

- 1) *The total number of allegations/complaints made to Gsoc against gardai in Ireland this year, with a breakdown by Garda Division - with a brief description of the nature of each alleged breach of discipline.*

The total of complaints received to date (mid-September 2020) was 1,182 complaints with 1,719 allegations contained within. Please note that one complaint can contain a number of allegations.

**Allegations by garda division:**

<b>Garda Division:</b>	<b>Number of Allegations:</b>
Cavan / Monaghan	39
Clare	28
Cork City	83
Cork North	32
Cork West	17
D.M.R East	42
D.M.R North	126
D.M.R North Central	80
D.M.R South	59
D.M.R South Central	99
D.M.R West	134
D.M.R Traffic	6
Donegal	65
Dublin Castle	1
Galway	53
Garda Headquarters Phoenix Park	12
Harcourt Square	17
Kerry	75

Kildare	63
Kilkenny / Carlow	37
Laois / Offaly	32
Limerick	58
Louth	84
Mayo	30
Meath	39
Not provided*	159
Roscommon / Longford	33
Sligo / Leitrim	32
Tipperary	55
Waterford	41
Westmeath	29
Wexford	31
Wicklow	28
<b>Total</b>	<b>1,719</b>

\* The chart shows all the allegations, prior to GSOCS determining which could be admitted and dealt with and which could not. Excluded 159 allegations for which garda divisions had not yet being established.

**Allegations by type:**

Type of Allegation	Number of Allegations
Awaiting decision	380
Abuse of Authority	192
Corrupt of Improper Practice	9
Criminal Damage	16
Discourtesy	118

Discreditable Conduct	8
Discrimination	2
Falsehood or Prevarication	8
Generic Admissible Allegation	428
Improper use of Information	4
Misuse of Money or Property	5
Neglect of Duty	299
Non-fatal Offences	190
Other	40
Road Traffic Infringement	12
Sexual Offence	2
Theft and Fraud	6
<b>Total</b>	<b>1,719</b>

**Note** - All complaints received by GSOC are assessed against criteria listed in the Garda Síochána Act 2005 to determine if they are admissible. If they meet the criteria, they can be dealt with by GSOC; if not they are deemed inadmissible. (see list below)

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;
- 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

**2) The number of these allegations that have been upheld, dismissed or still ongoing.**

<b>2020</b>	<b>Complaints</b>	<b>Allegations</b>
Number of Complaints & Allegations Received	1,182	1,719
Deemed inadmissible	403	430
Withdrawn prior to decision	1	1
Awaiting decision	2	2
Admissible:		
• Remain Open	635	1,083
• Allegation withdrawn	35	44
• Caution	1	1
• Frivolous or Vexatious	1	2
• Further investigation not necessary or reasonably practicable**	84	121
• Garda Discipline Regulations no longer apply	1	1
• No breach of Discipline regulations identified***	13	25
• GSOC identifies no misbehaviour by member following 98****	2	2
• Inadmissible – no misbehaviour identified	3	3
• Inadmissible – not a Garda	1	1
• Non-cooperation by complainant	2	2
• Regulation 10 – advice	1	1
<b>Total</b>	<b>779</b>	<b>1286</b>

**Note** – Some complaints can have more than one unique outcome for example partly admissible. There can also be more than one allegation within the one complaint with different outcomes.

**Explanation of outcomes:**

\*\* Further investigation not necessary or reasonably practicable –There was not enough evidence to substantiate either version of events so the complaint could not be proven or disproven.

\*\*\*No breach of discipline regulations identified – At conclusion of investigation the report received by GSOC indicated no breach of discipline.

\*\*\*\* GSOC identifies no misbehaviour following criminal investigation – The most common scenario here is that there was no independent evidence to prove the allegations made.

***3) In the case where a finding/allegation has been upheld, the punishment/fine handed out.***

Two breaches of discipline were identified to date (mid-September) in the 2020 complaints. One case resulted in a caution and the second was regulation 10 advice.

***4) I would also like to request the number of allegations/complaints Gsoc has received this year against gardai in relation to Covid-19, or the enforcement of laws connected with Covid-19, and a breakdown by the nature of these complaints and a breakdown by Garda division.***

As of the 11<sup>th</sup> September 2020 the number of complaints to GSOC in which Covid 19 was mentioned as a factor is 228 cases (in total).

Total **Open** Cases **105**

Total **Closed** Cases **123**

**Breakdown of 105 Opened Cases**

**Factor of the complaint**

Customer Service	10
Road Policing	39
Domestic Incident	2

During Police Custody	1
Other	10
Public Order Policing	7
Search (Property)	12
Arrest	10
Disclosure of Information	2
Public Event	1
Court Proceedings	2
Property Issue	3
Search (Person)	5
Investigation	1
<b>Total</b>	<b>105</b>

**Garda Division**

Kilkenny / Carlow	3
Not Provided *****	14
Cavan / Monaghan	6
D.M.R North	9
D.M.R East	2
D.M.R South Central	4
Laois / Offaly	2
D.M.R West	4
Kildare	5
Galway	3
D.M.R North Central	5
Limerick	2
Donegal	10
Westmeath	2

Sligo / Leitrim	2
Cork City	4
Kerry	3
Wicklow	3
D.M.R South	3
Roscommon / Longford	4
Cork West	2
Cork North	4
Louth	3
Mayo	2
Wexford	1
Meath	1
Waterford	2
<b>Total</b>	<b>105</b>

\*\*\*\*\* The chart shows all the complaints, prior to GSOC determining which could be admitted and dealt with and which could not. Excluded 14 complaints for which garda divisions had not yet being established.

Breakdown of 123 Closed Cases

<b>Factor of the complaint</b>	
Customer Service	13
Road Policing	51
Domestic Incident	1
Other	24
Public Order Policing	15
Search (Property)	1



Arrest	4
Disclosure of Information	2
Public Event	6
Court Proceedings	3
Search (Person)	1
Investigation	2
<b>Total</b>	<b>123</b>

**Garda Division**

Kilkenny / Carlow	2
Not Provided	17
Cavan / Monaghan	3
D.M.R North	11
D.M.R East	6
D.M.R South Central	5
Laois / Offaly	2
D.M.R West	7
Kildare	4
Galway	1
D.M.R North Central	10
Limerick	1
Donegal	6
Westmeath	4
Sligo / Leitrim	7
Cork City	3
Kerry	3
Wicklow	5
D.M.R South	3



Roscommon / Longford	4
Cork West	3
Cork North	3
Louth	2
Wexford	1
Meath	1
Waterford	3
Clare	2
D.M.R Traffic	1
Garda Headquarters Phoenix Park	1
Harcourt Square	1
Tipperary	1
<b>Total</b>	<b>123</b>