

On foot of the correspondence [REDACTED] our Director of Investigations, Mr. Darren Wright, was then tasked with an assessment of the staffing needs for such an investigation.

Mr. Wright has confirmed that he considers the following – as a minimum – would be sufficient to commence the investigation: -

- 1 x Senior Investigating Officer (AP grade)
- 4 x Investigating Officers (HEO grade)
- 2 x Forensic Accountants/Audit Specialists (Grade not known)
- 1 x Analyst (HEO Grade)
- 1 x Office Manager (EO grade)
- 1 x Clerical Officer (CO)

It is accepted that the Forensic and Audit Specialists do not require to be full time and can be made available as needed. However the other staff is essential and GSOC does not have this extra personnel at this time.

Further the Commission has made separate inquiries with other organisations. It is not feasible from our inquiries to put forward any assistance in any full time fashion, although we may be able to call on personnel for advice etc. from time to time. Therefore it has proved impossible to put forward a team in that way.

Finally there is the provision of s. 74 of the 2005 Act. This would allow for the use of garda (or other police forces) services. If An Garda Síochána was to make personnel available to GSOC for a GSOC led investigation then that might be the other alternative form an investigation could take. However these seconded persons would be operating within GSOC and under GSOC direction. [REDACTED]

[REDACTED] These personnel would be available immediately as opposed to hiring in outside investigators. There are undoubtedly issues with the use of garda personnel but it is an immediate group of people available to commence an investigation.

It may also be possible to combine the use of s. 74 as an immediate solution along with the necessary recruitment process to bring in the extra investigators above. In other words, gardai are provided under s. 74, an investigation is commenced, simultaneously a panel of investigators is established with PAS and in time these new GSOC investigators are added to the garda investigation team with a view to releasing back to An Garda Síochána its members. It may be of course that the continued involvement of the garda members is required but that bridge can be crossed if and when met.

In summary the preferred option would be the recruitment of the necessary GSOC officers to undertake an independent investigation. The use of s. 74 plus a recruitment process would be the next preferred option. The final option is the full use of s. 74 with garda personnel only under the direction of a GSOC Senior Investigating Officer (yet to be identified).

The Commission is anxious to make a final decision on this issue. We have explored all avenues at this stage and have not come up with any immediate solutions to fill our personnel deficit from other agencies or bodies.

I look forward to hearing from you on any thoughts you and the Department may have on this matter. We are willing, with the appropriate staff, to meet and discuss the personnel issue further in the interim.

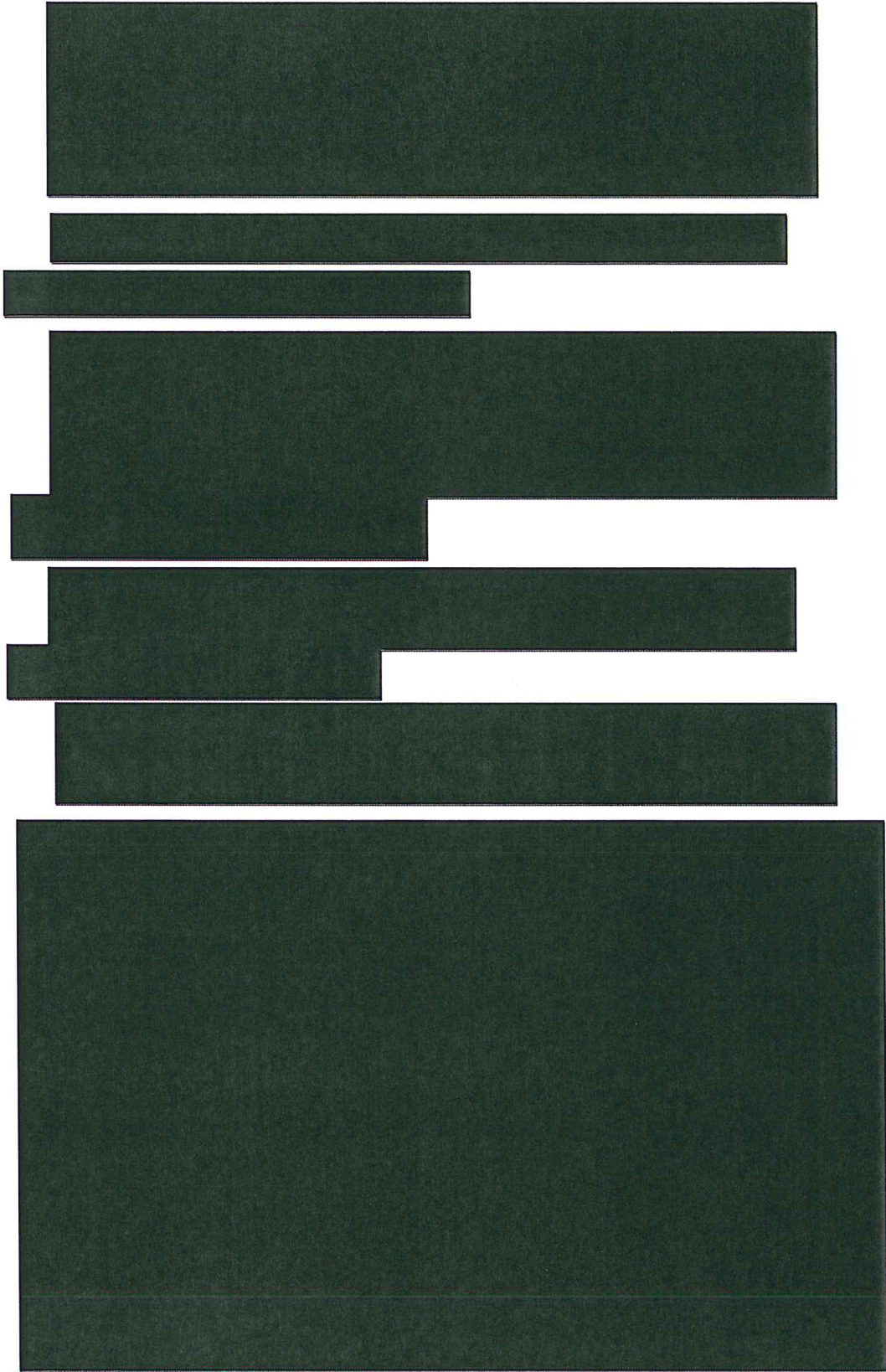
Yours sincerely



Ms. Justice Mary Ellen Ring

Chair, Garda Síochána Ombudsman Commission

Encl.



[Redacted]

[Redacted]

[Redacted]

[Redacted]



DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM
AN ROINN DLÍ AGUS CIRT, COMHIONANNAIS AGUS ATHCHÓIRITHE DLÍ

29 June 2017

Ms Justice Mary Ellen Ring
Chairperson
Garda Síochána Ombudsman Commission
150 Abbey Street Lower
Dublin 1

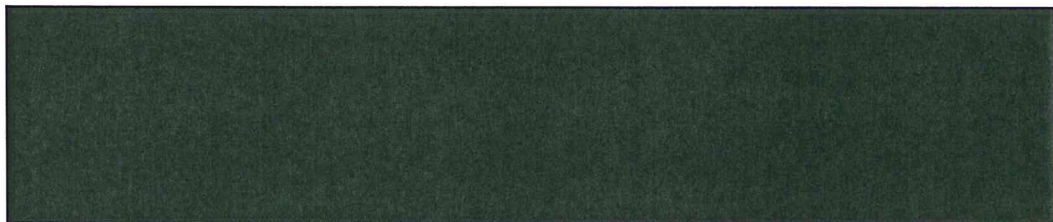
Received in GSOC Secretariat
DATE 30/06/2017
ALS RG TIME 11:00

Dear Chairperson

I refer to your letter of 28th inst. and to previous correspondence.

Thank you for setting out the resource requirement for the conduct of your investigation [REDACTED] and for identifying possible approaches to securing those resources. Our overriding concern is that the allegations made [REDACTED] [REDACTED] are properly investigated without delay.

With that in mind, it is the Department's considered view that the best approach is the secondment of investigators to GSOC from An Garda Síochána for the duration of the investigation. These officers, who would bring the requisite skills and experience, would work under the direction of GSOC for the period of the secondment, as you set out. I have spoken with Deputy Commissioner Twomey and he has confirmed that An Garda Síochána is willing, in the circumstances, to make Garda investigators available for the investigation. Can I suggest that you contact him directly to make the necessary arrangements?



As to the other administrative supports, the Department has no objection to you recruiting an EO and a CO directly from PAS. If the Department can assist with this, can your HR people link in with ours? Assuming that the requirement for an EO and CO is temporary, there may be merit in some arrangement that would see them come to the Department at the end of the investigation.

I will be writing to you under separate cover in relation to the more general staffing/capacity issues that this investigation has raised.

I trust that this clarifies the resourcing issue to your satisfaction and that you will be in a position to confirm shortly that the Commission has commenced its investigation



Yours sincerely


John O'Callaghan
Assistant Secretary

023



Mr. John O'Callaghan
Assistant Secretary General
Office of the Minister for Justice and Equality
51 St. Stephen's Green
Dublin 2.

By email + post.

RE: [REDACTED]

19th July 2017

Dear John

I refer to the above matter [REDACTED]

You will recollect from previous correspondence that a decision was made by the Commission to invoke s. 74 of the Garda Síochána Act 2005 in this investigation and seek the assistance of the Garda Síochána.

I can confirm that I wrote to the Garda Commissioner on the 30th of June 2017 on this issue, setting out in particular the requirements and terms of s. 74. I received an acknowledgment on that date. A follow up letter of the 7th of July 2017 from Mr. Joe Nugent, in the absence of Deputy Commission Twomey, confirmed that arrangements had been made for the engagement of members of An Garda Síochána to work with GSOC. It was indicated that contact would be made with my office *shortly* in relation to the assignment of the relevant Garda members. [REDACTED]

I had met Mr. Nugent the previous day at the passing out parade in Templemore who had verbally confirmed what was then included in the letter of the 7th of July. A full reply went to Mr. Nugent on the same date setting out the steps GSOC was taking to staff and resource the investigative team.

[REDACTED]

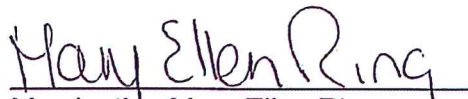
We have taken the necessary steps internally in relation to the EO and CO who will be allocated to the team and have identified the Senior Investigating Officer who will lead the investigation. A software package appropriate to the needs of an investigation such as this has been identified and again the necessary steps required to obtain this resource have been taken.

[REDACTED]

Finally I was notified in an email on the 7th of July last that Superintendent Louise Synott in the Office of the Deputy Commissioner hoped to be in a position to reply to my letter of the 30th of June 2017 by end of business that day. On the 13th of July last on a visit to Garda Headquarters a similar indication was given to Mr. Darren Wright of an early notice. As indicated no reply has been forthcoming.

[REDACTED] I am afraid I can't
answer the delay on the part of the gardaí.

Yours sincerely



Ms. Justice Mary Ellen Ring
Chair, Garda Síochána Ombudsman Commission