

1. The number of complaints made to GSOC by members of the public concerning gardai in the Roscommon/Longford division during the same period.
2. A breakdown on the types of complaints lodged and results regarding same.
3. The number of cases referred to GSOC in the Roscommon/Longford division during the same time period and results on same.
4. The financial cost in carrying out those respective investigations.

A few items to note:

- The figures below are drawn from complaints received in 2020 and 2021. Please see the note at the foot of this document for an explanation of this, and for more information on how complaints are processed, including matters of admissibility.
- Please note that the below information should be treated as indicative only. It was retrieved on foot of this request and does not represent official, published, statistical information from GSOC.
- Related to this, I note that this information is indicative of the situation as of the date of drawdown. Information on cases, by its nature, is dynamic, and subject to update on foot of further information received during the course of an investigation.
- It is not possible to quantify the financial cost of these investigations, therefore this information is not available.

2020

Complaints

A total of 1,955 complaints have been opened in 2020 containing 3,662 allegations. (Please note one complaint can contain more than one allegation).

A total of 36 complaints were received for the Longford / Roscommon Division containing 103 allegations.

Longford / Roscommon Division

36 complaints and 103 allegations

Following the admissibility process:	<u>Complaints</u>	<u>Allegations</u>
<i>Admissible/part admissible</i>	26	92
<i>Inadmissible</i>	10	11

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	26
Criminal Damage	4
Discourtesy	25

Discreditable Conduct	2
Neglect of Duty	20
Non-fatal Offence	14
Sexual Offence	1

Outcomes:

	<u>Complaints</u>	<u>Allegations</u>
Number of Complaints and allegations	36	103
Inadmissible	10	11
Admissible / part admissible:		
Remain open	3	45
Further investigation not necessary or reasonable practicable	15	34
Allegation withdrawn	2	3
Non Cooperation	1	1
GC identified no breach of discipline regulations	3	4
GSOC identifies no misbehaviour by member following section 98	3	5

Note – Some complaints can have more than one unique outcome for example partly admissible. There can also be more than one allegation within the one complaint with different outcomes.

Referrals

A total of 43 referrals were received by Garda Síochána Ombudsman Commission in 2020.

One (1) referral was received in the Longford / Roscommon Division

Outcome:

Number of referrals:	1
Admissible / partly admissible:	
Further investigation not necessary or reasonable practicable	1

2021

A total of 2,189 complaints have been opened in 2021 containing 3,701 allegations. (Please note one complaint can contain more than one allegation).

A total of 46 complaints were received in the Longford / Roscommon Division containing 84 allegations.

Longford / Roscommon Division

46 complaints and 84 allegations

Following the admissibility process: Complaints Allegations

Admissible/part admissible 32 70

Inadmissible 14 14

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	12
Falsehood or Prevarication	1
Discourtesy	4
Improper use of information	1
Neglect of Duty	31
Non-fatal Offence	6
Road traffic infringement	2
Theft and Fraud	6

Please note - The breakdown of allegations (above) does not include 7 allegations that are currently awaiting categorisation.

Outcomes:

	<u>Complaints</u>	<u>Allegations</u>
Number of Complaints and allegations	46	84
Inadmissible	14	14
Admissible / part admissible:		
Remain open	18	51
Further investigation not necessary or reasonable practicable	10	13
Allegation withdrawn	1	1

Referrals

A total of 59 referrals were received by Garda Síochána Ombudsman Commission in 2021.

One (1) referral was received in the Longford / Roscommon Division

Outcome:

Number of referral 1

Admissible / partly admissible:

Remains open 1

Note on how complaints are assessed by GSOC

All complaints received by GSOC are assessed against criteria listed in the Garda Síochána Act, 2005 to determine if they are admissible. For a complaint to be admissible, it must meet the following criteria:

According to section 87 of the Act, GSOC can admit a complaint if it:

- Is made by (or, in certain circumstances. On behalf of) a person who is directly affected by, or who witnesses, the conduct subject of complaints;
- Is about behaviour which would, if proven, constitute a criminal offence or a breach of Garda discipline by a member of the Garda Síochána;
- Is made within the time limit of within one year of the incident subject of the complaint;
- Does not relate to the general direction and control of the Garda Síochána by the Garda Commissioner; and
- Does not relate to the conduct of a member of the Garda Síochána while the member was off duty, unless the conduct alleged would, if proven, be likely to bring discredit on the Garda Síochána

If a complaint does not meet the criteria it is deemed inadmissible and no further action is taken by GSOC.

After a complaint is deemed admissible it can be dealt with in a number of ways depending on what is alleged.

All allegations of criminal offences by Gardaí are investigated by GSOC investigators under section 98 of the Act.

If breaches of discipline have being identified these complaints can be dealt with in a number of ways, such as:

- unsupervised disciplinary investigations (under section 94 of the Act), conducted by Garda Superintendents
- Supervised investigation (under section 94(5)). These are also conducted by Garda Superintendents but are supervised by GSOC investigators. These investigations are conducted by Garda Superintendents in line with Garda Discipline regulations.

- Non-criminal investigations (under section 95 of the Act) are carried out by GSOC investigators.

Explanation on most common allegation types -

- Neglect of Duty – allegations that a garda failed to take an action that could have been reasonably expected – such as, at one end of the scale, returning a phone call, or properly investigating an alleged serious crime at the other.
- Abuse of Authority – excessive use of force, or an instruction to do something which the person making the complaint believes was beyond the garda’s authority to instruct
- Non-fatal offences – these are allegations of a criminal offence listed in the Non-Fatal Offences Against the Person Act, 1997 and include, for example assault.
- Discourtesy – complaints around how a garda spoke to or behaved towards a person.

Explanation of outcomes:

- GSOC identifies no misbehaviour following criminal investigation – The most common scenario here is that there was no independent evidence to prove the allegations made.
- No breach of discipline regulations identified – At conclusion of investigation the report received by GSOC indicated no breach of discipline.
- Further investigation not necessary or reasonably practicable –There was not enough evidence to substantiate either version of events so the complaint could not be proven or disproven.

Referrals from the Garda Síochána under Section 102(1)

Section 102(1) of the Garda Síochána Act, 2005 provides that “the Garda Commissioner shall refer to the Ombudsman Commission any matter that appears to “the Garda Commissioner to indicate that the conduct of a member of the Garda Síochána may have resulted in the death of, or serious harm to, a person”.