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Book Review: The Blue Wall of Silence: The Morris Tribunal and Police Accountability in Ireland

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Conway, V. (2010). The blue wall of silence: The Morris Tribunal and police accountability in Ireland. Dublin: Irish Academic Press. ISBN: 97807165.

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In March 2002, the Irish government established the Morris Tribunal to investigate allegations of Garda misconduct arising out of the death of Richard Barron, who died after being hit by a car in Raphoe, Co Donegal on the 14 October 1996. The investigation took six years to complete, and the tribunal itself sat for 686 days of hearings. Eight reports were published detailing hoax finds of explosives by the Gardaí, the investigation into Richard Barron's death, false arrests, the Garda use of informants, abuse of detainees, the false issuing of search warrants, illegally obtained confessions, allegations of harassment, and the effectiveness of the Garda Complaints Board . The findings by the Morris Tribunal represented an infamous moment in the history of An Garda Síochána that detailed systematised corruption, negligence, misconduct and a 'blue wall of silence' in the Donegal division of the force. Vicky Conway's book examines the conditions of emergence of the Tribunal in the context of Garda accountability more generally; its terms of reference and findings; how these findings were portrayed in media and political circles; and the reforms that emerged.

Dr Conway deserves credit for processing such a vast quantum of information into a single, readable monograph. This was no easy task. The book itself has much to commend it. There is a good structure, commencing with the incidents leading to the investigation, the investigation itself, the findings, how they were received, and the reform package that emerged. It is very well written and referenced. There is a good examination of the history of Garda accountability. Dr Conway is also good at logging the chronology of events leading up to the establishment of the Tribunal in 2002. There is also a very good analysis of the politicised nature of the debate relating to the terms of reference and the issue of Garda misconduct more generally. It is also very useful in providing a synopsis of the module findings. More generally, the book offers a very good critique of the impact that the Morris Tribunal has had on Garda accountability and whether or not a sufficient level of reform has been achieved (the commentary and analysis on reform at pages 123 to 169 is particularly strong). The author herself is, as Professor Dermot Walsh noted in the foreword, 'a leading member of a new generation of academics' who are enthusiastically applying their skills to the topic of Irish policing.

There are however a number of minor problems with the work that merit attention. To begin with, it is written from a particular standpoint which in some instances limits the possibilities for a fair and balanced account of all issues. This standpoint reveals itself very early on in the book when Conway expresses her dismay about the 'Guards blindly receiving an exceptionally high level of public confidence' (p. 7) despite the allegations and revelations of misconduct in cases such as Nicky Kelly, Peter Pringle, Joanne

Hayes, Paul Ward, Dean Lyons, John Carthy, Brian Rossiter, and Frank Shortt. Implicit in the argument is that Irish society has been hoodwinked, that it needs to become more aware of its *false consciousness* in respect of policing. No attempt is made however to consider *why* the satisfaction ratings with the Gardaí are so high in Ireland, and why the findings of the Morris Tribunal—which were undeniably very serious—might not have a significant negative impact on such ratings. It is simply assumed that there is (or should be) a simple hydraulic nexus between Garda satisfaction ratings and Garda misconduct. In this regard it can be argued that Dr Conway has been overly constrained by her standpoint. There are a myriad of determinants that shape such ratings. In large part, they will be influenced by individual experiences of contact with the Gardaí. For a very significant body of citizens, this contact is of a positive (not blind) kind — the Gardaí provide reassurance and advice, ensure road safety standards, facilitate the free flow of traffic, help with administrative matters such as the stamping of passports and references, and are the primary contact point for reporting a crime. In these circumstances, it is not surprising that satisfaction ratings remain high, despite the evidence of very serious Garda misconduct in Donegal.

Some of the arguments also require further reflection. After a short analysis, she notes, for example, at p. 23 that 'the truth as determined by tribunals cannot ... be said inherently to be objective'. This is a sweeping statement which raises more questions than it can ever hope to answer in a book of this kind. Why, for example, are tribunals not objective (even allowing for the leeways of language and the elusiveness of facts)? Are other bodies such as Courts or Dáil sub-committees more objective? Can this objectivity be measured? On the basis of the statement, does she not accept that the findings of Morris are accurate? Similarly at pp. 106-11, it is claimed that there was a fictional quality to the reporting of the findings in the media, and that their significance was downplayed. She notes on p. 109:

> The review of the print media also revealed presentations that challenged what Morris had found: 'Disgraced superintendent rejects findings of report' (Irish Examiner, 21 December 2004), one lawyer suggested that 'Morris has agenda to destroy officer' (Irish Examiner 15 June 2005) and once action was taken we are then informed that 'Morris Tribunal Garda may take legal action over sacking' (Irish Examiner,7 October 2004). These headlines serve to diminish, and even discredit, the findings of the misconduct.

It is difficult to determine how these particular headlines discredit the findings of the Tribunal, or why the print media is at fault. Statements of this kind appear to peddle more in hyperbole than fact, and have a shoehorning feel to them. Were the headlines inaccurate? Should the print media not report on all of the events relating to the investigation? How do the headlines discredit the findings? The use of the word 'disgraced' in the first headline appears to point in the opposite direction to the point she is trying to make, but no attempt is made to justify her interpretation. Dr Conway is also disappointed with the 'occasional' media focus on the cost of the Tribunal which she believes represents 'one further attempt to detract from the work of the Tribunal' (p.111). Again it is unclear why this is unfair or how it detracts from the findings. Aside from these minor quibbles, this is a good book which will be of interest to anyone with

an interest in policing, the establishment and operation of Tribunals of Inquiry (and the reforms arising therefrom), and the politicised nature of law and order.