

2019

An Exploration of how Gardaí Perceive Whistleblowing in An Garda Síochána.

Aodhán Healy
Technological University Dublin, Ireland

Follow this and additional works at: <https://arrow.tudublin.ie/aaschssldis>



Part of the [Social and Behavioral Sciences Commons](#)

Recommended Citation

Healy, A. (2019). *An Exploration of how Gardaí Perceive Whistleblowing in An Garda Síochána.* Dissertation. Technological University Dublin. doi:10.21427/VKPK-1551

This Dissertation is brought to you for free and open access by the Social Sciences at ARROW@TU Dublin. It has been accepted for inclusion in Dissertations by an authorized administrator of ARROW@TU Dublin. For more information, please contact arrow.admin@tudublin.ie, aisling.coyne@tudublin.ie.



This work is licensed under a [Creative Commons Attribution-NonCommercial-Share Alike 4.0 License](#)

An Exploration of how Gardaí Perceive Whistleblowing in An Garda Síochána.

Aodhán Healy

Declaration of ownership: I declare that the attached work is entirely my own and that all sources have been acknowledged.

Signature:

Submitted to the School of Languages, Law and Social Sciences, Technological University of Dublin, in partial fulfilment of the requirements leading to the award of MA in Criminology.

Word count: 16,669

ACKNOWLEDGEMENTS

The journey through the MA in Criminology programme has been a thoroughly enjoyable and academically enriching experience thanks to the fantastic facilities and staff at the Technological University of Dublin. In completing this work, I was greatly assisted by the invaluable advice and unwavering support of my supervisor Dr. Mairéad Seymour, who offered endless insights and encouragement which has been hugely beneficial to me. For the help and guidance of all staff on the MA in Criminology programme I am grateful.

The time and honesty of all of the participants from An Garda Síochána, who volunteered their views and opinions so generously assisted greatly in this work, thank you for making this research an enjoyable and enlightening experience.

Throughout every journey I have embarked on in life I have always benefited from one particular source of honest and solid advice and this experience has been no different. Thank you, mam and dad.

Finally, and most importantly, my beautiful wife Mary who has been a constant source of support and reassurance. Upon undertaking this journey we both acknowledged the workload involved. However, all the hard work over the past two years was carried out by Mary who has given birth to the two most beautiful, adorable and heart-warming children. Two of us began this journey but four of us have finished it. My wonderful family, Mary, Thomas and Sibéal, thank you.

TABLE OF CONTENTS

	Page
Acknowledgements	i
Table of Contents	ii
List of Tables	iv
Abstract	v
Chapter 1: Introduction	
1.1 Introduction	1
Chapter 2: Literature Review	
2.1 The Morris Tribunal	3
2.2 The Blue Wall of Silence and the need for Cultural Reform	4
2.3 Improvements in the Governance & Accountability of An Garda Síochána 2003 – 2008	5
2.4 Tribunals of Enquiry into An Garda Síochána	6
2.4.1 Garda Whistle-blower - Sergeant Maurice McCabe	6
2.4.2 The Charleton Tribunal	8
2.5 Improvements in the Governance & Accountability of An Garda Síochána 2008 – 2018	10
2.6 Attitudes of Gardaí towards the ‘Blue Code’	11
2.7 The Benefits of Whistleblowing	12
2.8 The Blue Wall of Silence as an International Issue	13
2.9 Is An Garda Síochána Dismantling the Blue Wall of Silence?	14
2.10 Has Recent Reform Been Effective?	16
2.11 Conclusion	16
Chapter 3: Methodology	
3.1 Chapter Introduction	18
3.2 Research Aim	18
3.3 Research Design and Rationale – Qualitative Design	18
3.4 Research Method Selected – Interview	19

3.5 Interview Schedule Content	21
3.6 Research Sampling	21
3.7 Conduct of Interviews	23
3.8 Limitations	24
3.9 Data Analysis	25
3.10 Access & Ethical Considerations	26
3.11 Chapter Conclusion	27
Chapter 4: Findings	
4.1 Chapter Introduction and Key Themes	29
4.2 Whistle-blowers – Past and Present	29
4.3 Considerations Before Blowing the Whistle	33
4.4 The Effects of Blowing the Whistle	34
4.4.1 Effects on the Whistle-blower	35
4.4.2 Effects on the Whistle-blower’s Career	36
4.4.3 Effects on An Garda Síochána	37
4.5 Changes to Protect Whistle-blowers	38
4.6 The Future of Whistleblowing	40
4.7 Findings Summary	41
Chapter 5: Conclusion and Recommendations	
5.1 Conclusion	42
5.2 Recommendations	43
References	44
Appendices	
Appendix 1 Approved Application for Ethical Approval from Technological University of Dublin	50
Appendix 2 Application for Ethical Approval from An Garda Síochána	55
Appendix 3 Ethical Approval from An Garda Síochána (email)	71
Appendix 4 Information Sheet for participants	72
Appendix 5 Interview Guide	74

LIST OF TABLES

Table 1.1	Details of Participants	22
------------------	-------------------------	----

ABSTRACT

An Garda Síochána was established in 1922 as the national police force of the Irish state and has undergone organisational, developmental, growth and cultural change since inception in line with societal, legislative and governmental demands throughout the intervening 97 years. In more recent times and in tandem with this growth expansion and development, there has also grown a maleficent and damaging culture within the force where a culture of secrecy and lack of transparent function has emerged, whereby whistle-blowers of bad practice have been bullied and vilified for highlighting wrongdoing in the organisation. Following formal tribunals of enquiry and associated legislative change there has emerged considerable change in the approach taken by An Garda Síochána towards whistleblowing and the accommodation of whistle-blowers within its ranks. The aim of this study is to elicit the perceptions of members of An Garda Síochána and gain insight into their views and experiences of whistleblowing within the organisation. This qualitative study explored the perceptions and feelings of Gardaí as to whether it was now more acceptable to highlight bad practice. A key finding emerged that there was still a negative and suspicious outcome for the whistle-blower. The findings also suggest that there are some differences of opinion among Gardaí surrounding whistleblowing but there are strong common beliefs regarding the treatment of whistle-blowers and how they may or may not be accepted under certain circumstances. Consequently, this still has significant implications for the management of An Garda Síochána in addressing persistent negativism with regard to whistle-blowing or so-called protected disclosures. While cultural change may always be slow and lethargic, there must emerge a continuous new accommodation of transparent work practices where wrongdoing in all Garda ranks becomes less tolerated and a new culture grows to ensure that intolerance

Chapter 1

Introduction

1.1 Introduction.

In almost one hundred years since An Garda Síochána was founded Irish society has evolved and has subsequently undergone social, economic and cultural change. Similar to other large organisations, elements of the culture and some policies and practices of An Garda Síochána become outdated and subject to review. Current literature on policing suggests that a culture of silence exists within police organisations and recent efforts to change this culture in An Garda Síochána have been well documented. It is the reluctance of Gardaí to speak up and report wrongdoing, and the practice of silencing those who do within An Garda Síochána that forms the basis of this study.

A culture of secrecy and lack of transparency was uncovered through recent enquiries into An Garda Síochána as the practices and policies of the organisation came under scrutiny following complaints of corruption and inadequate policing practices. Subsequent tribunals of enquiry highlighted poor practices in the organisation, including the mistreatment of whistle-blowers and the reluctance of Gardaí to speak up and report wrongdoing. This has led to examination, review and formal enquiry and ultimately efforts at necessary adjustment in the focus, work and management of An Garda Síochána. These adjustments have also been underpinned by legislative support and new codes of practice. Notwithstanding these adjustments, outside of the formal tribunals of enquiry there has been a dearth of research activity into the behaviour and management of An Garda Síochána since its efforts in changing the approach to and accommodation of the whistle-blower of bad practice. This is echoed by Moskos (2013) who believes that critical analyses of police have special significance in Ireland because there has been little empirical research on An Garda Síochána.

A recent and comprehensive academic study was conducted by Conway (2010) who argues persuasively that poor policing practices within An Garda Síochána was not case of a few bad apples but rather the result of a totally inept and corrupt police institution. This is a sweeping statement whereby Conway suggests that all Gardaí are equally culpable for the misbehaviour of a few. It also suggests that the culture within the police institution has given rise to corruption and ineptitude. Nevertheless, it is most likely that a culture of failing to speak up and report wrongdoing played a significant role in allowing events to unfold that led to recent

tribunals of enquiry. Therefore, it is important to study the findings of the current literature in order to shape and position any further research.

The aim of this study is to explore and examine recent and emerging thoughts and perceptions of Gardaí in their efforts to embrace the recommendations of the recent tribunals of enquiry into the organisation regarding whistle-blowers. In doing so it is intended to establish the prevalence of a culture of failing to speak up and report wrongdoing within An Garda Síochána. The effects of such a culture and any justification for engaging in a culture of silence will be alluded to through an examination of recent research, audit and tribunal findings. Finally, the views and opinions of Gardaí will be sought on the updated codes of practice, underpinning legislative changes and the requirement to be more accommodating to Gardaí who have a legitimate reason to highlight bad practice in the course of their work. The primary aim of the study is to explore the perceptions of members of An Garda Síochána of whistle-blowers among their ranks.

The work is set out in five chapters. Chapter one provides the background, purpose and significance of the work. Chapter Two focuses on the literature review. Chapter three provides the research methodology including design, ethical considerations, data analysis and limitations. Chapter four is dedicated to the findings and a discussion on same. The findings are divided into key themes. A discussion on each theme locates the findings in current literature where possible and highlights the implications of the findings. Finally, chapter five comprises of the conclusion and recommendations.

Chapter 2

Literature Review

2.1 The Morris Tribunal.

The Morris Tribunal was an enquiry created by a resolution passed by the national Parliament and Senate of Ireland on the 28th March 2002 to deal with a number of issues regarding short fallings within An Garda Síochána including public complaints raised by the media. The Morris Tribunal hearings, chaired by Justice Morris, began in March 2003 and did not draw to close until it had produced its final report in October 2008. During this period, six comprehensive reports were published, amounting to over four-thousand pages of complaint, contextualisation and conclusion regarding the role of An Garda Síochána as the national police force of the Republic of Ireland. The Tribunal proved intricate and complex in its examination of evidence reaching back to events that occurred in the late 1990s which led to grave concerns among the Irish people about policing practice and trust in the organisation. These events occurred before the Northern Ireland peace agreement – the ‘Good-Friday Agreement’ – in 1998 and involved Gardaí working on the southern side of the border with Northern Ireland in County Donegal. Against the backdrop of the sectarian ‘troubles’ in Northern Ireland some Gardaí were found to have become involved in seriously corrupt behaviour including the manufacture and planting of explosives and subsequent hoax bomb-making equipment finds. The Garda investigation into the death of Co Donegal cattle-dealer, Richard Barron, was highlighted as clearly deficient by the Tribunal. It was in examining this investigation that the Tribunal identified poor practices within An Garda Síochána in the Donegal Division. It was the poor practices highlighted that formed the crux of public concern which centred on incidents including a campaign of provocation and malice by a number of members of An Garda Síochána towards particular persons in Co. Donegal. Other concerns included the mistreatment of persons in custody, the mishandling of criminal informants and most worryingly, the collective impediment of those investigating these claims. Following an extensive Tribunal, the key findings of Justice Morris indicated that significant reform of Irish policing was necessary if the legitimacy of An Garda Síochána was to be rescued in the aftermath of these hugely damaging revelations of corrupt policing activities. That such behaviour took place, and that no member of An Garda Síochána working within this environment appeared to have been comfortable enough to report it

and/or have confidence that they would be heard without retribution, points to a culture of silence within the organisation that appears to have been very difficult to alter. The aforementioned culture of silence within the organisation has given rise to much debate and organisational reform surrounding policing in Ireland and this research proposes to examine police officers' current perspective of changes, if any, in relation to speaking up and reporting wrongdoing within the organisation over time in the decade or so since the Morris Tribunal.

2.2 The Blue Wall of Silence and the need for Cultural Reform

Although the specific word 'culture' was not mentioned by Justice Morris it can be inferred that each of the issues identified within his reports were manifestly linked to the occupational culture of An Garda Síochána at that time and the wider need for a cultural change within the organisation. Justice Morris echoes the sentiments of Conway (2010) in suggesting that:

Of the Gardaí serving in Donegal it cannot be said that they are unrepresentative or an aberration from the generality. All of them were trained as Gardaí and served under a uniform structure of administration and discipline that is standardised. (Morris, 2006, p. 2).

It became clear as the Tribunal progressed that many Gardaí had lied to the Tribunal and built up a “blue wall of silence”, refusing to give evidence against one another. This element of garda subculture was succinctly portrayed to the Tribunal by one garda who stated that “You don’t hang your own” (Conway, 2010, p. 91). As a result of Garda behaviour exposed at the Tribunal, An Garda Síochána was faced with this contextual driver for change and swift action was required. This prompted Garda Commissioner Noel Conroy to set up a working group, headed by Deputy Garda Commissioner Peter Fitzgerald, to examine the tribunal's recommendations with a view to implementing same. It was in this capacity, on the 13th April 2005, midway through Morris’s inquiry, that Deputy Garda Commissioner Fitzgerald appeared before the Morris Tribunal and pledged his personal commitment on behalf of the Garda organisation “to remedy and resolve as many of the areas of concern identified in evidence as were within his authority to achieve” (Fitzgerald, 2008, p. 4). New legislation in the form of An Garda Síochána Act 2005 quickly followed laying the foundations for widespread reform within the organisation. Early signs of change included the introduction of oversight bodies to promote highest standards within the organisation and to achieve and

maintain high standards of effectiveness and efficiency. Also, the introduction of the Garda Síochána Ombudsman Commission soon followed.

2.3 Improvements in the Governance & Accountability of An Garda Síochána 2003 – 2008

Following conclusions that An Garda Síochána was not achieving the standards of a disciplined force (Morris, 2006) and since the introduction of the Garda Síochána Act 2005, structures have been put in place and developments have occurred to improve the governance and accountability of An Garda Síochána. These include the introduction of the Garda Professional Standards Unit to set and maintain high standards. Also, an independent Garda Síochána Inspectorate who is responsible for inspecting or inquiring into any aspect of Garda operation or administration and subsequently producing a report to the Minister advising of best practice was introduced. Other changes made the Garda Commissioner accountable to the Minister for Justice and in turn the people of Ireland for the first time and the introduction of the Garda Síochána Ombudsman Commission (GSOC). GSOC, an independent statutory body, established under the Garda Síochána Act 2005 was set up in 2007. It replaced the Garda Síochána Complaints Board. Its mission is to provide efficient, fair and independent oversight of policing in Ireland. (GSOC, 2007). The key functions of the GSOC are clear, it is to receive complaints from the public about the behaviours of Gardaí, to use its powers and perform its duties regarding those complaints. GSOC also issue guidelines for informal resolution, offer advice on areas for improvement and set out procedures for investigations. Furthermore, they examine the practices, policies and procedures of An Garda Síochána as well as report their investigations to the Garda Commissioner and the Director of Public Prosecutions, to conduct any further investigations deemed necessary. One major reform introduced the requirement for Gardaí to be more accountable. This was evident in Section 39 of the Act which states that a member of the Garda Síochána shall, when directed to do so by a member of a higher rank, account for any act done or omission made by the member while on duty and failure to do so can lead to disciplinary action or dismissal.

Despite the introduction of a new legislative framework, the challenges in implementing such changes and cultural reform persisted. This became clear as poor standards and unethical behaviour in An Garda Síochána continued to be highlighted in more recent times through the Smitwick Tribunal, (Smitwick, 2013) and the Charleton Tribunal (Charleton, 2018). What is

perceived as the ‘blue code’ or ‘blue wall of silence’ has proved a difficult hurdle to overcome. Each Tribunal suggests that Gardaí were reluctant to or refused to give evidence against their colleagues. From a public perspective this was worrying, and it was essential that any reform discouraged such behaviour for the good of the organisation.

2.4 Tribunals of Enquiry into An Garda Síochána

The culture of An Garda Síochána has been brought into question on a number of occasions. In recent times through tribunals of investigation such as the Morris Tribunal (Morris, 2008), the Smitwick Tribunal, (Smitwick, 2013) and the Charleton Tribunal (Charleton, 2018). While the findings of the Morris Tribunal detailed a ‘blue wall of silence’ in the Donegal division (Kilcommins, 2012) and the Smitwick Tribunal notes a misguided sense of loyalty to the force or to its members (Smitwick, 2013, p. 431), it was the Charleton Tribunal that raised the most inflammatory issues, which related to the treatment of whistle blowers within An Garda Síochána.

2.4.1 Garda Whistle-blower - Sergeant Maurice McCabe

Sergeant Maurice McCabe was a serving member of An Garda Síochána serving in the Cavan/Monaghan Garda Division in 2006. He is the most high-profile whistle-blower in An Garda Síochána. Whistle blowing goes against the culture defined by the blue wall of silence and is identified as;

a deliberate non-obligatory act of disclosure, which gets on to public record and is made by a person who has or had privileged access to data or information of an organisation about non-trivial illegality or other wrongdoing whether actual, suspected or anticipated which implicates and is under the control of that organisation, to an external entity having potential to rectify the wrongdoing. (Jubb, 1999, p.78).

However, despite a perceived culture of silence, in 2006 Sergeant McCabe made a complaint against a fellow Garda resulting in his colleague being disciplined. Later in 2006 an allegation that Sergeant McCabe had sexually assaulted the daughter of this colleague was made. An investigation was carried out on this allegation and the Director of Public Prosecutions found that there were no grounds for prosecution. These two incidents provided the spring board for investigations and enquiries involving Sergeant Maurice McCabe that spanned over the next decade or so.

Over the following two years, Sergeant McCabe began to raise concerns about deficient policework at Bailieboro Garda Station to his superiors. He subsequently perceived a lack of management support and he requested a transfer to another Garda Division. Sergeant McCabe was transferred thereafter to Mullingar Garda Station in July 2008. In October 2008 Sergeant McCabe made a protected disclosure about how he was treated by his superiors during his service in the Cavan/Monaghan Garda Division. His complaints, 42 in total, included the lack of support he received having raised issues regarding poor policing standards and the lack of action taken by his superiors following same. The case was referred to an Assistant Commissioner for investigation. The subsequent investigation revealed that only 11 of Sergeant McCabe's allegations of wrongdoing were upheld. Sergeant McCabe was dissatisfied with this outcome and the investigation was referred to another Assistant Commissioner for investigation who agreed with the initial findings.

In 2011 Sergeant McCabe sought establishment of a commission of investigation because he was dissatisfied with the outcome of the investigation into his complaints but his request was declined by a minister of Government. However, Sergeant McCabe persisted with his complaints and also made further protected disclosures in 2011 and 2012 alleging ineptitude and corruption against high ranking members of An Garda Síochána. The day after making the second of these disclosure Sergeant McCabe was subjected to disciplinary proceedings by Garda management in relation to an unrelated matter.

In late 2012 Sergeant McCabe and his colleague, Garda John Wilson made another protected disclosure outlining how Fixed Charged Penalty Notices (fines and penalty points) pertaining to road traffic offences were being terminated by senior ranking Gardaí without reasonable cause. Soon after Garda management restricted Sergeant McCabe's access to the official Garda computer system (PULSE). On 15 May 2013, Assistant Commissioner investigated the issues raised by Sergeant McCabe in respect of the fixed charge penalty notice system and its alleged abuse as documented on PULSE. The investigation found no evidence of crime, corruption, deception or falsification on the issue. (Charleton, 2018).

Intense media coverage followed, and widespread coverage of what became known as the 'penalty point scandal' ensued. Furthermore, the then Garda Commissioner, Martin Callinan appeared before the public accounts committee January 2014 and stated that Sergeant Maurice McCabe and Garda John Wilson were two people out of a force of over 13,000 people that are making extraordinary serious allegations and that there wasn't a whisper

elsewhere from any other members of the Gardaí about the corruption, the malpractice or all of the things that they levelled against their fellow officers. He concluded in saying that he found their allegations ‘disgusting’ (Hillard, 2016). The Government subsequently sought a review of Sergeant McCabe’s complaints and Séan Guerin SC was appointed to conduct the review. In April 2014 media reports included matters pertaining to the sexual assault allegation that had been made against Sergeant McCabe in 2006 began to emerge. It also transpired that, in relation to the 2006 allegation, a TUSLA worker had mistakenly detailed an allegation of rape against Sergeant McCabe in August 2013. On 6 May 2014, Séan Guerin SC recommended the establishment of a commission of investigation into a series of matters (Charleton, 2018).

In 2015 the Government set up a commission of investigation under the Hon Mr Justice Kevin O’Higgins to examine the allegations made by Sergeant McCabe. The O’Higgins Commission issued its final report in April 2016 which was critical of aspects of Assistant Commissioner’s findings in relation to Sergeant McCabe’s initial complaints. It was reported that it failed to address certain specific complaints of Sergeant McCabe regarding the incidents and for dealing with them in vague or general terms. Sergeant McCabe was also described as truthful in his evidence although prone to exaggeration at times and his complaint regarding the quality of the investigation into his initial complaints in 2008 was upheld. The Commission revealed that Sergeant McCabe was subjected to disciplinary proceedings for the first time in a long career and wrongly blamed in relation to the missing evidence in 2012 (O’Higgins, 2016.) Finally, the O’Higgins Commission also found that;

Sergeant McCabe is a dedicated and committed member of An Garda Síochána. He has brought to public attention certain investigations where the public was not well served. He has also highlighted certain legitimate concerns about procedures and practices in place at Bailieboro garda station. The events leading up to and including this commission of investigation have been extremely stressful for him and for his family over a long period of time. (Charleton, 2018, p.124).

The O’Higgins Commission had somewhat vindicated Sergeant McCabe and he was rewarded for his persistence. However, further protected disclosures revealed that Garda management figures had directed the Garda Press Officer to launch a smear campaign against Sergeant McCabe during the O’Higgins Commission. The litany of errors and serious allegations regarding Sergeant McCabe’s case left the government with no choice but to launch a full, public inquiry into the affair.

2.4.2 The Charleton Tribunal

In February 2017, the Oireachtas created the Charleton Tribunal in order to investigate claims about a number of Garda whistle blowers, of which Sergeant Maurice McCabe was the most prominent. Mr Justice Peter Charleton subsequently issued a comprehensive report about claims linked to Sergeant Maurice McCabe outlining issues including whether two Garda Commissioners had directed the Superintendent in charge of the Garda Press office to smear Sergeant Maurice McCabe and whether the child and family agency, TUSLA, had improper dealings with An Garda Síochána in relation to Sergeant Maurice McCabe.

In highlighting inefficiencies and poor policing practices in his Garda Division, which eventually gave rise to the Charleton Tribunal, it could be argued that Sergeant Maurice McCabe's actions went beyond Garda culture, the 'blue code' or the 'blue wall of silence'. Perhaps the culture of silence within police organisations is not the only factor in Gardaí failing to speak up and report wrongdoing. A cultural audit of An Garda Síochána revealed that there is a sense of fear and futility when it comes to reporting wrongdoing and members feel that that senior management don't encourage open communication or two-way feedback (PWC, 2018). The treatment of Sergeant Maurice McCabe supports this point and is reflected in the Charleton Tribunal, in stating that;

Those reading this report will no doubt be horrified when they come to the section which, in concise form, summarises all of the negative things said directly about Maurice McCabe and all of the rumours which floated around, and were no doubt magnified, from a period which probably began in early 2007 and continued over the best part of the subsequent decade. (Charleton, 2018, p. 289)

It is also of concern to potential whistle-blowers that, having had ;

the courage to speak up and report misdemeanours and poor practice, Sergeant McCabe felt that his complaints were not being addressed properly, he felt that he was subjected to ridicule and odium by certain persons within the force and he felt very isolated as a result of his complaints. (O'Higgins, 2016, p. 23).

The ridicule and odium Sergeant Maurice McCabe was subjected to at the hands of Garda management and colleagues and the isolation he felt may be a primary concern of other Gardaí considering making a protected disclosure. The best practice and high standards that the Garda Síochána Act implemented in the aftermath of the Morris Tribunal were clearly not being upheld in the Cavan/Monaghan Garda Division and when this was highlighted by Sergeant Maurice McCabe his complaints were not addressed properly. There is no evidence to suggest that such poor standards and practices were isolated to the Cavan/Monaghan Garda Division but the enquiry did not reveal any Gardaí coming forward with similar complaints to Sergeant Maurice McCabe. While the Charleton Tribunal highlighted numerous examples of

how Sergeant Maurice McCabe was ill treated for speaking up and reporting wrong doing, the final report acknowledges that “in every division and district, there are many police officers intent on doing their work properly”, before concluding that “what the inquiry has shown must be deeply dispiriting to them”. (Charleton, 2018, p. 291). Therefore, it is intended through this research to explore the existence of any reluctance to speak up and report wrongdoing within the organisation and the reasoning for any reluctance to do so.

2.5 Improvements in the Governance & Accountability of An Garda Síochána 2008 - 2018

Having discussed policy and procedural change in the aftermath of the Morris Tribunal, the need for further reform within An Garda Síochána has become obvious considering the events that have unfolded since. Reform has taken place in the shape of the Policing Authority, which was established as an independent statutory body on 1 January 2016 to oversee the performance of the Garda Síochána in relation to policing services in Ireland. The Authority is a statutory body, established by the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 which amended the Garda Síochána Act 2005. The Act provides for an extensive range of functions for the Authority, some of which were previously the responsibility of Government or the Minister for Justice and Equality. Although Justice Morris (2005) indicated that it was urgently necessary for changes in structure to the ethics and training of Gardaí so as to militate against a recurrence of the extraordinary chronicled events that led to the Morris Tribunal, it took until the 23rd of January 2017 for the ‘Code of Ethics for the Garda Síochána’ to be launched through the Policing Authority (2017). The Code sets out nine ethical standards and the ethical commitments required to meet these standards. One such standard is speaking up and reporting wrongdoing. The code highlights the importance of speaking up and reporting wrongdoing or poor practices in preventing harm, fraud, corruption and injustice.

However, considering that whistleblowing threatens the solidarity and sense of oneness of police (Heck, 1992), reporting wrongdoing is likely to create a moral dilemma for Gardaí. Despite the code stating that all managers must support, encourage and facilitate speaking up at every level in the organisation, and ensure that everyone involved is treated fairly (Policing Authority, 2017, p. 21) the treatment of Sergeant Maurice McCabe would be cause for

concern for potential whistle-blowers. However, the code offers support for whistle blowing and encourages Gardaí to speak out and report wrongdoing with confidence.

Recent legislation to protect whistle blowers in the Protected Disclosures Act which became operational on 05th of July 2014 offers further support for potential whistle-blowers. The Protected Disclosures Act 2014 provides a platform for workers to disclose information which highlights wrongdoings that came to their attention through their employment and the worker must reasonably believe that a wrongdoing has occurred (ICSA Ireland, 2014). An exhaustive list of eight relevant wrongdoings are as follows; health and safety threat, miscarriage of justice, non-compliance with legal obligation, commission of an offence, misuse of public monies, damage to the environment, mismanagement by public official and concealment or destruction of information relating to any of the forgoing (Ni Longáin, Whelan, & Hamilton, 2014). Reporting wrongdoing is also encouraged by the An Garda Síochána Modernisation and Renewal Programme 2016-2021 which states that dissent shall not be seen as disloyalty and that employees will be encouraged to bring forward any ideas or concerns they may have and will be listened to and supported. This research intends to examine the likelihood of Gardaí to report colleagues who engage in deviant behaviour. It is intended to examine the likelihood of a Garda member to speak up and report wrongdoing irrespective of organisational cultures that have shaped recent tribunals or the ill-treatment of Sergeant Maurice McCabe.

2.6 Attitudes of Gardaí towards the ‘Blue Code’

The Cultural Audit of An Garda Síochána (PWC, 2018) provides valuable insight into the organisation. The loyalty valued by police officers is clearly evident as the audit revealed camaraderie as a most valued trait amongst Gardaí. This was reported as one of the greatest positives to come out of the audit and the report indicates that there is a strong esprit de corps that is integral to the very fabric of An Garda Síochána. However, it states that this esprit de corps needs to be based on the right behavioural foundations, with loyalty to the team not coming at the expense of failing to call out inappropriate behaviours or actions. The report concludes in saying that this distinction is now recognised across the organisation albeit coloured by the inquiries and tribunals of the past.

Therefore, the lines between loyalty and camaraderie and the ‘blue wall of silence’ appear to be somewhat blurred. While, this suggests that there has been a cultural shift in An Garda

Síochána and a willingness to speak up is becoming more acceptable, there is also evidence that Gardaí do not believe this to be the case. For example, although some indicated that they were willing to speak up, the general feeling is that those who do are perceived as a ‘nuisance’ or ‘problem person’. Others outlined that speaking up is met with a “typically defensive reaction” and that “institutionally it has been made a big deal to speak up, when it should be the norm”. (PWC, 2018, p. 40). Therefore, Gardaí do not believe that the structures in place to support speaking up and reporting wrongdoing are robust enough to protect the whistle-blower.

Furthermore, the audit reports that the existence of a ‘blue wall of silence’ is only questionable because embedding accountability is a key area of focus for the organisation and its oversight bodies. It highlights that there is a sense across the organisation that individually everyone feels they are accountable for their own actions. (PWC, 2018, p. 9). The Cultural Audit of An Garda Síochána (PWC, 2018) has shown that Gardaí are willing to provide incriminating evidence against their colleagues when required or obliged to do so. However, there remains to be a reluctance to voluntarily speak up and report wrongdoing and it appears that Gardaí see any protections or policy in place as inadequate. This research hopes to examine the apparent reluctance further and how the treatment of more recent ‘whistle blowers’ have affected the feelings of Gardaí on this matter.

2.7 The Benefits of Whistleblowing

The importance of facilitating those that wish to speak up and report wrongdoing is well documented by O’Malley (1997) who outlines that police cultures that condone and exercise silence codes are said to place loyalty over integrity. These sentiments are further supported by others including Kleinig (1996) who indicates that any manifestation of this blue wall is detrimental to the public interest, as it undermines the respect, and effectiveness of those sworn to protect citizens from lawless behaviour. Charleton (2018) stated that a lack of accountability within An Garda Síochána will do Ireland no service. He believes that,

Where a problem occurs, strongly self-identifying organisations can have a self-protective tendency and that, regrettably, also describes An Garda Síochána. It is beyond a pity that it took independent inquiries to identify obvious problems with what Maurice McCabe was reporting. To ask the right question, as Anton Pavlovich Chekhov said, is to go far in answering it (Charleton, 2018, p.294).

The findings of the Morris Tribunal are echoed by this statement and also by Skolnick (2002) who states that in efforts to protect one another, officers practicing a code of silence frequently damage innocent third parties, as well as the overall integrity of the justice system. The damage that a culture of silence can do to a police organisation became clear in the aftermath of the recent Tribunals and efforts of Garda management to improve governance and accountability within the organisation was slow. In Manning's (2012) account of trust and accountability in An Garda Síochána, he argues that whilst the force have been very successful in embracing the changes recommended by Morris presentationally, more tangible change and a headlong acceptance of the problems associated with modernity have not been so apparent. The force, he argues, is not only intrinsically resistant to change but attempts to reform the organisation have made only a "modest impact" (Manning, 2012, p. 347). Therefore, it may be argued that subsequent tribunals of enquiry may have been avoidable had the recommendations of Morris been acted upon more hastily, particularly the Charleton Tribunal (2018). However, oversight bodies were put in place and policies were reformed with a view to discourage Gardaí from shielding colleagues who have done wrong. The difficulty in changing such a culture is not isolated to An Garda Síochána, as such a culture seems to be embedded in police forces worldwide.

2.8 The Blue Wall of Silence as an International Issue

The 'blue wall of silence' is endemic in police forces across the globe and many studies have attempted to explain why it exists. International research suggests that police forces around the globe are similar in relation to the 'blue code' or the 'blue wall of silence'. In a study of the New York Police Department, the Mollen Commission, 1994, found that the blue wall of silence is the unwritten rule according to which police officers never provide incriminating information about their colleagues which subsequently presents a huge obstacle in the effective control of misconduct at work. Similarly, the Wood Inquiry in Australia argued that the code of silence was an "incontrovertible and universal product of police culture" that was preventing reform in the New South Wales Police Service (Wood, 1997, p. 33). Literature on this topic indicates that the code of silence has been viewed as a persistent outcome in the socialisation of police since William Westley (1970) first profiled the police profession in his 1950s study of the Gary, Indiana Police Department. Westley (1970) and Bittner (1971) made the case that police work was dangerous and officers were socialised to trust only their peers

and protect other officers through the “blue wall of silence.” According to and Prpić and Peacock (2019) this implicit code has likely existed nearly as long as law enforcement itself, but substantial scholarship on the blue wall of silence did not materialize until the 1990s over a period when the code was increasingly viewed as a leading hurdle to law enforcement reform in both developed and developing countries. While Moskos (2013) argues that informal non-snitching codes are present in all cultures and professions, he states that this code is exceptionally stigmatizing for police. He indicates that what outsiders may see as a culture of active opposition, others see it as a willful cloak of ignorance protecting officers from any consequences related to their colleagues’ potential misdeeds. Such a failure to comment on the misdeeds of colleagues may be explained by Kingshott, Bailey, and Wolfe, 2004, who explored more implicit facets to policing, including loyalty among officers. In their study an “us versus them” mentality led to the conclusion that officers valued loyalty as the most important police value, and that this loyalty can cross over into the territory of what is known as the ‘blue wall of silence’. Kingshott et al. (2004) concluded that this wall creates an integrity versus loyalty dilemma, where integrity is viewed as negative and loyalty is valued above all else. There is limited analytical literature on the existence of a ‘blue wall of silence’ within An Garda Síochána other than the data from recent tribunals. Despite the lack of empirical evidence regarding the culture within An Garda Síochána it is interesting to note the views of Waddington (1999) who believes that the literature on police culture only tells us what is wrong with police culture from the perspective of the observer and not the police. He argues that it does not tell us anything about culture from the perspective of its participants. This suggests that current literature on police culture is predominantly based on data collected through observations of police officers rather than seeking data on the lived experiences of police from the police officers themselves. Hence, this research study will address the dearth of literature on this matter by examining the views and opinions of sworn members of An Garda Síochána. Such views are important to the literature on this matter as, according to Crank, 2015, the common perception that police “culture” is a source of hidden, unpleasant police characteristics is not espoused in the media, but it is also widely present in academic literature. Against this backdrop it seems obvious that the views and lived experiences of Gardaí would be enormously beneficial in terms of generating a more nuanced and in-dept understanding of the complexities of police culture in practice. However, it is important to examine the contemporary developments and existing literature in order to shape and position any further research.

2.9 Is An Garda Síochána Dismantling the Blue Wall of Silence?

There is much evidence that a culture of silence or blue wall of silence exists within police forces worldwide and the damage such a culture can cause a police organisation has been well documented (Bittner 1971; Mollen 1994; Westley 1970; Wood 1997). The literature has shown that police personnel often fail or refuse to report wrongdoing within the police force out of fear of the consequences of violating the 'code'. Consequences include being shunned, losing friends, having no one to work with, losing backup support, harassment, physical threats, permanent stigmatization, and exposure of one's own misconduct (Chin & Wells 1998; Skolnick 2000; Skolnick & Fyfe 1993). This is of significant consequence to police officers who often rely on their colleagues for help and support in violent and dangerous situations. While many studies have examined the prevalence and effects of the failure of police to report wrongdoing (Kleinig, 1996; O'Malley, 1997), some believe that it has been greatly exaggerated. Skolnick and Fyfe (1993) argue that the code of silence is exaggerated as a result of high ethical expectations and intense media scrutiny of police. While the culture of silence within the police draws much media attention, Baldwin and Rothwell (2007) opine that silence codes may be just as prevalent in civilian agencies and other occupational areas that fly under the radar of the media and concerned citizens because they do not deal with such significant concerns as the use of deadly force, incarceration, the death penalty, and society's most deviant behaviours. Nonetheless, it is understandable that more media scrutiny surrounds a code of silence in police organisations given the powers vested in police officers and the potential fallout of corruption or malpractice within a police organisation.

Reforms in An Garda Síochána under the Garda Síochána Act 2005, present a variety of forces and incentives which work against the pressures to maintain the blue code of silence and encourages Gardaí to be more accountable (Baldwin & Rothwell, 2007). This is underpinned by Section 39 of the Garda Síochána Act 2005 which obliges Gardaí to be more accountable for their actions or inactions. In such circumstances a Garda member is most likely to reconsider any code of silence being upheld. Similarly, Gardaí under investigation by Garda Síochána Ombudsman Commission (GSOC) may be more susceptible to offering evidence on the misdeeds of their colleagues in order to avoid disciplinary proceedings. Such a view is supported by Charman and Corcoran (2015) who believe that increased accountability delivered through GSOC and the weight put on integrity, has meant that the

once reputed 'blue wall of silence' is no longer culturally sustainable as Gardaí reported having too much to lose (their careers, attendant financial security and position in Irish society) for protecting other Gardaí from scrutiny for misconduct

A study of An Garda Síochána by Charman and Corcoran, 2015, revealed that GSOC has been perceived as the 'new broom' within the organisation and participants in the study suggested that Gardaí are overly held to account during investigations conducted by GSOC. Although Manning (2012, p. 357) believes that Gardaí are not held to account "to the people at large, nor to any collection of groups", the findings of Charman and Corcoran (2015) suggest otherwise. However, while Charman and Corcoran (2015) found that the emergence of GSOC has altered any culture of silence within An Garda Síochána, it remains unclear how likely Gardaí are to break the 'blue code' when not prompted to do so by oversight bodies or obliged to do so by legislation. It is the voluntary and unprompted disclosures of evidence relating to the misdeeds of a colleague that is the basis of whistle blowing. Undoubtedly there has been a cultural change due to legislation and Gardaí are more likely to provide evidence regarding their colleagues' misdeeds. However, whistleblowing on colleagues remains to be a voluntary practice and this study intends to examine the likelihood of Garda volunteering such information in the current climate.

2.10 Has Recent Reform Been Effective?

While it is difficult to ascertain the extent to which recent reform has altered the culture within An Garda Síochána regarding whistleblowing on colleagues, there is some emerging evidence that provides insight. Charman and Corcoran (2015) for example examined whether Gardaí support the practice of whistleblowing in An Garda Síochána and found that Gardaí would only consider whistle blowing under certain circumstances such as the seriousness of the misdemeanour or how the misdemeanour affected them personally. According to Charman and Corcoran (2015) this amalgamates to 'conditional' moral judgements about wrongdoing with emotions and self-regulation. In turn, they found that this may be interpreted to mean that the question for a potential whistle-blower in An Garda Síochána may be whether the 'conditional' fall-out from their actions would outweigh the ramifications that resultant reprisals may bring. They conclude that misconduct in An Garda Síochána may still involve a degree of value judgement and a thorough internal appraisal of the significance of the offending act. Overall, they found in participants' narratives that despite reforms there

was a tendency for Gardaí to maintain solidarity with one another regardless of increased oversight and reform. There is limited supportive or contradictory evidence available to examine how recent reform may have further altered the occupational culture within An Garda Síochána. Giving consideration to the ineffectiveness of reforms following the Morris Tribunal, this study hopes to examine how effective subsequent reforms have been in encouraging whistle blowing in An Garda Síochána.

2.11 Conclusion

The current literature surrounding this topic highlights how a culture of silence has been deeply embedded in police organisations worldwide since initial examinations of police culture took place. While the reasoning for police to adopt such a position is recognised and acknowledged, the damaging effects on the organisation and its workforce as well as the effects on society is well documented. Although some commentators argue that a reluctance to speak up and report wrongdoing is to be found in any organisation and that such a culture within police organisations is exaggerated due to their position in society, it has emerged from the literature that the ‘blue wall of silence’ is particularly damaging to police organisations and is also damaging to the moral of police personnel. In relation to An Garda Síochána, the lack of literature regarding speaking up and reporting wrongdoing has been acknowledged. However, available literature indicates that policy and oversight reform, coupled with legislative changes have encouraged Gardaí to be more accountable for their actions. It appears that Gardaí are more willing to report wrongdoing when obligated to do so but whistle blowing, on a voluntary basis remains somewhat culturally unacceptable while a lack of trust in the structures in place to protect whistle-blowers presents as a discouraging factor. Therefore, in light of recent policy reform within An Garda Síochána and the enactment of the Protected Disclosures Act 2014 it remains to be seen if Gardaí are subsequently more susceptible to speaking up and reporting wrong doing. While the treatment of recent ‘Garda whistle-blowers’, particularly Sergeant Maurice McCabe, may have discouraged Gardaí from making such disclosures, the consequent findings of the Charleton Tribunal may equally have encouraged such behaviour. It is therefore unclear how acceptable whistle-blowers are in An Garda Síochána from current literature. Hence, as outlined in chapter one the purpose of this study is to explore how Gardaí perceive whistle-blowers in An Garda Síochána.

Chapter 3

Methodology

3.1 Chapter Introduction

The aim of this research is to gain detailed insight into the views and experiences of Gardaí of whistleblowing within An Garda Síochána. Any changes in the level of acceptance surrounding whistle-blowers within the organisation and the confidence in protected disclosures policy and legislation among Gardaí will be explored to answer the central research question of the study. To ensure validity and accuracy of the findings, a robust research strategy was integrated into the study. The research design, data collection methods, sampling, consent and ethical issues are addressed in the paragraphs that follow.

3.2 Research Aim

The research aims to gain detailed insight into the level of confidence among Gardaí about the laws, policies and practices in place to support a more open environment around reporting wrongdoing in An Garda Síochána. In order to do so the feelings, experiences, views, and opinions of Gardaí will be sought to examine current perspectives and changes over time. This data will give a valuable insight into the cultural beliefs surrounding whistleblowing in An Garda Síochána as well as the perceptions of Gardaí regarding how acceptable the practice of whistle-blowing is within the organisation. The data will also provide an interesting opportunity to compare current literature with the findings and inevitably assist in

exploring how Gardaí perceive whistleblowing in An Garda Síochána as alluded to in chapter one.

3.3 Research Design and Rationale – Qualitative Design

Following a period of consideration, a qualitative approach was deemed most appropriate for this study as it enables the researcher to uncover perceptions, attitudes, understandings and meaning in what is presented (Burnett, 2009). In the context of this study, a qualitative approach will provide the platform from which to gather and analyse detailed insight into the perspectives of participants about their views on whistle blowers within An Garda Síochána (Denzin & Lincoln, 2005). The study covers a heretofore unresearched topic and is consequently explorative in nature which fits suitably within the parameters of a qualitative approach (Robson, 2011). Furthermore, Greenlough, 2001, indicates that qualitative research is interpretative and concerned with interpreting and understanding phenomena through the meanings that people attach to them. The research design is cognisant of the increasingly popular constructionist approach to research and acknowledges that individuals, including researchers, have different experiences and opinions of the same situations and this can influence the data collected during research (Holsein & Gudrum, 2008). With this in mind, consideration must be given to selecting the most appropriate research method.

3.4 Research Method Selected – Interview

Qualitative research is inductive, and it allows abstractions, concepts and theories to be developed from the data collected (Punch, 2005). It was therefore necessary to choose a research method that maximised freedom of expression and enabled an understanding of experiences rather than simply provided answers to questions. This can be best achieved through in-depth interviewing (Seideman, 2006). As the opinions of serving Gardaí and their attitudes towards reporting wrongdoing is imperative the researcher decided to use the format of interviews to allow the interviewees greater flexibility and scope to express their lived experiences (Silverman, 2011). Walliman (2011) opines that such an approach will afford the interviewees opportunity to express themselves in words and reflect their feelings, opinions, descriptions and anecdotes. Kvale (1996) has indicated that the qualitative interview is a construction site of knowledge and given that this study proposes to generate knowledge surrounding attitudes towards whistleblowing and whistle-blowers within An Garda Síochána, it appears that interviewing is the most suitable to capture such nuances. Furthermore, Kvale (1996, p. 105) strengthens this viewpoint in stating that “interviews are

particularly suited for studying people's understanding of the meanings in their lived world, describing their experiences and self-understanding, and clarifying and elaborating their own perspective on their lived world". While it has been considered that critics have questioned whether culture can be fully understood through this research method (Alasuutari, 1995), this study proposes to ensure that storytelling, one of the primary cultural characteristics of police officers (Van Hulst, 2013), is given ample opportunity to flourish through the utilisation of interviews. Given that the recent Cultural Audit (PWC, 2018) was predominantly a quantitative study whereby a survey was utilised, this study proposes to explore the experiences and lived experiences of serving Gardaí. It is envisaged that a qualitative approach to this study will maintain a greater understanding of their attitudes towards speaking up and reporting wrong doing in light of the findings of recent policy changes, new legislation and tribunal findings.

A semi structured, or semi-standardised interview format has been chosen to collect data for this research. The researcher believes that such a format will provide a balance between the variability of an unstructured interview and the standardisation of a structured interview and facilitates flow and flexibility within the interview. The semi structured interview will allow the researcher to ask all participants the same questions while affording flexibility in the phrasing and order of the questions. (Hutchinson & Wilson, 1992). As outlined by Barriball and While (1994) the semi structured interview provides the opportunities to change the words but not the meaning of questions because it acknowledges that not every word has the same meaning to every respondent and not every respondent uses that same vocabulary. This will enhance validity through helping respondents to understand the questions and the researcher will be able to ask for clarification and probe for further responses if necessary. (Parahoo, 1997). The semi structured format of the interview will create a flexible structure allowing the required data to be gathered as well as any interesting or unexpected data that may emerge through open ended questions. This format will also afford participants the freedom to discuss any topics they feel necessary and where clarification or further information is required, prompt questions will be used to gain as much insight as possible. Given the fact that the participants are all operational Gardaí who are used to providing concise and accurate information when asked the necessity for prompt questions may be limited. Furthermore, the open-ended questions will allow flexibility to the researcher to be specific and broad. Specific open-ended questions such as 'can you tell me any reason that you may be reluctant to speak up or report wrongdoing?' limit the range of responses. Therefore, broader open-ended question such as 'can you describe how you feel about the

reluctance of some Gardaí to speak up and report wrongdoing?’ are proposed for this study. Although some critics such as (Wellings, Field, Johnson, & Wadsworth, 1994, p.16-17), have noted that questions on “sensitive or controversial issues....may be more truthfully answered by self-completion rather than by interview” the researcher believes that the broad open-ended question will encourage the participant to ‘open up’, allowing the researcher to obtain information in the participants own words, to gain a description of the situation and to elicit detail (Lofland and Lofland, 1984). The use of this format is supported by the rationale of Barriball and While (1994) who explained that semi structured interviews are an effective means of data collection because they are well suited for the exploration of the perceptions and opinions of respondents regarding complex and sometimes sensitive issues and enable probing for more information and clarification of answers. As reluctance to speak up forms the axis of this research, the researcher believes that probing will be necessary to seek clarity and encourage more meaningful responses from participants.

Face to face interviews, rather than telephone or digital interviews, were considered most appropriate given the subject matter of the research and potential sensitivities that may exist (see ethics section for further detail). Face to face interviews also facilitate development of rapport and allow the interviewer to judge how ‘well’ the interview is going. (Newburn, 2009).

3.5 Interview Schedule Content

The interview schedule was developed drawing on key findings from national and international research and audits and consultation with colleagues and my supervisor. The interview schedule focuses on a number of core areas such as the culture in An Garda Síochána regarding speaking up and reporting wrong doing, the participants views on the findings of recent Tribunals and treatment of Garda whistle-blowers, the participants views on the findings of the Cultural Audit (PWC, 2018) and how recent events, policy changes and new legislation may have altered the participants attitude towards speaking up or making a protected disclosure (see Appendix 5 for the guide). The interview guide was designed not to be overly onerous in terms of the number of questions. This was a deliberate methodological strategy so the participants could have the space within the interview to raise issues that were not reflected in the interview schedule but were central to their experiences and lived experiences of whistleblowing within An Garda Síochána. This approach is supported by Parse, Coyne, and Smith (1985) who indicates that a qualitative approach to research

identifies the perspectives of the research participants and uncovers their characteristics and experiences.

3.6 Research Sampling

In order to gather a variety of experiences of Gardaí the research focused on four different research sites. The research sites were chosen to reflect a mix of policing subcultures across a greater Garda Region. Consideration was given to the location of Garda Districts directly affected by recent tribunals of enquiry such as Donegal, Cavan, Monaghan and Westmeath and it was considered most appropriate to explore the views and opinions of Gardaí not directly affected by same. On this basis the researcher selected the most appropriate and suitable research site.

Initially consideration was given to seeking the perspectives from Gardaí who had made protected disclosures as well as those of Gardaí who had not. On reflection of the feasibility of conducting sufficiently in-depth research and the difficulties in ensuring anonymity and confidentiality it was decided to concentrate on one group, Gardaí who had never made a protected disclosure although the researcher was cognisant that any participants who have made a protected disclosure may volunteer such information during the data collection process. It was then necessary to select a sample of suitability qualified Gardaí who could provide the depth of knowledge required.

According to Bryman (2012, p. 425) the size of a sample should “support convincing conclusions” and this has to be balanced with the feasibility of the study undertaken. The research strategy involved conducting an initial consultation with Gardaí that may be in a position to participate and then six semi-structured interviews with the most suitable participants. Although a relatively small sample, the in-depth insights gained from the participants is likely to provide a solid basis for meaningful analysis. The accounts from these participants form the basis of the research. The interviews involve Gardaí from different Garda Districts in the selected Garda Region.

A sample group of 6 serving Gardaí, both male and female, of Garda rank with in excess of ten years of experience from four Garda Districts within the selected Garda Region were interviewed. The following table offers an insight into the profile of the participants for this study.

Participant	Rank	Number of years service in	Gender	Number of Garda Districts
--------------------	-------------	-----------------------------------	---------------	----------------------------------

		An Garda Síochána		worked in
1 (G15M2)	Garda	15	Male	2
2 (G20M2)	Garda	20	Male	2
3 (G24M3)	Garda	24	Male	3
4 (G10M3)	Garda	10	Male	3
5 (G14F3)	Garda	14	Female	3
6 (G26F4)	Garda	26	Female	4

Table 1.1

A non-probability sampling technique was considered most appropriate and purposive sampling was selected. (Bryman, 2012; Dawson, 2012). Purposive sampling was selected because it enables the researcher to seek out volunteers and deliberately choose who to include in the study on the basis that those selected can provide the necessary data. Participants chosen by the researcher were selected in the belief that they are the best available people to provide data on the issue being researched. Each of the participants were approached by the researcher and requested to participate in the research on a voluntary basis.

3.7 Conduct of Interviews

It proved difficult to schedule interviews due to conflicting shift patterns of both the researcher and the participants. The researcher is aware of the various shift patterns and was willing to conduct interviews at unusual times including night time and weekends in order to facilitate participants and minimise disruption. Therefore, the data collection phase of the research was spread over a six week period. Permission was sought and subsequently granted, from the supervisory Sergeant of each of the participants for the interviews to be conducted in Garda Stations where participants work, during work time. This was important to improve the willingness of participants to take the time necessary to conduct in-depth interviews. The researcher travelled to the stations at an arranged meeting time.

The researcher acknowledges the necessity to build rapport with participants at the outset by being clear and honest with regard to the research aims. Efforts were be made to understand participant's views through general conversation before addressing the key issues. Using extensive interview experience in an operational context, steering or probing questions were only used where necessary to develop key areas and to overcome participant reluctance to provide detailed accounts of their experiences (Bryman, 2012).

A 30-40-minute interview, at Garda Stations in the selected Garda Region, with the 6 selected serving Gardaí was conducted to collect the necessary data. This required the preservation of

raw data by recording the interview on audio equipment as there was a large amount of information being provided very quickly. A number of strategies were adopted to ensure that participants felt at ease during the interview. This involved establishing rapport and reassuring them of their anonymity and confidentiality (subject to statutory reporting obligations). Hence, the participants were provided with a topic guide in advance of the interview. All interviews took place between July and September, 2019 and each audio recording was transcribed in a timely and careful manner to ensure the accuracy of the content transcribed. The recordings were immediately transferred from a digital recorder onto a password protected memory key and deleted. The transcription process proved to be a time-consuming element of the research but was considered necessary nonetheless to reflect on the material gathered and to ensure the desired level of information was included.

Given that it is important that the explanations and views offered in the research findings are credible (Denzin & Lincoln, 2005) the researcher endeavoured to maximise the validity of the interviews by taking steps including clarifying points with participants throughout the interviews and transcribing shortly after the interviews when the experience was freshest in the researcher's mind.

3.8 Limitations

The fact that this research is based on a small sample means that caution must be exercised in the broader generalisation of the findings. Given that the use of interviews can be considered to have limitations and are seen to be very personal experiences (Pepper & Wildy, 2009) it can be difficult to eliminate a researcher's own experiences and views (Clandinin & Connelly, 2000). This is particularly relevant to this study as the researcher is a Garda member with thirteen years of service. Therefore, it was important for the researcher to maintain open-mindedness and be cautious with regards to bias and the temptation to express personal views during interview that may influence the participant. Nevertheless, the position of the researcher enabled a strong rapport to be developed prior to interview and a high degree of trust was evident that may not have been present if a researcher from outside the organisation was conducting the study. Participants were made aware of the researcher's position from the outset to avoid any ethical issues. (see section on Access and Ethical Considerations).

Another limitation involves the scope of the study which is restricted to the views of members of An Garda Síochána at the rank of Garda. Therefore, any findings reflect their

views alone. It does not reflect the views of more senior Gardaí who also operate within the culture of An Garda Síochána and in their role have direct and indirect responsibility for responding to whistle-blowing. However, while this study is restricted in that it focuses solely on frontline Gardaí, it nevertheless opens up the area for further research among other stakeholders in the protected disclosures process.

Alternative research strategies were considered including taking a quantitative approach but quantitative methods such as survey did not match the aims of the research (Punch, 2005). The research sought to maximise the information gathered from the small sample by taking a meticulous and structured approach to data collection and analysis. The method of sample selection is also a limitation but the rationale behind the selection has been discussed above and was necessary to circumvent barriers to the research.

3.9 Data Analysis

In qualitative research the analysis of the data collected can be influenced both by the researcher and by those taking part in the research (Dawson, 2012). It is argued that if one asked two researchers to analyse the same transcript each could come up with different results (Dawson, 2012). Various approaches to qualitative data analysis, such as those suggested by Punch (2005) or Bryman (2012) were considered including grounded theory, thematic, narrative analysis and even secondary analysis. According to Jones (1988) the analysis of qualitative data is a process of finding and making a structure in the data and giving this meaning and significance for ourselves and for any relevant audiences. Therefore, all data collected in this study will be analysed by way of a thematic approach. Dawson (2012) describes thematic analysis as highly inductive, allowing the analysis process to develop ecologically with additional themes and points of reference emerging from earlier themes. Furthermore, thematic analysis allows the researcher to discover new concepts embedded throughout the interviews conducted (Rubin & Rubin, 1995). Although it is difficult to define a clear theoretical basis for thematic analysis, it is argued that it is through this theoretical freedom that thematic analysis provides a flexible and useful research tool when applied correctly (Braun & Clarke, 2006). The researcher is aware that the logic of qualitative data analysis involves balancing creativity and focus while inductively uncovering and deductively discovering themes that run through raw data and the process demands researchers stay close to their data. (O'Leary, 2014). This approach to data analysis is considered the most suitable and the researcher intends to identify themes and subthemes in the data and organise it into categories that allowed the research question to be explored and

addressed (Powell & Renner, 2003). The relevant emerging data will be coded and considered against the existing literature in this area to establish common themes.

The analysis will ultimately involve becoming thoroughly familiar with the data collected via limited note taking during interview and detailed reflection immediately after interviews. Once a theme is identified, it will be noted as a separate heading and the transcripts will be colour coded using Microsoft Word formatting to make thematic analysis easier. Once the final themes are identified, the data will be analysed by coding with data labels to enable cross analysis of the material (Saladana, 2012). By using clear pre-defined steps during the analysis stage, it will enable the researcher to draw conclusions from the data collected (Robson, 2011).

3.10 Access & Ethical Considerations

One of the first practical steps necessary in undertaking this study was to ensure that ethical clearance was applied for and approved by the relevant bodies. The researcher firstly applied for ethical clearance from the Head of School of Languages, Law and Social Science at Technological University of Dublin. Clearance for the study was granted following submission of a detailed research proposal and ethical clearance application (see appendix 1). The research will be conducted in accordance with general academic standards (Silverman, 2013), the ethical standards of Technological University of Dublin and the code of ethics of the British Society of Criminology (2006). One of the objectives of the research was to advance knowledge within the criminological field and sought to respect the prevailing theories, works and limits of criminology (Wisker, 2008). Also, as Garda regulations dictate that permission to carry out research in instances such as this is subject to approval by the Garda authorities. Given that the study involved interviewing front line Gardaí, research and ethical clearance were also sought from An Garda Síochána Research Unit to carry out the study. Garda authorities required a detailed research proposal to be submitted prior to sanctioning the research, the application was subsequently granted (see Appendix 2 and Appendix 3). As a serving member of An Garda Síochána the researcher has access to serving members in the selected Region but permission from the relevant Divisional Officer to conduct interviews and his approval on the proposed interview questions was sought regardless and granted.

Informed consent was sought from participants prior to conducting any interviews by way of providing a detailed information sheet (see Appendix 4). The information sheet provided each participant with the researcher's details, the purpose of the study and a guarantee that the identity of the participants will remain anonymous. The anonymity of the participants will be maintained throughout the study and they will be profiled in a manner that will identify their gender, number of years of service and the number of Garda Districts that they have worked in. For example, as shown in Table 1.1, a male Garda with 18 years of service who has worked in 3 different Garda Districts will be denoted as G18M3. This will enable the reader to develop a more developed insight into the source of the data. The information sheet also notified participants that their participation is entirely voluntary. Given that consent from participants was sought before any audio recording took place and note taking was minimised to reduce any potential barriers to frankness (Baxter, Hughes & Tight, 2006) it was made clear to participants that all data and information gathered will be kept securely by the researcher and the research is being conducted in a private capacity.

The researcher's position as a member of An Garda Síochána was made clear to participants to ensure openness in the research process. The researcher is aware that the position of a police officer carrying out police research is often seen as an 'inside insider' and how researchers of this type may sometimes be viewed with suspicion as a tool of management. (Brown, 1996). In the policing environment, it has moreover, being claimed that police officers are distrustful and are not necessarily willing to participate in research of sensitive issues (Ott, 1989). It has been argued that gaining access has been particularly delicate (Brown, 1996). Some officers may believe that academic research is of little use and its 'results' cannot be meaningfully applied (Brown, 1996). Marks (2005) and Loftus (2009) have found that even once formal access has been given, police researchers have generally encountered – initially at least – a good deal of suspicion and introversion amongst participants. Such a reception is problematic given that it will impact upon the quality of data and potentially the validity of the study as a whole. It is important, therefore, that researchers become 'accepted' so as to secure genuine cooperation and trust from the people in the research site (Reiner & Newburn, 2008). However, access in this study was secured directly with participants as the researcher is a member of An Garda Síochána, and therefore was afforded immediate access, namely an inside insider as per Brown's permutations (Brown, 1996). It was envisaged that as a member of An Garda Síochána the researcher will not encounter the same resistance that a lay person may experience. The researcher was also mindful of the fact that personal bias must not be allowed to affect the research despite the

views of Bryman (2012) that it is not feasible to keep the values that a researcher holds totally in check. However, on the advice of Bryman (2012) the researcher ensured adherence to ethical principles and standards throughout the study.

3.11 Chapter Conclusion

To ensure that appropriate methods were used in this research significant literature was consulted and considered. A qualitative approach was selected to reflect the nature of the research and the aim of gathering individual opinions, views and experiences. The various tools available in qualitative research were considered and interviews were selected as the most appropriate tool to gain insight into the level of acceptance afforded to whistle blowers in An Garda Síochána. Due to the dearth of research in the area of the culture within the organisation of An Garda Síochána, particularly from the perspective of serving Gardaí the researcher believes that any meaningful study will contribute to a greater understanding of policing in Ireland. The research will be of interest to management within An Garda Síochána, particularly those employed in professional standards units and change management. The study will assist in formulating and updating policing plans. The Commission on Policing in Ireland would also welcome any meaningful research on Garda culture as calls for change in policing practices are increasingly frequent in recent times. The researcher also believes that this study will provide a useful platform for further research into the culture of An Garda Síochána as well as assist in advising policy on any potential reform within the organisation.

The use of semi structured interviews in this study allowed participants the maximum degree of freedom to discuss their experiences while keeping interviews on point. Data collection and data analysis was conducted using a structured approach ensuring a degree of comparison in the research and validity of the findings. Ethical considerations and the limitations of the research, particularly sample selection and size are acknowledged. By applying a robust research approach and ensuring ethical and consistent research was conducted the integrity of the research is maintained. The findings of the research will now be set out and discussed.

Chapter 4

Findings and Discussion

4.1 Chapter Introduction and Key Themes

The research produced a rich, multi-layered seam of data from over four hours of recorded interviews and over 60 pages of dialogue transcript. When the data were analysed many common themes emerged from the responses of the participants which provided a valuable insight into the views and opinions of serving Gardaí regarding whistle blowing within An Garda Síochána.

The six participants shown in Table 1.1, identify 4 male and 2 female Gardaí who have amassed 109 years of service between them across 17 Garda Districts. Through the lens of the individual lived experiences of these participants, the semi-structured methodological approach made it possible to identify distinctive cognitive responses in the sample group giving the researcher an opportunity to build a greater picture of how whistle blowing is seen within An Garda Síochána using what Kvale (1996) described as a construction site of

knowledge. The primary themes in the data have been integrated with the theoretical literature in order to achieve a clearer comparative analysis.

Although the themes are discussed individually there were several thematic overlaps and intersections which become apparent as the chapter progresses. The themes identified and discussed in this chapter are the views and opinions of serving Gardaí on; (a) Whistle-blowers: Past and Present, (b) Considerations Before Blowing the Whistle, (c) The Effects of Blowing the Whistle, (d) Changes to Protect Whistle-blowers and (e) The Future of Whistleblowing. A discussion on the themes identified is presented throughout the chapter based upon the findings within the literature and the data corpus.

4.2 Whistle-blowers: Past and Present.

Although Mollen (1994) indicated that the blue wall of silence is the unwritten rule according to which police officers never provide incriminating information about their colleagues there have been instances whereby Gardaí have felt the need to speak up and report wrongdoing. Given that the literature has shown that police personnel often fail or refuse to report wrongdoing within the police force out of loyalty to their colleagues (Chin & Wells 1998; Skolnick 2000; Skolnick & Fyfe 1993) this research examined how whistle-blowers are seen by their colleagues in order to establish if there is any peer pressure on Gardaí to maintain a code of silence.

The research found that each member of the sample group believed that whistle blowers are seen in a negative light by their colleagues. All of the participants indicated that they had never knowingly worked in the same Garda District as a whistle blower. Nonetheless, all participants believed that whistle blowers would not be welcomed to any of their Garda stations. There is also evidence that Gardaí feel a strong sense of reluctance to speak up or report wrongdoing as it would damage their working relationships with colleagues and inhibit their working environment. Although the data does not suggest that peer pressure has any part to play in maintaining a code of silence, there is evidence that a culture of shunning whistle-blowers within An Garda Síochána exists. G15M2 gave an opinion that whistle-blowers are seen to be “rats or scum as criminals would say”. Similar opinions suggested that “whistle-blowers are seen to be the problem more than the actual problem itself” (G14F3) and that whistle-blowers are “not welcome and bring unwanted attention on the job” (G20M2).

The data shows that Gardaí have a negative view of whistle-blowers despite having never worked alongside a whistle-blower. The culture of shunning whistle-blowers that has become apparent through this study highlights the need for a cultural shift within An Garda Síochána in order to make whistle-blowing a more acceptable practice. The reasons for such feelings towards colleagues who have spoken up and reported wrongdoing was further explored by the researcher by examining perceptions of how whistle-blowers were treated by colleagues in the past.

In order to put the treatment of whistle-blowers in the present day into context the views and opinions of the participants were sought regarding the treatment of previous Garda whistle-blowers. The responses were overwhelmingly negative. All of the participants felt that whistle-blowers were treated poorly in An Garda Síochána and “were treated with suspicion and contempt by many” (G14F3). The study has shown that regardless of an investigation being conducted or not “it was found that their complaints were frivolous and self-serving and not made for the greater good of the organisation” (G24M3). While G10M3 believed that in the past “whistleblowing would have been very uncommon, the organisation would have made sure that any problems were not brought to public attention”. It appears from the study that whistle-blowers “would have been blacklisted and would have found it very hard to get on in the job” (G20M2) in the past and Garda management would have taken the view that “there’s a problem, we have a whistle-blower” (G15M2). The data presented suggests that it is unclear how prevalent whistleblowing was in An Garda Síochána due to whistle-blowers being silenced or ignored by Garda management in an effort to avoid negative publicity being brought upon the organisation. The data also suggests that the difficult to identify the prevalence of whistleblowing in An Garda Síochána remains. For example, G26F4 opined that “nothing has changed” and whistle-blowers are “still treated the same”.

Although the practice of whistleblowing may be emerging as a more acceptable practice within An Garda Síochána, the level of acceptance appears to be sullied by doubts surrounding the motives of the Garda whistle-blower and the legitimacy of reports of wrongdoing remains a contentious issue. Some participants indicated that Gardaí are often weary of whistle-blowers and question their motives for speaking up and reporting wrongdoing. This presents a difficulty for any potential whistle-blowers as they are very often discredited at an early stage. The courage of whistle-blowers also divided opinion among participants. G10M3 felt that whistle-blowers are “seen as the odd one in the station, looking to cause controversy” or seeking “the limelight”. The motives of whistle-blowers were also questioned by G24M3

who indicated that “whistle-blowers are seen with a certain suspicion amongst their peers and the reasons behind the disclosures are often questioned”. This sentiment was echoed by G26F4 who believes that whistle-blowers may only be speaking up “as some sort of revenge for some past, real or perceived, humiliation”. The perceptions of participants show that Garda whistle-blowers are treated with immediate suspicion by their peers and their reasoning for speaking up and reporting wrongdoing is very often questioned. When asked why whistle-blowers are not considered courageous for speaking up and reporting wrongdoing the participants gave varying responses. For example, G26F4 indicated that “there are ways to report things, more in-house ways, there is no need to highlight wrongdoing to the whole world and bring embarrassment onto the organisation. It affects us all”. Similarly, G14F3 believed that “some good will inevitably come out of wrongdoing being highlighted but I wouldn’t consider it courageous or anything. They are only making a big deal out of it to look for attention, they could report it at a more local level or more discreetly”. However, an element of acceptance of whistleblowing in An Garda Síochána again emerged as G20M2 stated that “if all alternative avenues were explored, then fair enough, they obviously kept getting shot down and they had the courage to pursue their grievance”. Although, this suggests that there an element of acceptance and support for whistle-blowers exists under certain circumstances, the data has shown that whistle-blowers face an almost immediate task in proving the veracity of their disclosure and gaining the support of their colleagues.

The level of support for whistle blowers among Gardaí was underwhelming according to this research. It appeared from what the participants said that Gardaí categorise incidents of wrongdoing that are worthy of speaking up about and reporting. This research suggests that the participants believe that whistle-blowers predominantly speak up and report wrongdoing that is not necessary to report as a protected disclosure and their motives for doing so are self-absorbed and questionable. Although some participants stated that there will always be a number or supportive peers (G15M2) or there may be a 50-50 split between the number of people supporting and slating whistle-blowers (G20M2), only one participant acknowledged that the protected disclosure may be made to highlight an injustice or criminal act (G24M3). When asked if the level of support for whistle-blowers would be greater if a serious injustice was disclosed the participants all stated that they would support such behaviour. G15M2 believed that “anyone would support someone highlighting a serious offence”. However, G10M3 indicated that “it would be unlikely that it would take a whistle-blower to uncover

something like that, we are all Guards, none of us would ignore something serious” and G20M2 stated that “it doesn’t really get to that stage. Serious crimes don’t really go unnoticed in the Guards, no one would really need to blow the whistle for stuff like that”. The participants offered evidence that Gardaí choose which whistle-blowers to support depending on the nature or seriousness of their disclosure. However, it appears from the data that Gardaí do not believe that serious wrongdoing requires whistleblowing as such offences would be detected very quickly.

While Bittner (1971) indicates that police officers were socialised to trust only their peers and protect other officers through the “blue wall of silence”, none of the participants categorically indicated that they would not trust a whistle-blower. However, this research strongly suggests that there is a lack of trust between whistle-blowers and non-whistle-blowers in An Garda Síochána. Such a view is suggested by G10M3 who stated that Gardaí would “distance themselves from whistle-blowers” and “would not want to be associated with a whistle-blower”. G14F3 echoed this view by indicating that “it’s a small organisation and people would quickly find out who the whistle-blower is, they would very quickly be left out of the loop”. Such sentiments provide insight into the types of issues that Gardaí may have to contend with if they speak up and report wrongdoing or make a protected disclosure.

4.3 Considerations Before Blowing the Whistle

This participants in this research have clearly identified how they feel whistle-blowers are seen by their peers in An Garda Síochána. Hence, given that Kingshott et al. (2004) highlighted that the blue wall of silence creates an integrity versus loyalty dilemma, where integrity is viewed as negative and loyalty is valued above all else, it is apparent that for a Garda member to make a protected disclosure serious consideration must be given to doing so in order to maintain a good working relationship with colleagues. The findings of this research support the current literature which indicates that the consequences of speaking up and reporting wrongdoing include being shunned, losing friends, having no one to work with, losing backup support, harassment, physical threats, permanent stigmatization, and exposure of one’s own misconduct (Chin & Wells 1998; Skolnick 2000; Skolnick & Fyfe 1993). The data shows that Gardaí may be reluctant to make a protected disclosure due to the potential impact it will have on their family, their working relationships with colleagues and their personal wellbeing. However, according to what the participants said the majority of Gardaí would be willing to speak up and report wrongdoing in the case of serious misconduct or a

serious criminal offence. Furthermore, the participants unanimously indicated that a whistleblower would be supported and accepted by their peers if they highlighted a serious injustice, criminal conduct or widespread corruption.

G10M3 indicated that consequences such as “being shunned by your peers” and how your personal life and work life will be affected is the primary concern when considering making a protected disclosure. Similarly, G15M2 indicated that a balance must be drawn between what will be gained from making the disclosure with how it will affect your working environment in stating that;

I would have to think about whether I am making it to cover myself or to highlight a genuine injustice...am I making it out of spite or in retaliation for not getting promoted or appointed...is it going to be worth all the s**t that comes with it?

G20M2 also indicated that the consequences of making a disclosure on personal life, career opportunities and family must be given consideration. This is echoed by all participants and a genuine concern for the quality of life in a professional and personal capacity is clearly evident from the data.

However, despite an apparent reluctance to speak up and report wrongdoing, participants indicated that they would have no difficulty in making a protected disclosure if a serious matter needed to be disclosed. G24M3 captured the views of others in the study in outlining the circumstances under which he would disclose. As the following example highlights, perceived seriousness of the behaviour was a key consideration:

The primary consideration that most members would consider is the seriousness of what they are disclosing and if the matter related to serious criminal conduct regarding a past or potential miscarriage of justice. I do not believe any member would hesitate.

This view is supported by G26F4 who believes that

the vast majority of Gardaí are determined to ensure that criminal behaviour is highlighted and successfully prosecuted no matter who the perpetrator may be.

The data in this research echoes the findings of Charman and Corcoran (2015) who found that Gardaí would only consider whistle blowing under certain circumstances such as the possible consequences, the seriousness of the misdemeanour or how the misdemeanour has affected them personally. The perceptions identified show that Gardaí engage in the ‘conditional’ moral judgements about wrongdoing with emotions and self-regulation and that misconduct in An Garda Síochána still involves a degree of value judgement and a thorough

internal appraisal of the significance of the offending act, as alluded to by Charman and Corcoran (2015). This suggests that Gardaí considering speaking up and reporting a serious misdemeanour may have less concerns regarding the support of their peers. For example, G15M2 indicated that “anyone would support someone highlighting a serious offence”.

These findings raise the question of why Gardaí show reluctance and hesitation to make protected disclosures. It is apparent from the data that there was limited nuance in terms of whistleblowing and very serious (mostly criminal) conduct was deemed appropriate to report but conduct that Gardaí deemed less serious did not, even if it fell within the category of unjust and/or had a profound impact on the lives of those within and beyond the organisation. The reluctance of Gardaí to speak up and report wrongdoing appears to be underpinned by fear of retribution by colleagues and management. The reluctance of potential whistleblowers to speak up was explored by the researcher in seeking the views of participants on how whistle blowing has affected Gardaí and the wider organisation of An Garda Síochána.

4.4 The Effects of Blowing the Whistle

Current literature suggests that whistleblowing threatens the solidarity and sense of oneness of police. (Heck, 1992). This notion was explored by the researcher and participants were asked for their views and opinions on how making a protected disclosure can affect the professional and personal life of the whistle blower. The effects on An Garda Síochána were also examined.

4.4.1 Effects on the Whistle-blower

All participants felt that making a protected disclosure would bring a lot of stress on to the whistle-blower and his/her family. Health issues and personal and professional relationship issues emerged as factors that are associated with the stress arising from whistleblowing. During the research one participant revealed that he had previously made a protected disclosure and offered a valuable insight into the effects of whistleblowing on the whistle-blower.

G10M3 believes that “the stress may lead to health problems and a lot of sleepless nights thinking about it” and G14F3 also believes that “their mental health is bound to suffer”. The relationship between the whistle-blower and his or her peers would also deteriorate according to G26F4, leading to the whistle-blower “feeling isolated from groups of friends at work”.

The interview of G15M2 provided the most insightful data on this theme as the interview process unexpectedly revealed that he had previously made a protected disclosure. This offered clear evidence that stress related illness is a risk factor for Gardaí making a protected disclosure. G15M2 explained how the stress associated with blowing the whistle can have a severe impact on a whistle-blower:

From personal experience I was hospitalised and later diagnosed with a severe stress related illness. This illness did not affect me in over 26 years prior to blowing the whistle and I was told I may require surgery as a result. I experienced a lack of appetite, sleepless nights, recurring nightmares when I did get to sleep, waking up dazed and covered in sweat, heart racing, tearful, fear of work, fear of retribution, fear in general and the worst one – paranoia.

Having made a protected disclosure G15M2 clearly suffered and the fallout from the illness inevitably had effects on personal relationships and family life.

I felt isolated from my friends and more importantly isolated from my family. No one could help me because no one understood. The general thought was ‘this is the Gardaí, that doesn’t go on there’. I was unable to get or unable to ask for advice. Wedges were driven by myself between loved ones and all because I done nothing wrong. (G15M2)

The personal effects on G15M2 having made a protected disclosure would not encourage any onlooking colleagues to speak up and report wrongdoing. G20M2 shares these sentiments in stating that “you do what you feel is the right thing by blowing the whistle and you end up feeling excommunicated from work and society”. The honest and personal data provided by G15M2 offers a clear insight into how a whistle blower can be affected in a personal capacity. There was no evidence that An Garda Síochána offered any support to whistle-blowers and given the health risks associated with making a protected disclosure it appears that support structures are required in this regard. Such consequences are likely to have an effect on the working environment and the career of a whistle blower as the following section identifies.

4.4.2 Effects on the Whistle-blower’s Career

All of the participants felt that whistleblowing would be detrimental to a Garda member’s professional life. Considering the current literature indicates that that there is a sense of fear and futility when it comes to reporting wrongdoing and members feel that that senior management do not encourage open communication or two-way feedback (PWC, 2018), it is understandable that Gardaí may feel that making a protected disclosure will have a negative impact on their career. G10M3 believes that “colleagues may become distant from the

whistle-blower and management would keep a close eye on them and scrutinise everything they do while in work”. There seems to be an obvious feeling that management do not support whistle blowing among the participants.

Impact on career progression as a result of whistleblowing was raised by G20M2 who believes that the whistle-blower “would be overlooked for promotion or any courses because they brought negative attention onto the organisation”. However, these sentiments are contradicted by G15M2 who had made a protected disclosure and was “offered appointment to Detective Garda but declined in favour of a transfer” claiming that the decision was made “to remove myself from a place that made hell seem like paradise”. This suggests that the work environment experienced by G15M2 having made a protected disclosure had deteriorated to such an extent that any offer of career progression became unattractive. G15M2 provided an insight into to the effects on the professional life a whistle-blower:

Professionally I was isolated, unfriended ... what I mean, is if I rang the station the phone would be hung up, if I called for help on the radio, help would not come at all. Radio checks, person checks and radio work in general more often than not went unanswered. From inclusion to work and social expulsion in the blink of an eye. A life changing experience inside a number of days. (G15M2)

This raises questions regarding how robust policies and legislation are in protecting whistle-blowers. The sudden and intense impact on the professional life of a whistle-blower must be of concern to potential whistle-blowers in An Garda Síochána and justifies any reluctance to do so. While policies are in place and legislation has been introduced to encourage and protect whistle-blowers the participants offered perceptions on how effective any protection measures are in practice and subsequently highlighted a lack of trust in the structures in place among Gardaí. Although G24M3 highlighted that “a members (whistle-blowers) future career or promotion opportunities are protected by policy, in that they must not be penalised in any way”, there is an element of scepticism in this view as he opined that “the confidentiality of a protected disclosure will always be questioned as a lot of details relating to protected disclosures seem to become common knowledge”. G24M3 believed that although policy is in place to protect whistle-blowers and their identity, it is almost inevitable that the nature and source of a protected disclosure will become widely known within the organisation.

4.4.3 Effects on An Garda Síochána

Having examined how whistleblowing is likely to affect individual Gardaí who have made protected disclosures the researcher explored participants’ perspectives on how An Garda

Síochána as an organisation is affected. Most of the participants indicated that whistleblowing has been harmful to the public perception of on An Garda Síochána. The views and opinions of participants on this theme has shown that there is a feeling of embarrassment among Gardaí following the treatment of whistle-blowers in the public eye. Participants spoke about embarrassment to the organisation as a result of whistle-blowing allegations. For some, this embarrassment extended beyond an organisational level and they spoke about being personally embarrassed. G15M2 described being embarrassed to disclose that he was a Garda to persons unknown to him and indicated that “the organisation is an embarrassment, we’re like ostriches with our heads buried in the sand. I’d be embarrassed to tell a stranger that I’m a Garda” when describing how An Garda Síochána has dealt with whistle-blowers in the past. Others believe that recent whistle-blower controversies “embarrassed the organisation” (G14F3) and that “whistle blowing highlights the misdemeanours of Gardaí to the public and gives a bad overall impression of An Garda Síochána” (G10M3).

The participants felt that the organisation and its members have been embarrassed but some positivity emerged nonetheless with the introduction of new policies to make the organisation more transparent and to rebuild trust between Gardaí and the public. Despite a feeling that the organisation may have mishandled some whistle-blowing cases, some participants felt that the whistle-blower’s actions have “led to enquiries that have brought about changes to the organisation for the better” (G20M2). G24M3 believes that the changes referred to by G20M2 are “necessary and right to ensure that structures are in place to allow wrongdoing to be reported in a way that protects the reporter”. All participants believed that some good has arisen from Gardaí making protected disclosures and that “there were practices that were wrong and needed to be changed to make the organisation more transparent and to create a greater sense of trust with the public” (G26F4). Despite some positivity arising from recent whistle-blower controversies the overall feeling among participants is that “unfortunately the past experience with high profile whistle blowers has had a negative impact on the organisation as a whole” (G24M3). Having explored the perceptions of Gardaí regarding the effects of whistleblowing on An Garda Síochána and its members, the researcher sought to establish how the participants viewed recent legislative and policy changes that were introduced to protect whistle-blowers.

4.5 Changes to Protect Whistle-blowers

The data collected shows that whistle-blowers were silenced and ill treated in the past but there is evidence that “whistle-blowers would be more likely to speak up and report wrong doing nowadays” (G10M3) due to the fact that whistleblowing had become more common in recent years. There also appears to be a general feeling that support for whistle-blowers is more commonplace in the present climate and in some cases a feeling of respect;

The majority of people both Gardaí and the public would have nothing but respect for someone making a protected disclosure which highlighted a criminal matter or prevented a miscarriage of justice (G24M3).

While none of the participants wholeheartedly condoned the practice of whistleblowing the study revealed a feeling that “today it’s more acceptable” (G20M2).

The An Garda Síochána Modernisation and Renewal Programme 2016-2021 states that dissent shall not be seen as disloyalty and that employees will be encouraged to bring forward any ideas or concerns they may have and will be listened to and supported. This study sought the opinions and views of participants regarding how An Garda Síochána has adapted in order to give Gardaí more confidence in making a protected disclosure following recent changes to encourage and protect whistle-blowers. A diversity of views emerged while exploring perceptions of Gardaí on this theme. Firstly, it became apparent that Gardaí felt that efforts to change policies were ineffective but were willing to speak up and report wrongdoing regardless. Secondly, Gardaí felt that change had created a less hostile environment for whistle-blowers but trust in the structures to ensure anonymity remained an issue and thirdly, Gardaí felt that change was formal rather than substantive insofar as it is targeted towards meeting the requirements of oversight bodies rather than protecting whistle-blowers. The latter emerged as the most strongly felt perception among participants.

Participants who do not believe that any changes have taken place stated that “some people just think enough is enough and they speak out” (G20M2) while G10M3 felt that recent changes may “encourage whistle-blowers to come forward if they have a grievance”. However, others acknowledged that change is taking place but cast doubts on the intentions and motives of policy makers and legislators. For example, G14F3 felt that

all these changes are just lip service...the organisation just has to be seen to be making changes...no Garda would be confident in making a protected disclosure after seeing what was done to Maurice McCabe...nothing has changed.

G26F4 has similar sentiments and indicated that

it's laughable really when you think about it, the Code of Ethics. You're a Garda for 5, 10, 15 years or more and all of a sudden someone is trying to teach you how to be ethical, what you're meant to be from day one...the Modernisation and Renewal Programme is nothing but a public relations stunt to satisfy the Policing Authority and Politicians.

G15M2 felt that An Garda Síochána is not doing anything to protect it's members and indicates that "the job is working tirelessly to satisfy the Policing Authority and the Government, not to satisfy it's members".

While the majority of participants felt that recent changes within An Garda Síochána were ineffective in encouraging Gardaí to speak up and report wrongdoing others believe that although the policy changes introduced are appropriate the manner in which they are managed is inadequate. The participants offered a view that the introduction of legislation to protect whistle blowers is welcome, but they do not appear to believe that the legislation will be fully adhered to or enforced. This suggests that Gardaí do not believe that Garda management have the capabilities or resources to bring about a cultural change in the organisation in tandem with protective measures that have been implemented for whistle-blowers. This is alluded to by G24M3 who stated that:

The policy on protected disclosures seems to be a well thought out and robust document that should give members confidence in making a protected disclosure. However, because of the way disclosures have been managed in the past by Garda management and the press it may be difficult to reassure members of their anonymity and fair treatment.

Although most participants for this study have expressed doubts regarding the current policies and procedures that have been introduced to protect whistle blowers, a more positive outlook on recently introduced changes was offered by G10M3 who claimed that:

the current policies, procedures and legislation in place appear to be strong and well considered. The protections in place for a person making a protected disclosure are clearly defined and designed to provide the anonymity and protection required.

Therefore, having considered and explored the views of participants on how the treatment of whistle-blowers within An Garda Síochána has evolved to its present status, it is important to examine perceptions of Gardaí on what lies ahead for whistle-blowers within the organisation.

4.6 The Future of Whistleblowing

The current literature suggests that increased accountability delivered through GSOC and the weight put on integrity, has meant that the once reputed ‘blue wall of silence’ is no longer culturally sustainable (Charman and Corcoran, 2015). With the recent release of the Garda Síochána Code of Ethics in 2017 and legislation to protect whistle blowers in the Protected Disclosures Act which became operational on 05th of July 2014 there were mixed views among participants regarding the future of whistle blowing in the organisation. While some envisaged that whistleblowing will become “a valuable tool in highlighting criminal conduct” (G24M3) others were less optimistic. It appears from the study that there will still be a possibility that whistleblowing will be used for inappropriate reasons such as “personal vendettas” (G14F3). An interesting opinion expressed by G20M2 indicated that policy and structural changes within An Garda Síochána may alleviate any need for whistle-blowers to come forward as “with more accountability in place there will be less whistleblowing”. A more sceptical view was offered by G15M2 who believes that whistleblowing in An Garda Síochána “is topical at the moment but it will fade out slowly until it is unspoken about again and everything will revert back to the way it has always been”. While the future cannot be predicted, it has become apparent from the participants in this study that the practice of whistleblowing will continue to be a contentious topic among the ranks of An Garda Síochána. This indicates that the challenge remains for management in An Garda Síochána and legislators in convincing Gardaí that whistleblowing is an acceptable practice and that the laws and policies in place to protect whistle-blowers are robust and effective.

4.7 Findings Summary

Comparative analysis of the research findings by integrating the existing literature, reflects the characteristics of whistle blowing within a police organisation as defined in the literature. The perceptions of Gardaí concerning how the Garda whistle-blower is being received within the organisation resulted in the participants providing insightful and valuable data which identified many dominant themes surrounding whistleblowing within An Garda Síochána. The participants clearly shared some opinions and views which were formed and developed by their lived experiences working in similar environments to one another and as part of an organisation that has been synonymous with whistleblowing controversy in recent years. The findings also suggest that there are some differences of opinion among Gardaí surrounding whistleblowing but there are strong common beliefs regarding the treatment of

whistle-blowers and how they may or may not be accepted under certain circumstances. The difficulties facing policymakers and legislators emerged from the data as a great challenge in altering the culture within An Garda Síochána, creating acceptable structures to protect whistle-blowers and generating confidence among Gardaí to utilise the structures in place.

Chapter 5

Conclusion and Recommendations

5.1 Conclusion

This qualitative study explored the perceptions and feelings of Gardaí as to whether it was now more acceptable to highlight bad practice within An Garda Síochána. An examination of how recent revelations of poor policing practices and management in An Garda Síochána and the subsequent mistreatment of Garda whistle-blowers identified a reluctance among Gardaí to speak up and report wrong-doing within the organisation. The adjustments undertaken by policy makers and legislators have been discussed in tandem with the efforts of An Garda Síochána to accommodate and support whistleblowing. Having reviewed current literature,

the researcher explored recent and emerging thoughts and perceptions of Gardaí in their efforts to embrace changes within the organisation regarding updated codes of practice, underpinning legislative changes and the requirement to be more tolerant of Gardaí who have a legitimate reason to highlight bad practice in the course of their work. The researchers position as an 'inside insider' proved beneficial in this regard as the semi structured interview approach provided rich and meaningful data. Evidence of a reluctance to speak up and report wrongdoing and a sense of mistrust in the structures in place to protect whistle-blowers in a private and a professional capacity emerged as key findings.

Another key finding showed that there was still a negative and suspicious outcome for the whistle-blowers who are seen as untrustworthy, attention seeking and unwelcome within An Garda Síochána. The motives of whistle-blowers presented as a contentious issue and the findings also suggest that while there are some differences of opinion among Gardaí surrounding whistleblowing, there are strong common beliefs regarding the treatment of whistle-blowers and how they may or may not be accepted under certain circumstances. Support structures are seen with scepticism among Gardaí and there is a strong feeling that any policy or legislation to encourage and support whistleblowing is underpinned by an effort to appease oversight bodies.

5.2 Recommendations

Based on the findings of this study, it has become apparent that mistrust between Gardaí and Garda management is compromising the effectiveness of policy and legislation regarding whistleblowing. Perhaps a more meaningful strategy is required to build and develop confidence among Gardaí that their views will be taken seriously, and their anonymity is maintained should they decide to speak up and report wrongdoing, rather than seemingly persistent efforts to pacify oversight bodies. The need for cultural and attitudinal change has been identified as a key recommendation. A reluctance to blow the whistle may be alleviated through stronger policy and meaningful action towards developing more transparent and robust structures to protect the whistle-blower. This is likely to create a cultural shift within

An Garda Síochána, whereby a greater level of acceptance towards whistleblowing will emerge.

An examination through further research, of how the aforementioned changes may be introduced and developed would be beneficial to the literature. To better understand the implications of this research, future studies could also explore the perceptions of policy makers and legislators regarding whistleblowing in An Garda Síochána. Nonetheless, this research has offered an insightful and meaningful contribution to the current literature surrounding whistleblowing in An Garda Síochána from the perspective of serving Gardaí. This study provides a strong platform for further research on this topic and the use of a broader sample size is likely to build on and enrich the findings of this work.

REFERENCES

- Alasuutari, P. (1995). *Researching Culture: Qualitative Method and Cultural Studies*. London: Sage.
- Baldwin, J. N., & Rothwell, G. R. (2007). Whistle-Blowing and the Code of Silence in Police Agencies: Policy and Structural Predictors. *Crime & Delinquency*, 53(4), 605–632.
- Barriball, K. L., & While, A. (1994). Collecting Data Using Semi Structured Interview: a discussion paper. *Journal of Advanced Nursing*, 19, 328–335.

- Baxter, L., Hughes, C., & Tight, M. (2006). *How to Research*. Berkshire: Open University Press.
- Bittner, E. (1971). *The Functions of the Police in Modern Society*. Washington DC: Government Printing Office.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. Retrieved from http://eprints.uwe.ac.uk/11735/2/thematic_analysis_revised_-_final.pdf.
- British Society of Criminology Code of Ethics for Researchers in the Field of Criminology. (2006). Retrieved 6 January 2019, from British Society of Criminology website: <http://www.britisoccrim.org/ethical.htm>.
- Brown, J. (1996). Police research: some critical issues. In F. Leishman, B. Loveday, & S. Savage (Eds.), *Core issues in policing* (pp. 249–258). London: Longman.
- Bryman, A. (2012). *Social Research Methods* (4th ed.). Oxford: Oxford University Press.
- Burnett, C. (2009). Research into literacy and technology in classrooms: an exploration of understandings generated by recent studies. *Journal of Research in Reading*, 32(1), 22–37.
- Charleton, P. (2018). *Report on matters dealing with the conduct of the Health Service Executive, the Child and Family Agency (TUSLA), Raidió Teilifís Éireann, Garda Headquarters, and Garda officers concerning Sergeant Maurice McCabe and related matters pursuant to terms of reference (a) to (o) (No. 3)*. Retrieved from Government of Ireland website: http://opac.oireachtas.ie/AWData/Library3/Third_Interim_Report_121254.pdf
- Charman, S., & Corcoran, D. (2015). Adjusting the police occupational cultural landscape: the case of An Garda Síochána, Policing and Society. *An International Journal of Research and Policy*, 25(5), 484–503.
- Chin, G. J., & Wells, S. C. (1998). *The Blue Wall of Silence and Motive to Lie: New Approach to Police Perjury*. *University of Pittsburgh Law Review*, 59, 233–299.
- Clandinin, D. J., & Connelly, F. M. (2000). *Narrative inquiry: Experience and story in qualitative research*. Retrieved from http://www.sagepub.com/upmdata/13421_Chapter4.pdf.
- Conway, V. (2010). *The Blue Wall of Silence: The Morris Tribunal and Police Accountability in Ireland*. Dublin: Irish Academic Press.
- Crank, J. (2015). *Understanding Police Culture* (2nd ed.). London: Routledge.

- Dawson, C. (2012). *Introduction to Research Methods: A practical guide for anyone undertaking a research project*. Oxford: How to Books Ltd.
- Denzin, N. K., & Lincoln, Y. S. (2005). Introduction: The Discipline and Practice of Qualitative Research. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage handbook of qualitative research* (pp. 1–32). Thousand Oaks CA: Sage.
- Fitzgerald, T. P. (2008). *The Morris Tribunal of Inquiry*, Communiqué: An Garda Síochána, (March).
- Greenhalgh, T. (2001). *How to read a paper*. London: BMJ Books.
- GSOC. (2007). *About GSOC*. Retrieved 25 May 2019, from Garda Ombudsman website: <https://www.gardaombudsman.ie/about-gsoc/>.
- Heck, W. P. (1992). Police Who Snitch: Deviant Actors in a Secret Society. *Deviant Behaviour: An Interdisciplinary Journal*, 13, 253–270.
- Hillard, M. (2016, May 19). Garda Whistle Blower Timeline. *The Irish Times*. Retrieved from <https://www.irishtimes.com/news/crime-and-law/garda-whistleblower-timeline-1.2652662>.
- Holstein, J., & Gudrum, J. (2008). *Handbook of Constructionist research*. New York: Guilford Press.
- Hutchinson, S., & Wilson, S. H. (1992). Validity threats in scheduled semi-structured research interviews. *Nursing Research*, 41(2), 117–119.
- ICSA Ireland. (2014, January 9). *Protected Disclosures Act 2014 – a new era for whistleblowing in Ireland*. Retrieved 5 October 2019, from ICSA The Governance Institute website: <https://www.icsa.org.uk/ireland/knowledge-and-guidance/governance-and-directors/protected-disclosures-act-2014-a-new-era-for-whistleblowing-in-ireland>.
- Jones, S., & Walker. (1988). The analysis of depth interviews. In *Applied Qualitative Research* (2nd ed.). Aldershot: Gower Publishing.
- Jubb, P. B. (1999). Whistleblowing: A restrictive definition and interpretation. *Journal of Business Ethics*, 21(1), 77–94.
- Kilcommins, S. (2012). Book Review: The Blue Wall of Silence: The Morris Tribunal and Police Accountability in Ireland. *Irish Journal of Applied Social Studies*, 11(1).
- King, R., & Wincup, E. (2008). *Doing research on crime and justice* (2nd ed.). Oxford: Oxford University Press.
- Kingshott, B. F., Bailey, K., & Wolfe, S. E. (2004). Police Culture, Ethics and Entitlement Theory. *Criminal Justice Studies*, 17(2), 187–202.

- Kleinig, J. (1996). *The Ethics of Policing*. New York: Cambridge University Press.
- Kvale, S. (1996). *Interviews*. London: Sage.
- Lofland, J., & Lofland, L. H. (1984). *Analysing Social Settings: A Guide to Qualitative Observation and Analysis*. Belmont CA: Wadsworth.
- Loftus, B. (2009). *Police culture in a changing world*. Oxford: Oxford University Press.
- Manning, P. (2012). Trust and accountability in Ireland: The case of An Garda Síochána, Policing and Society. *An International Journal of Research and Policy*, 22(3), 346–361.
- Marks, M. (2005). *Transforming the robocops: changing police in South Africa*. Durban: University of Kwazulu - Natal Press.
- Mollen, M. (1994). *Anatomy of Failure: A Path for Success*. New York.
- Morris, F. R. (2005). *Report on the investigation into the death of Richard Barron and the extortion calls to Michael and Charlotte Peoples Term of Reference (a) and (b)*. Retrieved from Government of Ireland website:
[http://www.justice.ie/en/JELR/Second%20Report%20of%20the%20Morris%20Tribunal%20\(PDF%20%202.2MB\).pdf/Files/Second%20Report%20of%20the%20Morris%20Tribunal%20\(PDF%20-%202.2MB\).pdf](http://www.justice.ie/en/JELR/Second%20Report%20of%20the%20Morris%20Tribunal%20(PDF%20%202.2MB).pdf/Files/Second%20Report%20of%20the%20Morris%20Tribunal%20(PDF%20-%202.2MB).pdf).
- Morris, F. R. (2006). *Report of the Tribunal of Inquiry Set up Pursuant to the Tribunal of Inquiry (Evidence) Acts 1921-2002 into Certain Gardaí in the Donegal Division*. Retrieved from Government of Ireland website:
http://www.morristribunal.ie/SITECONTENT_172.pdf.
- Morris, F. R. (2008). *Report of the Tribunal of Inquiry set up Pursuant to the Tribunal of Inquiry (Evidence) Acts 1921-2002 into Certain Gardaí in the Donegal Division*. Retrieved from Government of Ireland website:
http://www.morristribunal.ie/SITECONTENT_403.pdf.
- Moskos, P. (2013). Book Review: The Blue Wall of Silence: The Morris Tribunal and Police Accountability in Ireland. *International Criminal Justice Review*, 21(2). Retrieved from http://petermoskos.com/files/moskos/moskos_2011_conway.pdf.
- Newburn, T. (2009). *Criminology*. Devon: Willan Publishing.
- Ni Longáin, M., Whelan, E., & Hamilton, D. (2014, October 10). *Publications and Insights. Q&A on the Protected Disclosures Act 2014*. Retrieved 30 May 2019, from Byrne Wallace website: <http://byrnewallace.com/qa-on-the-protected-disclosure-act-2014.html>.
- O'Higgins, K. (2016). *Commission of Investigation (Certain Matters Relative to the*

- Cavan/Monaghan Division of An Garda Síochána*). (No. Final Report). Retrieved from Department of Justice and Equality website:
http://www.justice.ie/en/JELR/Commission_of_Investigation_Certain_Matters_relative_to_the_Cavan_Monaghan_Division_of_the_Garda_Síochána_Final_Report.pdf/Files/Commission_of_Investigation_Certain_Matters_relative_to_the_Cavan_Monaghan_Division_of_the_Garda_Síochána_Final_Report.pdf.
- O’Leary, Z. (2014). *The Essential Guide to Doing Your Research Project* (2nd ed.). London: Sage.
- O’Malley, T. J. (1997). Management for Ethics. *FBI Law Enforcement Bulletin*, 66, 20–27.
- Ott, E. M. (1989). Effects of the Male-Female Ratio at Work: Policewomen and Male Nurses. *Psychology of Women Quarterly*, 13, 14–57.
- Parahoo, A. K. (1997). *Nursing Research. Principles, Process and Issues*. London: Palgrave MacMillan.
- Parse, R. R., Coyne, A. B., & Smith, M. J. (1985). *Nursing research: qualitative methods*. University of Michigan: Brady Communications Company.
- Pepper, C., & Wildy, H. (2009). Using narratives as a research strategy. *Qualitative Research Journal*, 9(2), 18–26.
- Policing Authority. (2017). *Code of Ethics for the Garda Síochána*. Dublin: Government Publications Sales Office.
- Powell, E. T., & Renner, M. (2003). *Analysing Qualitative Data*. Wisconsin: University of Wisconsin.
- Prpić, M., & Peacock, R. (2019). *The Police Code Of Silence In A Comparative Perspective*. Retrieved from
[file:///C:/Users/aodha/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/The_police_code_of_silence_in_a_comparat%20\(1\).pdf](file:///C:/Users/aodha/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/The_police_code_of_silence_in_a_comparat%20(1).pdf).
- Punch, K. (2005). *Introduction to social research – quantitative & qualitative approaches*. London: Sage.
- PWC. (2018). *Doing research on crime and justice*. Retrieved from
<https://www.pwc.ie/publications/2018/play-your-part-cultural-audit-an-garda-Síochána.pdf>.
- PWC. (2018). *Play your Part, Cultural Audit of An Garda Síochána*. Retrieved from

<https://www.pwc.ie/publications/2018/play-your-part-cultural-audit-an-garda-Siochana.pdf>.

- Reiner, R., & Newburn, T. (2008). Real world research. In R. King & W. Emma (Eds.), *Doing research on crime and justice* (pp. 343–362). Oxford: Oxford University Press.
- Robson, C. (2011). *Real world research* (3rd ed.). Oxford: Blackwell.
- Rubin, H. J., & Rubin, I. S. (1995). *Qualitative interviewing: The art of hearing data*. CA: Sage.
- Saladana, J. (2012). *The coding manual for qualitative researchers*. London: Sage.
- Seidman, I. (2006). *Interviewing as Qualitative Research: A Guide for Researchers in Education and the Social Sciences*. New York: Teachers College Pres.
- Silverman, D. (2011). *Qualitative Research* (3rd ed.). East Sussex: Psychology Press.
- Silverman, D. (2013). *Doing qualitative research: A practical handbook*. London: Sage.
- Skolnick, J. H. (2000). Code Blue. *The American Prospect*, 11, 49–53.
- Skolnick, J. H. (2002). Corruption and the Blue Code of Silence. *Police Practice and Research*, 3, 7–19.
- Skolnick, J. H., & Fyfe, J. J. (1993). *Above the Law: Police and The Excessive Use of Force*. New York: The Free Press.
- Smitwick, P. (2013). *Report of the Tribunal of Inquiry into suggestions that members of An Garda Síochána or other employees of the State colluded in the fatal shooting of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on the 20th March 1989*. Dublin: Stationary Office.
- Van Hulst, M. (2013). Storytelling at the Police Station: The Canteen Culture Revisited. *British Journal of Criminology*, Advance Access.
- Waddington, P. (1999). Police (canteen) subculture: An appreciation. *British Journal of Criminology*, 39, 287–309.
- Walliman, N. (2011). *Research Methods: The Basics*. London and New York: Routledge.
- Wellings, N., Field, J., Johnson, A., & Wadsworth, J. (1994). *Sexual Behaviours in Britain: The national survey of sexual attitudes and lifestyles*. Hammondsworth: Penguin.
- Westley, W. (1970). *Violence and the Police: A Sociological Study of Law, Custom, and Morality*. Cambridge, MA: MIT Pres.
- Wisker, G. (2008). *The postgraduate research handbook* (2nd ed.). New York: Palgrave MacMillan.
- Wood, J. (1997). *Royal Commission into the New South Wales Police Service. Final Report (No. 1)*. Sydney: Government of the State of New South Wales.

Appendix 5

Interview Guide

- Tell me how you think whistle-blowers are seen by their peers in An Garda Síochána.
- How do you think making a protected disclosure affects a Garda member personally and professionally?
- Describe how An Garda Síochána has adapted in your opinion, in order to give Gardaí more confidence in making a protected disclosure.
- Tell me how you think a whistle-blower may have been treated in the past in comparison to the present day.
- Tell me what you think about current policies, procedures and legislation in place regarding making a protected disclosure within An Garda Síochána.
- Explain what Gardaí are most likely to consider before making a protected disclosure or before deciding to ‘say nothing’.
- How do you think whistleblowing affects An Garda Síochána as an organisation and it’s members?
- Tell me how you see the practice of whistleblowing in An Garda Síochána in the future.