



Garda
Ombudsman
INQUIRY INDEPENDENCE IMPARTIALITY

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

2017 ANNUAL REPORT



Mr Charlie Flanagan TD
Minister for Justice and Equality
51 St. Stephen's Green
Dublin 2

31 March 2018

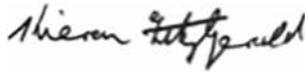
Dear Minister,

It is with pleasure that we submit to you the twelfth Annual Report of the Garda Síochána Ombudsman Commission, which covers the period 1 January to 31 December 2017. This Report is submitted in accordance with section 80 of the Garda Síochána Act 2005.

Yours sincerely,



Justice Mary Ellen Ring,
Chairperson



Kieran FitzGerald,
Commissioner

Garda Síochána Ombudsman Commission.

GLOSSARY OF ABBREVIATIONS AND TERMS

Admissibility	All complaints are assessed against the criteria listed in section 87 of the Act to decide whether they can legally be admitted for investigation or not. (More information in Section 1.)
Advice	This is a sanction, which may be applied by the Garda Commissioner, for breach of the Discipline Regulations (see below) – it can be formal or informal.
Allegation	Each complaint is broken down into one or more allegations, which are individual behaviours being complained about. For example if a person said that a garda pushed them and used bad language, this is one complaint with two separate allegations.
AIO	Assistant Investigations Officer.
Article 2	Article 2 of The European Convention on Human Rights (ECHR) states that everyone’s right to life shall be protected by law.
Complaint	An expression of dissatisfaction made to GSOC by a member of the public, about the conduct of an individual member of the Garda Síochána. A complaint may contain one or more allegations, against one or more gardaí. Each allegation against each garda is assessed individually for admissibility.
Custody Regulations	Criminal Justice Act, 1984 (Treatment of Persons in Custody in Garda Síochána Stations) Regulations, 1987 – regulations related to the detention of people in garda stations. It can be seen at http://www.irishstatutebook.ie/eli/1987/si/119/made/en/print .
Discipline Regulations	The Garda Síochána (Discipline) Regulations 2007, as amended. These can be seen at: http://www.irishstatutebook.ie/eli/2007/si/214/made/en/print .
Disciplinary action	Sanction which may be applied by the Garda Commissioner following an investigation. There are two levels of action provided for by the Discipline Regulations, relating to less serious breaches and serious breaches of discipline respectively.
DLP	Designated Liaison Person under the "Children First – National Guidance for the Protection and Welfare of Children" guidelines.
DMR	Dublin Metropolitan Region.
DO	Designated Officer – a GSOC officer designated in writing by the Commission to perform functions under Part 4 of the Act, which refers to dealing with ‘Complaints, Investigations and other Procedures’.
DPP	(Office of the) Director of Public Prosecutions.
ECHR	European Convention on Human Rights. This can be seen at: http://www.echr.coe.int/Documents/Convention_ENG.pdf
Garda Ombudsman	Garda Síochána Ombudsman Commission (the organisation).
GSIO	Garda Senior Investigations Officer, who investigates complaints alleging breaches of the Discipline Regulations.
GSOC	Garda Síochána Ombudsman Commission (the organisation).

Informal resolution	This is a process offered in the case of less serious allegations, for example rudeness. It involves a GSOC case officer speaking to both parties with the aim of each getting a better understanding of the other's point of view and coming to the agreement that the matter is resolved. It is provided for by section 90 of the Act.
Investigation	If a complaint cannot be resolved informally, it must be investigated. Any complaint containing an allegation of a criminal offence is investigated by a GSOC investigator, in line with section 98 of the Act. A complaint containing an allegation of a disciplinary nature is usually investigated by a GSIO (see previous page), under the Discipline Regulations, in line with section 94 of the Act. If the Ombudsman Commission deems it appropriate, these investigations may be supervised by a GSOC investigator. GSOC may also investigate non-criminal matters, in line with section 95 of the Act.
IO	Investigations Officer.
IRM	The Independent Review Mechanism was established by the Minister for Justice and Equality, in consultation with the Attorney General, in May 2014. Its function was to consider allegations of Garda misconduct or inadequacies in the investigation of such allegations, with a view to determining to what extent and in what manner further action may be required in each case.
Median	When numbers are listed in value order, the median value is the number at the midpoint of the list, such that there is an equal probability of falling above or below it.
Member in charge	The member of the Garda Síochána who is designated as being responsible for overseeing the application of the Custody Regulations, in relation to people in custody in the garda station. This can be a member of any rank. The full legal definition and list of duties of a member in charge can be seen in sections 4 and 5 of the Custody Regulations (see previous page).
OGP	Office of Government Procurement.
Ombudsman Commission	The three Commissioners of the Garda Síochána Ombudsman Commission.
Out of time	A complaint made more than twelve months after the incident being complained of.
PAS	Public Appointments Service.
PD/PDU	Protected Disclosures/Protected Disclosures Unit.
RTI	Road traffic incident or collision.
SIO	Senior Investigations Officer.
The Act	The principal act governing the functioning of GSOC, which is the Garda Síochána Act 2005, as amended. This can be seen at: http://www.irishstatutebook.ie/eli/2005/act/20/enacted/en/print .

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

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REVIEW OF THE YEAR

Introduction

The year under review was an eventful and sometimes turbulent one for the justice sector in which the Garda Síochána Ombudsman Commission (GSOC) operates. There was political controversy and ongoing public scrutiny, including the Tribunal of Inquiry into Protected Disclosures, of the Garda Síochána and the actions of its members. Against this backdrop, the then-Garda Commissioner Nóirín O’Sullivan announced her retirement in September and the former Minister for Justice and Equality Frances Fitzgerald TD resigned from Cabinet in November. The Commission on the Future of Policing in Ireland was established earlier in the year with a remit which extended beyond the workings of the Garda Síochána to encompass the role of police oversight bodies, including GSOC.

Mr Mark Toland who was appointed a GSOC Commissioner in December 2016 resigned in November 2017 to take up the post of Chief Inspector with the Garda Inspectorate. The process of appointing his successor was ongoing at the end of the year.

The need to build resilience in the organisation was a priority for the Commission in 2017, the year in which GSOC marked its 10th anniversary. To this end, considerable work went into identifying the legislative change and additional resources the Commission believes are necessary to meet its obligations.

The lack of capacity to deal with additional complex investigations or to initiate investigations which GSOC would like to carry out has been highlighted by the Commission. One particularly complex investigation (into accounts relating to the Garda College, Templemore), for example, necessitated the recruitment of a number of external people with specialist skills. For the first time in its history, GSOC had to make use of the provisions of section 74 of the Garda Síochána Act 2005, and seek the ‘special assistance’ of the Garda Síochána to undertake the investigation. Assistance was also sought from the Revenue Commissioners.

Recruitment for the Protected Disclosures Unit, required to deal with the growing number of disclosures to the Commissioners, began late

in the year, though at a lower number than was hoped for (sanction was given for five posts rather than the 12 sought by GSOC).

The number of complaints to GSOC rose by 10 percent in 2017 and the number of referrals from gardaí was down (see Section 1 for details).

Notable Events

- The establishment of the Commission on the Future of Policing in Ireland has generated debate not just about how policing in Ireland is to be carried out, but about the entire structures and operations of the justice sector. GSOC met with the Commission in 2017 and continues to engage with it. Until it makes its final report, expected in September 2018, a level of uncertainty persists in the sector.
- The sanctioning of staff for a Protected Disclosures Unit in 2017 was an important step for GSOC in being able to fulfil its statutory obligations to gardaí who wished to make such disclosures. The Commission had been receiving protected disclosures since 2016 but little progress could be made without resources to deal with them. At the end of 2017, the Commission was dealing with 25 such disclosures.
- An investigation in the public interest (provided for under section 102(4) of the Garda Síochána Act 2005) into alleged mismanagement of EU and Exchequer funds allocated for policing projects and financial irregularities at the Garda College, Templemore was a major undertaking for GSOC. It required the recruitment of additional specialist staff and the installation of specialised IT systems, and will entail analysis of tens of thousands of financial documents. A team was put in place and the investigation commenced in August 2017.
- Another investigation in the public interest, this time into the wrongful cancellation by members of the Garda Síochána of fixed penalty notices, came to an end in 2017. That complex and wide-ranging investigation, undertaken on foot of two requests from the then-Minister for Justice and Equality, Mr Alan Shatter

TD and his successor, Ms Frances Fitzgerald, TD in 2014, entailed GSOC analysing data relating to the issuing of 1.6 million Fixed Charge Notices (FCNs) and 74,373 cancellations. GSOC's report, published in December 2017, identified significant failures in auditing and controlling the level and nature of cancellations. The report also noted that, since the investigation commenced, a range of safeguards had been put in place by the Garda Síochána to significantly reduce the number of people who could cancel notices. GSOC discontinued the investigation at that point saying that the continued emphasis on maintaining and improving the controls and oversight mechanisms now in place, would serve to improve public confidence in the Fixed Charge Penalty System.

Key Figures

- 1,949 complaints received by GSOC in 2017, up 10 percent on the previous year
- 4,459 allegations contained within those complaints
- 24 referrals from the Garda Síochána of matters where it appears "the conduct of a member of the Garda Síochána may have resulted in the death of, or serious harm to, a person".
- 16 files referred to the DPP, resulting in 10 directions for prosecution, five directions for no prosecution and one decision pending.
- 14 investigations in the public interest (those investigations undertaken in the absence of a complaint or referral by the Garda Commissioner) were opened and nine were closed.

Towards Greater Effectiveness

GSOC devotes considerable time and resources to ensuring the organisation is equipped to meet new obligations which may arise from legislation and to deal with unanticipated events. Significant work in this regard was done in 2017 in the following areas:

- In March 2017, ten years after GSOC became operational, a strategic review

of the organisation's processes, people and structure began. Its purpose was to identify the changes necessary to improve GSOC's effectiveness and thus, to better serve the public. The review was conducted by a Business Improvement Team (BIT), drawn entirely from GSOC staff and led by the then-Commissioner Mark Toland. The work entailed extensive consultation with staff in all roles in the organisation, detailed analysis of all aspects of GSOC's operations and practices, and consultation with similar organisations including the Police Ombudsman for Northern Ireland (PONI), the Police Investigations and Review Commissioner (PIRC) in Scotland, the Independent Office for Police Conduct (previously called the Independent Police Complaints Commission) in the UK, and the Office of the Ombudsman in Ireland. A report detailing more than 100 recommendations for change initiatives—some of which could be introduced in the short term, some in the longer term—was delivered by the BIT in July and presented to all staff. After a five week period in which staff were invited to give feedback, the GSOC senior management team formally accepted many of the recommendations and a programme of implementation began soon afterwards. A review of the current legislative framework was also undertaken by GSOC and internal changes were made with a view to ensuring the organisation could adapt to any future legislative developments without further major restructuring.

- Under the Children First Act 2015, reporting of child welfare concerns became mandatory for some GSOC staff in December 2017. While GSOC has been making referrals in respect of children suspected of being at risk since operations began in 2007, the provisions of the Children First Act necessitated a programme of training for staff and the introduction of new protocols (see Section 7)
- The Criminal Justice (Victims of Crime) Act 2017 placed a range of obligations on GSOC in respect of victims of crime. It set

out the kind of supports and information to which victims, and potential victims, of crime are entitled in their dealings with GSOC; it also necessitated additional staff training (see Section 7)

- Following a number of meetings with the Minister for Justice and Equality and Department officials, GSOC prepared a detailed proposal for the replacement of relevant parts of the Garda Síochána Act – with a stand-alone piece of legislation. GSOC is seeking revised legislation to streamline the investigative process, put greater emphasis on early resolution of complaints and enhance the independence of the organisation. The proposal was submitted to the Department in 2017, and the Ombudsman Commission committed to providing it to the Commission on the Future of Policing early in 2018. (see Section 7)

SECTION 1: COMPLAINTS AND INVESTIGATIONS

TOP-LINE DATA

CALLS



2,517

calls to
lo-call number,
answered by
caseworkers.



98%

of calls received were
answered within 60
seconds.



341

people were met
face-to-face in our public
office.

QUERIES



2,961

of these initial contacts were opened in our case system,
initially as "queries".

Once sufficient information is received, a query's status is
upgraded to become a formal complaint.

COMPLAINTS



1,949

complaints
were opened
in 2017 – 10%
more than the
previous year.

4,459

allegations within these
complaints (because
there can be several
allegations in one
complaint).

COMPLAINTS

Sections 83 to 101 of the Garda Síochána Act 2005, as amended (“the Act”), set out rules and processes defining how GSOC must deal with complaints.

1.1 VOLUME OF QUERIES

In 2017 caseworkers answered **2,517** phone calls to GSOC’s lo-call 1890 600 800 number, **98%** of which were answered within 60 seconds.

Caseworkers also met with **341** people via our public office.

Overall, caseworkers dealt with **2,961** queries via post, email, fax and garda stations. Initially each contact is opened on our system as a ‘query’, until we have sufficient information to upgrade it to a complaint and assess it for admissibility.

1.2 VOLUME OF COMPLAINTS AND ALLEGATIONS

A total of **1,949** complaints were opened in **2017**, an increase of ten percent on the number opened in 2016. These complaints contained **4,459** allegations — each complaint can contain several allegations.

The three most common circumstances which gave rise to complaints in 2017 were: the conduct of investigations by gardaí, road policing incidents and the conduct of arrests by gardaí.

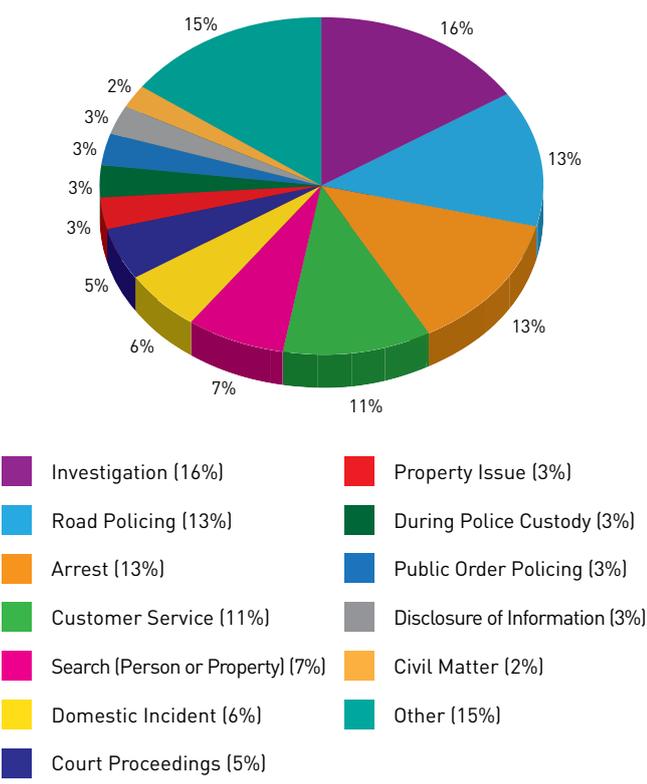
Find out the profiles of people who made complaints, and of gardaí about whom admissible complaints were made, in the Appendices.

The maps on the next page show the geographical distribution of allegations in complaints made against gardaí in 2017. They show all allegations, prior to GSOC determining which could be admitted and dealt with and which could not.

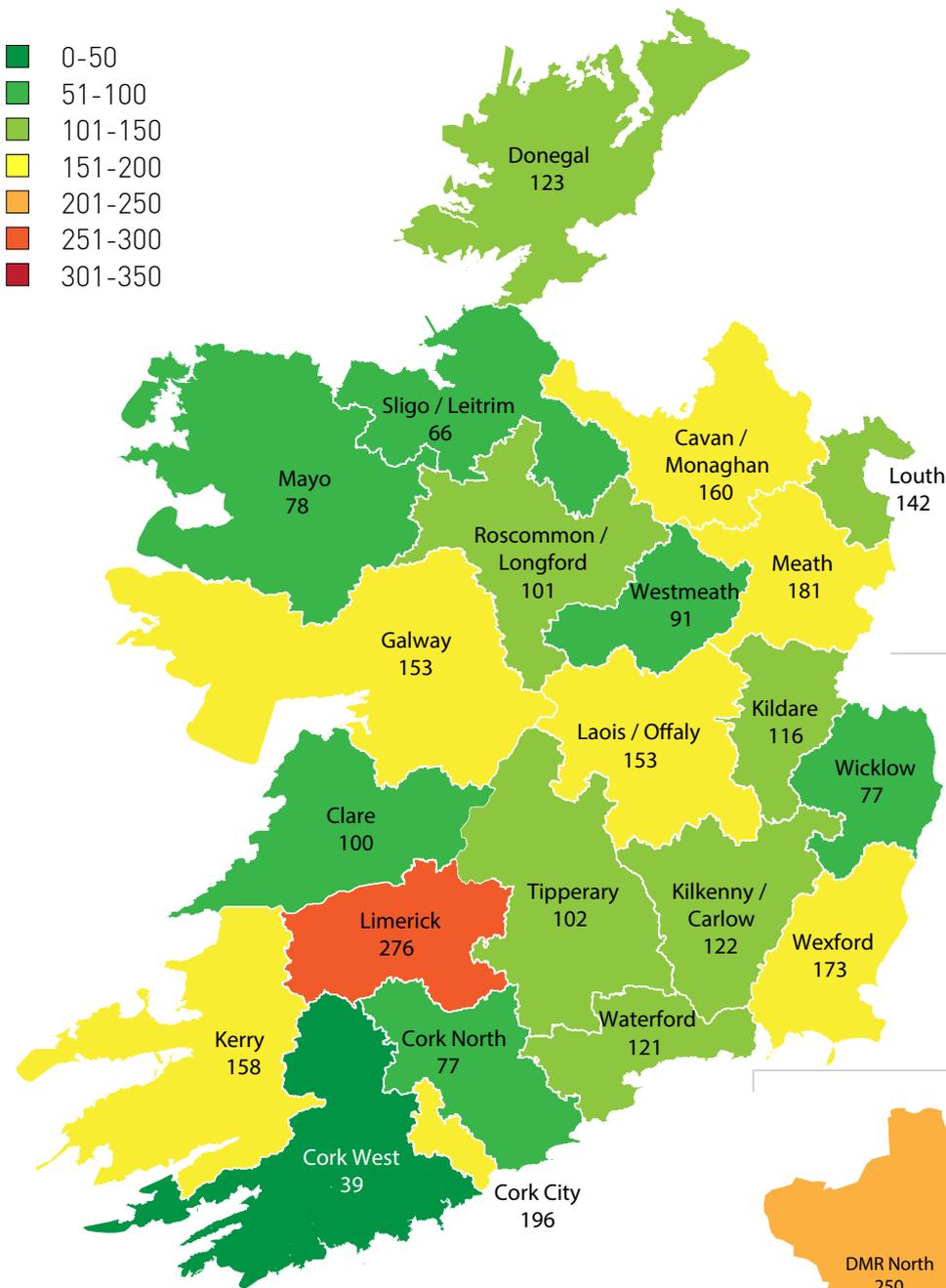
The greatest number of allegations in the country were recorded against gardaí in the Dublin Metropolitan Region (DMR), as could be expected given the population and police activity in the capital. The highest numbers came from DMR South Central and DMR West, as was the case in 2016 and 2015.

Outside the DMR, Limerick and Cork City respectively were the divisions with the highest number of allegations made against gardaí in 2017. The number of allegations against gardaí in Galway, which had the highest number of allegations after DMR West and South Central in 2016, fell significantly in 2017.

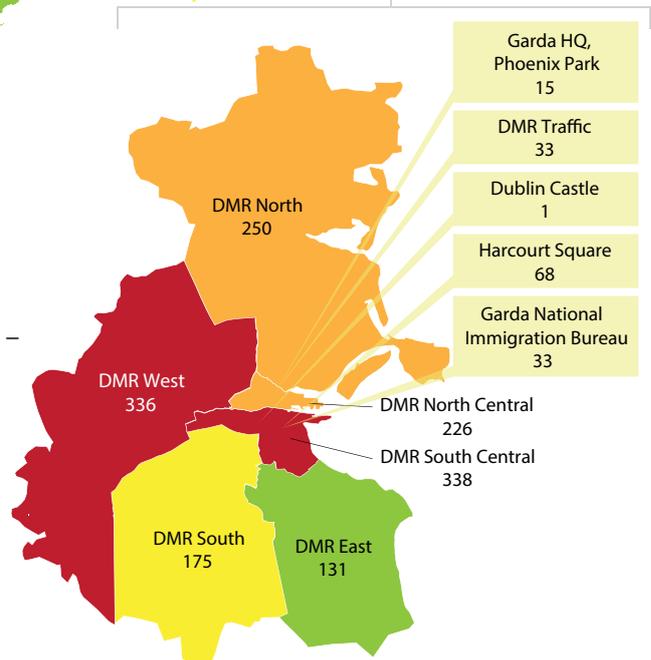
Chart 1: Circumstances of Complaints Received (Total Complaints: 1,949)



Map 1: Allegations by Garda Division
(excluding Dublin Metropolitan Region)



Map 2: Allegations by Garda Division – Dublin Metropolitan Region (DMR)



1.3 WHAT PEOPLE COMPLAIN ABOUT

The matters about which people complain to GSOC tend to stay roughly the same year-on-year.

Chart 2: Allegation Types (Total Allegations: 4,459)

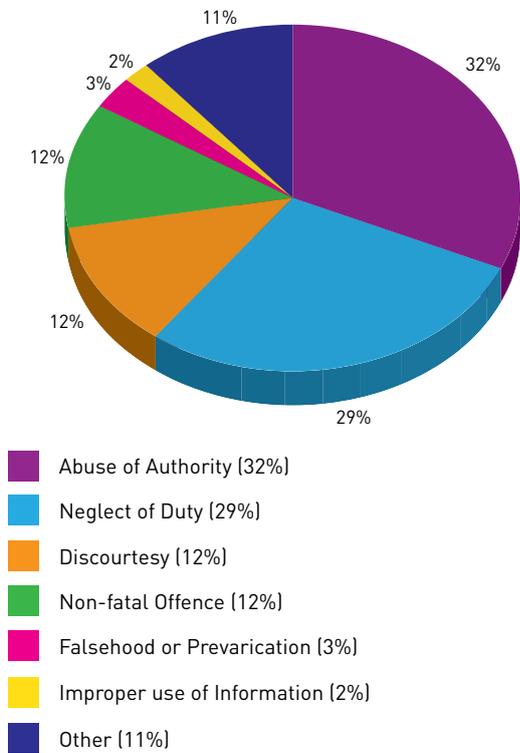


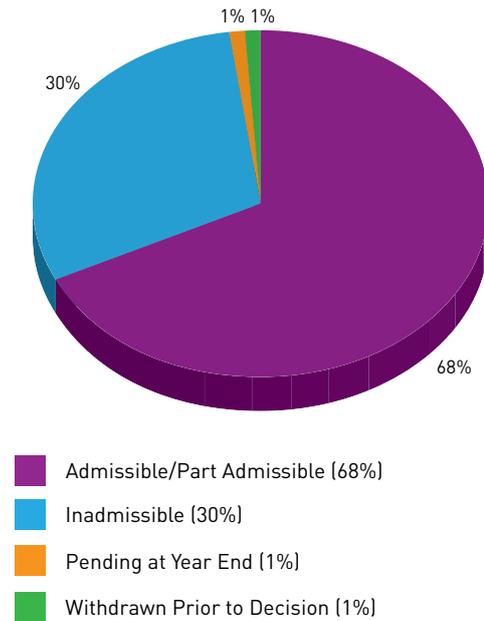
Chart 2 shows that the most common matters about which people complain are:

- 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, are the main types of allegation categorised as ‘abuse of authority’.
- Neglect of Duty – allegations that a garda failed to take an action that could have been reasonably expected – such as returning a phone call at one end of the scale, or properly investigating an alleged serious crime at the other end of the scale - would be typical examples of ‘neglect of duty’.
- Discourtesy – complaints around how a garda spoke to or behaved towards a person go into this category.
- Non-Fatal Offences – these are allegations of a criminal offence listed in the Non-Fatal Offences against the Person Act 1997, for example assault, harassment or false imprisonment.

1.4 ADMISSIBILITY

All complaints received by GSOC are assessed against criteria listed in the Act to determine if they are admissible. If they meet those criteria, they can be dealt with by GSOC; if they don’t, they are deemed inadmissible.

Chart 3: Complaint Admissibility Decisions (Total Complaints: 1,949)



How do we Decide if a Complaint is ‘Admitted’ for Investigation?

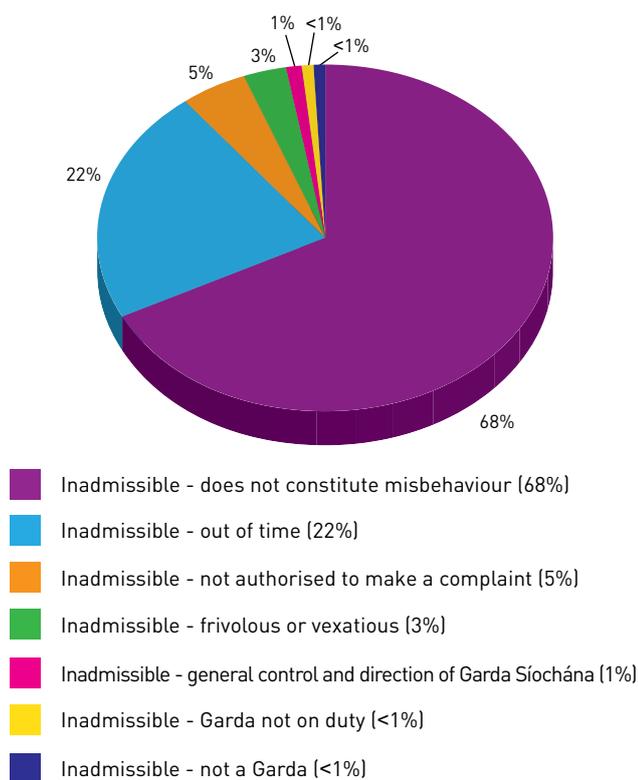
According to section 87 of the Act, GSOC can admit a complaint if it:

- **is** made by (or, in certain circumstances, on behalf of) a person who is directly affected by, or who witnesses, the conduct subject of complaint;
- **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;
- **is not** frivolous or vexatious;
- **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.

1.5 INADMISSIBLE COMPLAINTS

In 2017, 586 of the complaints received were deemed to be completely inadmissible, as none of the allegations in them (841 in total) fulfilled the admissibility criteria laid out in the Act. The chart below shows the reasons.

Chart 4: Reasons for Inadmissibility of Allegations in Fully Inadmissible Complaints (Inadmissible Allegations: 841)



The most common reason—with 575 allegations—was that, even if proven, the alleged behaviour would not be a crime or a breach of the Discipline Regulations.

The second most common reason not to admit a complaint for investigation was because the allegation(s) contained were outside the time limit—12 months after the date of the conduct complained of—specified in section 84 of the Act. In 2017, 187 allegations were determined to be inadmissible for this reason. While GSOC has some discretion to admit complaints outside the specified time period, there is a practical reason for a time limit in the majority of cases; the more time that has elapsed between the incident and

the complaint, the more difficult it is to conduct an effective investigation which involves preserving evidence, finding potential witnesses, and securing accurate statements.

1.6 ADMISSIBLE COMPLAINTS

In 2017, 1,330 cases (containing at least one admissible allegation) were admitted for investigation and dealt with in one of five ways. The chart below details the type of investigation opened in 1,320 cases (the type of investigation had yet to be decided in ten cases at the end of the year).

Chart 5: Investigations Opened by Type (Total Complaints Admitted for Investigation: 1,320)

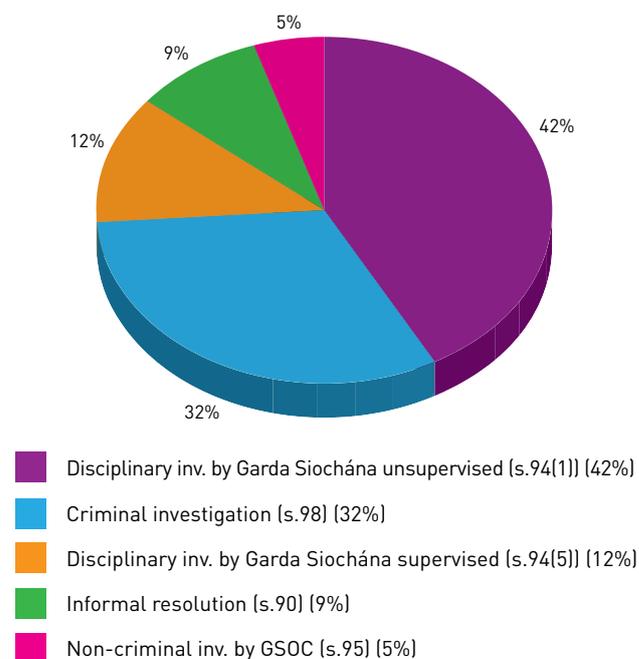


Chart 5 shows the way in which each admitted complaint was initially dealt with. This can change during the lifetime of the case. For example, an unsupervised disciplinary investigation can be escalated to a supervised one, or to a non-criminal investigation undertaken by GSOC. Or, once the criminal aspects of a complaint have been investigated, any non-criminal aspects may then be looked into.

1.6.1 Criminal investigations

All allegations of criminal offences by gardaí (under section 98 of the Act) are investigated by GSOC's own investigators. There were 422 criminal investigations opened in 2017.

1.6.2 Disciplinary investigations

There are four ways allegations of breaches of discipline can be handled:

Informal resolution (under section 90 of the Act) – Sometimes it makes the most sense for the Ombudsman Commission to try to work with both parties to resolve a situation informally, for example if a person is complaining that their property has not been returned. This can be much quicker than a formal investigation. It is a voluntary process, requiring the consent of both parties. 116 informal resolution cases were opened in 2017.

Case summary

A man complained to GSOC about how he'd been spoken to when he attended his local garda station to produce his insurance documentation after a minor road traffic incident. The garda at the station queried the validity of the documentation and informed him that he, the garda, would make the necessary enquiries and follow up with the insurance company. The member of the public offered to contact his insurance company and, while the garda stated that this was not necessary, the man remained in the station and contacted his insurance company by phone. He offered his phone to the garda so that the garda could speak to the insurance company, but the garda refused to do this and told the man to end the call before closing the hatch door.

The complaint was admitted and considered suitable to be dealt with by informal resolution. Both parties consented to this. »

» The GSOC case manager spoke to both parties over the phone and each person's situation was explained to the other. The garda explained why the complainant was asked to end the call, and the complainant said he understood the explanation given. The garda also understood why the complainant was upset on the day and why he had made the complaint to GSOC. Both agreed that the complaint had been successfully resolved.

Case summary

A man was stopped by a garda after he was observed driving with two young children who were not wearing seatbelts. He was issued with a fine and notice of penalty points, and complained to GSOC about the encounter with the garda.

The matter of the fine and the penalty points was deemed inadmissible because the appropriate forum to appeal the fixed penalty is the District Court. However, the complaint about the way he was spoken to by the garda was admitted and considered suitable to be dealt with by means of informal resolution. Both the garda and complainant consented to this.

Through shuttle mediation over the phone, the GSOC case manager explained each party's perspective of the encounter to the other. The garda explained why the vehicle was pulled over. The complainant accepted the explanation. Both agreed that the complaint had been successfully resolved.

Supervised disciplinary investigation and unsupervised disciplinary investigation (under section 94 of the Act) – These are conducted by Garda Superintendents in line with the Discipline Regulations. GSOC can decide whether to supervise the investigation or not. The majority of complaints referred to the Garda Commissioner for investigation under section 94 are unsupervised.

- If an investigation is unsupervised, the protocols between GSOC and the Garda Síochána say that it must be completed

and a final report issued within 16 weeks. An example of the kind of case that is investigated in this way is an allegation that there was abuse of authority in the manner in which an arrest was conducted. There were 557 such cases opened in 2017.

- If it is supervised, a designated GSOC investigator will meet with the Garda Superintendent to agree an investigation plan, can direct and partake in the investigative actions, and must receive interim reports. The protocols say that supervised disciplinary investigations must be completed and an investigation report provided within 20 weeks. An example might be a more serious allegation of neglect of duty, such as lack of, or insufficient, investigation of a serious crime reported to the gardaí. There were 154 such cases opened in 2017.

Case summary

Two gardaí were found to be in breach of discipline over their handling of a hit-and-run incident in which the driver of a vehicle left the scene after crashing into a parked car.

GSOC received a complaint from the father of the young man who owned the parked car—the father said that the gardaí had failed to properly investigate the incident or to notify them of a court case.

A Garda Superintendent, investigating on behalf of GSOC, took statements from the father and son who described how they were both at home one evening when they heard a loud bang outside. When they went out, they saw that a man, who appeared to be intoxicated, had crashed into and damaged the son's car. That man left the scene on foot without leaving any personal information. »

» Gardaí were called to the scene and made enquiries to try to identify the person who had left the scene. One of the gardaí later identified, arrested and charged the driver of the vehicle. But no formal identification of the driver was carried out and possible witnesses were not identified, and the case was dismissed in the District Court.

At the end of the investigation the Garda Superintendent, who also established that the gardaí had made no sketch of the scene on the night of the incident, forwarded a report to GSOC summarising his findings. The two gardaí concerned were found to be in breach of discipline for neglect of duty and sanctions were imposed by the Garda Commissioner.

Case summary

A garda was found to be in breach of discipline for neglect of duty after a woman complained to GSOC that a theft of property had not been investigated and that she had not been kept informed of progress on the case.

GSOC believed that the complaint could be dealt with informally without the need for an investigation by a Garda Superintendent. But while the woman consented to this, the garda concerned did not and, as a result, a disciplinary investigation was undertaken by a Garda Superintendent on behalf of GSOC.

The Superintendent established that the theft had taken place on a bus and the woman reported it at a garda station at the end of her journey. The garda against whom the complaint was made confirmed he took the original report and forwarded it to another garda station. But as the exact location of the theft could not be established, the report of the theft was returned by email to the original garda for investigation. It was not investigated. The Garda Superintendent conducted enquiries with the Garda IT section to see if the returned email was received or opened by the garda concerned but this could not be confirmed. »

» At the end of the investigation, the Garda Superintendent forwarded a report to GSOC summarising his findings; the garda concerned was found to be in breach of discipline for neglect of duty and sanctioned.

Case summary

A woman complained to GSOC about the behaviour of a uniformed garda she encountered in a pub. She said the garda had approached her and her two female friends, and had made some remarks which she took to be a comment on her hair. She said the garda sat between herself and one of her friends, placed his garda hat on her head and draped his arms around the shoulders of the two women while a friend took photographs. The woman said she was uncomfortable with where the garda had placed his hand; she also said that another person in the pub had commented that he had seen the garda drinking alcohol earlier in the day.

GSOC initiated an investigation, with a Garda Superintendent conducting the investigation supervised by a GSOC investigator.

A sergeant said he had seen the garda in question eating in the smoking area of the pub on the evening in question and had told him to have his meal at the garda station. The pair walked back to the station and the sergeant then noticed that the garda smelt of alcohol – it was agreed the garda would finish duty shortly afterwards and go home.

When interviewed during the investigation, the garda complained of accepted that he had breached discipline and acknowledged the embarrassment caused to the Garda Síochána and himself. He also offered an apology to the complainant. The investigating Garda Superintendent recommended a financial sanction be imposed in respect of two incidents of discreditable conduct and sanctions were applied.

Case summary

A man whose home was searched by gardaí looking for evidence relating to a criminal investigation in which the complainant was the suspect complained to GSOC about how he was treated during the search.

The complaint was designated for supervised disciplinary investigation and a Garda Superintendent, supervised by a GSOC designated officer, carried out the investigation.

Following from the investigation, GSOC reported that there was sufficient evidence to indicate that a breach of discipline may have occurred and recommended that the Garda Commissioner take disciplinary action against the sergeant who was in charge of the search. The GSOC report to the Garda Commissioner noted that the sergeant did not appear to have kept adequate written records of the search or created a separate PULSE record regarding the search.

GSOC was subsequently informed that a Garda Superintendent who reviewed the GSOC file and submissions from the sergeant had found the sergeant was not in breach of discipline.

A GSOC request to the Garda Síochána for information on the reasons for that decision – that the sergeant was not in breach of discipline – was not acceded to.

Case summary

A man complained to GSOC about how a garda had dealt with him after he reported his car stolen. The man had reported the theft in June 2015; he said he knew who had stolen the car and the garda dealing with the case had contacted both the person who had stolen it and the individual to whom it had been sold. »

» The garda told the complainant that the car would be returned in two weeks, but that didn't happen. The man went back to the garda a few times and, in August 2015, the garda said the case was "registered in the computer" but that the complainant couldn't have the car back until the court case started.

In January and February 2016, the complainant attempted to contact the garda again without success. In March 2016, the garda visited the complainant and said he had forgotten to record the case and could be in trouble for this. The garda then offered the man €500 in compensation. The complainant rejected the offer and had not heard from the garda since.

The investigation into the complaint was conducted by a Garda Superintendent and supervised by GSOC. It found the garda was in breach of the Garda Síochána Disciplinary Code on three counts of neglect of duty and two counts of Discreditable Conduct. A monetary sanction was imposed.

Non-criminal investigation by GSOC (under section 95 of the Act) – Certain cases which do not appear to involve criminal offences, but which may involve disciplinary and/or systemic matters, may be undertaken by the Garda Ombudsman's own investigators. 71 such cases were opened in 2017.

1.6.3 Outcomes of investigations

1,702 complaints containing 4,155 allegations were closed in 2017.

Of these, 1,061 complaints containing 3,222 allegations were admitted and investigated (the remainder were closed after being deemed inadmissible or after being withdrawn).

While the 1,061 complaints all contained one or more admissible allegations, 240 of the allegations contained in them were inadmissible, so these were not investigated. In total 2,982 allegations were investigated and the outcomes are described in Table 1.

Reviews of disciplinary investigations

If a complainant is dissatisfied with the result of an unsupervised investigation undertaken by a Garda Superintendent, section 94(10) of the Act provides that the complainant can request that a GSOC officer review the matter. In these reviews, GSOC's role is to establish if the investigation was comprehensive enough and the outcome appropriate.

GSOC does not have the power to substitute the decision or finding with a new decision. GSOC provides a report to the Garda Commissioner where concerns in relation to how the investigation was conducted and/or its outcome arose. As the disciplinary process has been concluded in these cases, the case cannot be re-opened or the outcome changed. It is hoped that the feedback may contribute to a reduction in similar issues in future investigations.

58 requests for review were received in 2017 (in relation to investigations completed in 2017 or other years). 37 were completed by year end and 21 remained open.

Table 1: Outcomes of complaints closed in 2017

Outcome/ Reason	Explanation	Type of investigation concerned	Number of allegations
Discontinued - Further investigation not necessary or reasonably practicable	The most common scenarios here are (in order of frequency) that there was no independent evidence to prove either version of events; or the complaint was deemed to be frivolous or vexatious* after investigation had begun.	All types	2,036
No breach of the Discipline Regulations identified	The allegations were investigated and the garda whose conduct was complained of was found to have acted correctly.	Disciplinary investigation by the Garda Síochána (s.94) or by GSOC (s.95)	449
Allegation withdrawn	The person who made the complaint indicated that they would not pursue it.	All types	270
Non-cooperation by the complainant	The complainant failed to engage with investigation.	All types	80
Breach of Discipline Regulations identified and sanction applied	A range of sanctions may be applied depending on the gravity of the breach found (see Table 2). The identification of the specific breach and any sanction to be applied is a matter for the Garda Commissioner under the Discipline Regulations. GSOC has no role in this process.	Disciplinary investigation by the Garda Síochána (s.94) or by GSOC (s.95)	66
No misbehaviour identified following criminal investigation	The most common scenario here is that there was no independent evidence to prove the allegation(s) made.	Criminal investigation by GSOC (s.98)	59
Garda Discipline Regulations no longer apply	The garda subject of a disciplinary investigation retired or resigned prior to, or during, the investigation.	Disciplinary investigation by the Garda Síochána (s.94) or by GSOC (s.95)	13
Informally resolved	The matter was resolved to the satisfaction of both parties.	Informal resolution (s.90)	6
Referred to the DPP - No Prosecution Directed	If there is evidence that an offence may have been committed following criminal investigation, the case is referred to the DPP, who makes a decision on whether or not to prosecute or not. In certain cases, the Ombudsman Commission may refer a case to the DPP to ensure full transparency and public confidence. (See further detail in Section 2.)	Criminal investigation by GSOC (s.98)	3**
TOTAL OUTCOMES			2,982

* The term 'frivolous or vexatious' is used in the Act, section 87 (2) (d), as a reason for inadmissibility.

** The figure 3 refers here to the number of files, arising from complaints, which were sent to the DPP and for which the DPP directed no prosecution. Cases in which the DPP has directed prosecution on foot of files sent by GSOC in relation to complaints are not included in this table because, while prosecution has been directed, the cases have not yet closed. For further details on files sent to the DPP, see Legal Activity section on page 30.

Discontinued Cases

A large number of investigations are discontinued by GSOC every year for a variety of reasons including a lack of independent evidence, a lack of cooperation by the complainant, or the fact that, following an initial examination of the complaint by a Garda Síochána Investigating Officer (GSIO), it has been found to have no merit i.e. no justification for further investigation. Among the investigations referred by GSOC for investigation by the Garda Síochána and subsequently discontinued in 2017 were:

- GSOC received a complaint that gardaí did not properly investigate complaints about a neighbour flying a drone over private property. The unsupervised investigation found that gardaí had visited the complainant on a number of occasions and had tried, without success, to resolve the issue between the neighbours. It also found that the legalisation available to gardaí does not include use of the type of drone used by the neighbour. As the investigation established that gardaí had done all they could in the circumstances, and that there was no evidence of misconduct on the part of gardaí, the investigation was discontinued.
- A person complained to GSOC after she and a family member were served with Anti-social Behaviour Orders (ASBOs) by the Garda Síochána. The woman had reported an alleged assault on the family member by a neighbour to the gardaí, and was awaiting follow-up when she was served with the ASBO. GSOC referred the complaint for an unsupervised investigation which found that gardaí had investigated the woman's complaint but potential independent witnesses nominated by the complainant did not wish to be interviewed. As a result the decision to issue the ASBOs was based on the evidence available to gardaí about the parties involved in the dispute. The investigation was discontinued because the GSIO established that the matter had been appropriately investigated and dealt with appropriately. Gardaí had no case

to answer and the investigation was discontinued.

- A man made a complaint to GSOC alleging he was wrongly prosecuted following his report of a hit and run incident in which he claimed he was the victim. The complainant also alleged he was harassed by a garda. The complaint was referred for an unsupervised investigation which found that the complainant reported a traffic accident to a garda who was obliged to investigate it and establish that both drivers had driving licences and insurance. The complainant was found not to have insurance and he was subsequently summoned to court in relation to that. The investigation was discontinued on the basis that the garda's behaviour was appropriate in the circumstances.
- A woman complained to GSOC that gardaí spoke to her rudely outside a building in relation to ongoing complaints about a neighbour about their dogs. The woman and her neighbour were both subsequently issued with Anti-Social Behaviour orders (ASBOs). The complaint was referred for an unsupervised investigation and subsequently discontinued on the basis that there was no independent witness identified who could corroborate how the woman was spoken to and therefore an independent version of events could not be established.
- GSOC began an investigation after a man alleged to GSOC that a garda wrongly issued him with a fixed charge penalty for using his mobile phone while driving, and that the garda was rude to him when issuing him with the notice. The complaint regarding the issuing of the fixed penalty was determined to be inadmissible as the proper place to appeal a fixed charge penalty is in court. The complaint of discourtesy was referred to the Garda Síochána for an unsupervised investigation. However, there was no independent witness available to substantiate either version of events and the complaint was discontinued on that basis.

Informal Resolution in 2017

The current legislation governing GSOC requires the consent of both the complainant and the garda concerned for informal resolution (IR). In less than one-in-four cases deemed suitable for IR did both parties give their consent.

Complaints deemed suitable for IR accounted for 167 allegations closed in 2017.

- Only 6 of these allegations were recorded as informally resolved, following consent.
- 39 of the allegations were escalated to a formal disciplinary investigation in the absence of consent to IR, or if GSOC was unable to informally resolve the case to the parties' satisfaction.
- In the remaining 122 allegations, the case was "discontinued", or closed without any further action, following enquiries with both parties. In some of these cases, a resolution of sorts may have been found, but could not be recorded because GSOC did not have the written consent of both parties required under the current legislation. In other cases, there may have been no resolution, but GSOC did not believe that the allegations warranted formal investigation.

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 the Discipline Regulations by a garda, the Garda Síochána makes a decision on whether there is indeed a breach. A range of sanctions may be applied, depending on the gravity of the breach found. The sanctions applied in 2017, following decisions of a breach of discipline, are below.

Table 2: Sanctions applied by the Garda Commissioner in 2017, following disciplinary investigations

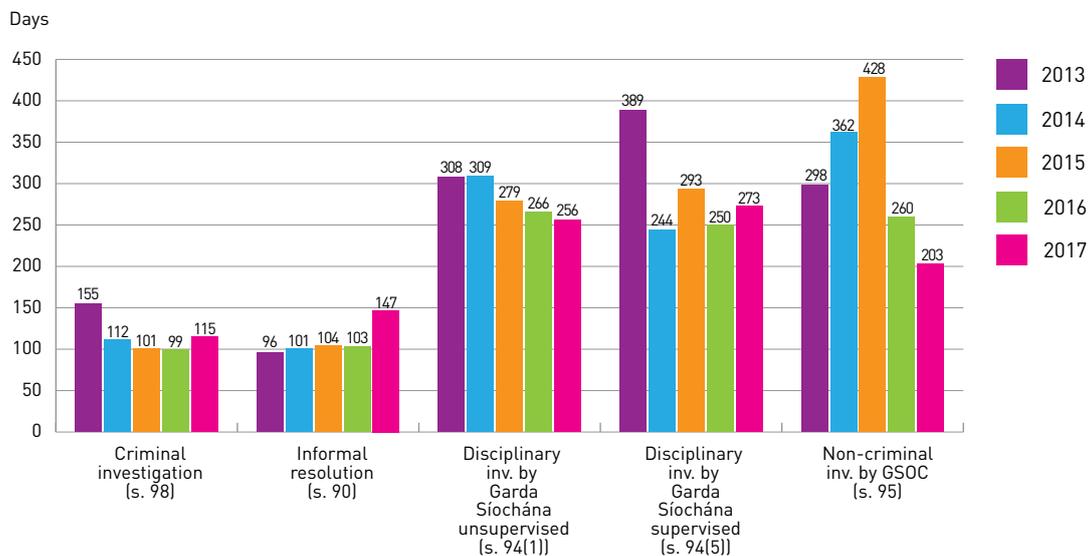
Sanction	Number
Advice	33
Reduction in pay/ fine	19
Warning	9
Caution	3
Reprimand	2
TOTAL SANCTIONS	66

In addition to the above outcomes, which were findings in relation to the behaviour of individual gardaí, some investigations highlighted situations where the problem may have arisen due to a systemic or management issue rather than due to the behaviour of an individual. With a view to reducing or eliminating the incidence of similar complaints in the future, recommendations, in relation to policies, practices, etc. were sent to the Garda Commissioner—please see page 31.

1.6.4 Time Taken to Close Cases

In 2017 GSOC reduced the time it took to close cases in some investigations, but in others, notably criminal investigations and informal resolutions, the length of time increased. Factors including the complexity of cases or resources within GSOC may have contributed to the increased time taken to close investigations. GSOC is committed to improving the time it takes to close/complete investigations. Chart 6 shows the median time it took to close cases by type by the end of 2017.

Chart 6: Time taken to close investigations (in days)



Criminal Investigation

At the end of 2017, the median time taken to close criminal investigations was 115 days. This was an increase of 16 days on the 2016 figure.

Criminal investigations are subject to a review process, which includes standard control measures. As part of this process, cases which have been open for 60 days are formally reviewed by Senior Investigations Officers and those which have been open for 90 days are formally reviewed by the Deputy Director of Investigations. Cases open for 120 days are brought to the attention of the Director of Investigations for appropriate decisions. In parallel, cases categorised as containing a very serious allegation are subject to review on a bi-monthly basis by the Director of Investigations and the Ombudsman Commission.

Disciplinary Investigations

- The majority of disciplinary investigations are unsupervised and the protocols between GSOC and the Garda Síochána say that these must be completed and an investigation report provided within 16 weeks/ 112 days. [A typical complaint dealt with in this manner might allege that someone was mistreated while being arrested or in Garda custody.] In

relation to these unsupervised disciplinary investigations undertaken by the Garda Síochána, the median duration at the end of 2017 was 256 days, which was an improvement of ten days on 2016 (266 days). This is a continued improvement that has seen the median time drop by nearly two months in the past three years.

- In the case of supervised investigations, the protocols say that investigations must be completed and an investigation report provided within 20 weeks/ 140 days. The median duration for 2017 was 273 days, which is an increase of 23 days on the 2016 figure.

Informal Resolution

The median time taken to close informal resolution cases was 147 days at the end of 2017, which is an increase on the 2016 figures.

Non-Criminal Investigation by GSOC

The median duration for non criminal investigations by GSOC for the year was 203 days. This is a significant reduction from 260 days in 2016 and 428 days in 2015.

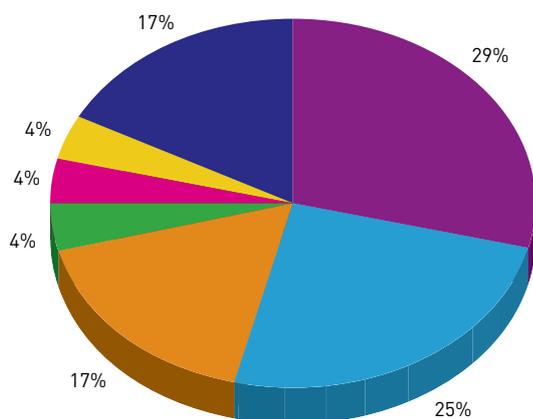
SECTION 2: INDEPENDENT INVESTIGATIONS FOLLOWING DEATH OR SERIOUS HARM

2.1 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”.

GSOC received 24 referrals in 2017 compared with 51 in 2016 and 52 in 2015. The decrease in the number of referrals is noteworthy but the decision to refer is one for the gardaí alone. This power is delegated by the Garda Commissioner to Superintendents whose responsibility it is to decide if it is appropriate to refer an incident, in order that it be investigated independently

Chart 7: Circumstances in Referrals



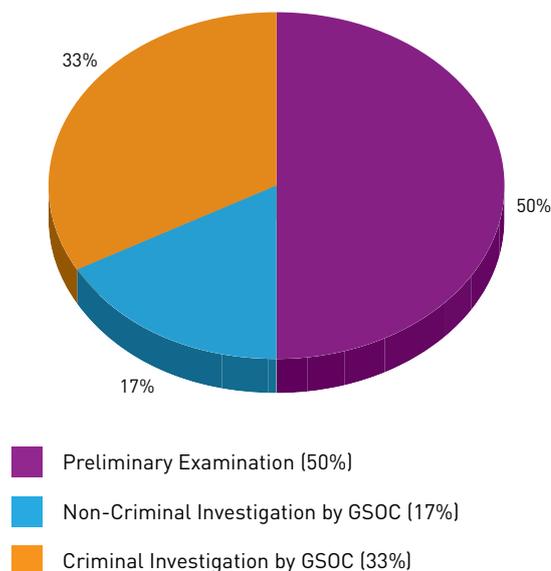
- Road Policing (29%)
- Arrest (25%)
- During Police Custody (17%)
- Disclosure of Information (4%)
- Property Issue (4%)
- Public Order (4%)
- Other (17%)

How GSOC Investigates Matters under Section 102

Once GSOC receives a referral from the Garda Síochána, we must investigate the matter.

We aim to respond proportionately, according to the circumstances. It is sometimes the case that, following an initial examination, it is clear that there is no evidence of misbehaviour or criminality by a garda. At the other end of the scale, sometimes it is appropriate to undertake a full criminal investigation and refer the case to the DPP.

Chart 8: Investigation Types in Referrals (Total Referrals Received: 24)



Seven of the referrals received in 2017 related to fatalities. Of these, three related to road traffic incidents.

If there has been a fatality, there must be particular consideration given to the State’s obligations under Article 2 of the European Convention on Human Rights (ECHR). Article 2 states that everyone’s right to life shall be protected by law. The European Convention on Human Rights Act 2003 requires that Irish state bodies, including the Garda Síochána, perform their functions “in a manner compatible with the State’s obligations under the convention provisions”.

To be compliant with Article 2, investigations into deaths following police contact should adhere to five principles developed by the European Court of Human Rights. These are:

- Independence
- Adequacy
- Promptness
- Public Scrutiny
- Victim Involvement.

The fact that such investigations are undertaken by GSOC fulfils the requirement for independence. We are conscious of upholding the other four principles too. Victim involvement is directly related to the work undertaken in 2017 to comply with legislation outlining the rights of victims of crime.

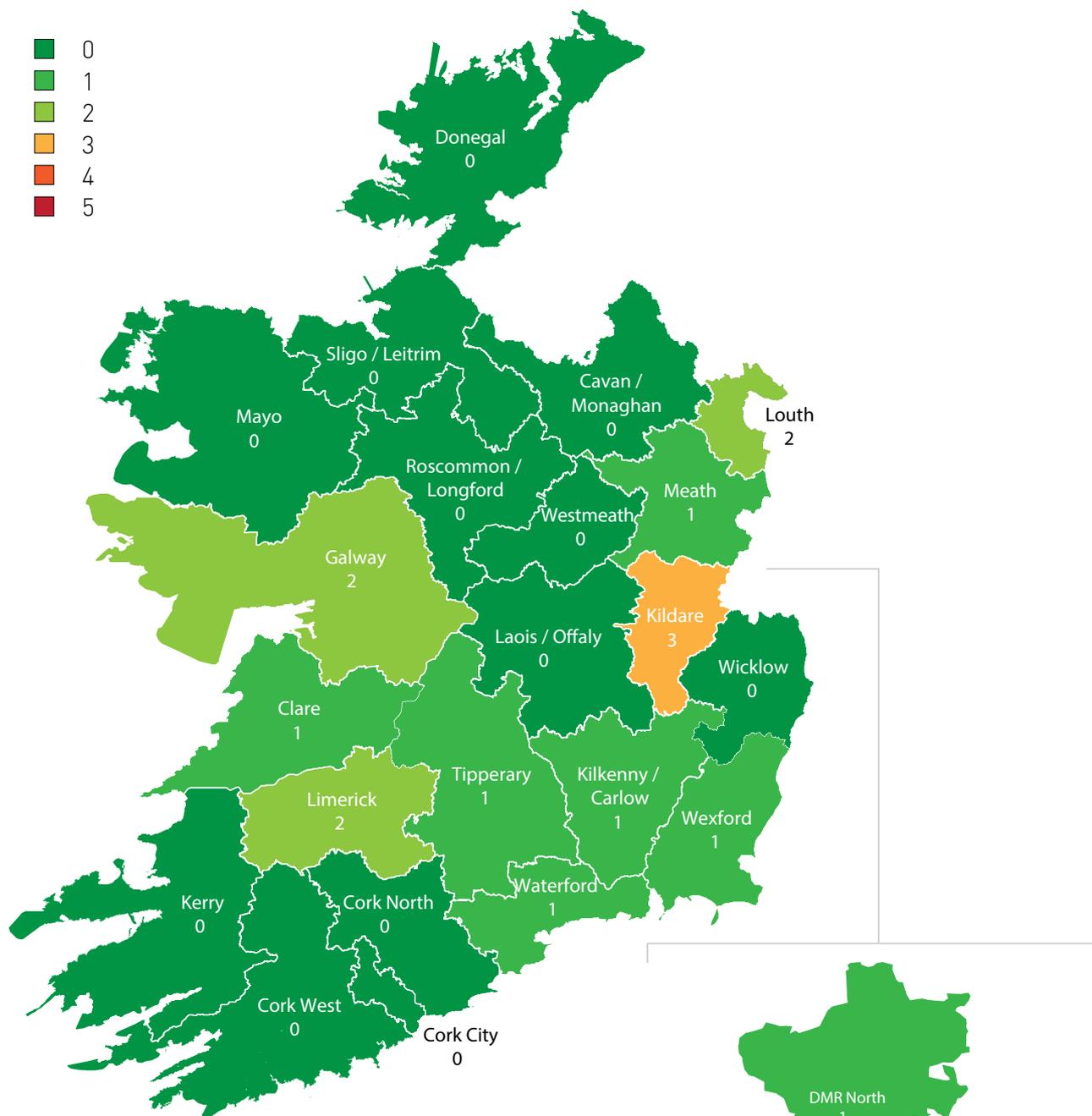
Case summary

A referral was received from the Garda Síochána following the death of a man who, immediately prior to his death, was in contact with gardaí. An independent investigation, with consideration for the State's obligations under Article 2 of the European Convention on Human Rights (ECHR), was conducted to establish the circumstances of his death. The investigation established that gardaí were called to a private home to assist a medical practitioner who had also been asked to attend following a violent outburst from a young man who was living in the home. The gardaí made several attempts to calm the young male down but were unsuccessful. The man became unwell and unresponsive. Medical assistance was provided and attempts were made to resuscitate the man, but his condition deteriorated and he died.

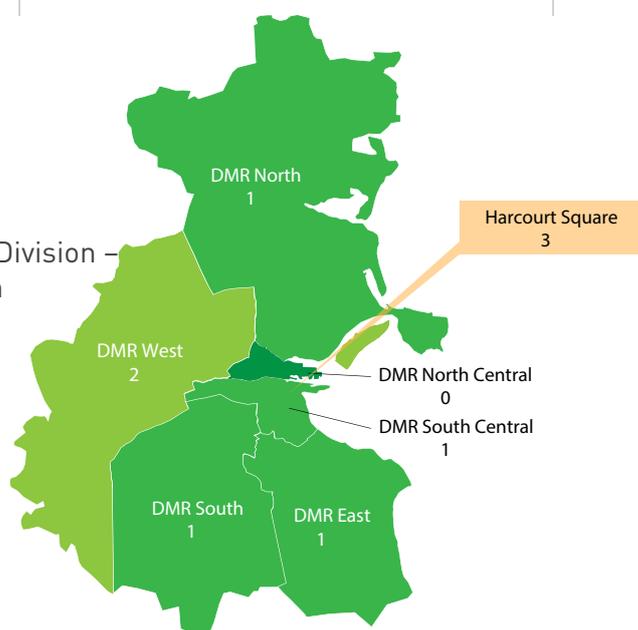
GSOC investigators took statements from gardaí and those who were present at the scene. The investigation did not disclose any conduct which could be considered a breach of the Garda Síochána (Discipline) Regulations 2007. In fact, the family praised the gardaí for their professionalism. As the case involved a fatality, a file was forwarded to the Director of Public Prosecutions having regard to the responsibilities of the State under Article 2 of the European Convention on Human Rights. No prosecution was directed.

Geographical Distribution of Referrals made by the Garda Síochána in 2017.

Map 3: Referrals by Garda Division
(Excluding Dublin Metropolitan Region)



Map 4: Referrals by Garda Division –
Dublin Metropolitan Region



Case summary

A referral was made to GSOC in February 2017 after a car, which gardaí had been trying to stop, crashed. Gardaí pursued a vehicle after it failed to stop when it had been signalled to do so. The vehicle entered a roundabout the wrong way, clipped another vehicle and then crashed into a wall. Before the crash, the driver tried to swap clothes with the passenger to confuse gardaí about who was driving—in doing so, he lost control and the car crashed. The driver and two passengers were arrested. Two occupants required medical attention following the crash and the matter was referred to GSOC under section 102(1) of the Act.

An examination was carried out by GSOC and it found there had been no contact at any point between the garda vehicle and the one that crashed. The investigation did not disclose any breaches of discipline by gardaí and the case was discontinued.

Case summary

A road traffic incident was referred to GSOC by the Garda Síochána after the driver sustained non-life threatening injuries. Gardaí were searching a particular location for a vehicle which had been reported stolen when it was seen leaving the area travelling at speed. Gardaí followed, remaining at a safe distance. The driver of the stolen vehicle continued driving extremely dangerously through a built-up area, putting his life and that of his passenger in danger. An assessment was carried out by gardaí and the instruction was given to stop pursuing the vehicle. The vehicle hit a wall and rolled, after the driver lost control attempting to turn a corner. The driver was removed to the hospital and the referral was made to GSOC.

GSOC requested and reviewed documents, reports, CCTV and submissions from the gardaí involved. The investigation did not disclose any offences or potential breaches of discipline by any member of the Garda Síochána. No further action was taken by GSOC.

Case summary

A garda was sanctioned for neglect of duty over an investigation of a road traffic collision in which a member of the public was breathalysed but the off-duty garda, whose vehicle rear-ended the other person's car, was not.

The matter was referred to GSOC by a superintendent after an inspector raised concerns about the case. GSOC commenced a criminal investigation which ultimately disclosed no criminal offences, but it was apparent that garda members may have been in breach of discipline. GSOC directed that a further disciplinary investigation be conducted, which was supervised by GSOC. The investigation carried out on GSOC's behalf by a different Garda Superintendent established that two garda members attended the road traffic incident in the early hours of a Sunday morning. They inspected both vehicles and found no visible damage. While an ambulance was called, it was not required by the member of the public involved in the collision. That person was breathalysed at the scene, and the test proved negative. The off-duty garda who crashed into the rear of his car was not breathalysed. The investigating garda said that after speaking with the off duty garda there was no indication that the driver was under the influence of alcohol and as a result was not breathalysed.

GSOC recommended that the investigating garda may have been in breach of discipline. This recommendation was accepted and the garda received a disciplinary sanction for neglect of duty.

2.1.2 Outcomes of Investigations following Referrals

GSOC closed 18 investigations in 2017, initiated (in 2017 or previous years) as a result of referrals from the Garda Síochána.

Table 3: Types of investigation and their outcomes (investigations following referrals, closed in 2017)

Type of investigation and outcome	Cases
Case closed after initial examination showed no evidence of misbehaviour or criminality by a garda.	9
Non-criminal investigation undertaken and concluded, finding no evidence of misbehaviour by a garda – no further action taken.	3
Non-criminal investigation undertaken and concluded – sanction applied by the Garda Commissioner.	1
Non-criminal investigation undertaken and concluded – no sanction applied by the Garda Commissioner.	2
Criminal investigation undertaken and concluded, finding insufficient evidence of criminal misconduct by a garda – no further action taken.	1
Criminal investigation undertaken and concluded – referred to the DPP – prosecution directed.	0
Criminal investigation undertaken and concluded – referred to the DPP – no prosecution directed.	2
Case discontinued due to lack of cooperation from the injured party and no other issues of concern.	0
TOTAL	18

SECTION 3: INVESTIGATIONS IN THE PUBLIC INTEREST

As well as providing for the referral of matters to GSOC by the Garda Commissioner, section 102 of the Act provides for investigations to be undertaken in the public interest, even in the absence of a complaint or a referral by the Garda Commissioner.

Section 102 (4) of the Act provides that:

“The Ombudsman Commission may, if it appears to it desirable in the public interest to do so and without receiving a complaint, investigate any matter that appears to it to indicate that a member of the Garda Síochána may have–

- (a) committed an offence, or*
- (b) behaved in a manner that would justify disciplinary proceedings.”*

Section 102 (5) adds that:

“The Minister may, if he or she considers it desirable in the public interest to do so, request the Ombudsman Commission to investigate any matter that gives rise to a concern that a member of the Garda Síochána may have done anything referred to in subsection (4), and the Commission shall investigate the matter.”

In addition, the Policing Authority may request GSOC to investigate matters in the public interest and both the Policing Authority and the Minister may refer a matter to GSOC for the Ombudsman Commission to consider whether it should investigate it in the public interest.

Eleven public interest investigations were closed and 14 were opened in 2017.

Of the 14 cases opened, 11 were opened by GSOC under section 102(4) and the other three were referred by the Minister. Among the 11 cases concluded in 2017 were:

- A complaint was received from a male who alleged he received minor injuries as a result of force being used by gardaí when handcuffing him during his arrest. A referral was received from the Minister for Justice under the Independent Review Mechanism* (IRM) and a disciplinary investigation was carried out by GSOC.

The GSOC investigation found there was insufficient evidence to support an allegation against the gardaí. No further action was taken.

- GSOC opened an investigation in the public interest following the accidental discharge of a firearm by a member of the Garda Regional Support Unit (RSU). Enquiries carried out by GSOC established there were no injuries and no damage caused as a result of the discharge. Examination of the firearm revealed no mechanical defects which could have caused an unintentional discharge. It appeared that the discharge may have occurred due to an equipment issue, causing the safety on the firearm to become accidentally disengaged. Recommendations were made to the Garda Síochána to address the risks highlighted by the investigation.
- A referral was received from the Minister for Justice and Equality under the IRM following a complaint that information about the search of a household by gardaí appeared in the media. A criminal investigation was undertaken, and concluded with GSOC finding insufficient evidence to identify the source of the information published in the media.
- A complaint about the Garda investigation of a fatal road incident led to a public interest investigation by GSOC. The investigation entailed a review of the adequacy of the original Garda investigation into the incident, with GSOC examining the Garda Report to the DPP on the traffic incident. GSOC’s disciplinary investigation identified no breaches of discipline, and no further action was taken.

Among the 14 investigations ongoing at the end of 2017 is the investigation into accounts associated with the Garda College Templemore.

- The Ombudsman Commission initiated an investigation, in the public interest, on foot of information it received from the Garda authorities in June 2017, concerning alleged financial irregularities in the Garda College in Templemore. This investigation

required the recruitment of external expertise to progress the investigation. GSOC made use of the provisions of section 74 of the Garda Síochána Act 2005 to seek the 'special assistance' of the Garda Síochána to undertake the investigation, which is on-going.

*The Independent Review Mechanism (IRM) was established by the-then Minister for Justice and Equality in 2014. Its purpose was to consider allegations of Garda misconduct, or inadequacies in the investigation of such allegations, with a view to determining to what extent and in what manner further action might be required in each case. A panel of two senior and five junior counsel was established to review allegations.

Under section 102(5) of the Act, the Minister requested GSOC to carry out public interest investigations of a total 21 cases, arising from the IRM. Ten of the investigations were opened in 2015 and 11 in 2016. Of the 21 investigations received, ten remained open at the end of 2017.

Case summary

GSOC launched a public interest inquiry into the circumstances of an incident in which a man was struck twice with a garda ASP baton during a protest.

Gardaí had been called after a person reported being assaulted during a heated public protest. During the arrest of a protester the crowd surrounded a garda and pulled away the person the garda was arresting. The arresting garda deployed an ASP baton, striking another protester twice, once on the leg and immediately afterwards, on the shoulder/neck area.

An investigation into the circumstances of the incident was launched by GSOC under section 102(4) of the Act, and designated (under section 98) a criminal investigation. An investigation report and file was submitted to the DPP who directed that there be no prosecution in this matter.

GSOC decided to continue the investigation (under section 95) as a potential breach of discipline. That investigation found evidence that the actions of the arresting garda may have been excessive and may have amounted to an excessive use of force, contrary to the Garda Disciplinary Regulations. A report was forwarded to the Garda Commissioner identifying this evidence.

Based on the Statement of Facts provided in the GSOC report, the Garda Commissioner found the arresting garda was in breach of the Garda Disciplinary Regulations for an abuse of his authority. A sanction was imposed by the Garda Síochána.

SECTION 4: LEGAL ACTIVITY FOLLOWING CRIMINAL INVESTIGATION

Criminal investigations are undertaken by GSOC every year in respect of both complaints (described in section 1) and referrals from the Garda Síochána (described in section 2). If the conduct being investigated may constitute a criminal offence GSOC must refer the file to the Director of Public Prosecutions (DPP) for consideration. It is the DPP who decides whether or not the case is to be prosecuted in the courts.

In 2017, following criminal investigation by GSOC, 16 files were referred to the DPP resulting in:

- 10 directions for prosecution
- 5 directions for no prosecution
- 1 decision pending at the end of 2017.

Directions for prosecution were given in the following cases:

- Two gardaí to be prosecuted for assault contrary to section 2 of the Non-Fatal Offences Against the Person Act 1997 (“the 1997 Act”) in a case arising from a referral (by the Garda Síochána) to GSOC.
- Garda to be prosecuted for assault contrary to section 3 of the 1997 Act, and criminal damage contrary to section 2(1) of the Criminal Damage Act 1991 in a case arising from a complaint.
- Garda to be prosecuted for an offence contrary to section 2 of the Criminal Law (Rape) (Amendment) Act 1990 in a case arising from a referral.
- Garda to be prosecuted for careless driving contrary to section 52 of the Road Traffic Act 1961 in a case arising from a complaint.
- Garda to be prosecuted for an assault contrary to section 2 of the 1997 Act arising from a complaint.
- Garda to be prosecuted for dangerous driving causing death contrary to section 52 of the Road Traffic Act 1961; failure to keep vehicle at scene contrary to sections 106(1)(b) and (3)(aa) of the same Act; and failure to offer assistance contrary to sections 106(a) and 3(aa) of the same Act. The case arose from a referral.
- Garda to be prosecuted for assault contrary to section 2 of the 1997 Act in a case arising out of both a referral and complaint.

- Garda to be prosecuted for theft contrary to section 4 of the Theft and Fraud Offences Act 2001; and assault contrary to section 2 of the 1997 Act in a case arising from a complaint.
- Garda to be prosecuted for two counts of assault contrary to section 2 of the 1997 Act in a case arising from a complaint.
- A man, who made a complaint to GSOC, was prosecuted for two offences contrary to section 110 of the Garda Síochána Act, 2005. This section makes it an offence to provide to GSOC “*information that the person knows to be false or misleading*” in relation to a complaint or investigation. This case came before the courts in 2017. The man, who made false allegations to GSOC about being assaulted by gardaí, pleaded guilty to two offences and was given a four month suspended sentence.

(It should be noted that the term ‘garda’ above is used to describe a member of the Garda Síochána rather than the rank of the member.)

The DPP directed no prosecution in three cases arising from investigations into complaints, and two arising from referrals to GSOC.

SECTION 5: INFORMING GARDA POLICY AND POLICING PRACTICE

SYSTEMIC RECOMMENDATIONS

In the course of investigations, officers of GSOC sometimes encounter practices which, while not central to the complaint under investigation, indicate poor quality service to the public or a standard of policing which does not appear to meet best standards. On occasion, such practices may be ones GSOC has encountered before—they may recur in more than one case or more than one district. They are the kind of practices that can lead to further complaints by members of the public or make investigating complaints difficult. Outside of the more formal statutory reports following investigations, GSOC sends recommendations regarding such systemic issues to the Garda Síochána.

The Garda Síochána in recent years created a new office, the Strategic Transformation Office, to manage change. In acknowledgements GSOC received from the Garda Síochána in 2017 it was mentioned that many of these recommendations were passed to that office. It was too soon to say at the end of 2017 how well this system will work. Initial indications suggest that the Garda Síochána, through this office, are taking GSOC recommendations seriously and attempting to address them as part of the overall change management project. GSOC welcomes the establishment by the Garda Síochána of a central database of recommendations and looks forward to detailed engagement with the Strategic Transformation Office in 2018. The following are recommendations made by GSOC in 2017.

1. A requirement that gardaí identify themselves to the public

This complaint arose when a member of the public was questioned about who he was and what he was doing in the place where he was encountered. The member of the public was in fact an employee of the institution outside whose building this interaction took place. He had stepped out for a cigarette. The garda who questioned him was in plain clothes and did not identify himself as a garda when he began to question him. The member of the public reacted badly to being questioned by a complete stranger with, as he saw it, no justification. As a result, what should have been a straightforward policing interaction turned into a very unpleasant

encounter for both parties. At the end of the investigation, GSOC recommended that all gardaí and particularly those in plain clothes be reminded of their obligations under the Garda Code to disclose their identity and produce their identification in appropriate circumstances.

2. The duty to take care of prisoners when transporting them

This complaint arose when a man was arrested, handcuffed and brought to a garda station in a garda car. He complained that gardaí used force against him during the journey. It was established by GSOC that the gardaí did not fasten a seat belt on the prisoner when they put him in the garda car. This gave rise to the need to use force during the journey. At the end of the investigation, GSOC highlighted that gardaí have a duty of care to prisoners while they are transporting them. By not applying a seat belt to the prisoner in this instance they may have placed the prisoner, and themselves or colleagues, at risk. GSOC recommended that all gardaí be reminded of their obligations in this regard. The Garda Síochána forwarded the recommendations to the Chief Superintendent in the relevant district where the incident occurred and also to the Strategic Transformation Office.

3. The need to keep proper records

GSOC investigated an incident during which a 'Taser' had been used. Investigation found that the use of the 'Taser' was justified. However, the written records completed by the garda did not detail clearly enough his rationale for the use of force. This made it difficult at a later stage, when the complaint was made, to establish what had been in the garda's mind at the time of the incident. GSOC recommended that gardaí should be reminded of the necessity to utilise the Garda decision-making model and document their decision-making process. This would apply in particular to the consideration and discounting of other less lethal use of force options. The Garda Síochána forwarded the recommendation to the Chief Superintendent in Crime Policy and Administration and to the Strategic Transformation Office.

4. The obligation to keep proper custody records

This investigation began when a dispute arose between a prisoner and a garda regarding the amount of money that had been in the prisoner's pocket when he was taken into custody. He maintained that money was missing from his wallet when he was released. In the course of the investigation GSOC found that there was no record of gardaí returning the complainant's property to him—the relevant section of the record was blank. The complainant told GSOC that he had refused to sign a receipt for the return of his property. This was not recorded either. The absence of any proper custody record made the investigation very difficult. GSOC recommended gardaí be reminded of their duty to document properly prisoners' property and to record any refusal to sign a receipt for the return of property and the reason for it. The Garda Síochána forwarded the recommendation for the attention of the Chief Superintendent in Crime Policy and Administration.

In an unrelated investigation, the level of restraint and the use of what is commonly called pepper spray during the arrest of a prisoner was not recorded in the custody record. GSOC recommended gardaí be reminded of the provisions of the Garda Use of Force policy, and that the member-in-charge record the force used during the arrest of a prisoner in the custody record. GSOC believes that this should assist with the risk assessment and the safer handling of persons in custody.

5. The duty to preserve evidence

GSOC received a referral from the Garda Síochána after a garda pursuit ended in a single vehicle collision with the occupants of the vehicle having been taken to hospital. Although the incident had been referred to GSOC, the scene of the collision was not preserved by gardaí, and consequently GSOC investigators did not have the opportunity to examine the scene. This appeared to be as a result of a breakdown in communication within the Garda Síochána. GSOC recommended that gardaí be reminded that just because an incident is referred to GSOC for investigation, that does not mean that the Garda duty to preserve evidence ceases. It is the Garda Síochána who refer

incidents to GSOC and therefore the primary duty to preserve the scene for the purposes of collecting best evidence rests with gardaí, as they will have a presence at the scene in the first instance.

In an unrelated case, a member of the public made a complaint of assault. He made the complaint at a garda station and GSOC received the complaint from gardaí five days later. In that time CCTV which may have captured relevant footage of the incident in question had been deleted. Had gardaí conducted enquiries promptly, they may have been able to secure the evidence which could have been of assistance in the investigation. Again, GSOC reminded gardaí that their duty to preserve evidence does not cease just because the matter is being passed on to GSOC.

6. Vehicle pursuits by gardaí

An incident was referred to GSOC because it involved serious injury. Gardaí pursued a car and during the pursuit, the driver of the car lost control and crashed causing injuries and significant damage. The GSOC investigation established that there did not appear to be any effective supervisory control of the pursuit and that training and staffing issues within the Garda control room were an issue. GSOC recommended that vehicle pursuits by gardaí should be carried out in accordance with the Garda Code. It appeared to GSOC that the Code does not necessarily reflect the procedures used in Garda radio control rooms outside the Dublin Metropolitan Region (DMR), most likely due to staffing issues. In the DMR there is greater likelihood of a sergeant or inspector being available to assess the risk involved. Consideration should be given for the Garda Code to reflect local Garda procedures outside the DMR and to have radio control rooms fully resourced to manage vehicle pursuits safely.

7. Issues with the use of firearms

In responding to an incident, a member of the Garda Regional Support Unit accidentally discharged a firearm. Having been notified of the incident by gardaí, GSOC decided to investigate the matter in the public interest. The investigation established that there were no injuries and no damage was caused as a result of the

discharge. Examination of the firearm revealed no mechanical defects which could have caused an unintentional discharge. It appeared that the discharge may have occurred due to an equipment issue, causing the safety on the firearm to become disengaged accidentally. Following the incident the garda involved underwent further firearms training, successfully. GSOC recommended that the Garda Commissioner review the multipurpose ambidextrous sling used by the Garda Firearms Training Unit and operational personnel as it may have contributed to the accidental discharge. GSOC also recommended a review of the suitability of the use of tactical vests to allow for greater flexibility around the safe carrying of multiple weapons simultaneously. The Acting Garda Commissioner responded by commencing a review as recommended.

EXAMINATION OF GARDA SÍOCHÁNA PRACTICE, POLICY AND PROCEDURE

Section 10 of the Garda Síochána (Amendment) Act 2015 gave GSOC the power to initiate examinations of Garda practice, policy and procedure of its own volition, where previously the permission of the Minister for Justice and Equality was required.

Two such examinations into matters which had featured in GSOC investigations over the years were ongoing in 2017. One, relating to the detention of people by gardaí in circumstances where there was no lawful power to detain, was effectively overtaken by an amendment in 2017 to the Criminal Justice (Public Order) Act 1994. The other examination, into the safety and welfare of occupants of seized vehicles, was nearing completion.

GARDA TRAINING

GSOC continued with the delivery of training inputs at the Garda College, Templemore during 2017 for five different types of garda career courses—ranging from probationers, newly-appointed sergeants, inspectors, superintendents, through to chief superintendents.

The modules, designed and delivered by GSOC staff, were tailored to meet the needs of each group with, for example, garda probationers being introduced to the functions and remit of

GSOC, and sergeants and others in supervisory and managerial roles learning about their responsibilities in respect of complaint-handling, GSOC investigations, and situations in which GSOC and the Garda Síochána investigations are running side by side.

The design of specific modules for particular grades contrasts with GSOC's earlier inputs at the Garda College when a single information presentation was delivered on some courses. GSOC also continued in 2017 to provide specialised training inputs to courses such as the Garda Senior Investigating Officer programme.

In a reciprocal arrangement, some GSOC staff have participated in SafeTalk suicide awareness training provided by instructors from the Garda College, Templemore. A GSOC Senior Investigating Officer has also participated in the Garda Senior Investigation Officer training programme in 2017 at the Garda College and is due to complete this programme in 2018.

SECTION 6: PROTECTED DISCLOSURES

BACKGROUND

The Protected Disclosures Act 2014 gave a role to the Ombudsman Commission as recipient of protected disclosures from members and employees of the Garda Síochána. By the end of 2016, and perhaps as a result of events outside GSOC, a number of garda members had approached GSOC for the purpose of making such disclosures. During that year, it was becoming apparent to the Ombudsman Commission that, under the then-current staffing complement, it was not possible to commit the time and personnel required to deal with such investigations. A decision was made to put a business case to the Department of Justice and Equality for an increase in personnel to facilitate the setting up of a special unit within GSOC that would allow for the investigation of the protected disclosures.

The need for a separate unit had arisen over the years of dealing with the contacts that the Ombudsman Commission had had with gardaí. To build confidence within the Garda Síochána, the Ombudsman Commission decided that the members of the special unit within GSOC (dealing with protected disclosures) would not deal with the usual complaints under the Garda Síochána Act 2005, thereby avoiding any conflicts, real or perceived, that might arise.

It had also become increasingly obvious that as gardaí contacting GSOC were from around the country, any unit would need the time to travel to meet the disclosers and investigate their complaints. That could take people away from the Dublin base for extended periods of time.

Arising from these considerations and the experience gained since 2014, a business case was sent to the Department of Justice and Equality on the 23 November 2016. It sought a Principal Officer to head the unit, a Senior Investigating Officer at Assistant Principal Officer level, eight (8) Investigating Officers at Higher Executive Officer level, an office manager who could provide analytical support and an administrative officer to run the unit. The business case also included further ancillary costs for the necessary office and computer equipment, along with allowance for any travel costs that would arise.

In May 2017 the Ombudsman Commission was informed by letter from the Department of Public Expenditure and Reform (DPER) which was sent to the Department of Justice and Equality that sanction had been given for three investigators and two support staff.

It was unfortunate that no meeting had taken place between GSOC and DPER personnel prior to the decision by DPER. This would have allowed GSOC the opportunity to explain in full the background to the initial proposal and also to discuss the likely growth in the number of such disclosures in the future. GSOC sought to vary the sanctioned personnel to allow for four investigators and one support staff. This was agreed to by both Departments. The process of filling the posts began immediately through the Public Appointments Service (PAS) and continued through the rest of 2017.

The work of the Protected Disclosure Unit may become some of the most important work undertaken by GSOC. The issues which bring gardaí and other Garda Síochána employees to GSOC, instead of to their own organisation, are complex but in many ways represent a disappointing lack of confidence in their own organisation to resolve their problems. In investigating such complaints, GSOC is conscious not only of the responsibility it has to the individual discloser, but also to the greater garda organisation and the public in enhancing confidence in the Garda Síochána.

FIGURES

Under section 22 of the 2014 Act each public body is required to publish an annual report outlining the number of protected disclosures received in the preceding year, and the action taken (if any). GSOC's second such annual report covering 2017 (the first Protected Disclosures Annual Report in 2016 covered 2014, 2015, and 2016) reported that 22 disclosures were received by GSOC in 2017. Nine protected disclosures were still open at the end of 2016, bringing the total number of cases on hand during 2017 to 31.

Of these cases, six were closed, with the Ombudsman Commission considering further examination was not necessary or reasonably practicable.

The remaining 25 are undergoing examination or investigation.

No protected disclosures were received by GSOC in relation to its own staff.

REVIEW OF THE PROTECTED DISCLOSURES ACT

In 2017 the Department of Public Expenditure and Reform set up a working group to review the Protected Disclosures Act 2014. GSOC sent its own submission to this working group with suggested amendments arising from its experience of working the legislation.

One of the most pressing concerns for GSOC is the ability to share information appropriately with other organisations. The Policing Authority seeks information from GSOC about garda candidates for promotion and, with the consent of the candidates, this information sharing has been of benefit to all parties. Such information sharing is not possible in the instances of protected disclosures as it may lead to the identification of the person making the disclosure. GSOC and the Policing Authority have proposed changes to the Protected Disclosures Act 2014. GSOC is unaware of what progress, if any, has been made on these proposals.

SECTION 7: LEGISLATIVE DEVELOPMENTS

A number of pieces of legislation which came into effect in 2017 or are due to take effect in 2018 place new obligations on GSOC. Processes have been reviewed and new policies put in place with consequent requirements for additional staff training and, in some cases, for additional staff. The implications for GSOC in 2017 of three such acts are described below. The section, Proposal for Legislative Change, describes the rationale for and the key points of a submission on legislative change that GSOC made to the Department of Justice and Equality in December 2017. The full text of the submission can be found on GSOC's website.

CHILD PROTECTION

Considerable work was done by GSOC in 2017 in preparation for the commencement of all provisions of the Children First Act 2015. These new provisions include, in certain circumstances, mandatory reporting of cases to Tusla, the Child and Family Agency.

While GSOC has had a Child Protection and Welfare Policy in place for some years and has been referring child welfare concerns to the appropriate authority—the HSE initially, and later, Tusla—as of 11 December 2017, additional requirements have been placed on designated officers conducting criminal investigations in line with section 98 of the Garda Síochána Act 2005.

GSOC has been a member of the Children First Implementation Committee (Justice Sector) since 2012, working with other organisations and agencies on designing suitable policies and protocols. Staff of GSOC undertook a programme of training and dissemination of information about the implications of provisions of the Children First Act throughout 2017. The training included initial awareness-raising followed by presentations and provision of a suite of supporting documents to enable mandatory reporting to commence.

A Child Safeguarding Statement, setting out how children using GSOC's services will be dealt with and the principles and procedures to be observed to keep children safe while availing of services, was published in December 2017.

The Statement, developed in line with requirements of the Act and national guidelines

drawn up by Tusla, includes an assessment of risk of harm to a child interacting with GSOC, and sets out the procedures in place to manage identified risks.

In 2017, GSOC staff identified 296 cases where there was a potential risk to the protection and welfare of a child. The nature of cases in which such potential risk is identified varies; they include instances in which children may have been present when a violent incident occurred, complaints relating to alleged child sexual abuse when the complainant was a child and where other children might still be at risk, concerns in relation to the behaviour of gardaí towards children, and incidents where child welfare concerns arose through interactions with complainants.

GSOC handled a total of 324 cases (28 files were carried over from 2016) where there was a potential risk to a child in 2017. Of these:

- 75 resulted in referrals being made to Tusla
- 140 cases were considered and a decision made not to refer to Tusla
- 109 cases were still under consideration at year end, as they did not contain sufficient information to enable an informed referral to be made.

No mandated reports were made in 2017 and no mandated assisting was requested of GSOC.

VICTIMS OF CRIME

The Criminal Justice (Victims of Crime) Act 2017 commenced on 27 November 2017 giving explicit recognition in law, for the first time, to the rights of victims. Victims now have legal rights in respect of the information and support they need to help them through what is often a traumatic time when they have directly experienced criminality.

Prior to the commencement of the Act, GSOC had already taken steps to support victims in line with the EU Directive which led to the Act. These steps included the delivery of training in relation to GSOC's obligations under the Act and the development of formal processes to enable staff to conduct victim assessments and thereby identify vulnerable children/adults, establish communication and mobility requirements. A

training programme was commenced to ensure that any interview with a victim, regardless of the nature of the offence, is carried out by an investigator trained for that purpose.

An information leaflet specifically designed for victims was introduced. It includes information about GSOC's processes and provides contact details of other agencies who can provide support. It is provided to all complainants on receipt of their complaint. The language used in the leaflet was drafted in plain English to ensure that it is easily understood.

Since these measures were put in place, the awareness of the needs of victims within GSOC has increased. In 2014, for example, 23 percent of victims were identified as having potential needs while in 2017, close to 40 percent of victims who had made a complaint were identified as having potential needs. GSOC has also taken steps to meet the needs of victims who use languages other than English and Irish – complaint forms in ten languages are now easily accessible on the GSOC website. GSOC has always operated a policy of providing interpretation and translation services, and the number of occasions on which these services are required has also increased significantly with, for example, translation services being required on nine occasions in 2014 and 47 in 2017.

The Victims of Crime legislation has had significant implications for GSOC staff, and work continues to ensure that the organisation continues to meet its obligations under the Act. GSOC as an organisation looks forward to continuing to play an active part in building a new approach to victims of crime in Ireland.

TRANSPARENCY

The General Data Protection Regulation (GDPR) which comes into effect in May 2018 places onerous obligations on all data controllers, including GSOC, in relation to the processing, retention and protection of data, and in the area of transparency.

To prepare for the introduction of these new requirements, ultimately designed to give effective protection to personal data, GSOC set up a GDPR Implementation Group tasked with reviewing the

impact of the GDPR on the organisation and with implementing any changes necessary. The work of analysing, mapping and quantifying all the data processing activities within the organisation began in August 2017 and continued throughout the year into 2018.

The nature of GSOC's work—dealing with complaints about gardaí—means sometimes-sensitive data about people who use GSOC's services is held by the organisation. GSOC, in line with all other data controllers, must examine why it has certain data, how long it is held and why it is held, and how transparency can be ensured for primary service users, that is, complainants and garda members.

The implementation group, comprising representatives of all business units within the organisation and led by the Policy and Secretariat Manager (who acts as GSOC's Data Protection Officer and FOI Officer), began reviewing GSOC's Data Protection policies, privacy notices and consent notices, and considering how the organisation will handle requests from individuals for access to their data within the new statutory timeframe of 30 days. The group also plans to review and redraft the current contracts with our data processors to ensure compliance with our new obligations.

In addition, GSOC provided its observations on the draft Data Protection Bill which had not been published by year end 2017.

One of the biggest challenges posed for GSOC by the GDPR is the requirement for processing access requests within a new 30 day deadline; it became clear in 2017 that the organisation did not have resources to do that and it was decided that a formal request for extra staff should be included in a business case for the Department of Justice and Equality early in 2018.

A Data Protection Officer with a specific role under the GDPR had yet to be formally designated at the end of 2017. Preparations had begun on setting out GSOC's Data Protection Policy and retention schedules so that they can be agreed before the deadline of 25 May 2018. In addition to providing information and data under Data Protection legislation, GSOC provides

information to the public and other interested parties under the Freedom of Information Act 2014, through responses to members of the Oireachtas and submissions for Parliamentary Questions, and inquiries from media.

The volume of requests processed in 2017 is set out in the table below.

Table 4: Information requests processed in 2017

Request Type	Volume
Requests under the Data Protection Acts 1988 and 2003	49
Requests under the Freedom of Information Act 2014	45
Representations from members of the Oireachtas	24
Media Enquiries	228
Submissions in response to Parliamentary Questions	52

PROPOSAL FOR LEGISLATIVE CHANGE

Throughout 2017, the Commission, drawing on ten years operational experience, continued to seek extensive reform of the legislation which governs its activities, the Garda Síochána Act 2005 (the Act). On 11 January 2017, GSOC met with the then Minister for Justice and Equality Frances Fitzgerald TD, and officials from the Department of Justice and Equality (the Department) to discuss changes to the legislation. The possibility of a stand-alone piece of legislation was discussed and welcomed. Subsequently, on 18 May 2017 GSOC again met with officials from the Department. At this meeting, two options were discussed; the first option was amending the current Act, the second was new stand-alone legislation. GSOC reiterated its preference for a stand-alone act. In December 2017, the Commission sent its proposals for legislative change to the Minister. The Commission stated its belief that the current Act prescribes processes that are too complicated. Revised legislation would, in GSOC’s view, enhance the independence of the organisation.

Among the many changes to operations that GSOC would like to see in new legislation, three stand out as particularly significant. These are:

- the enabling of more efficient and earlier resolution of less serious complaints
- the placing of responsibility for all investigations with GSOC and
- the simplification of the very complicated processes contained in the current Act.

With regard to independence, the Ombudsman Commission is appointed by the President and answerable to the Oireachtas. GSOC, rightly, has a reporting relationship with the Department of Justice and Equality. However, in addition to the reporting relationship, the financing of GSOC is currently a matter for the Minister for Justice and Equality: the Accounting Officer of GSOC is the Secretary General of that Department. Central to GSOC’s ability to carry out its duties and to promote public confidence in the system of police oversight in this country is the concept of GSOC’s independence. Independence and public confidence in the system could be enhanced by the designation of GSOC as a fully independent body. Such independence would enable GSOC to react more quickly to changing circumstances in terms of recruitment and new legislation. It is the Commission’s belief that for the public to have confidence in the system, independence should be real and obvious.

GSOC proposes that it be responsible for the investigation of all complaints. The Act provides for complaints of a non-criminal nature to be referred to the Garda Síochána for investigation, either unsupervised or supervised by GSOC. This system is questionable in terms of public confidence and efficiency. Discontinuing this practice would involve a considerable reappraisal of the resources available to GSOC. However, the system currently dictated by the Act has not worked over the past ten years. There are long delays in the Garda Síochána bringing investigations to a conclusion, and information emanating from the Garda Síochána following investigations can be unsatisfactory to complainants. The logic that gave rise to the current system was to encourage the Garda Síochána to take responsibility for discipline within the organisation. GSOC does not disagree with that logic and would hope that Garda line

management would take responsibility for service matters and other forms of resolution. However, experience has led GSOC to conclude that investigations into complaints it receives from members of the public should not be investigated through the lens of the Garda Síochána (Discipline) Regulations 2007.

The current system, as dictated by the Act, places too much focus on retribution and not enough on resolution. This is because it channels non-criminal matters primarily towards investigations in line with the Discipline Regulations, which are focused on garda members and which do little to provide satisfaction to the public. In GSOC's experience, many complaints of a less serious nature—that is, where there is no suggestion of criminal behaviour or serious misconduct—are problems of failure in service delivery on the part of the Garda Síochána, not always exclusively by an individual member. GSOC is of the view that issues such as the non-return of phone calls are best dealt with by seeking to resolve the problem in the first instance. A management or corporate response followed by action, in many instances, is what the public seek. The Garda Síochána should be encouraged to provide such responses.

A less bureaucratic way for service issues to be dealt with, using the normal line management processes within the Garda Síochána, could make for much more satisfactory and efficient outcomes in a significant proportion of appropriate cases. Legislation should allow GSOC to decide on when attempts at local resolution are appropriate. These solutions would better reflect the functions of an ombudsman: that of seeking resolution of problems rather than an almost exclusive focus on sanctions for misconduct. The enabling of more efficient resolution would require a shift of focus away from retribution and punishment of gardaí to intervention and resolution to the satisfaction of all parties. This would mean making the complainant's wishes central to attempted solutions. In the context of the EU Victims of Crime Directive and the Criminal Justice (Victims of Crime) Act 2017, this would be a welcome shift.

Processes and timeliness should and could be improved, to build satisfaction in the system. A key contributor to such improvement would be the

elimination of certain cumbersome aspects of the legislation which dictate that disciplinary matters can only be investigated when investigation into criminal allegations have been concluded. In practice this means that in cases where a criminal investigation is undertaken, disciplinary matters which emerge during the course of the investigation cannot be addressed until very late in the process, to the dissatisfaction of everyone concerned. The Ombudsman Commission proposes a streamlining of these investigative strands.

The published document also proposes that, in the interests of even-handedness and efficiency, GSOC be enabled to make some preliminary enquiries of the Garda Síochána regarding complaints in order to assist in the determination of admissibility. Currently, GSOC makes such enquiries regularly of complainants, but has no ability to do so in the case of the Garda Síochána.

GSOC and the Garda Síochána interpret certain sections of the Act differently. Legislative amendment could bring greater clarity to two areas in particular. One is the ability of the Garda Síochána to investigate complaints made to them by members of the public regarding conduct of garda members. The Ombudsman Commission believes that some complainants have confidence in the Garda Síochána to investigate such matters and, on occasion, that may be the appropriate response to the complaint. It proposes greater empowerment of the complainant by allowing them a voice in the decision as to who should investigate. Secondly, legislative reinforcement of the duty of the Garda Síochána to cooperate with GSOC, particularly in the matter of information provision, would enhance efficiency.

The Act is quite prescriptive regarding notifications and the timing of them. For example, GSOC is obliged to notify gardaí regarding inadmissible complaints. This has been a constant source of irritation to gardaí and a heavy bureaucratic burden on GSOC. It is proposed that greater flexibility regarding notifications be introduced in new legislation.

GSOC's operational independence is compromised by the requirement of governmental and ministerial consent regarding investigations

into the conduct of the Garda Commissioner. This should be reconsidered. GSOC is obliged to notify the Garda Commissioner in advance of conducting any search in a garda station. This too should be reconsidered. The Policing Authority is empowered to refer matters to GSOC for investigation. GSOC should retain the ability to apply a public interest test before conducting investigations into these matters. Otherwise, this may become an appeals mechanism against GSOC decisions in previously-investigated cases.

The transparency of the entire process can be improved. In situations where a formal investigation is appropriate, the outcome should be subject to genuine oversight. In particular, the concept of GSOC having no power to seek a rationale, should the Garda Síochána decide to go against its recommendation, is questionable in terms of effective oversight.

In the matter of non-party disclosure, where GSOC might hold material that may be relevant to an accused for his or her defence, there is no statutory provision governing how GSOC might make such material available to interested parties. Similarly, the provision of relevant information to the Policing Authority is rendered very difficult if the information has been acquired by GSOC through a protected disclosure. Legislative provision for both these instances would be helpful.

The Ombudsman Commission is conscious of the important role it plays towards discharging the State's duty with regard to Article 2 of the European Convention of Human Rights. The strict processes set out in the Act have given rise to confusion. Particularly problematic are instances where no garda misbehaviour is immediately apparent. It is proposed that GSOC be obliged to investigate, rather than examine, all matters referred by the Garda Commissioner. The Commission also believes that strengthening the definition of serious harm, particularly with regard to sexual offences, should be considered.

The submission also seeks further clarity regarding the police powers exercisable by designated officers of GSOC. Some practical difficulties arise where senior investigating officers cannot exercise powers above that of

a garda rank e.g. making requests for coronial adjournments. Clarity is also sought regarding the capacity of GSOC to investigate matters which also involve persons who are not members of the Garda Síochána.

The Protected Disclosures Act 2014 has created many new issues for GSOC. The submission contains several proposals regarding protecting the anonymity of disclosers, the extent of GSOC's discretion to investigate matters referred by the Minister, and the protection of data arising from protected disclosures. The fact that issues which come to GSOC's attention as protected disclosures may be subject to investigation and possibly disciplinary or criminal proceedings by more than one agency is also addressed.

Examinations of garda practices, policies and procedures are discussed in the submission as is a potential statutory right of review. The document also draws attention to the fact that the scope of an inquiry into the conduct of GSOC designated officers was the subject of discussion and commentary arising from the inquiry presided over by Mr Justice Frank Clarke.

The closing suggestions relate to simplifying the list of breaches on the part of a garda that may be subject to some disciplinary sanction, and to enabling GSOC to seek to conduct joint investigations with other agencies who may have relevant specialist investigative skills.

The proposals contained in the submission would see GSOC undertake significantly more work than at present. Therefore the Ombudsman Commission stresses that the resourcing of the organisation is every bit as important as the legislative change.

SECTION 8: STAFF

STAFF NUMBERS

At 31 December 2017, GSOC had 84 staff of which 23 were employed in its Administration Directorate and 61 in the Operations Directorate. The organisation also had ten vacancies to be filled. This includes five vacancies in the Protected Disclosures Unit. In addition, GSOC had two Commissioners, a Superintendent seconded from the Garda Síochána², two ICT contractors and one person contracted to provide media and communications services. Commissioner Mark Toland resigned to take up a position with the Garda Inspectorate in November 2017.

GSOC received sanction in June 2017 for the establishment of a new unit within the organisation to specifically work in the investigation of protected disclosures. The sanction provided for the recruitment by GSOC of four investigators along with one support staff member for this unit. The Public Appointments Service (PAS), on behalf of GSOC, successfully conducted a campaign to recruit the investigators and it is expected that the successful candidates will take up their positions in GSOC in early 2018.

GSOC used existing panels from open competitions run by PAS to fill vacancies in key positions such as Senior Legal Officer, Investigations Officer and Assistant Investigations Officer. A number of existing GSOC staff were also promoted during 2017, following internal and external competitions, and new staff were recruited from open PAS panels to fill vacancies within GSOC's Administration Directorate.

In 2016 GSOC established policy and procedures for its own staff to make disclosures under the Protected Disclosures Act 2014. No internal disclosures were received in 2017, nor had any been received during 2014, 2015 and 2016.

LEARNING AND DEVELOPMENT

The Ombudsman Commission is committed to the on-going training, up-skilling and development of staff. This commitment is part of GSOC policy of supporting the development of staff across

the organisation in order to enhance the overall level of core workplace skills and, in turn, the performance of GSOC.

After a number of years during which constraints on resources generally had led to the curtailment of training activities in GSOC, the Ombudsman Commission decided in April 2017 to give greater priority to learning and development in the organisation. The Commission established a dedicated Learning and Development (L&D) Unit as a direct response to the needs of GSOC staff for increased access to Training and Development opportunities, and an L&D manager was assigned the task of planning and implementing GSOC's training programme. Prior to this, the role of L&D had been fulfilled as part of the more general human resources function.

The Ombudsman Commission's decision also signals GSOC's intention to be "a continuously learning and improving organisation" in accordance with the goals set out in the Civil Service Renewal Plan launched in October 2014. Action 9 of the Plan established the One Learning Shared Service to centrally operate and manage a common suite of training programmes for the Civil Service, and GSOC has been able to avail of these programmes for its staff during the year.

In 2017 the L&D Unit facilitated 26 different training courses for GSOC staff. Out of the 85 staff (including two Commissioners), 74 attended one or more training interventions. This equates to 87 per cent of all staff.

Some of the more significant training provided to GSOC staff in 2017 included Investigative Interview Skills for both new and existing investigations officers to ensure that the required levels of competence in interviewing are maintained within GSOC.

Programmes for Executive Leadership and for Management Development were also implemented to further enhance the leadership skills of GSOC's line managers at various levels throughout the organisation. Important training

2 The Garda Superintendent has now retired and is not being replaced.

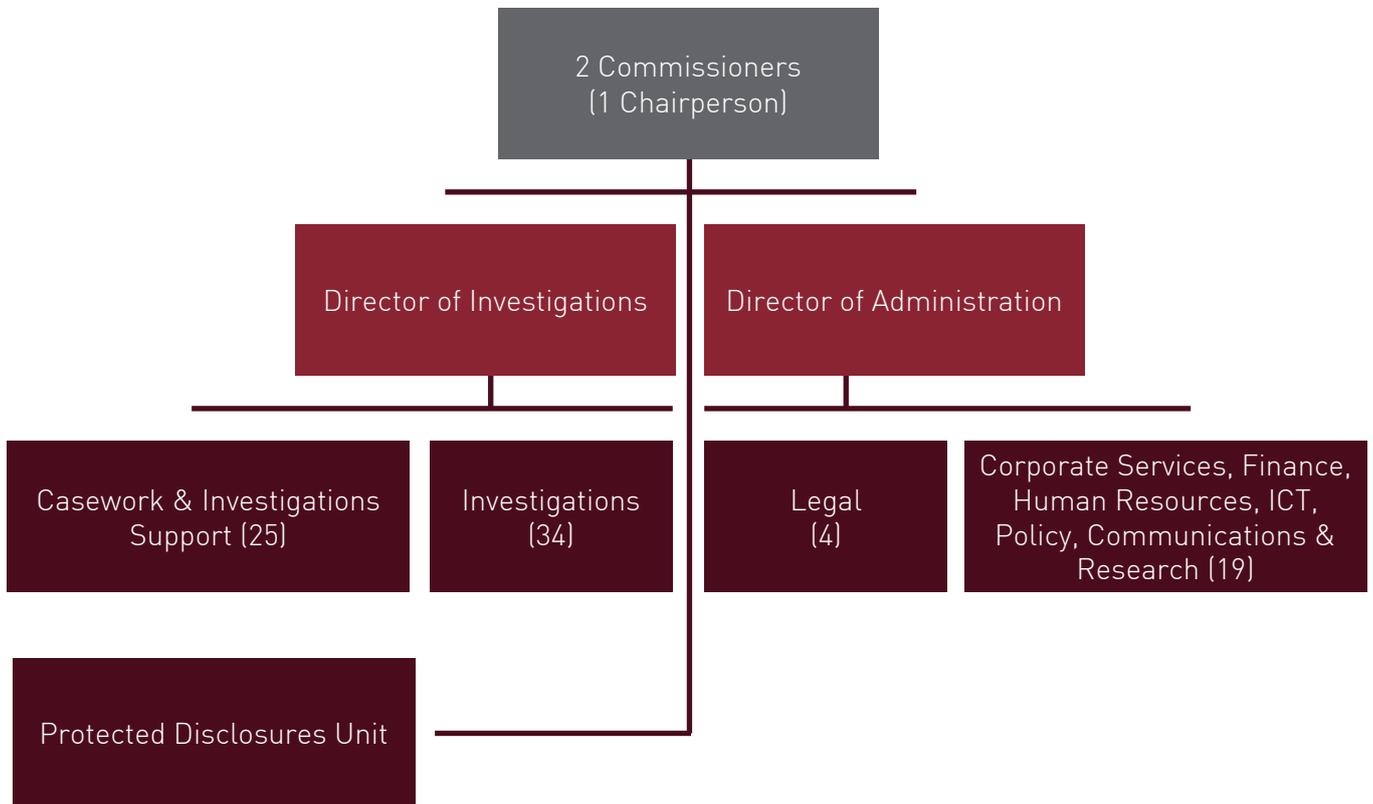
was also provided to ensure that all staff in GSOC were aware of their requirements under the Children First Act 2015.

OMBUDSMAN COMMISSION

GSOC finished the year with just two Commissioners, Chairperson Ms Justice Mary Ellen Ring and Mr Kieran FitzGerald, after the departure of Mr Mark Toland. Mr Toland was appointed to GSOC in December 2016,

bringing with him four years of police oversight experience from his role as Deputy Chief Inspector of the Garda Inspectorate, and 30 years policing experience. He returned to the Garda Inspectorate, as Chief Inspector, in November, but in his short time with GSOC made several significant contributions including leading the Business Improvement Team in its review of the organisation. The process for filling the vacancy was underway at the end of the year.

Chart 9: Human Resource Allocation and Organisation Structure



CONCLUSION

2017 was a year which saw some significant developments in the justice sector. Prominent among these was the institution of the Commission on the Future of Policing in Ireland. This Commission has a wide brief, including that of oversight of the Garda Síochána. GSOC met the Commission on 20 September 2017 and committed to sharing its views on legislative change with the Commission during its consultation period. GSOC anticipates significant consultation with the Commission in 2018.

GSOC undertook two major reviews during 2017. One was of the legislation governing our activities, the Garda Síochána Act 2005. The Ombudsman Commission looked back over ten years of operational experience and at previous calls for legislative change. The end result was a comprehensive request for a stand-alone piece of legislation to establish GSOC as an independent body with significant changes to how it goes about its work. This document was presented to the Minister for Justice and Equality in December 2017 and is available on the GSOC website, www.gardaombudsman.ie. The Ombudsman Commission looks forward to detailed engagement with interested stakeholders during 2018.

The Ombudsman Commission was very conscious in seeking changes to the legislation that the resourcing of a changed organisation would need to be enhanced significantly. To that end, a comprehensive internal examination of work practices and staffing levels was undertaken. This exercise produced a vision of what GSOC might look like in the future. It also dealt with the current situation with regard to staffing in the absence of any legislative change. Staff came up with a plan to address current issues; to address medium term plans; and to address the long term future needs of the organisation. This comprehensive self-examination laid the groundwork for a business case for enhanced staffing which the Ombudsman Commission will take forward in 2018.

At the close of the year, the Ombudsman Commission had just two members, following the departure of Mr Mark Toland to take up the post as Chief Inspector in the Garda Inspectorate. Mr Toland's contribution to GSOC during his tenure was very valuable, not least in leading the internal review mentioned above. It is expected that a new member will join the Commission in 2018.

APPENDIX 1: GOVERNANCE, FINANCE AND INTERNAL CONTROLS

GOVERNANCE

The Ombudsman Commission is a three person commission, two Commissioners and a Chairperson, one of whom must be a man and one of whom must be a woman. All members of the Ombudsman Commission must be appointed by the President following the nomination of the Government and the passage of resolutions by both houses of the Oireachtas recommending their appointment. One of the Ombudsman Commission members is appointed as Chairperson.¹

In the period under review, the Ombudsman Commission comprised: Ms Justice Mary Ellen Ring (Chairperson), Mr Kieran FitzGerald, and Mr Mark Toland (Mr Toland resigned from GSOC in November 2017). The Director of Administration was Mr Anthony Duggan, the Director of Investigations was Mr Darren Wright, and the Head of Legal Affairs was Ms Niamh McKeague.

The Ombudsman Commission meets at least once a month, excluding the month of August, to discharge its duties (See Table A for schedule of 2017 meetings). It is obliged to ensure compliance with statutory and administrative requirements in relation to the approval of the number, grading, and conditions of appointment of all staff.²

The Ombudsman Commission is further required to approve its Statements of Strategy on a regular basis and produce Annual Reports and accounts.

The role and responsibilities of the Ombudsman Commission include, along with its statutory obligations:

- promoting the success of GSOC by leading and directing GSOC's activities;
- providing strategic guidance to GSOC while still monitoring and supervising the discharge of any of its delegated functions;
- reviewing and guiding strategic direction, major plans of action, risk management policies and procedures, annual budgets and business plans, setting performance

objectives, monitoring implementation and performance, and overseeing major capital expenditure decisions;

- acting on a fully informed and ethical basis, in good faith, with due diligence and care, and in the best interest of GSOC, subject to the objectives set by Government;
- promoting the development of the capacity of GSOC including the capability of its leadership and staff, and
- holding senior management to account for the effective performance of their delegated functions and responsibilities.

FINANCE

GSOC is funded through the provision of an annual grant from the Vote for the Department of Justice and Equality. The Secretary General of the Department is the Accounting Officer for the Commission.

Section 77 of the Garda Síochána Act 2005 requires the Garda Ombudsman Commission to keep, in such form as may be approved by the Minister for Justice and Equality with the consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it. The Chairperson is responsible, in conjunction with the Accounting Officer, for preparing GSOC's accounts.

Having regard to the size of the Ombudsman Commission, it is not deemed feasible for it to establish its own Internal Audit Unit or its own Audit & Risk Committee. Alternative arrangements, with the agreement of the Department/Minister, have been put in place to provide GSOC with access to the Department's Internal Audit Unit and Audit Committee. In addition, GSOC is subject to annual audit by the Comptroller and Auditor General and has an internal risk management process to be overseen by a Risk Management Officer and a Risk Management Monitoring Group.

¹ Section 65 of the Garda Síochána Act 2005, as amended

² In conjunction with the Department of Justice and Equality and the Department of Finance as per section 71 of the Act

Table B shows the amount of expenditure by GSOC in 2017. An additional €1 million was allocated to GSOC for the specific purpose of undertaking an investigation into allegations of wrongful cancellation of Fixed Charge Notices (FCNs).

On 29 November 2017, the Ombudsman Commission informed the Minister of its decision to discontinue the GSOC investigation. The main reason for this decision was that the Fixed Charge Processing System had undergone major reform since the referrals were originally made. GSOC's procurement campaign also failed to identify a suitable service provider to assist with the investigation within the budget provided.

With regard to general expenditure, GSOC was required to undertake essential building maintenance work which cost €120,000 in total.

Costs included the establishment and setting up of the Protected Disclosures Unit in GSOC and the establishment and setting up of a specialist team to investigate accounts related to the Garda College, Templemore.

A rent review of GSOC's lease for its premises at 150 Upper Abbey Street, Dublin 1 took place and resulted in an increase of €34,000 in the annual rent payable by GSOC. GSOC faced rent costs for its Cork office for the first time in 2017. Staff had previously been accommodated in a facility owned by the Office of Public Works (OPW) but moved into premises, rented in the short term, at the end of 2016. The cost is expected to increase further in 2018 with the signing of a lease for a new office.

Table A: Dates and attendance by Commissioners, Chairperson Ms Justice Mary Ellen Ring, Mr Kieran FitzGerald and Mr Mark Toland, Director of Administration Mr Anthony Duggan, Director of Investigations Mr Darren Wright, and Head of Legal Affairs Ms Niamh McKeague. Deputy Director of Investigations Mr Garrett Croke attended on occasion.

Date	Attendance (Commissioners/Directors/Head of Legal Affairs)	
24 January 2017	Ms. Justice Mary Ellen Ring Mr Mark Toland Mr Anthony Duggan	Mr Darren Wright Ms Niamh McKeague
14 February 2017	Ms Justice Mary Ellen Ring Mr Mark Toland Mr Anthony Duggan	Mr Darren Wright Ms Niamh McKeague
21 March 2017	Ms Justice Mary Ellen Ring Mr Mark Toland Mr Anthony Duggan	Mr Darren Wright Ms Niamh McKeague
11 April 2017	Mr Kieran FitzGerald Mr Mark Toland	Mr Anthony Duggan Mr Darren Wright
09 May 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald Mr Mark Toland	Mr Anthony Duggan Mr Garrett Croke Ms Niamh McKeague
13 June 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald Mr Mark Toland	Mr Garrett Croke Ms Niamh McKeague
11 July 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald	Mr Anthony Duggan Mr Darren Wright
06 September 2017	Ms Justice Mary Ellen Ring Mr Kieran Fitzgerald Mr Mark Toland	Mr Anthony Duggan Mr Darren Wright Ms Niamh McKeague
10 October 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald Mr Mark Toland	Mr Anthony Duggan Mr Garrett Croke Ms Niamh McKeague
14 November 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald	Mr Darren Wright Ms Niamh McKeague
12 December 2017	Ms Justice Mary Ellen Ring Mr Kieran FitzGerald	Mr Anthony Duggan Mr Darren Wright

Table B: Expenditure in 2017

Category	Original Budget	Expenditure	
Salaries, Wages & Allowances	€5,782,300	A01 - Pay & Allowances	€5,187,124.62
Non-Pay	€3,794,300	A02 - Travel & Subsistence	€95,565.72
		A03 - Incidental Expenses	€996,096.36
		A04 - Postal & Telecommunication Services	€64,570.24
		A05 - Office Machinery & Other Office Supplies	€785,909.67
		A06 - Office & Premises Expenses	€1,639,224.77*
		A07 - Consultancy	€0
		A08 - Research Expenditure	€0
Total Budget Allocation 2017	€9,576,600	Total Pay & Non-pay Expenditure in 2017	€8,768,491.38

*Figure includes €22,500 paid for rent of office in Cork. GSOC staff based in Longford are accommodated in OPW-owned offices.

Notes:

- Figures quoted have not yet been audited by the Comptroller and Auditor General.
- The table above does not include Appropriation in Aid, which was €234,961.97 in 2017.

NON-SALARY RELATED FEES

In relation to non-salary-related fees paid in respect of members of the Ombudsman Commission for 2017 this figure is NIL.

KEY MANAGEMENT PERSONNEL

Total salaries paid to key management personnel by the Garda Síochána Ombudsman Commission amounted to €509,581.

CONSULTANCY COSTS

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions. The total cost for 2017 was €156,631.

Table C: Employee benefits breakdown:

Range From-To	Number of Employees	
	2017	2016
€60,000 - €69,999	17	18
€70,000 - €79,999	7	7
€80,000 - €89,999	3	5
€90,000 - €99,999	2	-
€100,000 - €109,999	-	-
€110,000 - €119,999	1	-
€120,000 - €129,999	2	1
€130,000 - €139,999	1	2

Statement regarding the system of internal control in GSOC as required by the Code of Practice for the Governance of State Bodies (2016)

The Ombudsman Commission has responsibility for ensuring that an effective system of internal controls is maintained and operated. The Commission is satisfied that the systems which it has in place are reasonable and appropriate for the Commission's circumstances having regard to its size, level of expenditure, staff resources and the nature of its operations.

The Ombudsman Commission carried out a review of internal controls to ensure that it has considered all aspects of risk management and internal control for 2017 and up to the date of approval of the annual report and financial statements. The review will be signed off by the Commission and will be included for review by the external auditors when auditing of GSOC's financial statements for 2017 takes place early in 2018.

The operational environment within which the Ombudsman Commission operates has changed significantly, particularly as a consequence of the developments in relation to the future of policing in Ireland and the creation of a Commission to develop a plan for Government in this regard.

The principle risks which this has generated are:

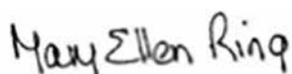
- Uncertainty as to the role of GSOC
- Uncertainty as to the future remit of GSOC
- The need for legislative changes
- The need for increased resources to manage current and future remit
- The need for greater independence of oversight bodies and for autonomy for GSOC as the policing oversight body.

The Senior Management Team (SMT) has engaged fully in the monitoring of risk and, in so far as possible having regard to the operating environment, dealing with the risks that have presented throughout 2017.

In 2017 there has been no incidence of significant control failings.

In general terms the Commission is satisfied that the system of internal controls is adequate to provide it with sufficient assurances and that those controls are implemented and reviewed in an efficient and effective manner.

Signed:



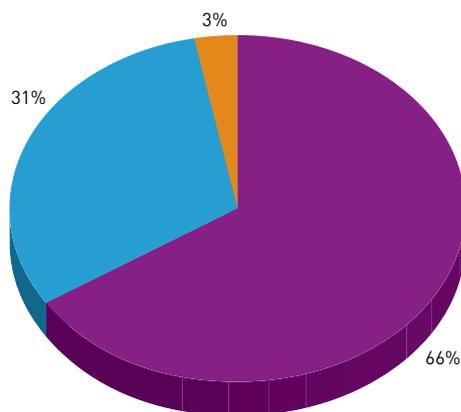
Justice Mary Ellen Ring,
Chairperson

APPENDIX 2: PROFILE OF PEOPLE WHO COMPLAINED IN 2017

Charts below illustrate the profile of people who complained to GSOC in 2017. Results are based on a survey distributed to all complainants when they submit a complaint. 29% of complainants (572) responded in 2017. All responses are anonymous.

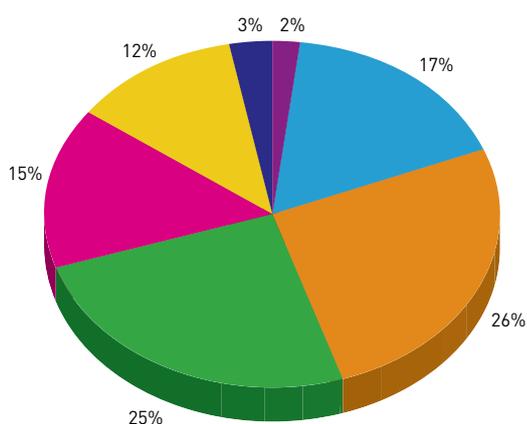
**For the purposes of whole numbers some figures were rounded up or down.*

Chart 10: Gender



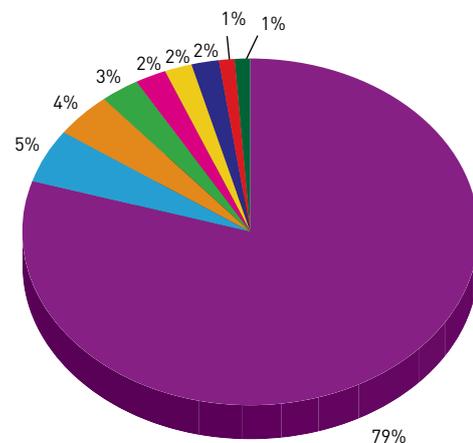
- Male (66%)
- Female (31%)
- No Response (3%)

Chart 11: Age



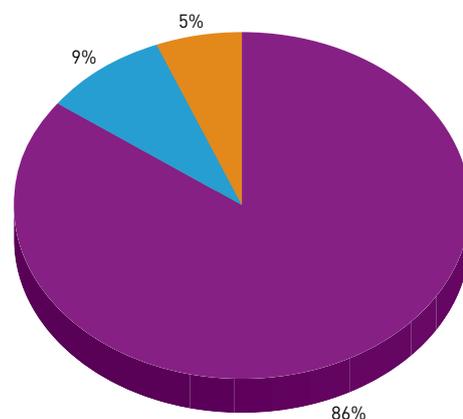
- 0-17 (2%)
- 18-30 (17%)
- 31-40 (26%)
- 41-50 (25%)
- 51-60 (15%)
- 61+ (12%)
- No Response (3%)

Chart 12: Nationality



- Irish (79%)
- British (5%)
- EU (4%)
- No Response (3%)
- Polish (2%)
- African (2%)
- Other (2%)
- Asian (1%)
- American (1%)

Chart 13: Country of birth



- Same as Nationality (86%)
- Other (9%)
- No response (5%)

Chart 14: Ethnicity

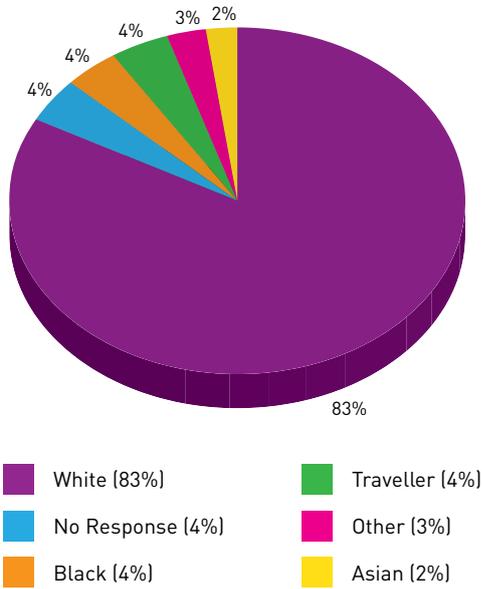


Chart 16: Disability

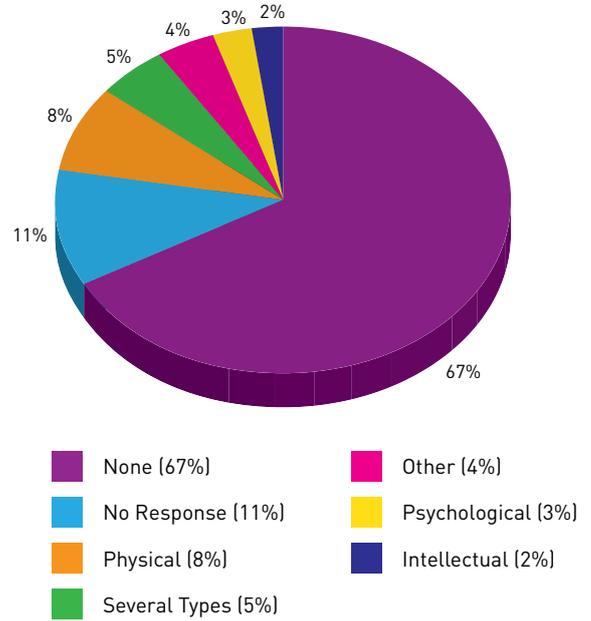


Chart 15: Language

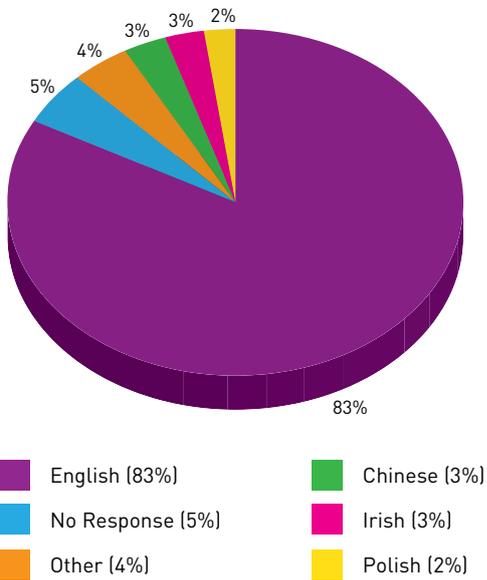


Chart 17: Religion

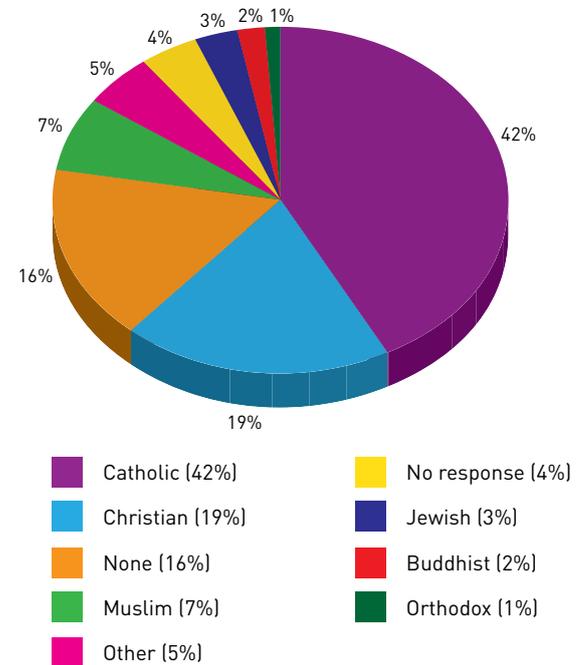


Chart 18: Housing

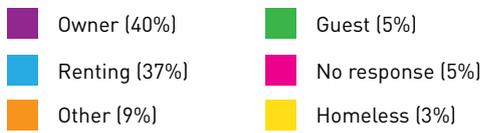
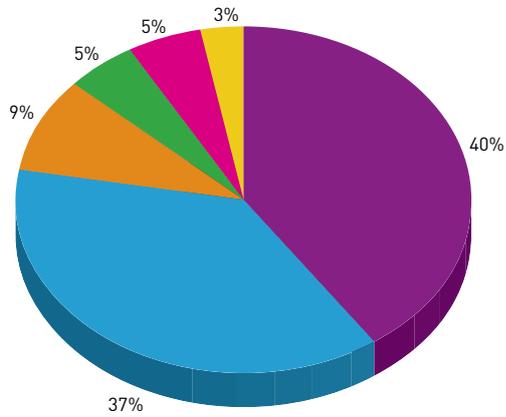


Chart 20: Employment

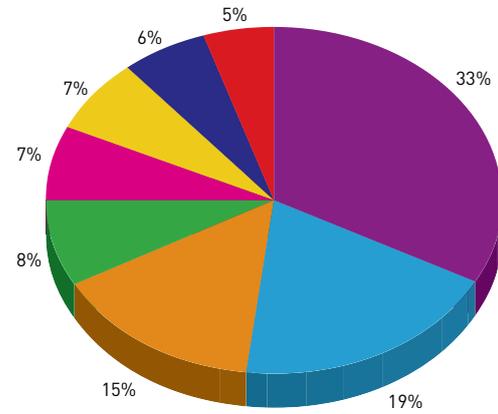
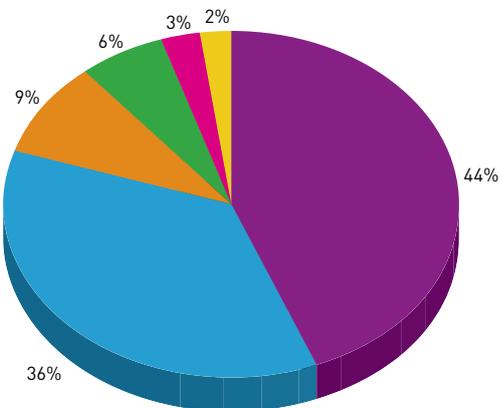


Chart 19: Highest Level of Education



APPENDIX 3: PROFILE OF GARDAÍ COMPLAINED OF IN 2017

Charts below show the profile of gardaí complained of in admitted allegations in 2017 where the identity (gender & rank) of the gardaí was known.

**For the purposes of whole numbers some figures were rounded up or down.*

Chart 21: Gender of members of the Garda Síochána in allegations admitted in 2017

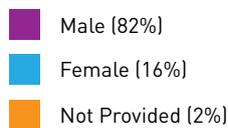
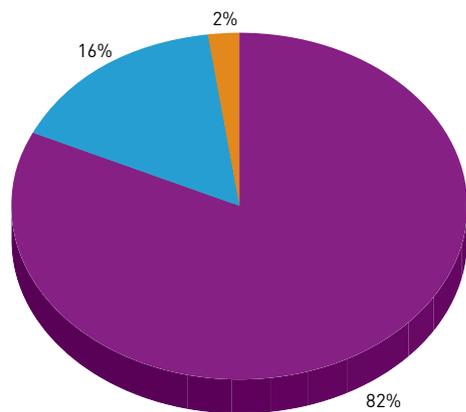
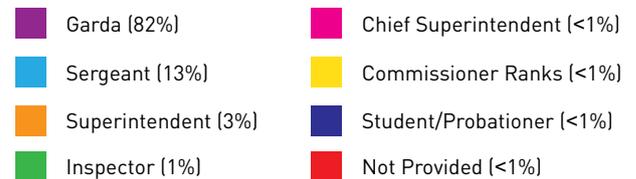
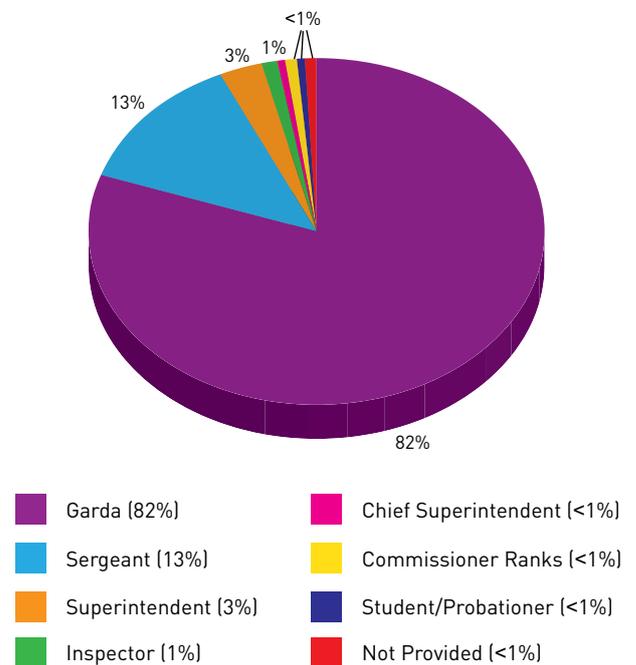


Chart 22: Rank of members of the Garda Síochána in allegations admitted in 2016



APPENDIX 4: PUBLIC ATTITUDES

METHODOLOGY

Fieldwork was conducted via the Behaviour & Attitudes Face to Face Omnibus vehicle (Barometer) over the period 1 – 13 February 2018. The previous 2016 survey was also carried out via Face to Face Omnibus over the period 15 – 25 January 2016. The earlier 2013 survey was carried out by way of a telephone Omnibus (TeleBarometer) between 3 – 15 December 2013, and where relevant comparisons are shown between the three survey periods.

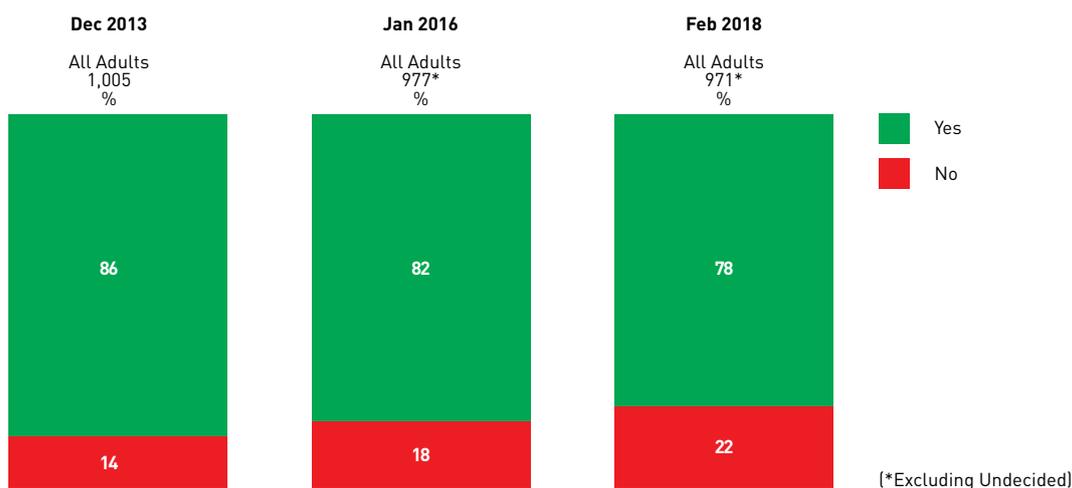
Interviewing was conducted across 63 separate sampling points per survey—1,002 adults were interviewed. Within each sampling point, respondents were selected on the basis of quota controls relating to gender, age and social class within region—to ensure that the resultant sample is a microcosm of the national adult population. Quota controls were based on the most recent Census statistics of the national population.

KEY FINDINGS

- Almost eight in ten Irish adults say they have heard of the Garda Ombudsman (GSOC)
- Almost six in ten believe the role of the Garda Ombudsman is to investigate complaints about gardaí

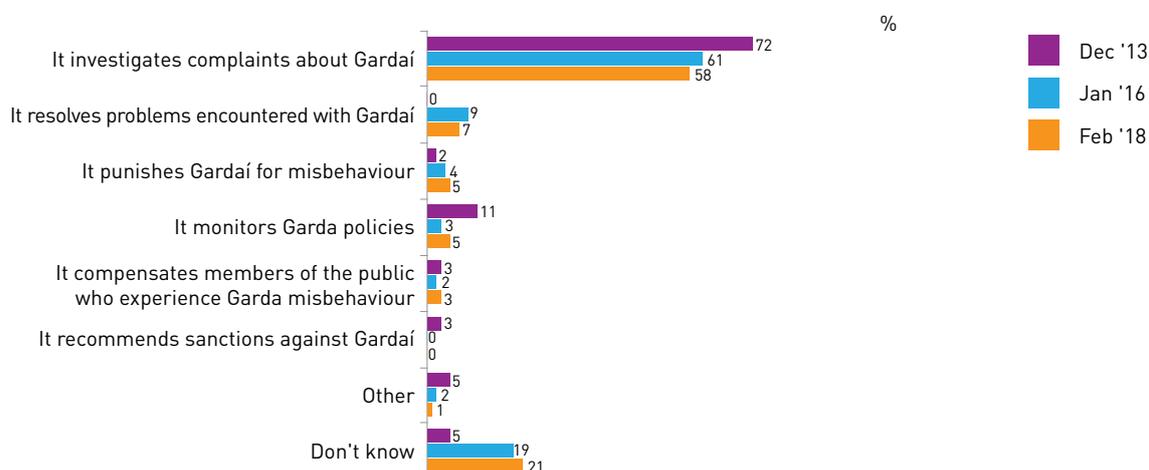
Awareness of Garda Ombudsman

Base: All Adults – 971



Awareness of Garda Ombudsman Role

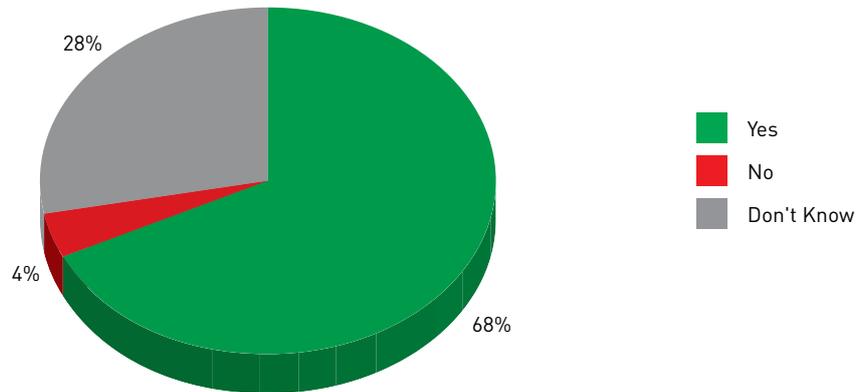
Base: All Adults – 1,002



- Close to seven in ten adults believe that the Garda Ombudsman provides an important service
- Six in ten believe that, if they have a problem, they would be treated fairly by the Garda Ombudsman
- More than half expressed confidence in the Garda Ombudsman's ability to resolve problems

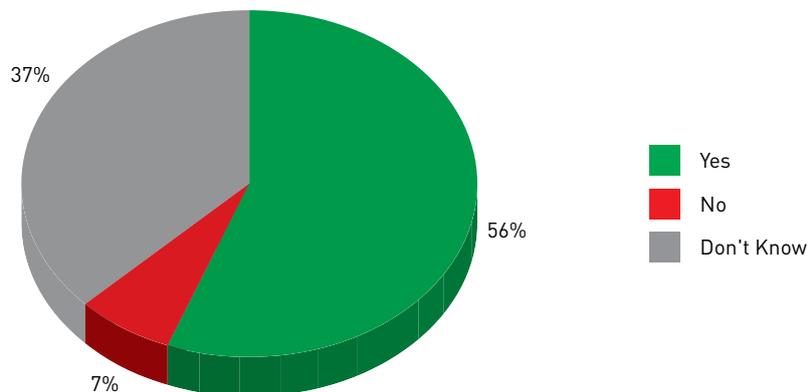
Does the Garda Ombudsman Provide an Important Service?

Base: All Adults – 1,002



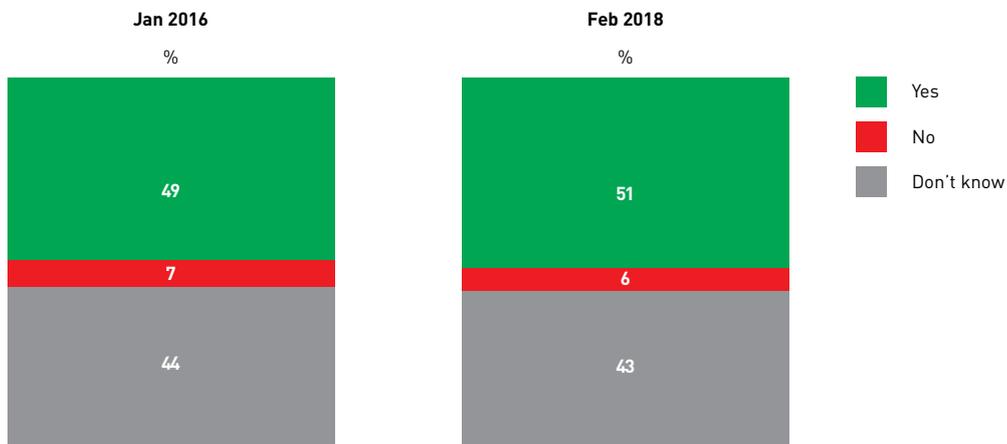
Confidence in Fairness of Garda Ombudsman

Base: All Adults – 1,002



Confidence in Garda Ombudsman Ability to Resolve Problems

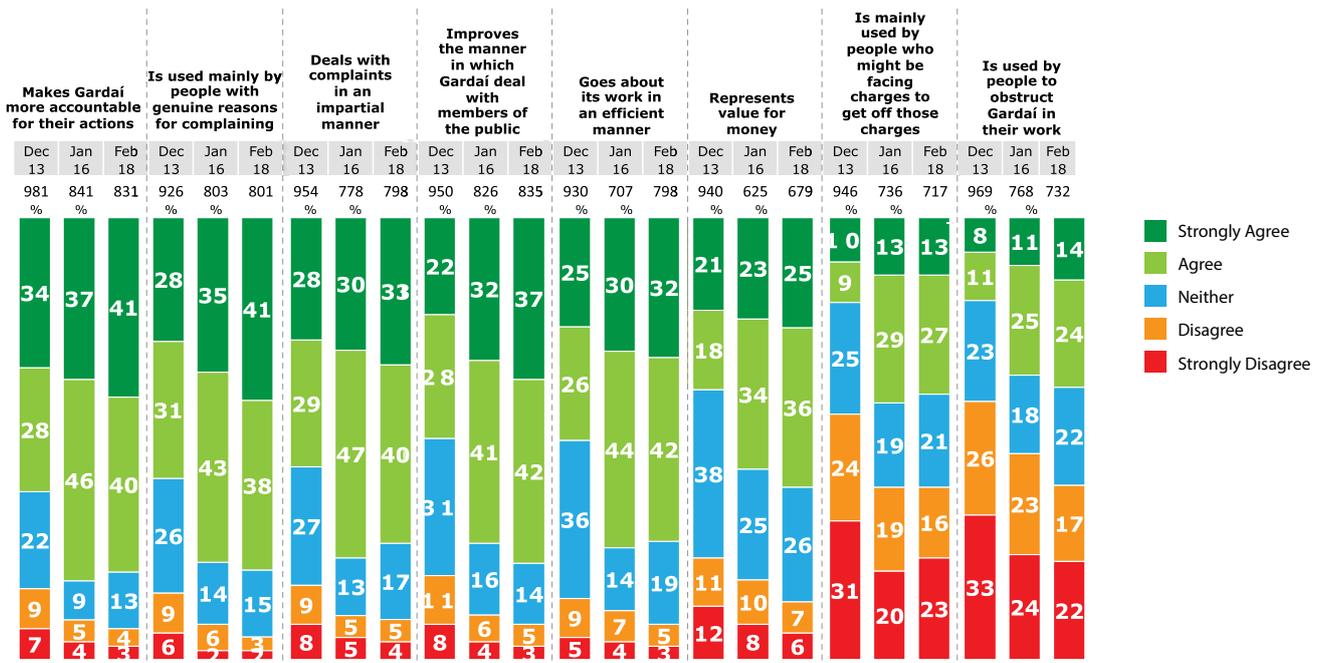
Base: All Adults – 1,002



- Overall, people are positive about the Garda Ombudsman with four out of five agreeing that it makes gardaí more accountable for their actions, and improves the manner in which gardaí deal with members of the public. Seven in ten agree with the statement that it goes about its work in an efficient manner and six in ten agree it represents value for money

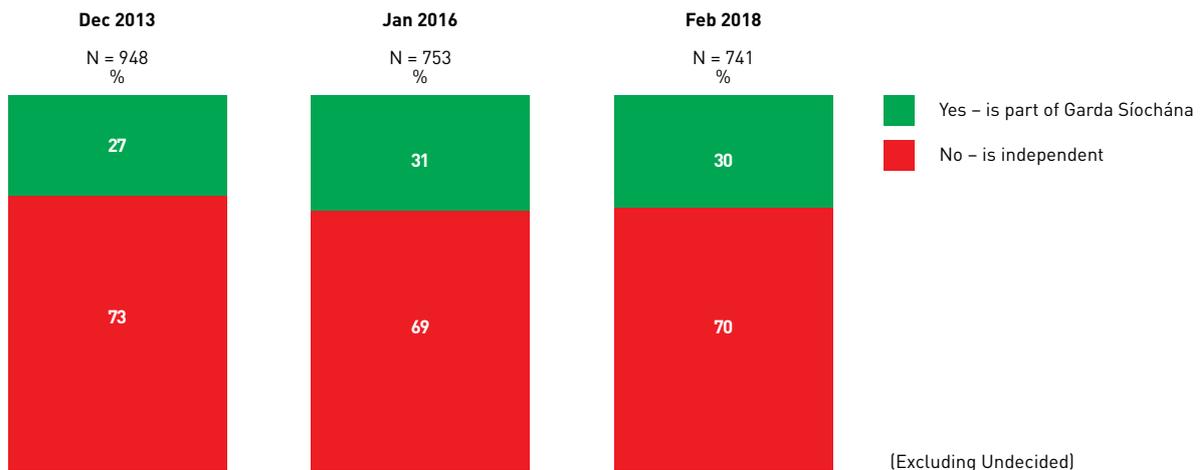
Agreement with Statements Concerning Ombudsman – Excluding Don't Knows

Base: All Adults – excluding undecided



Perception of Ombudsman as Part of Garda Síochána

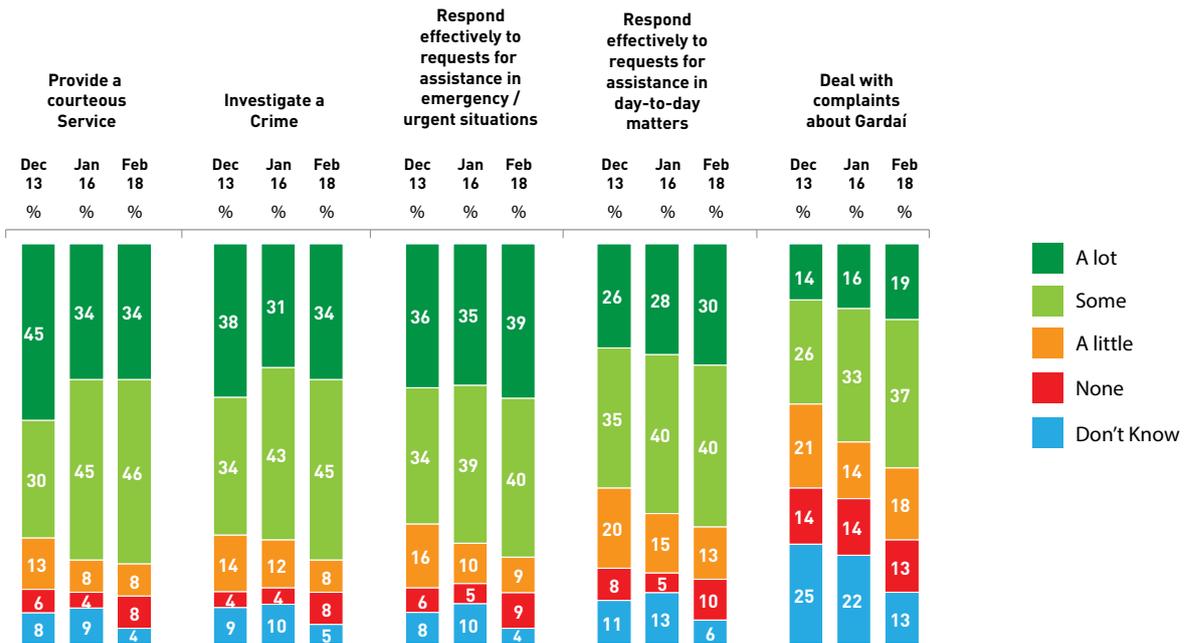
Base: All Adults excluding undecided



Confidence in the Garda Síochána appears to be improving, according to this survey, with highest levels of confidence (eight in ten people expressing a lot or some confidence) in the service's ability to provide a courteous service, investigate a crime, and respond effectively to requests for assistance in emergency/urgent situations. Confidence in the Garda Síochána's ability to deal with complaints against gardaí has increased significantly from the Dec 2013 survey (40% had a lot or some confidence) and the Feb 2018 survey (56% had a lot or some confidence).

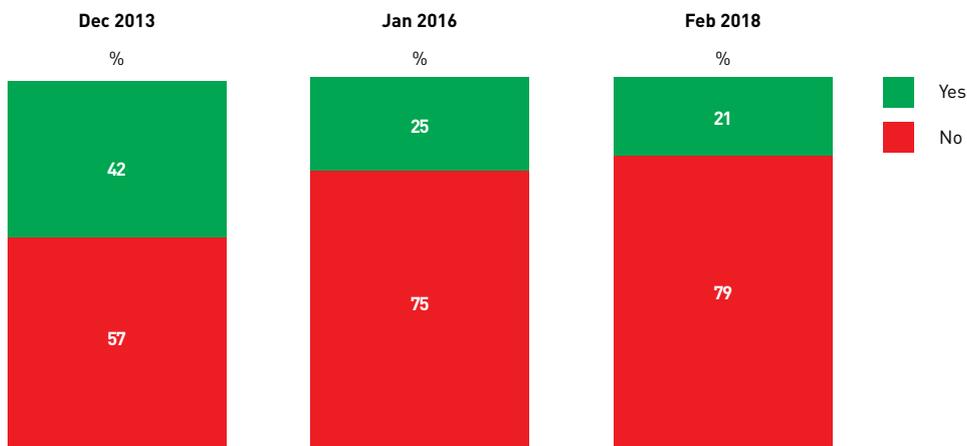
Confidence in Aspects of Garda Síochána's Ability

Base: All Adults – 1,002



Level of Garda Interaction in Last 12 Months

Base: All Adults – 1,002



Satisfaction with Most Recent Garda Interaction

Base: All in Contact with Garda – 207





Garda
Ombudsman
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