

A few items to note.

- The figures below is drawn from complaints received in 2020 and 2021 (January to end of September). Please see the note at the foot of this email for and explanation of this, and for more information on how complaints are processed, including matters of admissibility.
- Please note that the below information should be treated as indicative only. It was retrieved on foot of your request and does not represent official, published, statistical information from GSOC.
- Related to this, please note that this information is indicative of the situation as of date of drawdown from our system. Information on cases, by its nature, is dynamic, and subject to update and change on foot of further information received during the course of an investigation.

2020

A total of 1,955 complaints have been opened in 2020 containing 3,628 allegations. Please note one complaint can contain more than one allegation.

A total of 131 complaints were received in the D.M.R South Central containing 195 allegations.

Breakdown per district:

Kevin Street	29	55
Pearse Street	84	111
Donnybrook	22	29

Note - One complaint can contain two garda members subject of the complaint from two different districts i.e Kevin Street and Pearse Street. This complaint will be counted twice hence why the numbers above add to 135 and not 131.

Pearse Street

84 complaints and 111 allegations

Following the admissibility process:

<i>Admissible/part admissible</i>	51	78
<i>Inadmissible</i>	33	33

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	14
Corrupt or Improper Practice	2
Discourtesy	7
Discreditable Conduct	1

Misuse of money or property	1
Neglect of duty	15
Non-Fatal offence	29
Other	3
Road traffic infringement	1
Theft and fraud	1

Please note - The breakdown of allegations (above) does not include 4 allegations that are currently awaiting categorisation.

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	84	111
Inadmissible	33	33
Admissible / part admissible:		
Remain open	8	13
Further investigation not necessary or reasonable practicable	28	38
Allegation withdrawn	9	14
Caution	1	1
Garda discipline regulations no longer apply	1	2
GC identified no breach of discipline regulations	4	9
GSOC identifies no misbehaviour by member following section 98	1	1

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.

Kevin Street

29 complaints and 55 allegations

Following the admissibility process:

<i>Admissible / part admissible</i>	21	47
<i>Inadmissible</i>	8	8

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	10
Discourtesy	6
Criminal Damage	2



Improper use of information	1
Neglect of duty	8
Non-Fatal offence	18

Please note: The breakdown of allegations (above) does not include 2 allegations that are currently awaiting categorisation.

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	29	55
Inadmissible	8	8
Admissible / part admissible:		
Remain open	3	5
Further investigation not necessary or reasonable practicable	13	34
Allegation withdrawn	1	1
GC identified no breach of discipline regulations	4	7

Donnybrook

22 complaints and 29 allegations

Following the admissibility process:

<i>Admissible / part admissible</i>	14	21
<i>Inadmissible</i>	8	8

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	8
Improper use of information	1
Neglect of duty	4
Non-Fatal offence	7

Please note: The breakdown of allegations (above) does not include 1 allegations that are currently awaiting categorisation.

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	22	29
Inadmissible	8	8

Admissible / part admissible:		
Remain open	2	2
Further investigation not necessary or reasonable practicable	7	11
Allegation withdrawn	4	7
GC identified no breach of discipline regulations	1	1

2021

A total of 1,657 complaints have been opened in 2021 containing 2,748 allegations (January to end of September).

A total of 100 complaints were received in the D.M.R South Central containing 214 allegations.

Breakdown per district:

Kevin Street	36	83
Pearse Street	51	109
Donnybrook	14	22

Pearse Street

51 complaints and 109 allegations

Following the admissibility process:

<i>Admissible/part admissible</i>	37	94
<i>Inadmissible</i>	14	15

Allegation Type in admissible allegations:

Allegation Type	
Abuse of authority	23
Criminal damage	1
Discourtesy	10
Discreditable conduct	1
Falsehood or prevarication	1
Intoxication	5
Misuse of Money or property	1
Neglect of duty	18
Non-fatal offence	23
Other	1
Theft and Fraud	4

Please note: The breakdown of allegations (above) does not include 6 allegations that are currently awaiting categorisation

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	51	109
Inadmissible	14	15
Admissible / part admissible:		
Remain open	21	62
Further investigation not necessary or reasonable practicable	11	25
Allegation withdrawn	5	7

Kevin Street

36 complaints and 83 allegations

Following the admissibility process:

<i>Admissible/part admissible</i>	27	74
<i>Inadmissible</i>	9	9

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	24
Criminal Damage	1
Discourtesy	8
Discreditable conduct	1
Neglect of Duty	8
Non fatal offence	24
Other	1

Please note: The breakdown of allegations (above) does not include 7 allegations that are currently awaiting categorisation

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	36	83
Inadmissible	9	9
Admissible / part admissible:		

Remain open	20	60
Further investigation not necessary or reasonable practicable	6	13
Allegation withdrawn	1	1

Donnybrook

14 complaints and 22 allegations

Following the admissibility process:

Admissible/part admissible 7 15

Inadmissible 7 7

Allegation Type in admissible allegations:

Allegation Type	
Abuse of Authority	4
Discourtesy	3
Neglect of duty	3
Non-fatal offence	3

Please note: The breakdown of allegations (above) does not include 2 allegations that are currently awaiting categorisation

Outcomes:

	Complaints	Allegations
Number of Complaints and allegations	14	22
Inadmissible	7	7
Admissible / part admissible:		
Remain open	3	9
Further investigation not necessary or reasonable practicable	4	6

Note on how complaints are assessed by GSOc

All complaints received by GSOc are assessed against criteria listed in the Garda Síochána Act, 2005 to determine if they are admissible. For a complaint to be admissible, it must meet the following criteria:

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 complaints;

- 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

If a complaint does not meet the criteria it is deemed inadmissible and no further action is taken by GSOC.

After a complaint is deemed admissible it can be dealt with in a number of ways depending on what is alleged.

All allegations of criminal offences by Gardaí are investigated by GSOC investigators under section 98 of the Act.

If breaches of discipline have been identified these complaints can be dealt with in a number of ways, such as:

- unsupervised disciplinary investigations (under section 94 of the Act), conducted by Garda Superintendents
- Supervised investigation (under section 94(5)). These are also conducted by Garda Superintendents but are supervised by GSOC investigators. These investigations are conducted by Garda Superintendents in line with Garda Discipline regulations.
- Non-criminal investigations (under section 95 of the Act) are carried out by GSOC investigators.

Explanation on most common allegation types -

- Neglect of Duty – allegations that a garda failed to take an action that could have been reasonably expected – such as, at one end of the scale, returning a phone call, or properly investigating an alleged serious crime at the other.
- 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
- Non-fatal offences – these are allegations of a criminal offence listed in the Non-Fatal Offences Against the Person Act, 1997 and include, for example assault.
- Discourtesy – complaints around how a garda spoke to or behaved towards a person.

Explanation of outcomes:

- GSOC identifies no misbehaviour following criminal investigation – The most common scenario here is that there was no independent evidence to prove the allegations made.
- No breach of discipline regulations identified – At conclusion of investigation the report received by GSOC indicated no breach of discipline.
- 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.