

Tuesday, 8th May 2007, 15:00 hrs

Press Release

Official opening of the Garda Síochána Ombudsman Commission

The Garda Síochána Ombudsman Commission (GSOC) officially opened today at 150 Abbey Street Upper, Dublin 1. Tánaiste and Minister for Justice, Equality and Law Reform, Mr. Michael Mc Dowell, T.D. performed the opening ceremony.

The opening signaled the commencement of GSOC operations from midnight tonight when GSOC replaces the Garda Síochána Complaints Board in dealing with complaints from members of the public against members of the Garda Síochána. As well as significantly greater powers, GSOC will have its own trained investigations staff, unlike the Complaints Board.

GSOC was established under the terms of the Garda Síochána Act 2005. It is accountable to the Oireachtas. The GSOC mission is to provide the public with an independent and effective civilian oversight of policing, and to deal with the public's complaints concerning Gardaí fairly and efficiently so that everyone can have confidence in the complaints system.

The three Commissioners are Hon Mr. Justice Kevin Haugh of the High Court, Chairman, Mr. Conor Brady, former editor of the Irish Times and Ms Carmel Foley former Director of Consumer Affairs.

Speaking at the opening the Hon Mr. Justice Kevin Haugh said

“It is impossible to make any forensic or scientific assessment as to the number of complaints likely to come GSOC's way. Suffice to say, should the number of complaints made in due course in this jurisdiction resemble the ratio of complaints per police officer in England, Wales and Northern Ireland, we can anticipate a very substantial increase in the number of complaints received when contrasted with the average number received by the Garda Síochána Complaints Board.”

GSOC is operational from midnight tonight.

Further information:

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Notes:

- The Ombudsman Commission, under the Garda Síochána Act 2005, is required and empowered to:
- Directly and independently investigate complaints against members of the Garda Síochána;
- Investigate any matter, even where no complaint has been made, where it appears that a Garda may have committed an offence or behaved in a way that would justify disciplinary proceedings
- Investigate any practice, policy or procedure of the Garda Síochána with a view to reducing the incidence of related complaints.
- GSOC headquarters will be located at 150 Abbey Street Upper, Dublin 1.
- GSOC will have two other offices in Roscrea, Co. Tipperary and Longford Town.

- Any member of the public who is directly affected by, or who witnesses conduct by a Garda member that is alleged to constitute misbehaviour may make a complaint. A person may make a complaint on behalf on another, with his or her consent.
- In cases involving death or serious harm to an individual as a result of Garda Operations, or while in the custody or care of the Garda Síochána, GSOC will carry out investigations.
- GSOC investigators will have ‘all the powers and responsibilities, duties and privileges’ of a Garda when investigating complaints. These include powers to enter Garda stations, to question, search, arrest, detain, take bodily samples and seize evidence.
- Experienced investigations staff have been recruited from a variety of backgrounds. They include a number of personnel who have backgrounds as investigators in police services in the UK, South Africa, Malta, Australia, New Zealand and elsewhere.
- The Director of Investigations is Paul Buschini, a former detective superintendent with the Lancashire Constabulary. His deputy is Ray Leonard who comes from the Competition Authority and with extensive prior experience in other enforcement areas.
- At present the Garda Síochána Complaints Board receives about 1,300 complaints a year. In ratio to numbers of personnel, this is very low when compared with the experience in the UK. GSOC anticipates a rise in this number.
- The Commission believes that a staff of around 100 persons will be required to meet initial needs. 46 investigative staff have been appointed.
- There are 20 Case Officers. These will not be investigators but will perform the initial assessment of complaints to GSOC and manage many cases which do not require the resources of a full investigative team.
- Training programmes have been conducted in Dublin by staff from the University of Portsmouth who also provide training for Police Ombudsman for Northern Ireland and Independent Police Complaints Commission for England and Wales. GSOC has had the active co-operation of the Kings’ Inns Law School and the Garda College at Templemore in devising its training programmes.
- Ultimately, any investigation by GSOC into an alleged breach of discipline or criminal behaviour must end in one of three ways.
 1. The Commissioners may find that there is no case to answer.

2. They may recommend to the Garda Commissioner that disciplinary proceedings take place.
3. They may recommend to the Director of Prosecutions that charges be laid.