



**DIRECTORATE GENERAL I – LEGAL AFFAIRS  
DEPARTMENT OF CRIME PROBLEMS**

**Strasbourg, 14 October 2005**

**Public**  
**Greco RC-I (2003) 14E**  
**Addendum**

## **First Evaluation Round**

### **Addendum to the Compliance Report on Ireland**

Adopted by GRECO  
at its 25<sup>th</sup> Plenary Meeting  
(Strasbourg, 10 – 14 October 2005)

## I. INTRODUCTION

1. GRECO adopted the First Round Evaluation Report on Ireland at its 7<sup>th</sup> Plenary Meeting (17-20 December 2001). This report (Greco Eval I Rep (2001) 9E) was made public by GRECO, following authorisation by the authorities of Ireland on 20 December 2001.
2. Ireland submitted the Situation Report required by GRECO's compliance procedure on 13 October 2003 concerning the implementation of the recommendations. On the basis of these reports and a Plenary debate, GRECO adopted the First Round Compliance Report (RC-report) on Ireland at its 16<sup>th</sup> Plenary meeting (8-12 December 2003) which was made public on 3 March 2004. The Compliance Report (Greco RC-I (2003) 14E) concluded that five of the eight recommendations (iii, iv, v, vii and viii) had been implemented satisfactorily, whereas three of the recommendations had been partly implemented (i, ii and vi); GRECO requested additional information on their implementation. The additional information requested was submitted on 30 June 2005.
3. Pursuant to Rule 31, paragraph 9.1 of GRECO's Rules of Procedure the objective of the present Addendum to the First Round Compliance Report is to appraise the implementation of recommendations i, ii and vi in the light of the additional information referred to in paragraph 2.

## II. ANALYSIS

### Recommendation i.

4. *GRECO recommended developing a precise picture of the corruption situation in the country which sits securely outside of any mainstream intelligence system and detailed statistics and research to measure more clearly the extent of the corruption phenomenon in the country. This measure will assist in a proper evaluation of the response of the law-enforcement and criminal-justice mechanism to the threat of corruption.*
5. GRECO recalls that it in the RC-report considered that the scope of the study of the corruption situation in Ireland was limited to police research and did not address corruption in a wider context. GRECO also noted that final results of the work were not yet available and concluded that the recommendation was partly implemented.
6. The authorities of Ireland have reported that the Working Group established in 2002 within the An Garda Síochána (Irish police), together with the National Criminal Intelligence Unit (NCIU), are developing a corruption index in order to provide a precise picture of the corruption situation within the State. The index will be based on the cases of corruption reported, detected or under investigation that are notified to the different Garda divisions as well as to the National Support Service Units (i.e., Criminal Assets Bureau, Garda Bureau of Fraud Investigation, National Bureau of Criminal Investigation, Garda National Immigration Bureau and Garda National Drugs Unit). The NCIU is responsible for collating and analysing the reported data; it is resourced with staff with appropriate crime analysis skills. Statistics on corruption are collated and published in the Annual Report of the An Garda Síochána. Finally, the authorities have added that they intend to take into consideration the findings of the ongoing "National Integrity Study and Survey" of Transparency International, which is aimed at assessing the potential for wrongdoing in Ireland's public institutions.

7. GRECO took note of the information provided and welcomes the measures taken by the An Garda Síochána to compile detailed statistics on corruption as well as the ongoing non-governmental integrity study. However, GRECO maintains its position that the official research on the phenomenon of corruption in Ireland continues to be limited in its scope; a wider approach, which sits securely outside of any mainstream intelligence system, would be appropriate when further developing a precise picture of the corruption situation in Ireland.

8. GRECO concludes that recommendation i has been partly implemented.

**Recommendation ii.**

9. *GRECO recommended establishing an obligation on civil servants to report cases of corruption known to them in the exercise of their duties to the authorities in charge of detecting, investigating and prosecuting corruption offences.*

10. GRECO recalls that it in the RC-report considered that the legal measures listed by the Irish authorities did not fully cover the substance of this recommendation. Therefore, it concluded that the recommendation was partly implemented and that concrete steps had to be taken to establish the reporting obligation of public officials in the case of corruption offences encountered by them in the course of their duties.

11. The authorities of Ireland have reiterated that the 2004 Civil Service Code of Standards states that civil servants who have doubts about the legality of a particular action which they are required to take in the course of their official duties should refer the matter to their supervisors whose responsibility it is to issue a direction on the matter, following legal advice where necessary (Section 6.2). According to Section 4 of the 2001 Standards in Public Office Act, any citizen may report signs of corrupt practices of public officials to the Standards in Public Office Commission; if the whistle-blower is a public official, immunity from disciplinary action is provided pursuant to Section 5.

12. GRECO took note of the regulations providing for channels to report misconduct/suspected corruption/breaches of duties of public officials, however, it could not change its previous conclusion in the absence of an obligation on civil servants to report suspected corruption to the authorities in charge of detecting, investigating and prosecuting corruption offences.

13. GRECO concludes that recommendation ii has been partly implemented.

**Recommendation vi.**

14. *GRECO recommended organising, in addition to the existing initiatives, appropriate training – in particular on the typologies of corruption and the unique challenges of investigation, including its international dimension - for police officers and prosecutors dealing with corruption and connected offences.*

15. GRECO recalls that it in the RC-report concluded that concrete changes/amendments to training curricula for police officers and prosecutors had to be introduced to give full effect to recommendation vi.

16. The authorities of Ireland have indicated that the An Garda Síochána College has reviewed the system of training in relation to corruption. A specific programme on corruption will be introduced

to all promotion courses; it will include targeted training with respect to the existing anti-corruption legislative framework, the different typologies of corruption and the relevant investigation techniques. The course contributors and lecturers will be selected from experienced investigators (Criminal Assets Bureau, Garda Bureau of Fraud Investigation and National Bureau of Criminal Investigation), officials from the Office of the Director of Public Prosecutions and the National Criminal Intelligence Unit. In addition, a one day in-service training seminar is currently being drawn up for all members of An Garda Síochána. A booklet on the typologies of corruption is being drafted for distribution to all members of An Garda Síochána in the second half of 2006. In addition, internal training on corruption was provided to officials within the Office of the Director of Public Prosecutions (DPP) in October 2004. An information seminar was also held with senior management staff in January 2005 which highlighted Ireland's obligations under the various international legal instruments on corruption. Further to this, as part of the Education programme, staff within the Office attend both domestic and international conferences on economic crime, including money laundering and corruption.

17. GRECO concludes that recommendation vi has been implemented satisfactorily.

### **III. CONCLUSION**

18. In addition to the conclusions contained in the First Round Compliance Report on Ireland and in view of the above, GRECO concludes that Ireland has implemented satisfactorily recommendation vi. Recommendations i and ii remain partly implemented. In this connection, GRECO encourages Ireland to enhance its efforts to carry out research on the phenomenon of corruption and to clearly establish an obligation on civil servants to report signs of corrupt practices to the competent authorities.
19. The adoption of the present Addendum to the Compliance Report terminates the First Evaluation Round compliance procedure in respect of Ireland.