

- *The number of allegations made against gardai to Gsoc in (i) 2021 and (ii) 2022, with a breakdown by Garda division and by the type of allegation.*
- *The number of the above complaints that were (i) upheld, (ii) not upheld or (iii) not yet decided/still ongoing.*
- *In the cases where the complaints were upheld, information on the disciplinary action handed out in each case.*

A few items to note.

The figures below is drawn from complaints received in 2021 and 2022. Please see the note at the foot of this email 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 your 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 today. Information on cases, by its nature, is dynamic, and subject to update on foot of further information received during the course of an investigation.

That all outlined, please see the below.

2021

The total of complaints received to date was 2,189 complaints with 4,053 allegations contained within. (Please note one complaint can contain a number of allegations).

Allegations by garda division:

Garda Division:	Number of Allegations:
Cavan / Monaghan	119
Clare	67
Cork City	224
Cork North	88
Cork West	40
D.M.R East	109
D.M.R North	294
D.M.R North Central	225
D.M.R South	157
D.M.R South Central	317
D.M.R West	341
D.M.R Traffic	36
Donegal	123
Garda National Immigration Bureau	5
Galway	135
Garda Headquarters Phoenix Park	60
Harcourt Square	51
Kerry	81

Coimisiún Ombudsman an Gharda Síochána, 150 Sráid na Mainistreach Uachtarach, Baile Átha Cliath 1, D01 FT73
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Kildare	139
Kilkenny / Carlow	73
Laois / Offaly	120
Limerick	188
Louth	231
Mayo	94
Meath	118
Not provided*	21
Roscommon / Longford	98
Sligo / Leitrim	42
Tipperary	118
Waterford	89
Westmeath	71
Wexford	102
Wicklow	77
Total	4,053

* The chart shows all the allegations, prior to GSOC determining which could be admitted and dealt with and which could not. Excluded 21 allegations for which garda divisions had not yet being established.

Allegations type in admissible allegations:

Following the admissibility process, 1,333 complaints were deemed admissible containing 3,136 allegations. A total of 855 complaints were deemed inadmissible. See breakdown of allegation type in admissible complaints:

Type of Allegation	Number of Allegations
Awaiting decision	85
Abuse of Authority	741
Corrupt or Improper Practice	12
Criminal Damage	68
Discourtesy	362
Discreditable Conduct	9
Discrimination	22
Falsehood or Prevarication	24
Generic inadmissible Allegation	4
Improper use of Information	20
Intoxication	6
Misuse of drugs	1
Misuse of Money or Property	36
Neglect of Duty	797
Non-fatal Offences	775
Other	69

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Road Traffic Infringement	38
Sexual Offence	25
Theft and Fraud	42
Total	3,136

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	2,189	4,053
Inadmissible	855	916
Withdrawn prior to decision	1	1
Admissible / part admissible:		
Remain open	204	554
Further investigation not necessary or reasonable practicable	762	1759
Allegation withdrawn	149	216
Inadmissible	21	39
Non-Cooperation	34	156
Garda discipline regulations no longer apply	2	2
GC identified no breach of discipline regulations	157	307
GSOC identifies no misbehaviour by member following section 98	18	60
Advice	22	23
Caution	6	6
Fine Imposed	2	3
Reduction in pay	1	1
Reprimand	5	5
Warning	5	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.

Forty three (43) breaches of discipline were identified to date in the complaints opened in 2021 and applied by the Garda Commissioner in 2021, following disciplinary investigations:

Sanction	Number
Advice	23
Caution	6
Fine imposed	3
Reduction in pay not exceeding 2 week's pay	1
Warning	5

Reprimand	5
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2022

The total of complaints received to date was 1,826 complaints with 2,990 allegations contained within. (Please note one complaint can contain a number of allegations).

Allegations by garda division:

Garda Division:	Number of Allegations:
Cavan / Monaghan	95
Clare	43
Cork City	165
Cork North	64
Cork West	37
D.M.R East	36
D.M.R North	217
D.M.R North Central	158
D.M.R South	159
D.M.R South Central	254
D.M.R West	172
D.M.R Traffic	10
Donegal	114
Galway	111
Garda Headquarters Phoenix Park	35
Garda National Immigration Bureau	1
Harcourt Square	13
Kerry	100
Kildare	80
Kilkenny / Carlow	79
Laois / Offaly	83
Limerick	109
Louth	113
Mayo	119
Meath	53
Not provided*	93
Roscommon / Longford	59
Sligo / Leitrim	35
Tipperary	100
Waterford	66
Westmeath	52
Wexford	93
Wicklow	72

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Total	2990
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* The chart shows all the allegations, prior to GSOC determining which could be admitted and dealt with and which could not. Excluded 93 allegations for which garda divisions had not yet being established.

Allegations type in admissible allegations:

Following the admissibility process, 904 complaints were deemed admissible containing 2,017 allegations. A total of 918 complaints were deemed inadmissible. See breakdown of allegation type in admissible complaints:

Type of Allegation	Number of Allegations
Awaiting decision	174
Abuse of Authority	383
Accessory	1
Coercive Control	2
Corrupt or Improper Practice	4
Criminal Damage	32
Discourtesy	213
Discreditable Conduct	11
Discrimination	15
Falsehood or Prevarication	20
Generic Admissible Allegation	6
Improper use of Information	21
Intoxication	1
Misuse of drugs	1
Misuse of Money or Property	23
Neglect of Duty	643
Non-fatal Offences	380
Other	21
Road Traffic Infringement	19
Sexual Offence	14
Theft and Fraud	33
Total	2,017

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	1,826	2,990
Inadmissible	918	969
Not yet decided – awaiting further information	4	4

Admissible / part admissible:		
Remain open	539	1,264
Further investigation not necessary or reasonable practicable	239	506
Allegation withdrawn	62	108
Inadmissible	9	11
Non-Cooperation	14	37
Garda discipline regulations no longer apply	1	1
GC identified no breach of discipline regulations	41	70
GSOC identifies no misbehaviour by member following section 98	4	8
Advice	6	8
Caution	3	3
Reduction in pay	1	1

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.

Twelve (12) breaches of discipline were identified to date in the complaints opened in 2022 and applied by the Garda Commissioner in 2022, following disciplinary investigations:

Sanction	Number
Advice	8
Caution	3
Reduction in pay not exceeding 2 week's pay	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 been 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.

Explanation on sanctions:

Should an investigation by the Garda Síochána under section 94 (either supervised or unsupervised) or by GSOC under section 95 find evidence of a potential breach of Discipline Regulations by a garda, the Garda Síochána makes a decision on whether or not there has been a breach. A range of sanctions may be applied, depending on the gravity of the breach found. Sanctions are a matter for the Commissioner.