

Press release.

Tuesday 8<sup>th</sup> February 2011,

13.50

The Garda Síochána Ombudsman Commission (GSOC) rejects any suggestion by the GRA that, in the matter of the case of Garda Brendan Whitty, its officers engaged in behaviour that can be described in the terms used by the GRA. GSOC did, in the course of its investigation, seek the cooperation of witnesses for the State, including Garda witnesses. GSOC would expect that such cooperation would be forthcoming, particularly from members of the Garda Síochána at all times. If such cooperation is not forthcoming, GSOC has to rely on such powers as are provided by the Garda Síochána Act 2005.

GSOC's lawful authority to investigate the behaviour of members of the Garda Síochána is given by the State to GSOC under the Garda Síochána Act. GSOC rejects any suggestion by the GRA that, in collecting evidence at the request of Counsel for the State in a trial before the Courts, it exceeded these powers.

Footnote:

GSOC undertook this investigation having been called in by the Garda Commissioner under the Garda Síochána Act. GSOC collected the evidence. The DPP took the decision that there was sufficient evidence to warrant bringing the case to court. Garda Whitty was tried and acquitted by a jury. This is the essence of garda accountability in a modern policing environment. The law applies to everyone. GSOC, having assisted with the investigative and trial process fully respects the decision of the jury.