Stan Cohen (1985), allowed states to distribute ownership of crime control across many factions of society. As crime became seen as inevitable (Garland, 2001), state strategy shifted to surveillance and crime prevention. States actively encouraged others to participate in crime control and this effectively widened the security governance net. Crawford (2008) referred to this as an explosion in crime initiatives focused upon prevention rather than cure.

Another development in late modernity was the adoption of an American concept (Eisner, 2000) whereby states, in part as a result of new European Union legislation, shifted from direct rule to indirect rule by appointing independent regulatory agencies. The expansion of regulatory agencies, which maximise compliance-based law enforcement, is seen as an example of the risk society promoted by Ericson and Haggerty (1997). Manning (2006:114) categorised the models of regulation as being: the criminal coercive model, the compliance-negotiation model and the co-operative model. Braithwaite (2000), Crawford (2008) and Hardiman (2012) have all highlighted this expansion as being a very significant event, even prompting Braithwaite (2000) to declare that the ‘Keynesian State’ had now been replaced by the ‘New Regulatory State’. In Irish terms, Westrup (2012) declared the increase in regulatory agencies to be perhaps the most significant change to Irish governance.

However, in addition to state withdrawal, two dominant theoretical frameworks offer an alternative course of action. These are described in the next section.

#### 2.4.2 *Nodal Governance*

Johnston, Shearing and Wood have written quite extensively in favour of the model of nodal governance, while Dupont, Burris and Berg are also proponents of this form of governance. It is posited that while each individual constituent (or node) can operate in isolation it is only when they harness their knowledge and capacity and communicate across networks that they reach their true potential (Burris, 2004). Under the nodal governance model, each node has equal standing and is part of a horizontal alliance joining forces in the spirit of cooperation (Johnston and Shearing, 2003). The sovereign state is but one node within this ‘network of power’ (Shearing and Berg, 2006:194) and it holds no priority over others (Johnston and Shearing, 2003). Indeed Shearing and Wood (2003) re-introduced the term ‘denizen’ to denote a person within a specific node rather than use the term ‘citizen’ with its obvious state related connotations. Similarly Morgan and Newburn (1997:73) while recognising that the public police have an essential role in policing networks, question whether they should take ‘the lead part’. Shearing and Wood (2003:217) go further by seeking to establish nodal governance firmly within the community, maximising local knowledge and ability and thus creating what they call ‘community governance’.

However, Thompson (2003) has warned of the demise of networks due to a retraction of policy making into hierarchies and also due to the expansion of privatisation and private sector techniques into public sector business. Equally, these networks can be complex with the literature reporting a lack of co-ordination and effectiveness (Crawford, 2005; Verhage, Terpstra, Deelman, Muylaert and Van Parys, 2010; Zedner, 2004). The solution to this may be to create co-ordinating structures such as super-structural nodes, which can act as command centres of networked governance (Drahos, 2004) or alternatively overarching policing commissions (Loader, 2000; Shearing, 2001).

In practical terms the proponents of nodal governance often cite the two examples of the Zwelethemba Peace Committees in South Africa and the police boards established under the Patten Commission in Northern Ireland as actual examples of nodalisation at work. However, Braithwaite (2000), Ellison and O’Rawe (2010), and Reiner (2010) have all claimed there are flaws within these examples. Quoted Irish examples, include the Criminal Assets Bureau and local authority enforcement (Mulcahy, 2012) and the recently formed Joint Policing Committees (Harrington 2011).

### *2.4.3 State Anchored Pluralism*

In contrast, promoting an alternative to the nodalisation theoretical framework, Loader and Walker (2007:7) believe the state and public police are 'indispensable' and 'pivotal' to security governance and that the state could never be merely one of many equal nodes. They cite expanding state powers as evidence that the state is very much centre stage in security governance matters. They accept the concept of networks and declare there should be 'as much pluralism as possible' (Loader and Walker, 2007:193). However their version is what is termed 'an anchored' pluralist model where the state is the lead partner effectively retaining control over policing matters (Loader and Walker, 2006:8). Braithwaite (2000), Crawford (2006), Marks and Goldsmith (2006), White (2011) and Zedner (2004) all support this concept.

To support the idea that the state is an essential leading component of any network, Loader and Walker (2007:170) proffer the idea that security is a 'thick public good', which needs protection. They advocate that security should not be a private commodity or 'club good', to be bought and sold and only available to those who can afford it (Loader and Walker, 2007:170). In simple terms, they strongly believe that commercial interests conflict with public good interests. In support of this argument Crawford (2006) graphically illustrated the difficulties experienced by London businesses in obtaining insurance following an IRA bombing in London in 1992. In this case, the British government took action and acted as 'an insurer of last resort' demonstrating the need for the state (Crawford, 2006:459).

## **2.5 The Future of Plural Policing**

The empirical evidence gathered by Jones and Newburn (2006) reveals that plural policing is developing across a number of jurisdictions and indeed continents. With the exception of Greece, there has been a dramatic growth in the private security sector and a diversification of policing across 'a complex patchwork of agencies' (Jones and Newburn, 2006:34). The literature indicates that this pluralised world of policing and security is set to continue as a general trend (Dupont and Wood, 2006), despite Yar's (2011) warning that network governance, like its predecessors, could well be replaced by another mode of social co-ordination in due course. However if plural policing is the future, the question is which model of security governance will flourish? The answer to

this is debated in Wood and Dupont's (2006) compilation '*Democracy, Society and the Governance of Security*', which is an excellent compendium of the various academic opinions in this field of study. While at first glance it appears the literature is simply divided between the two dominant theories of nodal governance and anchored pluralism, with the key difference between the two being the role of the state (White, 2011), further investigation reveals that it is not a simple case of two factions opposed as pro and anti-state mentalities but rather the differences are much more subtle and can be quite nuanced.

For example, the research literature clearly shows that both theories recognise the importance of the state. Nodal governance proponents agree with Loader and Walker (2001), and acknowledge that the state should not be forgotten (Shearing and Berg, 2006) and that it is a crucial player within governance (Johnston, 2006). Equally, everyone appears to agree that there is a need to look beyond the state. For example Shearing and Berg (2006) suggest that other non-state local entities should take responsibility for policing and security. In contrast, for supporters of anchored pluralism, 'beyond the state' simply means bringing in more policing partners to work with the state in a pluralised world (Crawford, 2006).

There appears to be some agreement on a number of other issues such as the importance of democracy. However, both sides claim it is their particular model that best promotes democracy (Loader and Walker, 2001 and 2007; Wood and Shearing, 2007). Equally, while Shearing (2006) agrees with the concept of anchored pluralism, he argues that pluralism has multiple state, supra state and non-state anchors and agrees to an anchor but just not a state anchor.

## **2.6 Visibility of State Policing Providers**

While the transfer of traditional police functions to the private sector and to the general public dominates plural policing discourse, there is little discussion regarding the role of state bodies that actively perform policing functions. The research literature reveals that there is a significant absence of any reference to these state entities, when estimating the size of public policing; with Zedner (2006) being one of the very few exceptions. However, there is now a growing awareness of these organisations and their importance is clearly recognised by Jones and Newburn (2006:4) who referred to them as being 'a

significant element' within the broader notion of plural policing. Newburn and Reiner (2007) also declared that the increased attention paid to the activities of a range of governmental regulatory and investigatory agencies was one of the three key developments within pluralisation.

Early recognition came when Newburn (2001) identified a variety of specialised policing providers. He categorised environmental health officers, benefit fraud investigators and others under the title 'Other public policing bodies'. Later Jones and Newburn (2006) declared that local authorities actually performed a range of policing functions, and Gibson and Cavadino (2008:11) subsequently identified a number of 'investigators from other authorities'. However, it was Crawford (2008) who produced the most comprehensive list of organisations involved in plural policing. As part of this, his description of the reporting structures illustrated a complex government web of policing providers (Crawford, 2008).

In an Irish context, Kilcommins, O'Donnell, O'Sullivan and Vaughan (2004), when reviewing the development of the criminal justice policy and practice in Ireland, documented some examples of prosecutions, seizures, warning letters and case details of offences 'processed by other agencies'. They mention the Revenue Commissioners, Health and Safety Authority (HSA), Office of Director of Corporate Enforcement (ODCE), Department of Social and Family Affairs, Environmental Protection Agency (EPA), Central and Regional Fisheries Board, Dublin Bus, local authorities, the Health Board and An Post as some examples of these organisations. They observed that,

*society tends to be more concerned about the potential harms caused by drug addicts wielding knives or syringes than by businessmen signing dodgy deals* (2004:102)

Most recently, Westrup (2012) identified ten new Irish regulatory agencies, set up between 1991 and 2004, a number of which have a policing function. However, this is only part of the picture as during the budget speech of 2009, the government announced the merger of a number of state agencies with a general plan to reduce the number of state bodies and agencies by forty-one (O'Toole and Dooney, 2009). This reduction should be considered in conjunction with the examination of public sector trends by Boyle (2012) which highlighted that the largest decrease in staff numbers between 2008 and 2012 was suffered by the non-commercial state agencies (19 per cent), local

authorities (14 per cent) and the justice sector (13 per cent). In addition, MacCarthaigh reported that between April 2007 and April 2010, eight new state agencies were created while eighteen ceased to exist (2010).

However, the reality is that the visibility of Irish policing providers is further obscured by the lack of meaningful crime data. Irish literature consistently stresses the limitations of official crime figures (Kilcommins *et al.*, 2004; Walsh and Mulqueen, 2009) and calls for improvements in data collection and publication (Rogan, 2012).

However the imminent introduction of a whole of government performance measurement portal, 'Ireland Stat', as described by Downes, Kennedy and Nic Gearailt (2013), which will allow the comparison of programme and policy outcomes across government bodies, has the potential to be a significant milestone in the visibility and transparency of state policing providers.

## **2.7 Summary**

The research literature has highlighted that police and policing has gone through a transformation and that there is clear evidence of an expansion and diversity of those involved in policing. In particular, the literature indicates that while the criminological discourse on state policing organisations is underdeveloped, there appears to be a growing awareness and appreciation of such state entities. The multiplicity of state models suggest that there has been a general shift from direct control to increased governance but while there is general agreement that networked or nodal governance is the future of policing, there is disagreement regarding the actual role the state should play in such networks. Irish literature has particularly highlighted a constant change in those involved in plural policing together with a lack of meaningful crime data for the work of these organisations.

## CHAPTER 3

### 3. METHODOLOGY

#### 3.1 Introduction

The purpose of this chapter is to set out the research methodology used to evaluate the overall aim of the study, which was to explore and produce a comprehensive empirical mapping of the policing organisations in existence in 2013 in Ireland. The first section of this chapter outlines the philosophical element of the research and explains the rationale for the selected research design. The research methods, data collection and sampling are then discussed. The limitations and ethical issues to the research are highlighted in the final section.

#### 3.2 Research Design

Research design and methods are based on different perceptions of reality (Fielding and Schreier, 2001), specifically, what is reality (ontology) and how is knowledge of this reality developed (epistemology). The primary research crosses into both objective and subjective realms of ontology and the actual collection of data is based on a post-positivism epistemology encompassing a numeric observation of the social world.

The specific design selected for the research, which was influenced by the objective of the study did not fit neatly into any one paradigm. The design could be best described as referencing the theory to the empirical data in an effort to establish if the theory was applicable to Ireland. To achieve this, an amalgam of quantitative and qualitative methods was applied and as such the design falls into the wide net of a mixed methods design. This approach is described as one where the researcher ‘draws inferences using both qualitative and quantitative approaches...in a single study’ (Tashakkori and Creswell, 2007:4).

This research collected and analysed quantitative data to identify state organisations, acting in a policing capacity, and then subjected these results to a qualitative analysis. This approach concurs with Creswell and Clark who recognised the practicality of being ‘free to use all methods possible to address a research problem’ (Creswell and Clark,

2011:13). Although there are many good reasons for choosing a mixed method approach as illustrated by Creswell and Clark, (2011), the author's specific reasons were to corroborate the results and to underpin the findings. Quantitative research was necessary to identify the target group and evaluate any increase in the numbers. The qualitative research methodology was used to analyse documentary data of the Oireachtas, organisational annual reports and prosecution policy material in order to enhance the understanding of these policing organisations.

### **3.3 Research Methods, Data Collection and Sampling**

For the purpose of the research, the author confined the definition of state organisations involved in policing activities to include only organisations that prosecuted offenders for breach of Irish legislation. With the ability to enforce such coercive powers these organisations are very much at the most formal end of the social control spectrum and were deemed to perform a policing function. Zedner (2004), in referring to similar agents observed 'as prosecuting bodies they fulfil a core criminal justice function', while Newburn and Reiner (2007) emphasised the ability to impose sanctions as a defining element of the police. Manning (2006:114) also categorised one of the models of regulation as being, a 'criminal coercive model'.

#### *3.3.1 Phase 1: The Research Questionnaire*

The research method was strongly influenced by the difficulty in identifying the relevant policing organisations. The author first examined the possibility of documenting the policing activities of these agencies by means of a documentary analysis of published annual and other official reports. However, it was decided to issue a questionnaire to an identified target grouping to maximise the accuracy of the data. This purposive sampling technique described as selecting cases 'based on a specific purpose rather than randomly' (Tashakkori and Teddlie, 2003:713), contributed to the accuracy of the research, however it did have a negative impact regarding efficiency due to the time involved when communicating in person. The research included one hundred percent of the relevant organisations in the target sample. Teddlie and Yu (2007:204) noted that this 'complete collection' or 'criterion sampling' while normally used in qualitative studies could also be used to generate numeric data.

In order to identify the potential organisations that might use coercive powers such as prosecution as part of their compliance activities, the author contacted a number of key offices within the Irish criminal justice system: the Chief State Solicitor's Office (CSSO), DPP and the Courts Service of Ireland. While the CSSO and the DPP confirmed that they did not maintain a list of prosecuting authorities, the Courts Information Office was able to identify all organisations that had previously taken a prosecution in the District Court. While this historic list naturally included organisations that had ceased to exist, this method identified more than 40 potential prosecutors and acted as a solid foundation in identifying the target group.

The researcher examined all government department websites and scrutinised two selected documents from MacCarthaigh (2009 and 2010), which identified commercial and non-commercial national level agencies. The official websites of approximately 100 organisations were then scanned for references to prosecutions. Some organisations clearly stated that they did not prosecute but passed on investigations to An Garda Síochána. Following this screening exercise a list containing 69 potential organisations was established.

A pilot questionnaire was issued to four managers within the Revenue Commissioners (the author's organisation) to test the instrument. Valuable feedback was provided and the questionnaire was amended. The questionnaire was drafted with closed-ended questions with predetermined response scales and restricted categories containing both binary and nominal variables. A copy of the questionnaire is presented in Appendix B.

The questionnaire was divided into three components. The first component related to the structure, staffing levels and year of establishment. The second component requested general information on prosecutions, legal advice, delegated authority, prosecution staff, powers and actual use of prosecutions. The third component requested specific information on prosecutions including prosecution numbers, publication policy and type of offences prosecuted. As a preview of official publications indicated that prosecutions were recorded very differently across a number of organisations, the questionnaire sought to ensure a level of consistency by explicitly requesting details of cases actually prosecuted and finalised in a specific year.

The author initiated communications by telephoning the relevant information office or press officer. This allowed for an explanation of the purpose of the research and succeeded in directing the questionnaire to the appropriate unit in most cases. In another 12 cases the author issued e-mails to a generic information box. A total of 69 questionnaires were issued to all organisations in July and August 2013. Reminder e-mails were issued in 36 cases and follow up clarification telephone calls were made in nine cases. A total of 62 (90%) organisations responded. Of those returned, 15 confirmed they did not prosecute while another five organisations, although prosecutors, chose not to complete the questionnaire. Forty-two organisations in total completed the questionnaire.

The researcher set the inclusion criteria for policing to be those organisations actually using the coercive powers at the most formal end of the social control spectrum. Only organisations that had actually prosecuted offenders for breach of the legislation were deemed to be active in plural policing. Three of those who completed a questionnaire stated they had not actually prosecuted even though they had the powers to do so. These questionnaires, which were received from the Central Bank, Property Services Regulatory Authority (PSRA) and the Railway Safety Commission (RSC), were subsequently withdrawn from the findings and analysis. The 39 valid returned questionnaires represented 76% of the final identified target group.

### *3.3.2 Phase II: Oireachtas*

The second phase of the research involved a documentary analysis of selected material generated by both houses of the Irish parliament between January and July 2013. The purpose of this research phase was to assist in the identification of organisations and act as a further source of data in addition to the questionnaires. Documentary analysis is a systematic procedure for evaluating documents, 'in order to elicit meaning, gain understanding, and develop empirical knowledge' (Bowen, 2009:27). The reports from Dáil Éireann and Seanad Éireann included both written and oral Parliamentary Questions (PQ) and general debates. This research method was selected because the national parliament (the Oireachtas) debates and passes all laws (O'Toole and Dooney, 2009) and represents 'the main authorizers of public security' (Dupont, 2006:91).

The author utilised two web sites, to identify the number of times the term prosecution was used in conjunction with a named prosecuting organisation. The initial search criteria were 'prosecution' and variations of the word. The search engines returned 444 cases from [www.KildareStreet.com](http://www.KildareStreet.com) and 455 cases from [www.oireachtas.ie](http://www.oireachtas.ie). The difference of 2% was considered acceptable and this acted as a validation check for the search results. The author used the cases returned by [www.KildareStreet.com](http://www.KildareStreet.com) as this site allowed a direct link to individual cases unlike the Oireachtas website which links back to a full day's business.

### *3.3.3 Phase III: Courts Service*

This phase of the research was used to explore the level of policing activity, in terms of prosecutions, accredited to all policing providers. The researcher scrutinised the statistics and annual reports (2011 and 2012) of the Courts Service of Ireland. The examination focussed on the District court, as this court processed 95% of all criminal matters in 2012 including the vast majority of cases relevant to this study (Courts Service, Annual Report 2012).

### *3.3.4 Local Authorities*

Local authorities were considered as part of the primary research as they were known to command a significant policing brief. Under the Local Government Act 2001 the state is divided into 114 local authorities: twenty-nine county, five city and eighty town councils. Each council is technically independent but forms part of the wider local government system. The author therefore decided to treat this group as one single entity, similar to Garda Divisions all reporting into one organisation. Indeed, O'Toole and Dooney (2009:240) have opined 'in many ways the local authority service is a single service'. The issue of a questionnaire to this group was deemed impractical but in an attempt to quantify the level of prosecution work undertaken by local authorities, the author contacted the Department of Environment, Community and Local Government (DECLG) and also the Local Government Management Agency (LGMA).

### **3.4 Data Preparation and Analysis**

#### *3.3.3 Questionnaire*

The data was carefully collated and analysed to ensure the quality of both ‘the scores’ and ‘the conclusions’ (Creswell and Clark, 2011:210). While, the data was pre-coded, there was an element of post-data collection coding. The data was analysed using Excel and missing values and contradictory entries were minimised by telephoning the named contact person returned on the questionnaire. This occurred in nine of the 42 questionnaires returned and thus maximised the quality and accuracy of the data in the research. However, it was necessary to omit certain organisations from the analysis of specific questions where a missing or invalid entry remained, for example, the number of prosecutions returned by the Loughs Agency included prosecutions in both Northern Ireland and the Republic of Ireland.

While 12 potential prosecuting authorities did not complete the questionnaire it was possible, via the Courts Service, organisational websites and annual reports, to confirm that 11 of them performed a prosecutorial role. These additional named organisations were included on the list of prosecutors and two of them, the Companies Registration Office (CRO) and the Pharmaceutical Society of Ireland (PSI) were included in the prosecution statistics as such details were very obvious in their respective annual reports. Any information sourced in this way is clearly identified in the relevant tables. This resulted in the identification of 50 organisations and a final total of 51 organisations with the inclusion of local authorities, which were counted as a single entity. The high number of policing organisations in the sample (76%) authenticates the validity and reliability of the research.

#### *3.3.4 Oireachtas*

The 444 cases, which were identified using [www.KildareStreet.com](http://www.KildareStreet.com), were screened to isolate only those cases that specifically made a reference to an identified organisation other than An Garda Síochána and only then where the organisation was mentioned in enforcement, coercive or regulatory roles, that is, their policing role. A casual mention of an individual organisation was excluded. This generated 159 reference reports, which were then subjected to an in-depth evaluation noting key issues and patterns.

These key issues were then clustered or coded (Bell, 2005) and conclusions and theories were extracted.

The documentary analysis revealed prosecution statistics for An Post, the EPA and the Garda Síochána Ombudsman Commission (GSOC), all of which agreed very closely with the prosecution figures returned on the questionnaire and thus acted as another validation check (PQ 1808/13; PQ 3705/13; Dáil debates, 2 May 2013).

### **3.4 Data Limitations:**

The main limitation of the research is that it is not possible to confirm if every individual policing (prosecuting) authority has been captured within the study. Equally not all those identified as target respondents completed the questionnaire, with a small number being reluctant or unable to do so. Equally a small number of questionnaires were returned with some uncompleted questions. Another limitation is the meaning of the term 'prosecuted' and the different counting rules used by organisations when reporting prosecution statistics.

### **3.5 Ethical Issues**

The ethical codes of both Dublin Institute of Technology and the Sociological Association of Ireland were used as a guiding framework of principles throughout the research. The researcher was particularly cognisant of the importance of informed consent and the need not to cause harm to any participants (O'Leary, 2004). To ensure informed consent, the researcher issued a detailed introductory letter (Appendix A) with each questionnaire (Appendix B) clearly outlining the nature of the study. There was a strong emphasise on only gathering information that was already in the public domain.

The questionnaire also included 'opt-out' choices to safeguard the operational interests of the respondents if required. It is significant that ten different agencies availed of this option. As such, the questionnaire was designed to elicit maximum information but also to safeguard the interests of those replying. While details of Oireachtas business are a matter of public record and the ethical concerns are, therefore, considerably lessened, the author has nevertheless ensured the accuracy of the information reproduced.

### **3.7 Summary**

This chapter has justified the approach to the research. It has outlined the rationale for a mixed method design and has presented the argument for selecting a questionnaire as the primary method of data collection. The chapter also explained the rationale for the documentary analysis of Oireachtas reports and how the information was gathered and analysed. It provided a comprehensive description as to how the target group was identified and contacted, and clearly outlined the rationale for the inclusion or deliberate omission of certain information. Finally, the author has outlined the data limitations and the relevant ethical issues.

The next chapter presents the findings, which resulted from the questionnaire and the documentary analysis of Oireachtas reports, Courts Service and official publications.

## CHAPTER 4

### 4. RESEARCH FINDINGS

#### 4.1 Introduction

This chapter presents the information elicited from the questionnaires, the documentary analysis of the Oireachtas reports, the Courts Service and official publications. The chapter examines the relevant District court statistics and provides an insight into the level of prosecutions undertaken nationally by all policing organisations. Key trends are highlighted and charted throughout the chapter.

#### 4.2 Ireland's Policing Authorities

##### 4.2.1 Identification

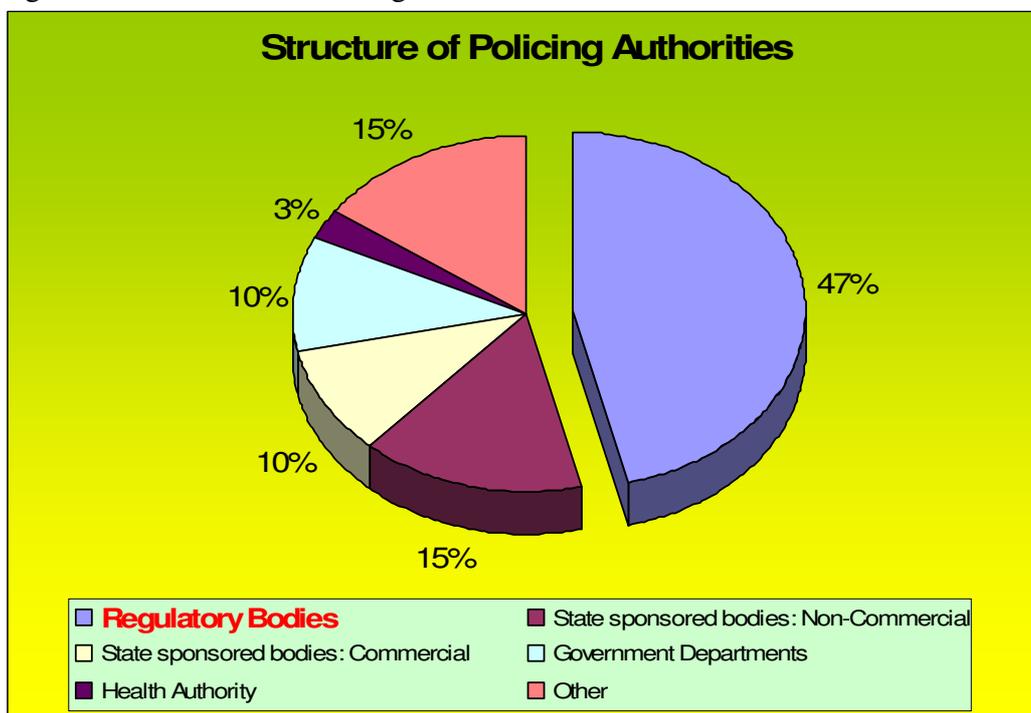
The questionnaire asked respondents to confirm if they had the authority to prosecute in their own name (Q.10) and also to confirm the year of the first prosecution (Q.11). Thirty-seven of the 39 respondents to the questionnaire confirmed they had delegated authority and could initiate prosecutions in their own name or the name of the minister. The other two organisations, GSOC and the Sea Fisheries Protection Authority (SFPA), confirmed they investigated cases and forwarded them directly to the DPP for consideration of prosecution (without an intervention from An Garda Síochána). As a matter of standing practice, cases from the Revenue Commissioners are also taken in the name of the DPP. The primary research also identified another 12 prosecuting organisations via data analysis of official publications and from the Courts Service (these cases are marked as \* on Table 1). A total of 51 individual prosecuting authorities (Table 1) were therefore identified. By definition these 51 organisations perform a coercive policing role within the Irish state, alongside An Garda Síochána and can therefore be categorised as Ireland's other policing providers.

Table 1 - Irish State Policing (Prosecuting) Authorities

<b>Organisation</b>	<b>Year Est.</b>
An Post	1984
Bus Éireann*	1987
Central Statistics Office	1949
Commission for Aviation Regulation	2001
Commission for Communications Regulation*	2002
Commission for Energy Regulation	1999
Companies Registration Office*	1922
Competition Authority	1991
Data Protection Commissioner	1989
Department of Agriculture, Food and the Marine	1897
Department of Arts, Heritage and the Gaeltacht (NPWS)	2009
Department of Communications, Energy and Natural Resources*	2007
Department of Environment, Community and Local Government*	1919
Department of Health*	1947
Department of Social Protection	1947
Department of Transport, Tourism and Sport	1959
Drogheda Port Company*	1997
Dublin Bus	1952
Electricity Supply Board	1927
Environmental Protection Agency	1993
Fáilte Ireland*	2003
Food Safety Authority of Ireland	1999
Garda Síochána Ombudsman Commission	2007
Health and Safety Authority	1989
Health Service Executive*	2005
Iarnród Éireann	1946
Inland Fisheries Ireland	1852
Irish Aviation Authority	1993
Irish Medicines Board	1996
Local Authorities*	1898
Loughs Agency	1952
Luas	2004
National Consumer Agency	2007
National Education Welfare Board	2002
National Employment Rights Authority	2007
National Milk Agency	1994
National Tobacco Control Office (HSE)	2010
National Transport Authority	2003
NSAI Legal Metrology Service	1996
Office of the Director of Corporate Enforcement	2001
Office of the Revenue Commissioners	1923
Pensions Board	1990
Pensions Ombudsman	2003
Pharmaceutical Society of Ireland*	2007
Plant Variety Development Office*	1977
Private Residential Tenancies Board	2004
Private Security Authority	2004
Radiological Protection Institute of Ireland	1992
Road Safety Authority	2006
Sea Fisheries Protection Authority	2007
Veterinary Council of Ireland	1931

While not covered by the questionnaire, local authorities merit a specific mention, due to the high number of councils that are active in the field of prosecutions. The DECLG clarified that the 114 local authorities reported into various departments, including DECLG, Department of Transport, Tourism and Sport (DTTaS) and Department of Jobs, Enterprise & Innovation (DJEI), and that no all-inclusive statistics were maintained by their department. However, the LGMA explained that in reality only 88 of the 114 local authorities (the rating authorities) actively enforce and prosecute offences.

Figure 1 – Structure of Policing Authorities

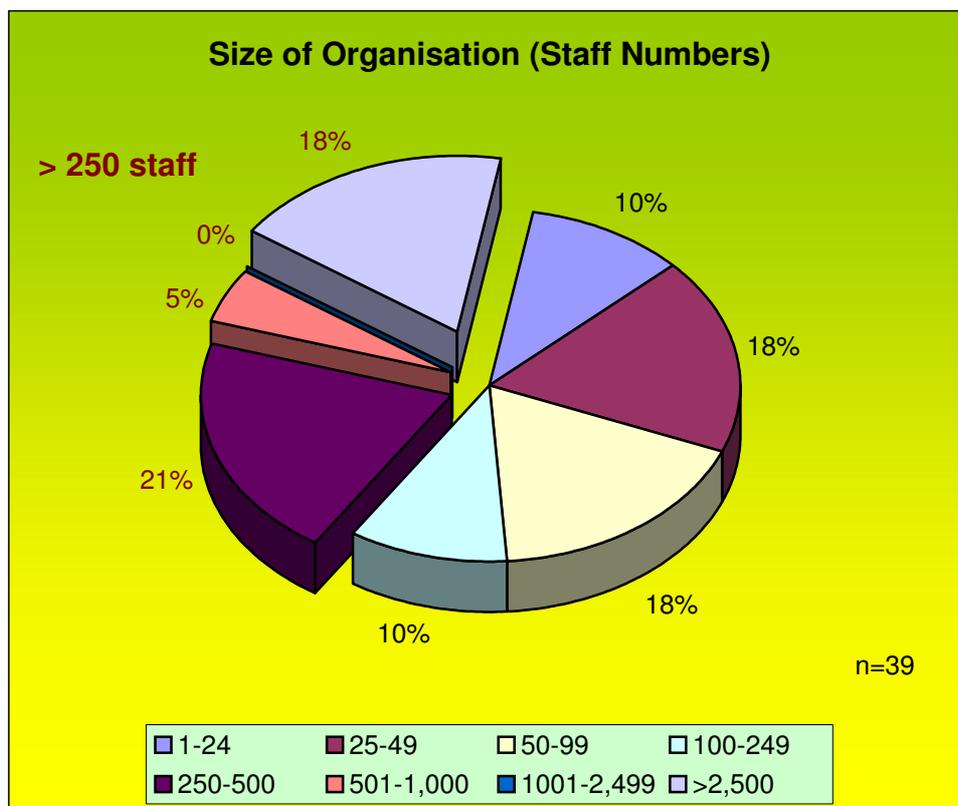


The questionnaire asked respondents to confirm the structure of the organisation (Q.4), the results of which are presented in Figure 1. The organisations include a mixture of government departments, state sponsored commercial and non-commercial bodies, health authorities and regulatory bodies. However, the research established that the majority of these organisations (47%) are dedicated regulatory bodies. The ‘other’ category includes a combination of stand-alone offices (Central Statistics Office and the Revenue Commissioners), recognised agencies working within a government department (NERA and the National Parks & Wildlife Service (NPWS), a cross-border agency (Loughs agency), a private company (Transdev Ireland - the Luas operator) and finally the National Milk Agency.

#### 4.2.2 Characteristics

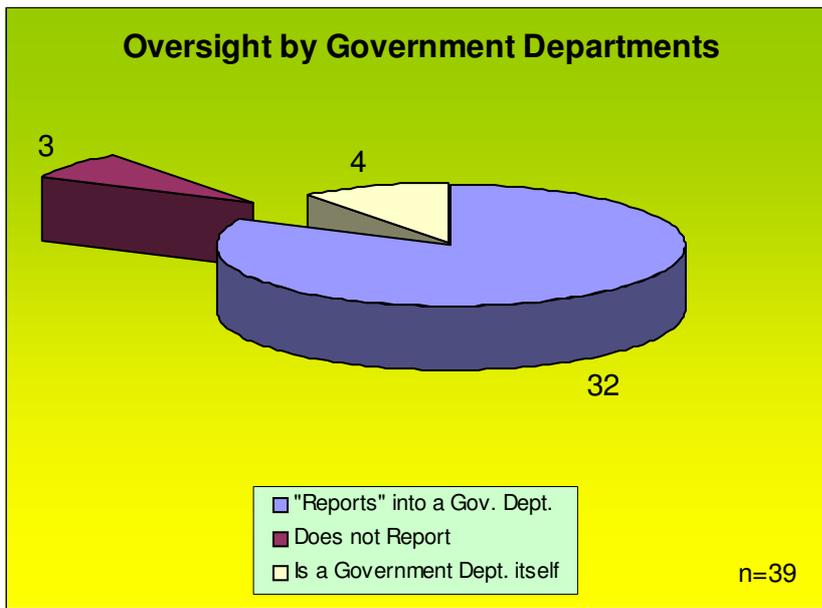
The questionnaire asked respondents to confirm the size of the organisation (Q.6). Almost half of the organisations reported a staffing level of more than 250 personnel while seven reported a staffing level in excess of 2,500 (Figure 2). However, enforcement is only one activity of these organisations evidenced by the fact that only five organisations reported that ten or more staff were dedicated to prosecution work alone (Q.7) with almost 50% having no full-time staff assigned to such a function.

Figure 2 – Size of Policing Organisation (Staff Numbers)



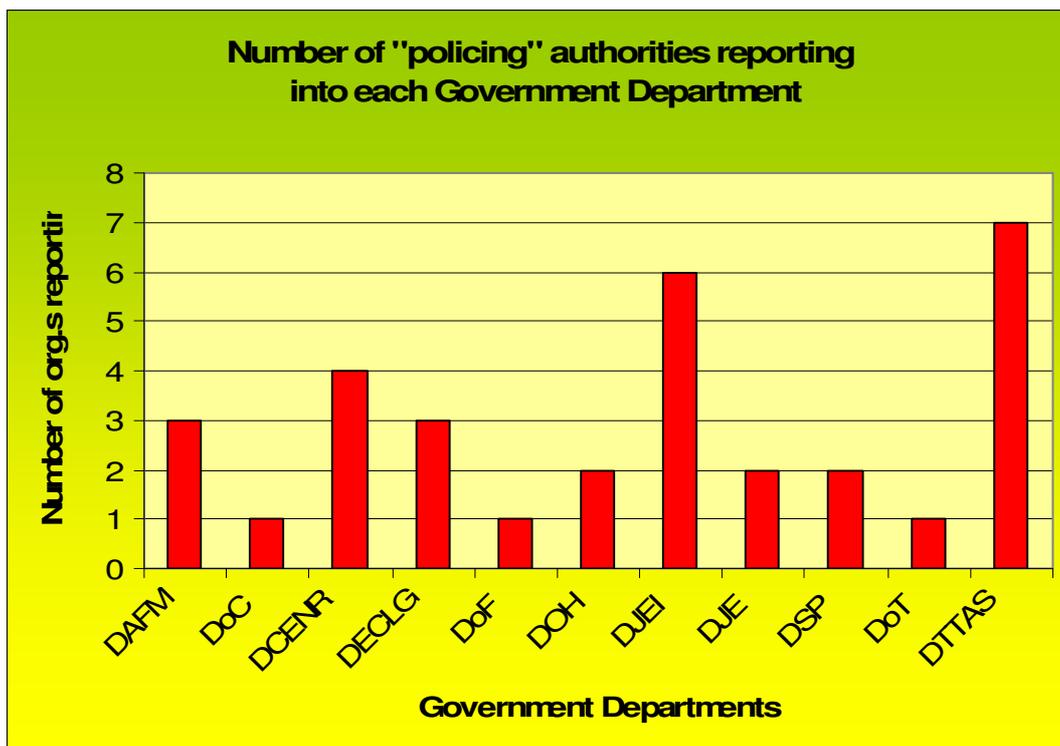
The questionnaire (Q.5) confirmed that the majority of prosecuting organisations report into a government department (Figure 3). The three organisations, which do not report into a government department, are the Commission for Energy Regulation, GSOC and the National Tobacco Control Office of the Health Service Executive (NTCO-HSE). The 51 prosecuting entities include a total of seven government departments (four confirmed by questionnaire plus three confirmed by official publications).

Figure 3 – Reporting Structures - Overview



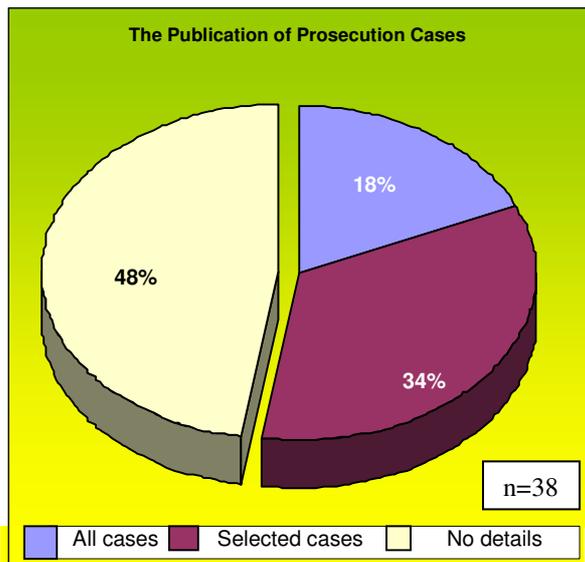
The study shows that of the 32 policing organisations reporting into a government department, the majority report into DTTaS (seven organisations, all specifically transport related) and into DJEI (6 organisations) as presented in Figure 4.

Figure 4 – Reporting Structures – Departmental level



The questionnaire also included a number of requests for information on prosecution related issues and the results of these are presented below. When asked to quantify the number of staff who are dedicated solely to criminal prosecution work, ten of the 39 respondents (24%) chose not to publicise exact numbers. Also when asked if their organisation had a dedicated centrally located Criminal Prosecution Unit, three respondents also chose not to comment. In a similar context, 20 organisations confirmed that they do not publish prosecution statistics on their website.

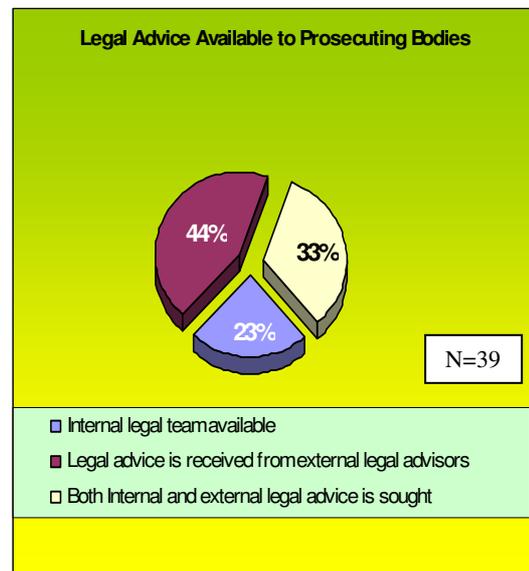
Figure 5 – The Publication of Prosecution Case Details



Twenty (52%) prosecuting organisations stated they published actual case details of all or selected cases while 18 (48%) did not publish individual personal details (Figure 5).

As a broad indicator as to how central a prosecution or policing role is to these organisations the research established that of the 39 respondents, 14 (37%) organisations had a dedicated centrally located criminal prosecution unit; 22 (56%) had access to an internal legal team (Figure 6) and 30 (77%) organisations were granted the power to initiate prosecutions automatically on establishment of the organisation.

Figure 6 – Access to Legal Advice



### 4.2.3 Visibility

The documentary analysis of the Oireachtas reports and Courts Service annual reports demonstrated the level of visibility of these organisations within the criminal justice system. Firstly, the documentary analysis of the Oireachtas reports revealed that Irish politicians used the phrase prosecution during 444 items of business between January and July 2013 while sitting in Dáil or Seanad Éireann. More than one third of these parliamentary questions and debates discussed or made reference to one or more non-Garda organisations performing a policing type function within the state as defined by the use of prosecution (Table 2).

Table 2 - References to non-Garda Policing Organisations in the Oireachtas

Month	Total number of references to prosecutions	References to non-Garda agencies	%
Jan	43	22	51%
Feb	66	21	32%
Mar	49	15	31%
Apr	34	15	44%
May	71	28	39%
June	91	23	25%
July	90	35	39%
	<b>444</b>	<b>159</b>	<b>36%</b>

The research verified the most topical non-Garda policing items discussed in the Oireachtas during 2013. The most frequently mentioned topics are presented in Table 3 below.

Table 3 - Topics mentioned in the Oireachtas  
(Jan - Jul 2013)

Organisation	Topic	Total
HSE	Child Care	16
Revenue	Tobacco Fraud	15
DAFM	Horse Related Issues	14
ODCE	Banking Crisis / Investigations	12
Revenue	Fuel Fraud	9
Central Bank	Banking Crisis / Investigations	7
DAFM	Animal Welfare/Disease Issues	6
Revenue	Tax Avoidance / Compliance	6
NTA	Taxi Regulation Bill 2012	6
Local Authorities	Illegal Dumping	5
DAHG	Wildlife Protection	5

The overall finding was that from the period January to July 2013 a total of 25 individual organisations were mentioned 209 times within 159 questions and debates.

Table 4 - Prosecuting Organisations mentioned in the Oireachtas  
(Jan - Jul 2013)

<b>Organisation</b>	<b>Total</b>
Revenue Commissioners	52
Department of Agriculture, Food and the Marine	25
Health Service Executive	21
Local Authorities	17
Office of the Director of Corporate Enforcement	14
Department of Social Protection	13
Central Bank of Ireland	11
Environmental Protection Agency	9
National Transport Authority	8
Department of Arts, Heritage and the Gaeltacht	7
National Employment Rights Authority	6
Food Safety Authority of Ireland	4
Private Residential Tenancies Board	4
Sea Fisheries Protection Authority	3
Companies Registration Office	2
Garda Síochána Ombudsman Commission	2
Irish Medicines Board	2
National Tobacco Control Office	2
An Post	1
Dept. of Comms, Energy and Natural Resources	1
Department of Health	1
Inland Fisheries Ireland	1
NSAI Legal Metrology Service	1
Pharmaceutical Society of Ireland	1
Private Security Authority	1
<b>Total</b>	<b>209</b>

An examination of the annual reports and statistics produced by the Courts Service illustrated that a total of 400,911 orders (various sanctions) were made in respect of 372,706 offences before the District Criminal Court in 2012 (Courts Service, 2012). These statistics indicate the prosecution work undertaken by all policing bodies. While An Garda Síochána is naturally responsible for the majority of prosecutions, the category with the second highest number of orders (68,768) is described as ‘offences such as breach of bail, litter offences, street trading and offences prosecuted by government departments and other State agencies such as the Health and Safety Authority’ (Table 5).

Table 5 - District Court Orders 2008 to 2012

<b>District Court Orders 2008 to 2012</b>		
<b>Year</b>	<b>Total Orders</b>	<b>‘Other’ Category</b>
<b>2008</b>	<b>550,694</b>	<b>74,579</b>
<b>2009</b>	<b>521,058</b>	<b>72,466</b>
<b>2010</b>	<b>498,672</b>	<b>70,528</b>
<b>2011</b>	<b>468,525</b>	<b>73,773</b>
<b>2012</b>	<b>400,911</b>	<b>68,768</b>

If the total number of road traffic offences (RTOs) are excluded the significance of the other category becomes even greater (Table 6). The reasoning for excluding the road traffic offences is because this single category of offences at 59% of all orders overshadows all other court business. It is also notable that 45% of all road traffic offences were struck out in both 2011 and 2012.

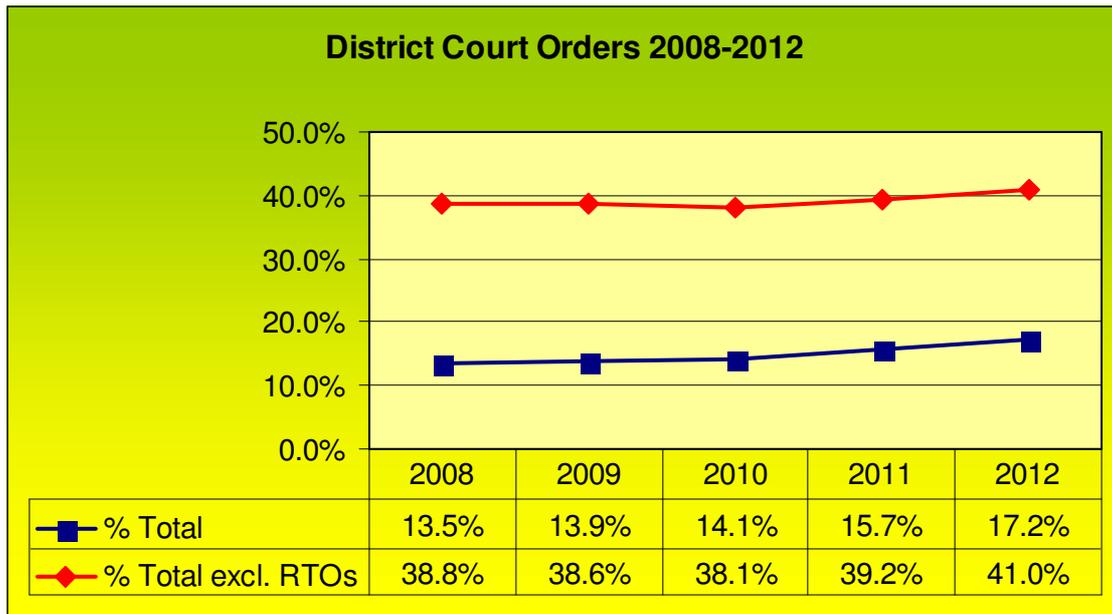
Table 6 - District Court Orders excluding RTOs - 2008 to 2012

<b>District Court Orders excluding RTOs - 2008 to 2012</b>			
<b>Year</b>	<b>Total Orders Excluding RTOs</b>	<b>Listed Garda Orders*</b>	<b>‘Other’ Category</b>
<b>2008</b>	<b>192,323</b>	<b>117,744</b>	<b>74,579</b>
<b>2009</b>	<b>187,897</b>	<b>115,431</b>	<b>72,466</b>
<b>2010</b>	<b>185,107</b>	<b>114,579</b>	<b>70,528</b>
<b>2011</b>	<b>188,268</b>	<b>114,495</b>	<b>73,773</b>
<b>2012</b>	<b>167,677</b>	<b>98,909</b>	<b>68,768</b>

\* These are predominantly public order / assault; drugs; theft; and sexual offences.

Table 7 graphs the number of orders in the ‘other’ category as a percentage of the total number of orders (blue) and also as a percentage of the total number of orders excluding RTOs (red).

Figure 7 – Percentage of District Court orders classified as “other”.

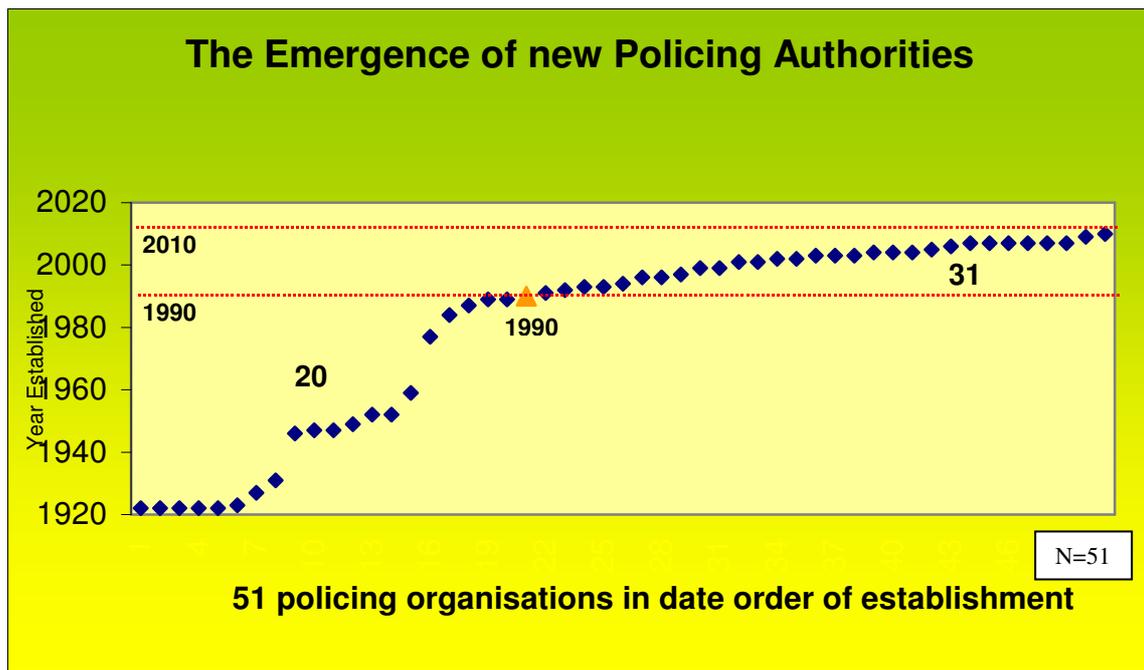


### 4.3 The Expansion of Policing

#### 4.3.1 The Growth of Irish Policing Providers

The questionnaire (Q.2, Q.11 and Q12) gathered details regarding three relevant time periods in the lifespan of each organisation: the year it was established; the year it was granted the power to prosecute; and the year when the first case was actually prosecuted. Figure 8 graphs the year of establishment of the 51 policing organisations clearly indicating that 31 (61%) were established post 1990.

Figure 8 – Policing Organisations - Year Established



Note: Organisations which pre-dated the origins of the State were graphed with a date of 1922.

Figure 9 illustrates a comparison across the four respondents with the greatest time period between the year established and the year of first prosecution.

Figure 9 – Date of Establishment v. Use of Prosecution Powers

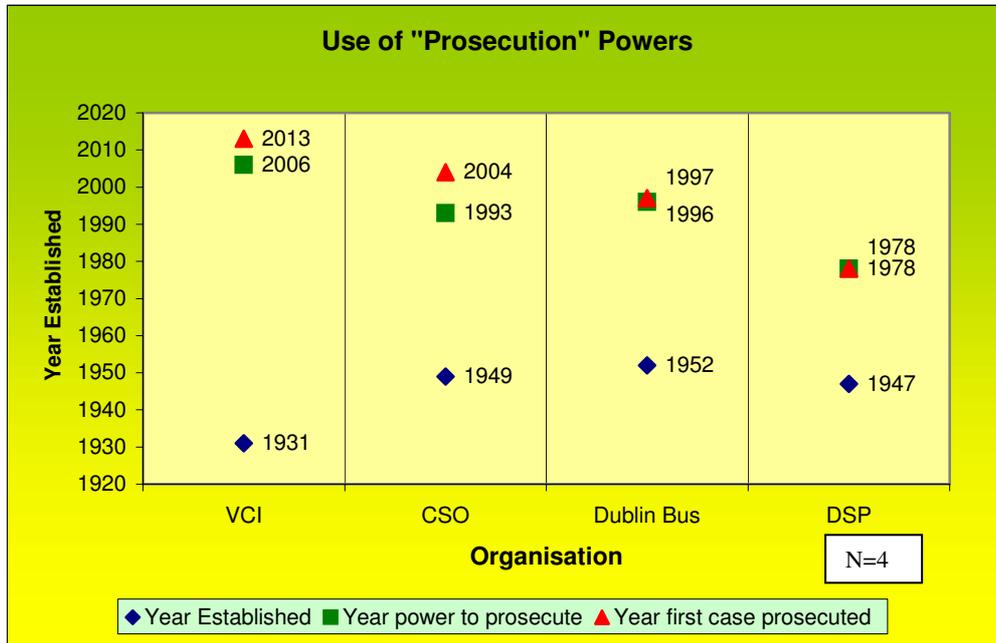
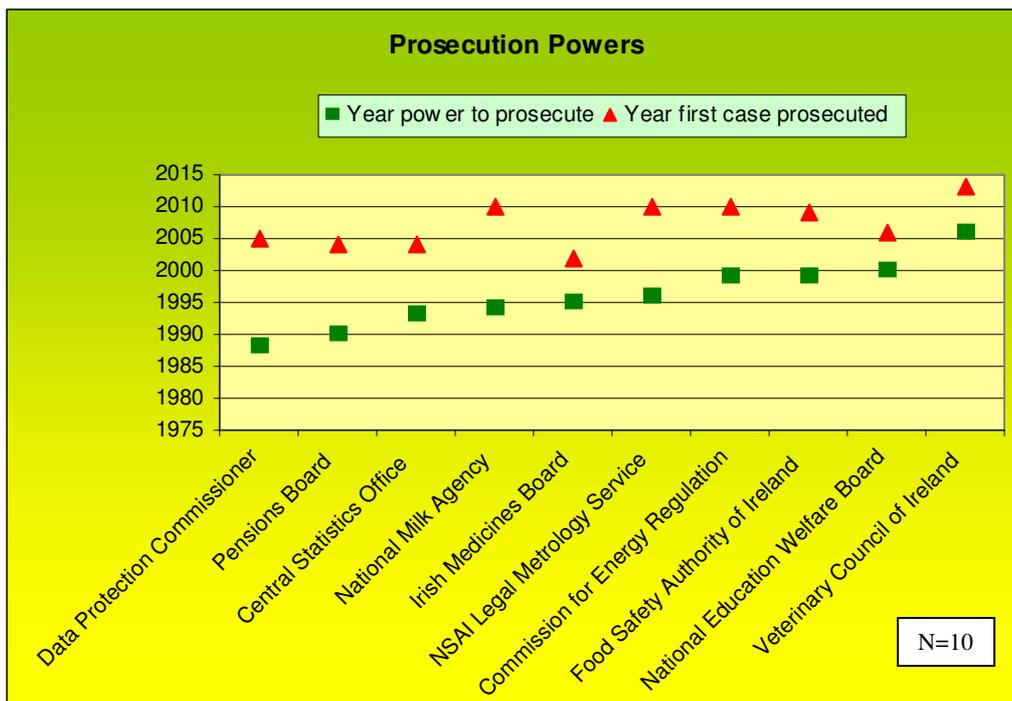


Figure 10 illustrates a selection of ten organisations with the greatest time period between the year a prosecution power was available to the organisation and the year it was first used.

Figure 10 – Availability v. Use of Prosecution Powers



#### 4.3.2 *Reasons for Expansion*

The questionnaire (Q.13) confirmed that An Garda Síochána had previously investigated and prosecuted offences, or at least similar offences, that were now under the responsibility of nine identified policing organisations. The LMS (NSAI) commented that the power had been ‘civilianised’. Also from question 13, 28 organisations stated that neither An Garda Síochána nor any other agency had previously prosecuted similar offences that were now under their responsibility.

The documentary analysis of Oireachtas reports identified three possible reasons for an expansion in the number of agencies. These were:

- a) The imposition of EU Directives (PQ 27470/13).
- b) Political distancing (PQ 26289/13 and PQ 19033/13).
- c) Political calls for greater action including ‘increased prosecutions’ (Seanad debates, 2 July 2013), ‘tougher inspections’ (PQ 27635/13) and ‘stronger sanctions’ (Dáil debates, 29 May 2013).

### 4.4 Policing Activities

#### 4.4.1 *Level of Policing*

The documentary analysis of Oireachtas reports indicated a variety of policing activities carried on by these organisations. Table 7 presents a sample of this work.

Table 7 – Policing Activities

<b>Organisation</b>	<b>Actions</b>	<b>Reference</b>
CRO	Struck off 38,284 companies between 2008 and 2013.	PQ 31797/13
DSP	Interviewed almost 8,500 people at over 200 vehicle checkpoints between 2010 and 2012.	Dáil debates, 9 July 2013
FSAI	Implement over 10,000 inspections per annum for food labelling legislation.	PQ 14590/13
PRTB	Contacted over 43,000 unregistered landlords in 2012.	Dáil debates, 24 Jan 2013
Revenue	537,000 compliance interventions, yielding a total of €492 million for the exchequer.	PQ 15094/13

The criminal aspect of those dealt with by some organisations is very evident with lists of firearms, bullets and offensive weapons seized (PQ 4149/13) and reports of physical assaults on members of staff (PQ 32315/13).

The importance of the policing role of Irish state authorities was dramatically showcased when the FSAI uncovered a European wide practice of mislabelling meat products, which actually contained equine DNA or put simply, horsemeat. The revelation generated an investigation, which has since expanded beyond Europe (Dáil debates, 14 March 2013).

#### *4.4.2 Use of Prosecution Powers*

The research indicates that most policing authorities operate what the NTA referred to as ‘a graduated approach’ (Dáil debates, 16 May 2013) whereby a range of alternative options are considered before opting for the prosecution route. These include education, preventative high visibility patrols, licensing, late filing charges, penalties, interest and publication of names. An example of this is the acceptance of ‘compromise penalties’ by the Revenue Commissioners, which has resulted in approximately 80% of the annual 1,000 detections of the illegal use of marked mineral oil, being settled outside of the formal criminal justice system (PQ 16805/13). Another example is the application of late filing penalties by the CRO, which appears to have successfully reduced late filing of company returns from 87% in 2001 to just 12% in 2010.

The primary research identified actual prosecution numbers for 37 organisations for 2011 (13,474 prosecutions) and 2012 (14,480 prosecutions). A detailed table listing these prosecutions is included at Appendix D. In addition, the main, (although not all), prosecution statistics for local authorities were also quantified. Firstly, a comprehensive statistical report produced by the LGMA (2013), indicated that local authorities secured 527 prosecutions nationally under the litter Acts and another 676 prosecutions nationally under planning enforcement. A separate report published by the DECLG (2013) quantified the number of prosecutions under the Control of Dogs Acts at 133 for 2011. Together the findings quantified the number of prosecutions by all 38 organisations to be approximately 15,000 prosecutions for 2011.

However, the research also identified a number of organisations that have the power to prosecute but do not or have had no cause to use such a power to date (Table 8).

Table 8 - Organisations with unused Prosecuting Powers

<b>Organisation</b>
An Coimisineir Teanga
Bord Gáis
Central Bank
Property Services Regulatory Authority
Railway Safety Commission
Sustainable Energy Authority of Ireland

Details of the organisations which were responsible for the largest number of prosecutions in 2012 are presented in Table 9.

Table 9 – 2012 Prosecutions

<b>Organisation</b>	<b>2012</b>
An Post	11,500
Office of the Revenue Commissioners	1,517
Data Protection Commissioner	195
Road Safety Authority	182
Iarnród Éireann	156
Dublin Bus	147

The research also identified that there were significant increases for some organisations in the numbers of prosecutions between 2011 and 2012 (Table 10).

Table 10 – Prosecution increases 2011 v 2012

<b>Organisation</b>	<b>Increase</b>
Electricity Supply Board	320%
Data Protection Commissioner	261%
Dublin Bus	130%
Sea Fisheries Protection Authority	117%

#### *4.4.3 Networks*

The documentary analysis indicated that organisations often work very closely with others as part of their policing role. Examples of close cooperation with An Garda Síochána (PQ 27635/13; PQ 32154/13; PQ 36688/13) and other agencies (PQ 16987/13; PQ 18542/13; PQ 22804/13; Dáil debates, 11 June 2013; Dáil debates, 9 July 2013) are well documented.

#### *4.4.4 Crime Data*

The primary research confirmed that no central list of prosecutors is held anywhere in Ireland. The research also established that no crime data is specifically collected or published for individual or collective groups of non-Garda organisations acting in a policing role. Neither the CSO nor the Courts Service publishes individual statistics on state policing organisations.

### **4.5 Summary**

The chapter identified 51 organisations operating alongside An Garda Síochána and clearly demonstrated the expansion of the number of such organisations over the last two decades. The structure, staffing levels and governance of these policing organisations were analysed, highlighting that the majority of policing organisations report into a government department. The chapter included an in-depth examination of prosecution activity identifying prosecution statistics and trends, publication policies and noting a greater preponderance to select the prosecution option as an enforcement method, with long established organisations now prosecuting for the first time. The research also highlighted that some organisations have the power to prosecute but do not exercise such a power. The existence of networks was also confirmed and information was provided on level of visibility of these organisations in the Oireachtas and in District court statistics.

The next chapter provides discussion on these findings.

## CHAPTER 5

### 5. ANALYSIS OF FINDINGS

#### 5.1 Introduction

This chapter examines the findings and considers what the research reveals about policing within the context of Irish state organisations. The chapter also highlights where there is concurrence and disparity between the data collected and the current literature.

#### 5.2 Ireland's Policing Authorities

##### 5.2.1 *Identification*

The study succeeded in empirically mapping Irish state organisations operating in a policing role. The research determined that this group of policing authorities is as varied in organisational structure as it is in diversity of roles. The organisations include a wide mixture of government departments, state sponsored commercial and non-commercial bodies, health authorities and regulatory bodies. This diversity concurs with the literature, which referred to 'a complex constellation of agencies' (MacCarthaigh, 2010:20). A closer examination of the structures reveals that one of the organisations listed is actually a private entity empowered to prosecute as the operator of Ireland's Luas transportation system. This entity, Transdev Ireland, operates the Luas on behalf of the Railway Procurement Agency and in addition to fare evasion; their security and compliance team are quite active in securing prosecutions for anti-social behaviour. Also, in a true example of transnational policing, the Loughs Agency, being one of eight north/south bodies established under the Good Friday agreement, prosecutes offenders in their country of residence regardless of whether the offence occurred north or south of the Irish border.

The study has discovered six organisations that have the power to prosecute but which have not exercised such a power. In actual fact, there may be many more such organisations but the only means of establishing the extent of such a group would be by way of a comprehensive review of all Irish legislation, a possible topic for future

research. The research also discovered that at least one organisation in Ireland operates without prosecution powers while its equivalent in the United Kingdom is very active in terms of prosecutions. The ISPCA is actively involved in investigations but then refers cases on to An Garda Síochána who take responsibility for prosecutions. This contrasts with the RSPCA, which is the second largest prosecuting authority in the U.K.; second only to the Crown Prosecution Service itself (Rayner, 2013), with 1,552 individuals convicted in 2012 (RSPCA Prosecutions Annual Report 2012).

### 5.2.2 *State of Flux*

An examination of the literature and the findings reveals that the collective group of active policing organisations operating in the Irish state is subject to a state of constant flux. The research has identified a number of organisations, which prosecute sporadically, for example, six of the organisations listed as prosecutors in Appendix D did not take a prosecution in one or both of the years examined. In addition, the literature indicates a possible decrease in policing activity with the merger of state agencies and significant staff reductions throughout these organisations (Boyle, 2012; MacCarthaigh, 2010; O'Toole and Dooney, 2009).

However, the research has confirmed that the Veterinary Council of Ireland, despite being in existence since 1931, has only as recently as January 2013, prosecuted its first case. It was also confirmed that Bord Gáis, although presently not a prosecutor, is in the process of establishing a revenue protection unit and expects to commence prosecutions in the near future. Likewise the enforcement units of the Central Bank and the Property Services Regulatory Authority are very new, having been established in 2010 and it is expected that both of these organisations will invoke prosecution powers at a future date. Both the literature and the primary research therefore indicate that this policing group is subject to constant change. This may be a main contributing factor as to why there is no central list of prosecuting organisations and why the literature presents no comprehensive data on these organisations.

### 5.2.3 *Regulatory Bodies*

The research shows that Ireland has adapted the rule-at-a-distance concept applauded by Eisner, (2000) and has enthusiastically embraced the world of regulatory governance.

The study found that regulators accounted for 47% (18 of 39) of the respondents. This is very much in keeping with other countries and is in line with Braithwaite's (2000) declaration of the existence of a 'New Regulatory State'. As the state retains control with the majority of prosecuting organisations reporting into a government department it would seem that for Ireland, regulation does actually strengthen the state as acclaimed throughout the literature (Shearing and Berg, 2006; Zedner, 2004).

#### *5.2.4 Visibility*

It is significant that only 25 of the 51 identified policing organisations received a mention in Oireachtas reports in relation to their prosecuting role. This statistic identifies the lack of visibility of this group and prompts the question as to why organisations were not mentioned in such a capacity. Is it simply that there has been no question regarding their enforcement roles or alternatively that there is little knowledge of the prosecutions undertaken by their organisations.

This lack of acknowledgement of the work of these organisations is equally evident in the statistics produced by the District court. Despite the fact that these 51 policing organisations are part of a category that now accounts for 17.2% of all District Court orders (or over 40% percent when road traffic offences are excluded), they still do not merit a category of their own. As a result there are no separate District court statistics which display the prosecution work of these organisations. In this respect, Ireland is no different to others and seems to concur, rather unfortunately, with Newburn's (2001:834) description of the UK equivalents as being 'longstanding, if usually ignored, components of local policing structures.'

### **5.3 The Expansion of Plural Policing**

#### *5.3.1 The Growth of Irish Policing Providers*

The research clearly demonstrates an expansion in the number of policing organisations and reveals that Ireland is in keeping with other countries in terms of overall change and increased plural policing. The transformation represents an increased fragmentation of policing and is in line with the dominant discourse which 'privileges change over continuity' (Newburn, 2001:844).

The study revealed that 31 (61%) of the identified prosecuting organisations were established post 1990 and this concurs with the findings of Hardiman and Scott (2010) regarding a dramatic increase in the number of state organisations but more importantly supports the earlier study by McGauran, Verhoest and Humphreys (2005), which estimated that over 60% of all national agencies were established post 1990. The high number of agencies could well be considered an example of Giddens (1990) warning that the momentum of change was so great that it reflected ‘a runaway world’. Alternatively, this rapid change may have simply been an increased awareness of the need for additional specialised policing organisations.

The expansion and diversity of state policing providers identified by the research certainly conforms to McLaughlin’s (2007) declaration regarding nodal governance that ‘as you move through different space, you are governed by different sets of state and non-state agencies’. This research has empirically mapped the Irish state agencies that occupy some of the space referred to by McLaughlin (2007). This increase would also appear to be an example of the state reaction to pluralism, described by Bauman (1999) as a flexing of muscles and by Garland (2001) as an act of an act of denial. Indeed, it might be apt to ask if the findings of the research are evidence of Garland’s (2001) theory of a culture of control. The expansion in Ireland’s policing organisations would seem to support his claims that increasing numbers within society were being placed under the supervision of the justice system.

A closer examination of the research findings reveals that the expansion of organisations into the field of prosecution is an even more recent event than first considered. A more accurate approach to identifying the arrival of a new prosecuting (and by definition policing) authorities is to map out, not the year established, but rather the year in which the power to prosecute was granted or even more appropriate the year of the first prosecution. Both of these are a more accurate indicator of active involvement in plural policing. This point is illustrated in the research by a comparison of the four respondents with the greatest time period between the year established and the year of first prosecution. While the organisations were formed between 1931 and 1952, the first prosecutions were not taken until 1978, 1993, 1996 and 2013. This shows that a number of organisations which were established pre-1990 have actually only entered the world of plural policing quite recently.

While there is clear evidence of an expansion of the number of policing organisations, the research also reveals an expansion of policing within organisations. The PQ 7979/13 demonstrates that large numbers of Irish citizens are now routinely policed by state organisations. It discloses that the number of interventions by the Revenue Commissioners has increased from 189,690 in 2006 to 537,822 in 2012 but that the associated monetary yield actually decreased from €691m in 2006 to €492m in 2012. This would appear to be a perfect example of Shearing's (2001) prediction that there would be a wider net catching smaller fish. But policing here is extended not outside the state as predicted, but rather across to other state officials.

### *5.3.2 Reasons for Expansion*

The research concurs with the literature in part, identifying EU directives as one possible reason for the expansion of policing (MacCarthaigh, 2010; O'Toole and Dooney, 2009). However, there is no evidence of a lack of funding or a loss of faith in the police or criminal justice system as possible reasons for a transfer of traditional policing roles to new emerging organisations. While the research clearly shows a transfer of tasking from An Garda Síochána to other policing organisations, it may simply be that the Irish state and its agencies have evolved to address the growing diversity of crime. This is evidenced by the fact that 28 organisations (74% of respondents) stated that neither An Garda Síochána nor any other agency had previously prosecuted similar offences that were now under their responsibility. This is clear evidence of additional criminal legislation and increased offences. It would seem that for Ireland the welfare state is truly over and society is becoming more punitive. This concurs with Braithwaite (2000) but conflicts with the findings of Kilcommins *et al.*, (2004) and Hamilton (2013) that Ireland has resisted punitive trends.

## **5.4 Policing Activities**

### *5.4.1 Use of Prosecution Powers*

The expansion of policing organisations in Ireland has resulted in a blurring of traditional roles whereby, at least to date, An Garda Síochána have been joined by an ever increasing number of investigators and prosecutors who no longer rely on

compliance, regulations and civil procedures as the only enforcement options available. The research has shown that Irish policing organisations use various approaches to regulation including the co-operative, compliance-negotiation and the criminal coercive models. The findings clearly demonstrate that both deterrence-based law enforcement and compliance-based law enforcement are utilised throughout these organisations.

However the literature indicates that compliance-based law enforcement agencies such as regulators, avoid formal prosecutions, as this option is viewed as a sign of failure of the system (Zedner, 2004). The findings of the research do not support this theory. It is accurate to state that these policing organisations make full use of other enforcement but there is no evidence that they avoid prosecutions for fear of being seen as a failure, rather prosecution is used when and where necessary, with different organisations placing different values on the merit of prosecutions. In fact, the research has indicated that there is an increased alignment between regulatory law and criminal law as evidenced by the wide number of regulatory bodies, which undertake prosecutions.

An analysis of the prosecutions reveals that there was a 7% increase in the number of prosecutions between 2011 and 2012. However, this is entirely due to the increase in prosecution numbers for An Post, which recorded an increase of 1,000 or 10% on the previous year. Also, while there is a certain consistency across the years regarding the top ten prosecutors (in numerical terms) with eight of the top ten being present for both 2011 and 2012, there was no overall single trend in terms of prosecution numbers. Indeed the primary research shows that of the 37 organisations where prosecution statistics were identified, the numbers of prosecutions, comparing 2011 with 2012, increased in 12 organisations, decreased in 18 others while seven recorded no change.

The research reveals that in modern day Ireland, leaving aside criminal offences dealt with by An Garda Síochána, the most prosecuted offences, in numerical order, in the Republic of Ireland are failure to pay a television licence, failure to file a tax return, littering, breach of planning permission and fare evasion on public transportation. It is notable that four organisations operating in the commercial world accounted for only 10% of respondents but that three of the four were in the top six positions in terms of prosecution numbers. On these facts it might appear that commercial bodies, with an obvious primary requirement to protect revenue are more prone to opt for prosecution as

a deterrent. Alternatively, the prosecution option may also be the most effective deterrent available given the particular nature of each business.

It is very significant that almost 13,500 of the estimated 15,000 prosecutions in 2011 were generated from just three organisations (An Post, local authorities and the Revenue Commissioners). However, the quantity of prosecutions is only a broad indicator of policing activity and is not a true indicator of worth. For example, a prosecution for non payment of a television licence or the non filing of an income tax return does not equate to a prosecution by the HSA for loss of life or limb.

#### 5.4.2 Networks

The primary research provides evidence of networked or nodal governance as it identifies that organisations frequently interact across a system of networks. In addition to working closely with An Garda Síochána, the research findings show that a number of organisations were active participants in a wide variety of networks. These networks could be broadly divided into:

*a) Operational Networks:* These included ‘multi-agency vehicle checks’ with An Garda Síochána, DSP and the Revenue Commissioners, and also joint investigations between the DSP, the Revenue Commissioners and the Taxi Regulator. These operational networks also operate at an international level where two cross-border groups dedicated to tobacco and fuel fraud enforcement bring together police and Revenue staff from both sides of the Irish border.

*b) Information Networks:* The primary research identified references to a ‘real time data link-up’ between the NTA, Revenue and DSP and also to a formal ‘exchange of information’ between the PRTB, DSP, Revenue and local authorities.

*c) National level Enforcement:* Two significant national level networks identified include the ‘Environmental Enforcement Network’ which is coordinated by the EPA and includes, multiple agencies from both sides of the Irish border, and the FSAI which has overall responsibility for food safety in Ireland and which enforces food labelling regulations through service contracts with a multitude of other policing agencies.

*d) Cross Sector Networks:* Two networks which extend beyond the state comprise an expert advisory committee for the protection of national heritage which includes the DAHG and a second network entitled the ‘Hidden Economy Monitoring Group’ which

is chaired by the Revenue Commissioners and which includes representatives from Government Departments, agencies, trade unions, and employer and business organisations. This second network is a clear example of anchored pluralism as promoted by Loader and Walker (2007). Here, the network is populated by a variety of factions from across society but the state occupies a pivotal position within the network.

However, it is notable that the majority of networks involved only state policing agencies with no participation from beyond the state. This concurs with Newburn (2001:834), who described the UK state policing equivalents as sitting outside of local security networks linked only in ‘the loosest sense to many other policing bodies’.

#### *5.4.3 Crime Data*

The primary research has identified 51 policing organisations, in addition to An Garda Síochána, actively prosecuting cases in Ireland. However, there is no central list of these prosecutors held anywhere in Ireland. The CSSO, the DPP, the Courts Service of Ireland, the Central Statistics Office nor the Department of Justice and Equality (DJE) maintain such list. Equally there is no easily accessible statistical report on the prosecution activity of these policing organisations. An examination of available statistics demonstrates that these statistics are more misleading than helpful. For example, the Central Statistics Office published ‘recorded crime incidents’ for 2011, includes statistics on litter offences (19 convictions); dog offences (56 convictions); and rail travel offences (7 convictions), all under the heading of ‘Garda Recorded Crime Statistics’. However, the equivalent statistics for the policing organisations of the local authorities and Iarnród Éireann, which are not published by the CSO, were 527, 133 and 170 convictions respectively. The irrelevance of the published CSO figures is obvious.

Equally an analysis of the annual reports and statistics produced by the Courts Service reveals that other policing providers are reported in a single catch all category entitled ‘other’. This category is a mixture of prosecutions by An Garda Síochána and other organisations and officially includes ‘offences such as breach of bail, litter offences, street trading and offences prosecuted by government departments and other state agencies such as the Health and Safety Authority’. A review of the last five years clearly demonstrates that the percentage of prosecutions credited to this category in comparison to overall court business has increased almost every year and this group

represents a significant amount of court time. However, it is not possible to separate the number of prosecutions initiated by An Garda Síochána from those of other agencies and as such the statistical output from this category is quite limited.

The reality is that, in order to allow policy makers to make an informed decision it is important that they are aware of the facts. However the primary research provides evidence that there is an information deficit with regard to statistical reports on the prosecution activities of identified policing organisations and the literature similarly suggests that this information deficit exists across all aspects of crime statistics.

#### *5.4.4 Transparency*

The literature raised concerns regarding legitimacy, accountability and fairness (Loader and Walker, 2007; Reiner, 2010), and predicted potential injustices from divergent policies (Zedner, 2004). The research findings have indicated that these concerns may have merit, as there appears to be a lack of transparency in a number of policing organisations. It is significant that ten of the 39 respondents (24%) actively chose not to publicise the number of prosecution staff within the organisation and that three respondents actively decided not to comment on the existence or otherwise of a centrally located criminal prosecution unit. The analysis of the Oireachtas debates also includes examples of where organisations have refused to reveal the number of staff allocated to certain enforcement type roles. There may be good operational reasons for not revealing, for example, the number of inspectors allocated to a particular role or location but as a general rule government funded organisations should promote transparency. A non-disclosure regarding Garda numbers assigned to a particular division or city would not be acceptable and the same rules of transparency must apply to their policing colleagues in other agencies.

In a similar context the primary research identified that there was a wide divergence regarding the publication of prosecution policies. While a number of very detailed prosecution policies are easily accessible, for example, Central Bank, DSP, EPA, Revenue Commissioners, there are equally as many organisations which have no published policy regarding prosecution. The research findings show that Irish policing organisations are in conflict with the advice of Loader and Walker (2007) who opined that in order for the state to be treated as the centre anchor within a pluralised policing

world the state must itself be civilized. The literature very clearly highlights that the legitimacy of any organisation depends on a perceived fairness of procedural justice (Tyler, 1990 & 2003).

#### *5.4.5 Publication Policy*

The research discovered that there appears to be a rather arbitrary approach to publishing the personal details of individual cases found guilty of an offence. The research discovered that seven organisations publish the details of all cases, 13 publish selected cases and 18 do not publish any details. For example, the DECLG do not publish the names of those prosecuted for illegal dumping due to data protection issues (PQ 18745/13). The result is that the personal details of those found guilty of certain offences will be published while others will not. The dangers of labelling and the potential unplanned effect of actually increasing deviance are well documented in criminological literature and the importance of such a decision merits a strategic policy with a considered response for each case.

In a similar context, policing organisations take different approaches to offenders who received the Probation Act. Some organisations, for example the HSA, name the individual and present all of the case details while other organisations, such as, the EPA, have a policy of not publishing the details of such cases.

### **5.5 Summary**

The primary research has highlighted the complexity of the policing bodies in the state, identifying a diverse range of organisations involved in policing in Ireland in 2013. The research has verified that plural policing is expanding in Ireland and this is in line with other countries. The primary research discovered evidence of networked or nodal governance and the expansion of regulatory governance. While the number of organisations involved in prosecutions is increasing, there was no overall single trend in terms of actual prosecution numbers. Concerns have been raised regarding limitations of available crime data, a possible lack of transparency and also what appears to be an adhoc approach to publication.

## CHAPTER 6

### 6. CONCLUSION AND RECOMMENDATIONS

#### 6.1 Conclusions

This thesis sought to explore the various state policing organisations in existence in 2013 in Ireland, in addition to An Garda Síochána and to produce a comprehensive empirical mapping of these governance entities. Policing organisations were defined as only those organisations operating in a coercive manner at the most extreme end of the social control spectrum, that is, state directed organisations that actively prosecuted cases in the Irish courts. The research identified 51 such organisations each operating in their own area of expertise but together forming a security governance of state appointed nodes. The research ascertained that the number of these policing organisations have increased significantly over the last two decades. The research clearly showed that this group of policing providers is subject to constant change with long established organisations now prosecuting for the first time, while other agencies are subject to merger or closure, as the government's plans for the rationalisation of state agencies develops.

The research identified the use of both deterrence-based and compliance-based law enforcement and confirmed that the prosecution option is commonly used throughout many of these organisations. The study has shown that the Irish state has technically withdrawn from front-line policing in specific areas, opting for indirect rule by appointing regulators to police selected ring-fenced activities. However, as almost all policing organisations report into a designated government department, the state actually retains a high level of control. The research has also shown that many policing organisations are actively involved in a variety of networks with evidence that a form of state anchored pluralism is in existence. It is very apparent that plural policing not only exists but also thrives within state appointed policing organisations.

This research was unique in that it was the first time that organisations performing a policing role on behalf of the state have been empirically mapped in Ireland. The literature on the topic is weakly developed and this study has made a contribution to the understanding of the subject by identifying and highlighting a multitude of state

appointed organisations acting in a police type role. While the thesis focussed on the Irish state and has an obvious national level interest, the results have a wider application and could contribute internationally as other jurisdictions would benefit from a similar empirical mapping exercise.

The distinct contribution of this research includes:

1. A nationwide analysis of state policing entities.
2. The documentation of plural policing within the wider public sector.
3. The identification and analysis of the policing activities of these organisations, in particular the use of prosecutions.
4. The analysis and confirmation of the governance of the policing organisations.

## **6.2 Recommendations**

It is recommended that a planned and strategic approach be developed to maximise the performance of policing organisations within the state. This strategy may include one or more of the specific recommendations listed below.

### *Shared Services:*

The state's whole-of-government approach, with an emphasis on cost-saving innovations, is actively promoting a policy of shared services. However, to date this initiative has concentrated on such areas as human resources and information technology services. Consideration should be given to exploring the possibility of a shared investigation, prosecution and/or legal service, especially for smaller agencies where the sanction of prosecutions is infrequently applied.

### *Performance Measurement:*

It is recommended that the government explore the possibility of extending the performance measurement portal 'Ireland Stat' to include a comparison of policing performances across various entities within the state. The comparisons of programme and policy outcomes across state policing organisations should identify best practice and inform cost benefit analysis.

### *Experiential Learning:*

Organisations which operate in a policing role should have an opportunity to discuss similar policy issues such as crime prevention, crime reduction, effective and efficient compliance and enforcement measures with the goal of experiential learning from their counterparts. Central government policy makers should consider the establishment of a relevant network, conference or seminar to achieve this sharing of knowledge.

### *Transparent Prosecution Policy:*

Transparency and accountability are essential elements of any state organisation. Equally the legitimacy of every organisation is dependent on the acceptance of society that procedures are fair and transparent. It is recommended that every organisation, which has the power to prosecute, should publish a clearly defined prosecution policy with clear rules of outlining the circumstances as to when a prosecution is likely to be pursued.

### *Crime statistics:*

The limitations of available crime data was very evident throughout this study and it is highly recommended that a central organisation, such as the Department of Justice and Equality or the Central Statistics Office take responsibility for the collection and publication of crime data to include relevant crime statistics for all policing entities. On a related theme, this central unit should agree and co-ordinate a set of counting rules with regard to crimes and prosecutions for each policing organisation, similar to that in place for An Garda Síochána. Simultaneously, consideration should be given to enhancing the Criminal Case Tracking System presently used by the Courts Service to track individual cases. The availability of meaningful comprehensive crime data will assist policy makers in making an informed decision.

## **6.3 The Future**

Each of the organisations identified could be researched in greater depth to further examine, for example, governance structures, participation in networks or impact of plural policing. Alternatively research into state organisations that have the power to prosecute but that have not exercised such a power would prove beneficial. The fact remains that the concept of plural policing across state organisations is underdeveloped and it is an area that would benefit from further criminological research and analysis.

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## **APPENDIX A – Introductory Letter**

Thomas Talbot,  
Revenue Commissioners,  
1<sup>st</sup> Floor, Block D,  
Ashtowngate,  
Dublin 15.  
July 2013

### **Re: Information Request**

I am writing to you to seek your assistance in obtaining some general information regarding “prosecutions” taken by your organisation.

I am completing a Masters of Arts in Criminology in the Dublin Institute of Technology. My dissertation is based on what is termed “plural policing” with a specific focus on non-Garda criminal prosecutions. Obviously, An Garda Síochána, acting as the single Irish State police force, is the lead law enforcement agency within the State. However, the Garda role is supplemented by an increasing number of government organisations pro-actively “policing” their own particular area of responsibility. The aim of my dissertation is to identify these organisations and highlight the “policing role” they undertake.

To date, I have found in excess of 60 Irish State agencies, authorities, boards, commissions, government departments, institutes, offices, regulators and societies, all of which appear to have taken a prosecution case through the Irish Courts for breach of the legislation/regulations under their care.

I am very aware that the prosecution avenue is only one of a number of enforcement options and in many cases it is only used as a last resort or in the most serious of cases. While I am using the specific use of “prosecution” to identify the entities that perform a “policing” role it is my intention to make reference to the many other compliance actions taken: warnings, penalties, confiscations, closure orders etc. By noting the number and type of breaches identified together with the types of corrective actions taken, I propose to show that prosecutions are but one of many options used by State organisations.

As someone who has spent a number of years in the Investigations and Prosecutions Division of the Revenue Commissioners, I appreciate that prosecuting an offending party can be a quite onerous and resource intensive task, which requires dedication and meticulous attention to detail. As such one of the aims of my dissertation is to shine a light on the work of the multitude of “prosecutors” across all organisations in the State. The intention is not to compare individual organisations with each other but rather to quantify the prosecution work undertaken and achieved by government agencies as a whole. In simple terms, my goal is to ensure all entities are listed and credited with the work they have done to date.

I intend to quantify the number of prosecutions completed in 2011 or alternatively 2012 if a sufficient number of 2012 annual reports have been completed and published. My aim is then to compare the number of prosecutions and prosecuting bodies with a point

in history, possibly 1991 or 1992 when I suspect there were only a limited number of organisations outside of An Garda Síochána that processed their own prosecution cases.

While I am only seeking general information and only information that is already in the public domain, I wish to emphasise that my dissertation will be completed strictly in accordance with the relevant code of ethics: in this case, the ethical codes of both D.I.T. and the Sociological Association of Ireland:

<http://www.dit.ie/researchandenterprise/researchatdit/ethicsindit/content/guidelines/>

[http://www.sociology.ie/docstore/dls/pages\\_list/3\\_sai\\_ethical\\_guidelines.pdf](http://www.sociology.ie/docstore/dls/pages_list/3_sai_ethical_guidelines.pdf)

In order to ensure I have the correct information regarding your organisation, I would very much appreciate if you could assist me by:

1. Completing the questionnaire attached.
2. Forwarding on a hard copy of your annual reports for 2011 and 2012 if copies are available.
3. If you have a formal “prosecution policy”, by indicating the location of this information on your website.

I appreciate that we are heading for the month of August and that a number of key personnel may be on annual leave. Unfortunately I am on a very tight deadline to complete this dissertation and I would ask therefore, if at all possible, that the material be supplied at your earliest convenience. Please feel free to contact me if you wish to discuss further or if you have any questions about any aspect of this request.

Thanking you in advance for your kind assistance in this matter.

Yours Sincerely,

---

Thomas Talbot

Telephone number: [REDACTED]  
Mobile telephone no: [REDACTED]  
E-mail address: [ttalbot@revenue.ie](mailto:ttalbot@revenue.ie)  
Fax number: 01-8277228  
Address: As above

## APPENDIX B – Questionnaire

### Questionnaire

#### A. Organisation:

Q. 1. What is the formal title of your organisation<sup>1</sup>?

\_\_\_\_\_

Q. 2. In what year was your organisation **first** established?

Year: \_\_ \_\_ \_\_ \_\_

Comment: (if considered necessary for clarification)

\_\_\_\_\_

Q. 3. Has your organisation ever undergone a change of name since it was **first** established?

Yes  No

If yes please list previous name(s) \_\_\_\_\_

Comment: (if considered necessary for clarification)

\_\_\_\_\_

Q. 4. What structure best describes your organisation?

Government Department   
*[If Gov. Dept. skip Q.5.]*

State sponsored body: Commercial

Regulatory Body

State sponsored body: Non-Commercial

Local Authority

Other (*Pease specify:* \_\_\_\_\_)

Q. 5. Does your organisation report into a designated government department?

Yes  No

If yes please identify “parent” department: \_\_\_\_\_

Comment: (if considered necessary for clarification)

\_\_\_\_\_

Q. 6. How large is your organisation in terms of staffing?

The approximate number of **individual** staff, regardless of work pattern, (Not FTEs<sup>2</sup>) for the entire organisation at 01/01/2013 was:

1-24 <input type="checkbox"/>	25-49 <input type="checkbox"/>	50-99 <input type="checkbox"/>	100-249 <input type="checkbox"/>
250-500 <input type="checkbox"/>	501-1,000 <input type="checkbox"/>	1001-2,499 <input type="checkbox"/>	>2,500 <input type="checkbox"/>

<sup>1</sup> For this questionnaire the word “organisation” refers to an Irish State Agency; Authority; Board; Commission; Government Department; Institute; Office; Regulator; Society or similar entity.

<sup>2</sup> The definition of a Full Time Equivalent (FTE) is one employee working full-time.

**B. Prosecutions - General:**

Q. 7. Is it possible for your organisation to quantify the number of staff who are **dedicated solely** to criminal prosecution work?

Yes  No  Would prefer not to advertise exact numbers

If yes, what number of **individual** staff, regardless of work pattern, (Not FTEs<sup>2</sup>) was **dedicated solely** to criminal prosecution work as at 01/01/2013.

0  1-4  5-9  10-19  20-49  50-99  >100

Q. 8. Does your organisation have a dedicated centrally located Criminal Prosecution Unit<sup>3</sup>?

Yes  No  Would prefer not to comment

If yes please give details: \_\_\_\_\_

Q. 9. Does your organisation have access to advice from a “legal” team to assist in processing criminal prosecution cases? (*Tick all that apply*)

Yes – Internal legal team available   
Yes – Legal advice is received from external legal advisors  (*specify: \_\_\_\_\_*)  
No legal advice is sought for prosecution cases

Q. 10. Does your organisation have delegated authority i.e. the power to prosecute summarily without reference to the Director of Public Prosecutions (D.P.P.)?

Yes  No

Comment: (if considered necessary for clarification)  
\_\_\_\_\_

Q. 11. In what year was legislation passed which **first** granted your organisation the power to initiate a prosecution of any kind against an offender?<sup>4</sup>

Year: \_\_ \_\_ \_\_ \_\_

Comment: (if considered necessary for clarification)  
\_\_\_\_\_

Q. 12. In what year was the first case **actually prosecuted** for a breach of legislation / regulations?

Year: \_\_ \_\_ \_\_ \_\_

Comment: (if considered necessary for clarification)  
\_\_\_\_\_

<sup>3</sup> A centrally located unit is one with responsibility for specific prosecutions across the entire organisation.

<sup>4</sup> It is noted that most summary prosecutions and all indictable prosecutions are authorised by, and brought in the name of, the DPP.

Q. 13. Did An Garda Síochána previously prosecute similar offences before legislation was passed to enable your organisation to initiate prosecutions on its own behalf?<sup>4</sup>

Yes  No

Comment: (if considered necessary for clarification)

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Q. 14. Was the power to initiate prosecutions for certain offences granted to your organisation:<sup>4</sup>  
(Tick all that apply)

Automatically on establishment of the organisation

Following a request from your organisation

Other – (Please specify) \_\_\_\_\_

Please elaborate on the background to the granting of prosecution powers:

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Q. 15. Does your organisation make use of other enforcement/compliance options as well as the prosecution option? (Tick all that apply)

Formal Warnings<sup>5</sup>  Approximate number of cases in 2011\*

Monetary Penalties  Approximate number of cases in 2011\*

Confiscations/Seizures  Approximate number of cases in 2011\*

Closure orders  Approximate number of cases in 2011\*

Other Options  Approximate number of cases in 2011\*

Other Options = \_\_\_\_\_  
(2011\* - Leave blank if unsure or statistics are not readily available)

\_\_\_\_\_  
(Please specify type and approx. number)

### **C. Prosecutions - Statistics:**

Q. 16. Does your organisation publish prosecution **statistics** (actual numbers) on your website?

Yes  No

If yes, please copy link to web page: \_\_\_\_\_

Q. 17. Does your organisation publish details of prosecution **cases** on your website?

Yes - All cases  Yes - Selected cases  No

If yes, please copy link to web page: \_\_\_\_\_

<sup>5</sup> Formal warnings are only those warnings which were documented and recorded in official statistics

Q. 18. How many cases were prosecuted in **2011** by your organisation?<sup>4</sup>

(Indicate only one of the following)

Total number prosecuted<sup>6</sup>  (Enter number if one or more cases prosecuted)

Nil - No cases in this year

Unable to quantify at this time

Comment: (if considered necessary for clarification or if your organisation uses a different definition or means of counting prosecution cases in your statistics to that described at footnote 6)

---

---

Q. 19. How many cases were prosecuted in **2012** by your organisation?<sup>4</sup>

(Indicate only one of the following)

Total number prosecuted<sup>6</sup>  (Enter number if one or more cases prosecuted)

Nil - No cases in this year

Unable to quantify at this time

Comment: (if considered necessary for clarification or if your organisation uses a different definition or means of counting prosecution cases in your statistics to that described at footnote 6)

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Q. 20. Please list a sample of the three most common offences, which are prosecuted by your organisation?<sup>4</sup>

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Q. 21. Please comment generally on the importance and/or relevance, or otherwise, of criminal prosecutions as an enforcement option to your organisation.

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Q. 22. Is there any particular prosecution case or aspect of your prosecution programme, which you would like to highlight, which has not been covered by earlier questions?

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Q. 23. Contact Person:

The name of a person in the organisation who can be contacted regarding the material in this questionnaire is Name: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

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<sup>6</sup> The number of cases prosecuted includes both summary and indictable **convictions** within the year in question. It **does not** include cases where the **probation Act** was applied.

**APPENDIX C – Specific topics mentioned in the Oireachtas (Jan to Jul 2013)**

<b>Organisation</b>	<b>Topic</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>Total</b>
An Post	TV Licence	1							1
Central Bank	Banking Crisis / Investigations						4	3	7
Central Bank	Central Bank Bill 2011						1	2	3
Central Bank	Corporate Governance	1							1
CRO	Company Law Issues					1			1
CRO	Company Registrations							1	1
DAFM	Animal Health & Welfare Bill 2012			1		1			2
DAFM	Animal Welfare/Disease Issues		2		3			1	6
DAFM	Food Labelling			1					1
DAFM	Horse Related Issues	3	5	4		1		1	14
DAFM	Single Payment Scheme		1						1
DAFM	Tree Felling						1		1
DAHG	Sites & National monuments				1			1	2
DAHG	Wildlife Protection	1	2	2					5
DCENR	New EU Directive						1		1
DOH	Sun bed Regulations							1	1
DSP	Departmental Schemes				1	1			2
DSP	DSP Checkpoints							1	1
DSP	Fraud Costs							1	1
DSP	Revenue Commissioners - Frauds			2					2
DSP	Social Welfare Bills 2012/2013	1				1	2		4
DSP	Staffing Matters							1	1
DSP	Taxi Regulation Bill 2012	1				1			2
EPA	Environmental Regulations		1						1
EPA	EPA Governance	1				1			2
EPA	Illegal Dumping	1	1		1			1	4
EPA	Waste Water Treatment						1	1	2
FSAI	Food Labelling			1					1
FSAI	Horse Meat Investigation		1	1		1			3
GSOC	Delays in Receipt of Information					1			1
GSOC	Operation of GSOC					1			1
HSE	Child Care					2	5	9	16
HSE	EPA Governance	1							1
HSE	Food Labelling			1					1
HSE	Public Health Tobacco Bill 2013	1							1
HSE	Tobacco Control Measures	1				1			2
IFI	EPA Governance	1							1
IMB	Prescription Medicines					1	1		2
LMS (NSAI)	Food Labelling			1					1
Local Authorities	Air Pollution		1			1			2
Local Authorities	Carbon Tax Collection					1			1
Local Authorities	Environmental Regulations		1						1

<b>Organisation</b>	<b>Topic</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>Total</b>
Local Authorities	EPA Governance	1							1
Local Authorities	Food Labelling			1					1
Local Authorities	Housing		1	1			2		4
Local Authorities	Illegal Dumping	1	1		2			1	5
Local Authorities	Litter Pollution				1				1
Local Authorities	Waste Management Issues				1				1
NERA	Employment Rights					1		2	3
NERA	Revenue Commissioners Frauds			2					2
NERA	School Building Projects					1			1
NTA	Social Welfare Bills 2012/2013	1					1		2
NTA	Taxi Regulation Bill 2012	1	2		1	2			6
NTCO	Tobacco Control Measures	1				1			2
ODCE	Banking Crisis / Investigations						4	8	12
ODCE	Corporate Governance	1							1
ODCE	HMV Vouchers	1							1
PRTB	Anti-Social Behaviour			1					1
PRTB	PRTB Tenancy Registration					2			2
PRTB	Residential Tenancies Bill 2012	1							1
PSA	Role of the PSA	1							1
PSI	Pharmacy Regulations	1							1
Revenue	Carbon Tax Collection					1			1
Revenue	Customs Seizures / Funding	2							2
Revenue	Fuel Fraud			1	1	2	2	3	9
Revenue	Prescription Medicines					1	1		2
Revenue	Public Health Tobacco Bill 2013	1							1
Revenue	Social Welfare Bills 2012/2013	2					2		4
Revenue	Staffing Matters				2		2		4
Revenue	Tobacco Fraud	2	4	3	1	2	1	2	15
Revenue	Accountability			1					1
Revenue	DSP Checkpoints							1	1
Revenue	Environmental Regulations		1						1
Revenue	EPA Governance	1							1
Revenue	Liquor Licensing Laws	1							1
Revenue	Local Property Tax	1							1
Revenue	PRTB Tenancy Registration					1			1
Revenue	Tax Avoidance / Compliance		1	1	1	3			6
Revenue	Taxi Regulation Bill 2012					1			1
SFPA	Fisheries Offences				1				1
SFPA	Fisheries Protection							1	1
SFPA	Food Labelling			1					1
<b>Total</b>		34	25	26	17	34	31	42	<b>209</b>

**APPENDIX D - The number of cases prosecuted\* in 2011 and 2012.**

<b>Organisation</b>	<b>2012</b>	<b>2011</b>	<b>% change</b>
An Post	11,500	10,500	10%
Office of the Revenue Commissioners**	1,517	1,626	-7%
Data Protection Commissioner	195	54	261%
Road Safety Authority	182	166	10%
Companies Registration Office*	179	98	83%
Iarnród Éireann	156	170	-8%
Dublin Bus	147	64	130%
Department of Social Protection	128	194	-34%
Inland Fisheries Ireland	96	185	-48%
National Employment Rights Authority	70	56	25%
National Transport Authority	57	78	-27%
National Education Welfare Board	49	75	-35%
Electricity Supply Board	42	10	320%
Sea Fisheries Protection Authority**	26	12	117%
National Tobacco Control Office (Health Service Executive)	23	23	0%
Health and Safety Authority	18	31	-42%
Environmental Protection Agency	17	23	-26%
Pensions Board	15	26	-42%
Pharmaceutical Society of Ireland*	12	5	140%
Department of Agriculture, Food and the Marine	10	6	67%
Irish Medicines Board	9	9	0%
Garda Síochána Ombudsman Commission**	5	4	25%
Private Residential Tenancies Board	4	14	-71%
Private Security Authority	4	10	-60%
Central Statistics Office	4	7	-43%
Office of the Director of Corporate Enforcement	4	5	-20%
Pensions Ombudsman	3	11	-73%
NPWS - Department of Arts, Heritage and the Gaeltacht	3	5	-40%
Commission for Energy Regulation	2	0	100%
National Consumer Agency	1	2	-50%
Competition Authority	1	1	0%
NSAI Legal Metrology Service	1	1	0%
Food Safety Authority of Ireland	0	2	-100%
Radiological Protection Institute of Ireland	0	1	-100%
Commission for Aviation Regulation	0	0	
Veterinary Council of Ireland	0	0	
National Milk Agency	0	0	
	<b>14,480</b>	<b>13,474</b>	<b>7%</b>

- This is a list of 37 of the 51 prosecuting agencies where it was possible to identify prosecution numbers.
- Taking note of the various counting rules applied by different organisations, the figures above should be regarded as a **broad indicator only** of the number of prosecutions completed in 2011 and 2012.
- It should be emphasised that prosecution numbers represent only one element of the compliance / enforcement work engaged in by the organisations listed above.

\* This information was retrieved by way of official publications.

\*\* Investigations are referred to and prosecuted in the name of the DPP.

## **APPENDIX E – Reference List of Dáil and Seanad Éireann Debates**

### **Dáil Debates**

Dáil Debates, 24 January 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Residential Tenancies (Amendment) (No. 2) Bill 2012: Second Stage (Resumed).

Dáil Debates, 14 March 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Interim Report on Equine DNA-Mislabelling of Processed Meat: Statements.

Dáil Debates, 2 May 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Other Questions Garda Síochána Ombudsman Commission.

Dáil Debates, 16 May 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Taxi Regulation Bill 2012 [Seanad]: Second Stage.

Dáil Debates, 29 May 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Topical Issue Debate Crèche Inspections.

Dáil Debates, 11 June 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Social Welfare and Pensions (Miscellaneous Provisions) Bill 2013: Committee Stage.

Dáil Debates, 9 July 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Other Questions - Social Welfare Fraud.

### **Seanad Debates**

Seanad Éireann Debate, 2 July 2013. [www.oireachtas.ie](http://www.oireachtas.ie) Central Bank (Supervision and Enforcement) Bill 2011: Report and Final Stages.

## **APPENDIX F – Reference List of Parliamentary Questions**

Parliamentary Questions 1808/13, 16 January 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 3705/13, 29 January 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 4149/13, 29 January 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 7979/13, 14 February 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 14590/13, 26 March 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 15094/13, 26 March 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 16987/13, 16 April 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 18542/13, 23 April 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 19033/13, 23 April 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 22804/13, 14 May 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 26289/13, 30 May 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 27470/13, 11 June 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 27635/13, 11 June 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 31797/13, 2 July 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 32154/13, 2 July 2013. [www.kildarestreet.com](http://www.kildarestreet.com).

Parliamentary Questions 36688/13, 18 July 2013. [www.kildarestreet.com](http://www.kildarestreet.com).