



COMPLAINANT INFORMATION

&

COMPLAINT FORM

COMPLAINANT INFORMATION

How to make a complaint & what you need to know

FIRSTLY WHAT CAN YOU COMPLAIN ABOUT?

Any conduct of a member of the Garda Síochána (by an act or omission) which you consider to be misbehaviour (see Time Limits).

HOW CAN YOU COMPLAIN?

Directly to the Garda Ombudsman:

In writing to the Casework Unit, GSOC, 150 Abbey Street Upper, Dublin 1 or by fax to 018147023

Online — www.gardaombudsman.ie

By telephoning LoCall 1890 600800 — in most cases callers will be sent a Complaint (GSOC 1) Form to complete and send back in a pre-paid envelope.

Persons who require assistance completing the Complaint Form may make an appointment to meet with a Case Officer by telephoning LoCall 1890 600 800

Or

You can make your complaint in the following manner to a member of the Garda Síochána who must immediately send it to the Garda Ombudsman:

By filling out a Complaint (GSOC1) Form at any Garda Station. If you choose to make your complaint at a Garda Station, you will be given a copy of the complaint to take away with you for future reference.

To any member of An Garda Síochána at or the above the rank of Chief Superintendent at any place other than a Garda Station

By stating, giving or sending it to the Garda Commissioner

If you make your complaint in a Garda Station, online or by post/fax to the Garda Ombudsman you will receive an acknowledgement in writing within a day or two of its receipt at the office of Garda Ombudsman. The letter will provide you with your reference number. If you do not receive an acknowledgement please contact the Garda Ombudsman by calling LoCall 1890 600 800.

WHAT DO YOU NEED TO TELL US?

You need to provide the following information to assist the Garda Ombudsman to make a decision on admissibility:

Who do you want to complain about? The name of the Garda member(s) you wish to complain about or, if you don't know the Member's name, the Member's shoulder number, description, car registration number or any other information which will help to identify the member(s)

Time, date and place of incident – if your complaint relates to more than one incident the Garda Ombudsman need you to list all incidents separately

What happened? e.g. exactly what did the Garda member say or do or not do that has made you complain. If your complaint relates to more than one Garda member please be clear about the behaviour complained of in relation to each member

If your complaint doesn't contain all the relevant information needed at the time you make it, the Garda Ombudsman will write to you **once** requesting more information. If you don't respond an admissibility decision will be made based on the information available. It is possible that your complaint will be determined to be inadmissible or, if it is admissible it may be immediately discontinued as further investigation may not be considered practicable.

The Garda Commissioner will be notified that the Garda Ombudsman has received a complaint and it is being considered for admissibility.

TIME LIMITS

Complaints should be lodged with the Garda Ombudsman

- within 12 months of the incident or;
- within 12 months of you becoming aware of the misbehaviour or ;
- if you are complaining about an ongoing issue – within 12 months of the latest incident.

The Garda Ombudsman is legally entitled to extend the 12 month time limit if the Commission considers that there is "good reason" to do so.

If your complaint relates to an incident(s) that occurred more than 12 months ago you are required to provide a good reason why your complaint was not made sooner or why you believe the time frame should be extended in respect of your complaint.

The Garda Ombudsman will consider "good reason" for delay on a case by case basis. If you fail to provide a "good reason" why your complaint is likely to be determined to be inadmissible – **Out of time.**

If your complaint relates to an incident that occurred prior to the 9th May 2007 (when the Garda Ombudsman opened) please state in your complaint whether you previously made a complaint to the Garda Síochána Complaints Board? If so, was the complaint investigated?

FALSE OR MISLEADING INFORMATION

It is an offence to knowingly supply “false or misleading information” in relation to a complaint and there are penalties by way of fine and/or imprisonment for any person who commits this offence.

ADMISSIBILITY

The first thing the Garda Ombudsman must do is decide if a complaint is admissible i.e. if it comes within the terms of Section 87 of the Garda Síochána Act 2005 which sets out the conditions a complaint must meet before it can be investigated. The Garda Ombudsman will decide the status of your complaint based on the information you provide – that is, is it an admissible complaint that can be investigated or resolved or is it inadmissible, in which case the Garda Ombudsman will take no further action.

INADMISSIBLE

Complaints which are determined to be inadmissible are not reviewed by the Commissioner unless new information, **which was not previously available**, comes to light.

There is no appeal against an inadmissible decision. Complainants should ensure that all relevant information is available to the Garda Ombudsman **prior** to an admissibility decision being made.

All complaints received by the Garda Ombudsman are accepted on the basis that complainants will participate fully in the process to ensure the complaint comes to a speedy conclusion. In cases where complainants do not participate there is a possibility that the Garda Ombudsman will discontinue the process and close the complaint.

STATISTICAL INFORMATION

In order to examine why complaints about Garda behaviour arise, the Garda Ombudsman is trying to discover what sections of society use the complaint system. The Garda Ombudsman is looking for this information to see whether certain categories of people are less/more likely to submit a complaint about Garda officers than others. To do this we are asking all complainants to answer a set of questions. You will receive a short questionnaire which we hope you will fill in and return in the pre-paid envelope.

There is no obligation on you to answer the questions but your assistance is appreciated. Any information you provide will not form any part of your complaint. Any information you provide will also not identify you in any way in Garda Ombudsman publications.

The information provided on pages 1-5 of this document supplied is for guidance only. It should not be read as a legal interpretation of the Garda Síochána Act 2005

Garda Ombudsman Complaint Form Information

If you wish to make a complaint to the Garda Ombudsman against any member(s) of An Garda Síochána you should complete the GSOC 1 complaint form overleaf.

Please be advised that before completing the form you are asked to read the “Complainant Information” section. This will help explain the complaint process to you and tell you exactly what the Garda Ombudsman needs from you in order to process your complaint quickly and efficiently. If you do not provide sufficient information in relation to your complaint, the processing of your complaint may be delayed. Please pay particular attention to the section of the “Complainant Information” which explains the Time Limits.

If you don't have enough space on the form to explain your case fully you can continue on plain paper.

You don't need to have your signature witnessed by a member of the Gardaí.

Before you seal the envelope please check the form and any relevant additional documentation to make sure all the information the Garda Ombudsman has asked for is included .

Once the complaint is received in this office we will send you an acknowledgement letter with a reference number. Please use this number if you contact the office either in writing or by telephone.

Please do not hesitate to contact the office if you need assistance in completing the form.

Yours sincerely

Garda Síochána Ombudsman Commission

(Office use only) GSOC REF:

COMPLAINT FORM (GSOC 1)

If you wish to make a complaint please complete the form below and **post to 150 Abbey Street Upper, Dublin 1** or **fax (01) 814 7023**.

For further information please contact us by phone on **1890 600 800** or by email at info@gsoc.ie.

PART 1—Complainant Details

(Please complete this section in BLOCK CAPITALS)

Complaint Date:		
Complaint Time:		
Complainant – Name:		
Date of Birth:	Male <input type="checkbox"/>	Female <input type="checkbox"/>
Address:		
Contact Address (if different):		
Phone:	Mobile:	Email:

PART 2 - Details of the Incident

Date:	Time:	Location

Details of the Incident contd.

If additional space is required please use a separate page.

If the matter complained of is out of time (outside 12 month timeframe), please include the reason for the delay in submitting a complaint to the Garda Ombudsman, in the box below.

Member Details

Details of Member/s of An Garda Síochána complained of: (e.g. Name, district no., Station, description)

Did you already know the Garda member/s? Yes No
If yes please specify:

What were the circumstances surrounding the incident and what do you believe was the motive for the misbehaviour alleged?

Witness Details

Name/s:

Address/es & Contact Details:

Additional Information

Details of additional documentation/evidence provided or available i.e. CCTV footage:

Details of any injuries and/or medical treatment received:

Local Intervention

Did you make any attempt to have this matter dealt with locally in the Garda Station?

Yes No

If yes, the outcome was; Satisfactory Unsatisfactory

Complainant Signature: _____

Date: ____ / ____ / ____

Senior Garda Member involved in Local Intervention:

Member Signature: _____

Date: ____ / ____ / ____

Rank: _____

Reg. No. :

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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PART 3—False or Misleading Information

In accordance with Section 110 of the Garda Síochána Act, 2005, a person providing information known to be false or misleading to the Ombudsman Commission is guilty of an offence and is liable on summary conviction to a fine not exceeding €2,500 or imprisonment for a term not exceeding six months or both.

Signed: _____

Date:

Time:

If you are making this complaint on behalf of someone else, that person will need to give their consent either by signing the box below or at a later stage directly to the Garda Ombudsman.

Name: (BLOCK CAPITALS)

Signed:
