

Garda bodies seek more consultation on drug testing

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Opposition by Garda bodies to the police force's new drug testing policy this week was focussed on the fact that they wanted more consultation, rather than the principle of testing itself.

However, a Garda spokesperson said that "the introduction of the policy has been the subject of extensive consultation with Garda associations and staff unions over a long period of time".

GRA vice-president Brendan O'Connor told RTÉ Radio that "we were involved in a process that we thought was consultation", but "now consultation seems to be set aside".

He said that this week's announcement of a 'Substance Misuse (Controlled Drugs) Policy' "came as a shock to us" and was "at odds with what we had been talking about behind the scenes".

A statement from GRA president Frank Thornton said: "As such, we do not oppose random drug testing of our members but we must ensure that any such policy would be carried on in a fair, measured, balanced and appropriate manner without infringing on members' individual rights."

"Our main concern is with the manner in which this issue has come to light. There has been no finalised document seen or agreed with the GRA regarding Random Testing of An Garda Síochána, nor has the Association been aware that a Policy Document was at such an advanced stage."

5% RANDOM TESTING

AGSI general secretary Antoinette Cunningham said they had been "unaware of plans to drug-test all Garda personnel within six months and from early discussions on these issues, understood that it would be random drug testing for approximately 5% of the workforce and "with cause" testing."

"We call on Garda Management to urgently re-engage staff associations in a consultation process on these very important issues."

Fórsa also said on behalf of the Garda civilian staff it represents that the union "has not been informed of any proposed drug testing process, and Fórsa has not agreed to the internal Garda policies on substance abuse".

The Garda policy states: "Testing of Garda personnel for controlled drugs within the workplace will be introduced to prevent and deter their use and identify individuals using such controlled drugs", adding that such testing "will be conducted in respect of all prospective employees of An Garda Síochána."

While the written policy does not mention random testing, the media briefing was told that when introduced, drug testing "will be done on a random basis", and it was later clarified that "by definition, random means without cause".

However, this is not necessarily different to what the Garda bodies had been told in relation to 5% random testing and some 'with cause' testing (such as after accidents, for example).

What matters is the percentage of a group of employees tested randomly over a particular period of time - few organisations will randomly test 100% of employees over a period of a year.

RAIL POLICY

It may be worth noting that the Irish Rail drug testing policy - as an example of another safety-critical organisation - when introduced in 2006, provided for random testing of 5% of employees each year, along with 'with cause' testing after critical incidents (see [IRN 44/2006](#)).

This applies to all employees, not just drivers, on the basis that any rail employee could be called upon to assist in an emergency. Also, all new recruits are also tested.

The GRA's Brendan O'Connor also raised the possibility of members of the force who take certain prescribed medication having to disclose their medical conditions to their employer.

However, the Garda policy states that it has been "legal and human rights screened" in terms of the police force's obligations. A Garda spokesperson also said that police forces like the PSNI and several major UK forces, including the Metropolitan Police, had been consulted in devising the policy published this week.

PROCEDURE DOCUMENT

The policy also states that a procedure document will be issued before the policy comes into effect. This will be key in terms of how the policy will actually work on the ground and there may well be plenty of time for the Garda associations and unions to have an input in formulating that document.

But whatever policy emerges, there will be no opt-out: the policy states clearly that compliance "is mandatory for all Garda personnel".