



Appearance by the Garda Síochána Ombudsman Commission before the Oireachtas Public Accounts Committee

7 April 2022

Opening Statement by Mr Justice Rory MacCabe, S.C., Chairperson of GSOC

Chair, Committee Members,

This is the first occasion when GSOC has had the opportunity to address this committee and I am accompanied today by fellow Commissioners Hugh Hume and Emily Logan and by Aileen Healy, GSOC's Director of Administration. Hugh has a background in policing at a senior level in the PSNI, and also served as Deputy Chief Inspector in the Garda Inspectorate. Emily was Ireland's first Ombudsman for Children and also served as the first Chief Commissioner of the Irish Human Rights and Equality Commission.

GSOC was established in 2007 to provide independent oversight of policing in Ireland. It is a vital interface between the people and An Garda Síochána. Our work is challenging, and results depend on the skill and dedication of our staff, each of whom carry a heavy caseload.

GSOC operates 7 days a week, 24 hours a day.

We deal with complaints from the public concerning the conduct of members of An Garda Síochána, whether criminal or disciplinary. We conduct investigations into matters referred to us by An Garda Síochána, by the Minister for Justice, by the Policing Authority, as well as into matters we judge to be in the public interest to investigate. We make recommendations arising from the results of our investigations. We do not conduct prosecutions – those are for the DPP – nor do we or impose or enforce disciplinary sanctions, which are for An Garda Síochána, following the recommendations that we make.

GSOC's budget allocation for 2021 was 11.272 million Euros. This paid the salaries and covered the normal day to day running costs of the organisation. We have a staff of 135 at present, a HQ in Dublin and offices in Cork and Longford. In the course of the year, GSOC sought and received an additional allocation of 300,000 euros to cover unanticipated

additional costs relating to a number of particularly complex investigations that require intensive and extensive resources.

There has been a notable increase in the volume and complexity of our cases year on year.

2021 saw a 12 % increase in complaints received and a 40% increase in statutory referrals from An Garda Síochána where death or serious injury occurs. It is to the credit of the staff that, in the face of the pandemic, the increase in complaints and referrals and the loss of some key personnel, last year saw a 21% increase in the number of cases that were closed.

By their very nature, some investigations are straightforward and some are not. Some can be dealt with quickly and some require a commitment in terms of staff, resources and time that we know can be frustrating to all concerned. This is understandable from the point of view of complainants, who are anxious as to the outcome, and members of An Garda Síochána whose careers can be, in effect, on the line.

GSOC is bound by the principle of due process and Human Rights legislation. These apply to complainants and those we investigate, so we cannot and should not prioritise speed at the expense of rigour in completing our investigations.

Some of the challenges we face arise from the mandate under which we operate. This is likely to change in the shape of the broad reforms proposed in the Policing, Security and Community Safety Bill.

Another related challenge is resourcing. When I came to this job in January, I took the opportunity to be briefed on staffing, resources and on the details of all cases, so that I could be sure that cases were being given proper priority. During engagement with our teams in Dublin, Cork and Longford I saw that our staffing complement, particularly our complement of investigative staff, falls well short of what is required. High caseloads and staff turnover, including loss of experienced staff due to retirement or normal civil service mobility, have made this worse.

We secured additional funding in 2022 and this will allow us to recruit some additional staff. I sought immediate approval to recruit 22 additional staff and this was granted by the Department of Justice without hesitation. Recruitment is, however, not a fast process, particularly with such a range of regulatory organisations fishing in the same pool, all of whom require specialist skills to investigate and analyse complaints of negligence or wrongdoing.

The Policing, Security and Community Safety Bill proposes sweeping changes in the law and will change the composition and mandate of GSOC. GSOC will have additional powers

and functions, which will, by definition, involve more work and more staff if the work is to be carried out properly. It is my belief that the Department and the Minister are alert to the ongoing resource issues faced by GSOC and will support us.

We welcome this draft legislation. It fills a clearly defined and long-signalled gap in Ireland's policing accountability.

My responsibility, working with my Commission colleagues and staff, is to oversee the work of GSOC and the transition to whatever new organisational structure is mandated by you and your Oireachtas colleagues. I hope that when you do this, you will be mindful that nothing as complex as investigating wrongdoing in the modern world we inhabit comes cheap. I hope that also you recognise the service that the staff give and the importance of the work that they do.