

# What seems to be the problem, Sergeant?

Decades pass, and scandal follows screw-up, follows failure - and there are political reasons for this



Illustration by Tom Halliday



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Want to hear about another Garda scandal? It features a petty criminal we'll call Paddy. And it tells us why and how the Garda crisis just gets worse, with no serious effort at reform.

Getting rid of Commissioner O'Sullivan makes sense, yes. But Paddy's story suggests that giving Noirin the push will improve things. Well, about as much as getting rid of Commissioner Callinan did.

The hole we're in is far, far deeper than the politicians dare admit.

Paddy, at the age of 21, earned a not-very-good living at petty crime. He was, as Paul Reynolds of RTE might say, "known to the police".

On this occasion, Paddy was done for motoring offences, to which he intended pleading guilty.

While in custody, Paddy signed a confession to a string of 26 burglaries that occurred between March and May. The guards said he just decided to own up, since he was in the station, like.

When he saw a solicitor, Paddy said no, he didn't do those burglaries. He said he'd been beaten up by the cops and he signed the confession to get them to stop.

The Garda denied all that. It produced detailed statements by a number of guards. These described how they drove around the area, with Paddy pointing out one house after another that he'd burgled.

Paddy told his solicitor that none of that happened.

But Paddy had a record. So, y'know yourself, like.

The trial date was set.

Paddy's defence was simple and he kept it to himself. The burglaries occurred in March, April and May. He'd spent most of April in jail, on remand. He couldn't have done the burglaries.

Paddy's lawyer had a prison official ready to testify. In court, the State abruptly dropped all charges.

Paddy's lawyer objected to this, on the grounds it was done to protect the cops, as these were trumped-up charges.

The judge refused to hear such "wild allegations".

Had Paddy not had a rock-solid alibi he'd have gone to jail. And a rake of unsolved burglaries would have been "solved", significantly improving the force's apparent productivity.

Here's the thing. This occurred in 1983.

The establishment, as is usual in such matters, simply acted as though none of it ever happened.

Now, 34 years later, our Garda scandals involve not 26 burglaries but almost a million fictional breath tests, thousands of wrongful convictions - and suspicions that similar things have happened involving perhaps domestic abuse, and/or other matters.

I could give you examples of alleged Garda misconduct from a decade before that, or a decade after it, but the point is not just that the force has had problems for many years.

The point is that this has been known for decades within high Garda and political ranks - and it has been allowed to fester.

Why? There's always an excuse to defer to the guards: the IRA, organised crime, or "populist" social disorder.

The emergence today of a range of whistleblowers is not just a rash of individual heroism within the force. It's a sign of an increased rejection by professional officers of the standards that the establishment have for so long deemed acceptable.

We've had successive scandals; an antagonistic attitude to certain communities, and in particular to young, working-class males; and a revulsion at oversight, such as the attitude to GSOC - which comes close to rejection of governance by the civil authorities.

So, why hasn't the establishment taken the opportunity to stop the rot?

That's not how Irish politics works.

An example.

The Kerry Babies scandal of the 1980s forced politicians to set up a tribunal. Several members of a family signed detailed confessions to a killing that the forensic evidence said they didn't commit.

We won't rehash that matter here, but the tribunal report was unsatisfactory. It unfairly demonised the family; and it unfairly scapegoated individual gardai. It left untouched the clearly unsafe system of interrogation.

The politicians were satisfied, though. Crisis put to sleep.

No room for details here, but in checking the evidential references detailed in the tribunal report I found things didn't add up. In short, the originals didn't say what the judge said they did. A very, very serious matter.

Subsequently, I by chance found myself in the company of a government minister. I showed him copies of the documents that proved the tribunal report was - to put it mildly - flawed.

I remember his expression of bemusement. He couldn't figure why I imagined he would have any interest in reopening a problem. Sure, that one was done. Dusted.

Here's how it works.

A problem arises - let's say a million fictional breath tests. For you and me, the question is what's wrong with the force that allowed this to happen? We must find out how it happened, and ensure changes that will prevent similar problems in the future.

For politicians, the question is: How do I defuse this problem?

We expect politicians to tackle real-life problems; but their priority is defusing the immediate political crisis. They do this by ordering an inquiry, a tribunal, or a report. They may have to dump a commissioner, or a minister - as happened with Callinan and Shatter, as may happen again with O'Sullivan and Fitzgerald.

Whatever it takes to get the problem off the political table.

For those who lead the media coverage of all this - the political correspondents - the question is: Does this story have legs?

This translates as: has this story the potential to damage the Government, or a minister, or will it affect party leadership rivalries?

If it does any of these things, it has legs - and they will pursue it.

If not, they won't.

Again and again this is done. And the political game of jousting continues - with only the next election in mind. This leaves behind a succession of growing problems - whether A&E chaos, homelessness or Garda dysfunction.

There is A) the real, underlying problem; and there's B) the immediate problem of how political careers can be advanced or damaged. A quick fix solves the latter problem - meanwhile, the underlying disorder festers.

This is where we are now.

One possible way forward is to take this out of the FG-FF play-acting and involve people who care about the underlying issues. Fr Peter McVerry, for instance, has spoken of Garda-community relations. Clare Daly and Mick Wallace have shown a real grasp of the Garda problem.

Setting up and empowering a body that could initiate real reforms would make sense. It would also upset powerful interests, so it won't happen.

Consider this.

The FG-FF cartel Government is designed to hog both Government and opposition benches - and thereby exclude political competition from Sinn Fein and the left-wing groups.

Its political agenda revolves around Enda Kenny's embarrassing ambition to hang on until he breaks John A Costello's record as Fine Gael's longest-serving Taoiseach. No potential successors have expressed any wish to change this set-up, merely to benefit from it.

This is the level of vacuity that remains helpless in the face of enormous political challenges - from health to housing, from Brexit to a Garda force that so many want to support, but which continues to scale new heights of self-humiliation.

Anyway, I'm sure things will just improve. Of their own accord. Sometime in the next 34 years.

Sunday Independent

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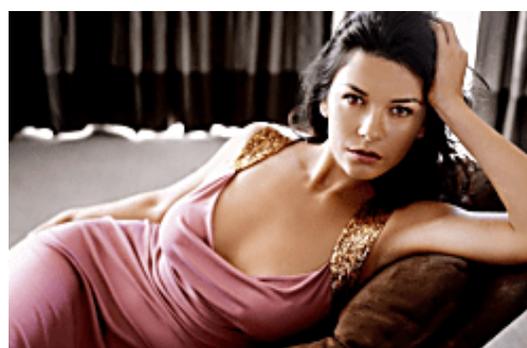
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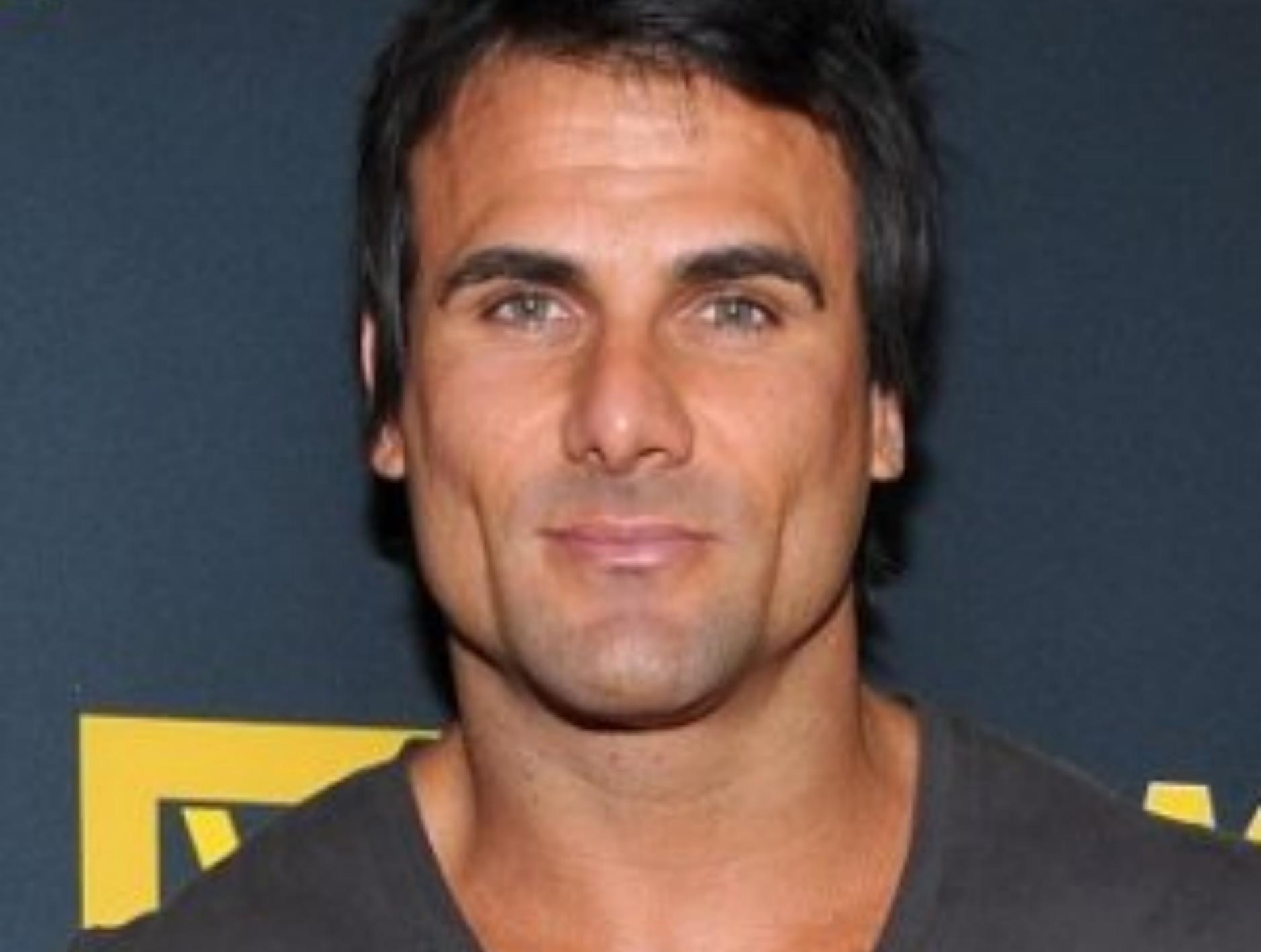
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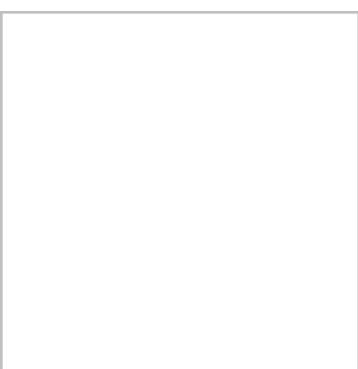
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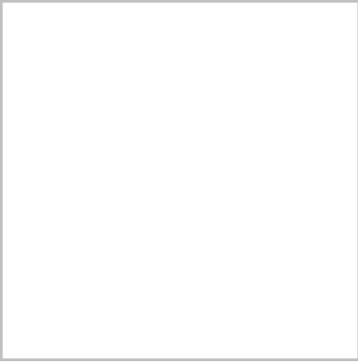
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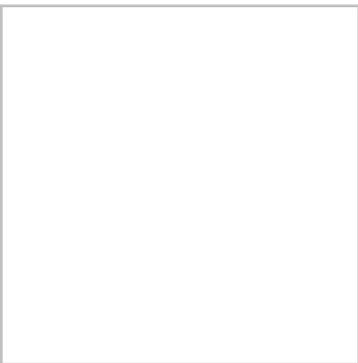
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**Gene Kerrigan** There are times when the mask slips, and this is one of them. While Fine Gael and Fianna Fail were squabbling over the appointment of a judge, they disclosed some rather startling things we're really not supposed to know.



## Lucky are we who have such Great Men

Gene Kerrigan May God forgive me for what I'm about to inflict on you, but in a moment it will be necessary to replicate some praise for our new Taoiseach, Leo Varadkar. It won't take long and you might even enjoy it, in a quirky, masochistic sort of way.



## Politics isn't going back into its old box now

Gene Kerrigan It's hard to know who has looked more ridiculous since the results of the UK general election started coming in. There's great fun to be had watching shocked Tories circling one another, deciding which back to stab first.

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