



inquiry

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**Garda
Ombudsman**
INQUIRY INDEPENDENCE IMPARTIALITY

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION
THIRD ANNUAL REPORT: 2008

Mr. Dermot Ahern, T.D.,
Minister for Justice, Equality and Law Reform,
94 St. Stephen's Green,
Dublin 2.

31 March, 2009.

Dear Minister,

It is with pleasure that we present to you our third Annual Report, to be laid before the Houses of the Oireachtas, as prescribed by the Garda Síochána Act 2005.

This report covers the year ending December 31st 2008, the first full calendar year of the Commission's operations.

The Garda Síochána Ombudsman Commission became operational on May 9th 2007 when it started receiving complaints. On the same date, the Garda Síochána Complaints Board ceased receiving complaints.

The advent of the Commission marked a significant advance in the accountability and transparency of civil policing in this State. It places Ireland among a small cohort of Common Law jurisdictions where similar provisions now operate.

In the course of the year now under review, the Commission consolidated and fine-tuned its operations. As the tasks facing it became clearer, it adapted its structures and procedures to achieve greater efficiency and effectiveness, against a background of increasing financial stringency.

A total of 2,681 complaints were received during the year. Of the complaints received in 2008 alone, the total number of allegations arising from complaints was 4,227. Of these allegations, 1,360 were deemed inadmissible. GSOC also received a further 1,636 queries from the general public. For comparative purposes, it might be noted that these figures represent a somewhat lower rate of complaints against police officers pro rata than in other jurisdictions in these islands.

A significant achievement during the year was a considerable reduction in the backlog of complaints awaiting admissibility decision which had developed at start-up. This was attained within the context of some restructuring of the organisation, preceded by a full management review, approximately one year after opening.

Other noteworthy organisational developments during the year included the establishment of the Intelligence Unit, the coming on-stream of the Library and Research service and the deployment of a number of Investigation Officers to the South and West in order to achieve greater efficiency in dealing with the Commission's workload in these regions.

The Commission continued to engage pro-actively with its stakeholders during the year.

The Commissioners met formally at four-month intervals with the Commissioner of the Garda Síochána and his senior staff. A meeting of the Consultative Group, involving Garda management, the staff associations, officials from your own Department and others, was held during the year. Commission personnel had input into training courses at the Garda College. An active outreach programme, bringing information to community groups and others, was undertaken.

The Commission also met with its counterpart organisations in Northern Ireland, in England and Wales and in Scotland. A productive dialogue continues amongst us in regard to best practices and standards and related matters. On the wider international scale, the Commission continued to maintain dialogue with oversight bodies throughout Europe, North America and worldwide.

The Commission remained conscious of its obligations in relation to the protection of Human Rights. These obligations were emphasised in the ongoing staff training programmes undertaken during the year. The Commission continued its engagement with the Irish Human Rights Commission throughout the year. In the European context, the Commission contributed at the Council of Europe to the Opinion of the Commissioner for Human Rights Concerning Independent and Effective Determination of Complaints against the Police.

It was a source of concern to the Commission that none of the legislative amendments drafted after discussions in 2007 were advanced during 2008. Without such fine-tuning of the legislation, the Commission is severely hampered in providing its services to the public and to gardaí alike. We earnestly hope and request that early progress can be made in regard to these matters in the months ahead.

We would like to put on record our appreciation of the work of our staff during the year. In every function and at every level, we have been impressed by the professionalism, energy, commitment and flexibilities that have been demonstrated. A very positive esprit de corps has developed very quickly. We value it and we have no doubt that it will be sustained.

We would like to acknowledge the co-operation, courtesy and support of the officials of your Department during the year. We would also like to acknowledge the courtesy and active co-operation of the Commissioner of the Garda Síochána and his officers. In particular, we would wish to record that operational relationships on the ground, at Divisional and District level, have been professional and effective.

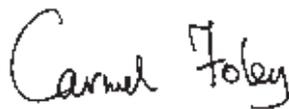
We would also like to acknowledge the co-operation and support of various State agencies during the year; these include the Courts Service, the Coroners' Service, the Office of the Director of Public Prosecutions, the Chief State Solicitor's Office, the State Pathologist's Office, the State Forensic Science Laboratory and the Air Corps.

Between the ending of the year in review and the completion of this report, the Commission suffered the loss of its founder-chair, the late Judge Kevin Haugh, who died on January 27th 2009. We wish to express our appreciation of his important role in the establishment of the Commission and we wish to record the sense of loss that has been experienced throughout the organisation in his untimely passing.

Yours faithfully,



Conor Brady, Commissioner



Carmel Foley, Commissioner

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

3RD ANNUAL REPORT

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ACRONYMS

ACPO Association of Chief Police Officers	HR Human Resources
AGSI Association of Garda Sergeants and Inspectors	HRM Human Resource Management
BIOA British/Irish Ombudsman Association	HSE Health Service Executive
CACOLE Canadian Association for Civilian Oversight of Law Enforcement	ICT Information Communications Technology
CMS Case Management System	IPCC Independent Police Complaints Commission (for England and Wales)
CSTDC Civil Service Training and Development Centre	IR Informal Resolution
DJELR Department of Justice, Equality and Law Reform	IT Information Technology
DPP Director of Public Prosecutions	MIS Management Information Systems
EPAC European Partners against Corruption	NACOLE National Association for Civilian Oversight of Law Enforcement
EU European Union	NUI National University of Ireland
FAQs Frequently Asked Questions	OPONI Office of the Police Ombudsman for Northern Ireland
GIS Geographic Information Systems	OPW Office of Public Works
GRA Garda Representative Association	PSNI Police Service of Northern Ireland
GSOC Garda Síochána Ombudsman Commission	RoI Return on Investment

EXECUTIVE SUMMARY

This Report deals with the work of the Garda Síochána Ombudsman Commission (GSOC) in the calendar year between January 1st 2008 and December 31st 2008.

2008 was GSOC's first full year of operational activity. It provided the organisation with an opportunity to analyse the experience of the previous year and to make some modifications to the manner in which GSOC approaches the task of meeting the objectives set out in the Garda Síochána Act 2005 ("the Act"). The year was one of consolidation during which GSOC invested considerable resources and energy in reducing a backlog of complaints awaiting admissibility determination to a manageable level. This backlog had built up during the frenetic period in 2007 when GSOC became operational. By the close of 2008, the backlog had been reduced by 33% reflecting the impact of changes to the business process which were implemented during the year.

The number of complaints received during the year (2,681) is somewhat lower, pro rata, than in adjoining jurisdictions. However, the trends identified in previous years by GSOC and by the Garda Síochána Complaints Board continue to show that allegations of abuse of authority, neglect of duty and discourtesy constitute the majority of complaints received. GSOC maintained regular contact with Garda senior management and training units in the Garda College outlining the situations which give rise to most complaints, i.e. searches, arrests and road traffic policing. GSOC is appreciative of the attention given to its inputs by Garda management and believes that such proactive co-operation enhances good policing.

The number of referrals to GSOC, under section 102 of the Act, by the Garda Commissioner during 2008 decreased. Of the 129 incidents referred during 2008, thirteen incidents gave rise to fourteen fatalities, eight of which arose from road traffic incidents; the remaining six arose following garda contact. Three of the fourteen fatalities were members of the Garda Síochána. In order to provide a prompt, professional and equipped response to these incidents, GSOC maintained a nationwide 24/7 operational capacity throughout the year. In some cases, there are many ancillary factors to take into account. This is particularly the case with regard to road traffic incidents which may involve road closures to facilitate emergency services.

Relationships with other organisations which are central to the administration of justice are vitally important to GSOC. Ongoing dialogue was maintained with the Director of Public Prosecutions (DPP), the Chief State Solicitor, the Courts Service, the many Coroners around the country, other Ombudsman offices as well as the Department of Justice, Equality and Law Reform (DJELR). Similarly, through a consultative group, GSOC continued its discourse with Garda staff associations, Garda management, the Irish Human Rights Commission and others. Through its outreach programme, GSOC continued to provide information regarding its role in Irish society to NGOs, civic groups and interested parties. GSOC participated in the exchange

of expertise with police oversight bodies in Northern Ireland, England and Wales and across Europe and North America.

Of the complaints received in 2008 alone, the total number of allegations arising from complaints was 4,227; of these allegations, 1,360 were deemed inadmissible. GSOC also received a further 1,636 queries from the general public. GSOC had 2,028 complaints on hand at end of year.

Analysis shows that the most typical complainant in 2008 was Irish, male, aged 18-30 and from the Dublin region.

GSOC noted that the most common factors relating to allegations were Garda searches/investigations (26%), arrest (18%) and road traffic incidents (17%).

GSOC's active caseload was greater than that received in 2008 as cases at various stages of processing were carried over from 2007. The investigative methods deemed appropriate by GSOC, and the number of occasions when each method was used, were:

- section 90 Informal Resolution (136);
- section 94 investigation by the Garda Síochána (supervised by GSOC) (175);
- section 94 investigation by the Garda Síochána (unsupervised) (638);
- section 95 investigation by GSOC (2); and
- section 98 investigation by GSOC (641).

GSOC closed 2,249 cases in 2008, as detailed below:

Following processing, 1,469 were deemed inadmissible.

Following investigation:

- 310 cases were closed under section 93 (frivolous/vexatious, false/misleading or not reasonably practicable);
- 65 were closed under section 90 (informal resolution);
- 147 were closed under section 94 (unsupervised investigation by the Garda Síochána);
- 20 were closed under section 94 (investigation by the Garda Síochána supervised by GSOC); and
- 238 were closed under section 98 (investigation by GSOC).

31 files were sent to the DPP. These files identified 44 potential defendants. The DPP gave 11 directions for prosecution, 10 of which were awaiting court dates at year end. There was one conviction (for dangerous driving) in 2008 which arose from a GSOC investigation of an incident which occurred in 2007. The DPP gave 30 directions for no prosecution.

During 2008, GSOC received 129 referrals from the Commissioner of the Garda Síochána under section 102(1) of the Act; these are cases in which it appeared to the Commissioner that the conduct of a garda member may have resulted in the death of, or serious harm to, a person. Thirteen referrals under this section involved fourteen fatalities; these comprised three gardaí and eleven members of the public. Eight fatalities arose from road traffic incidents. There were no deaths in garda custody in 2008.

In the period under review, GSOC opened two investigations in the public interest, under section 102(4) of the Act.

GSOC continued its examination into certain aspects of the operation of the Fixed Charge Processing System (FCPS) in accordance with section 106 of the Act. It is expected that this report, with recommendations, will be ready for presentation to the Minister by the end of May 2009.

GSOC conducted attitude surveys among the public and the Garda Síochána during the year. GSOC responded to all media queries received during 2008. The website was updated on a monthly basis. GSOC embarked on an outreach programme which included delivering presentations to groups which expressed an interest in its activities. Staff gave lectures to students and probationer gardaí at the Garda College in Templemore and at management supervisory development programmes to serving members of the Garda Síochána. GSOC also hosted visits by interested parties and participated in four conferences, delivering two papers relating to police oversight.

Drawing on the operational experience of the previous year, GSOC sought amendments to the Act; these are set out in detail in GSOC's Two Year Report which was presented to the Minister in February 2008. GSOC engaged in discussion with officials of the DJELR in order to advance the amendments sought.

The Commissioners are of the view that in the period covered by this report, satisfactory progress was achieved towards consolidating GSOC as an independent, efficient and effective organisation, capable of meeting its statutory obligations. The organisation undertook a major review of its business process during 2008, following which it planned and implemented a restructuring. It is expected that, with the legislative amendments in place and with improved analytical and operational capability, GSOC can look forward to making a positive contribution to policing in the coming year.

Objective (a) for the Garda Síochána Ombudsman Commission (GSOC), as set out in section 67(1) of the Garda Síochána Act 2005 (the Act), is:

“to ensure that its functions are performed in an efficient and effective manner and with full fairness to all persons involved in complaints and investigations under Part 4 concerning the conduct of members of the Garda Síochána”.

1.1 Volume of Complaints

GSOC began 2008 with 1,596 complaints on hand from 2007 (i.e. received in 2007: 2,065; closed in 2007: 469). Of the cases on hand, 670 were awaiting admissibility decision, a figure that was a major concern for GSOC at the close of 2007.

In order to address this concern, and as part of its programme of continuing improvement, GSOC undertook a review of its business processes in 2008 to identify how these might be improved so as to optimise process efficiency, utilisation of resources, legal robustness, quality of customer service and value for money.

This review established that the backlog of cases awaiting admissibility decision arose from a combination of factors, including the volume of complaints received, the necessary ‘learning curve’ for inexperienced staff in a new organisation, the need to restrict delegation of authority for decision-making until senior management was confident that the necessary level of experience and knowledge had been built up within the general organisation and the need to implement policies as they evolved when GSOC became operational.

The review, which was completed towards the end of 2008, resulted in the implementation by GSOC of significant changes to its management structures and processes which meant that the majority of the issues mentioned above were addressed along with significant progress in dealing with the backlog of cases carried over from 2007.

Specifically, one of the main achievements in this regard has been a 33% reduction in the number of cases awaiting an admissibility decision by the end of 2008. This figure is expected, in 2009, to settle at or about 300 cases at any given point in time, which would represent an acceptable figure for GSOC given the rate at which complaints continue to be received and the time lapse caused by the necessity to elicit further information from complainants on many occasions.

1.2 Receipt of Complaints

Section 67(2)(a) assigns to GSOC the function:

“to receive complaints made by members of the public concerning the conduct of members of the Garda Síochána...”

Casework Unit

The Casework Unit of the Operations Directorate is normally the first point of contact for members of the public with GSOC. It also deals with the majority of queries dealt with by the organisation. Complaints can be made to GSOC in a variety of ways and the Casework Unit may receive complaints through correspondence, via the telephone, by e-mail, on-line via GSOC’s website (www.gardaombudsman.ie) or through interviews with individuals who attend GSOC’s office in person. There were 20 Case Officers working in the section at the end of 2008, all of whom are trained and experienced in corresponding through these media.

Public Office

GSOC’s public office is open from 9.30am to 4.30pm (Monday to Friday) for receipt of complaints from members of the public. While it is possible for complainants to make appointments with a Case Officer within these hours, the majority of complainants who arrive at GSOC’s office do so without a prior appointment and are deemed “walk in” complainants. “Walk-in” complainants are given the necessary Complaint (GSOC 1) Form which they can complete at the office or take away and send back by post in a pre-paid envelope. Persons who require assistance completing the Complaint Form may make an appointment to meet with a Case Officer and this meeting is usually arranged as quickly as possible. 24% (606) of complaints were received through the public office during 2008.

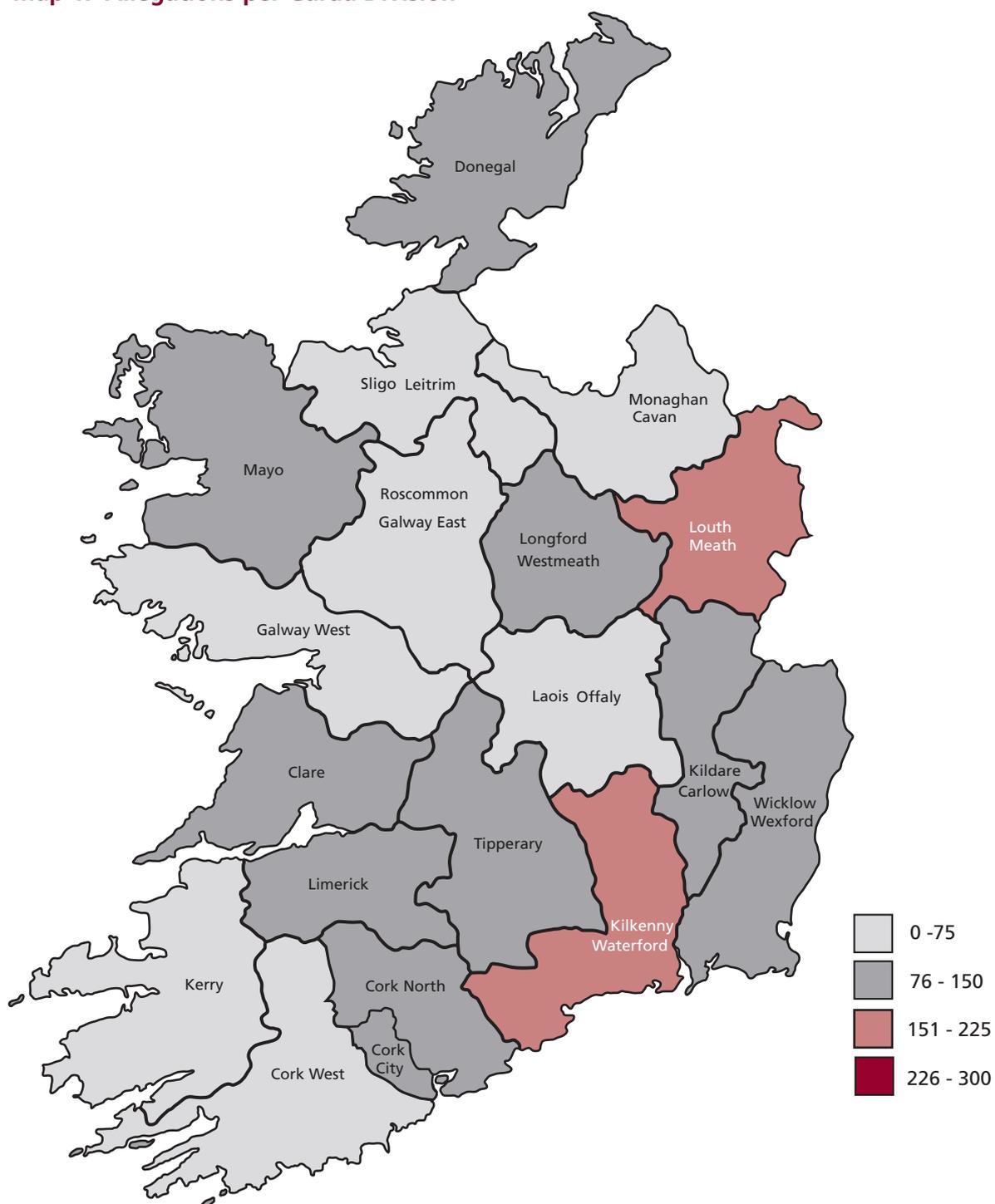
Numbers of Complaints and Queries

The Casework Unit received 2,681 complaints from members of the public in 2008. In addition, a large proportion of case officer time is also taken up responding to queries from members of the public who may be trying to establish what might happen if they make a complaint, or whether or not GSOC is the right place to make their particular complaint. GSOC’s records show that 1,636 such queries were dealt with in 2008.

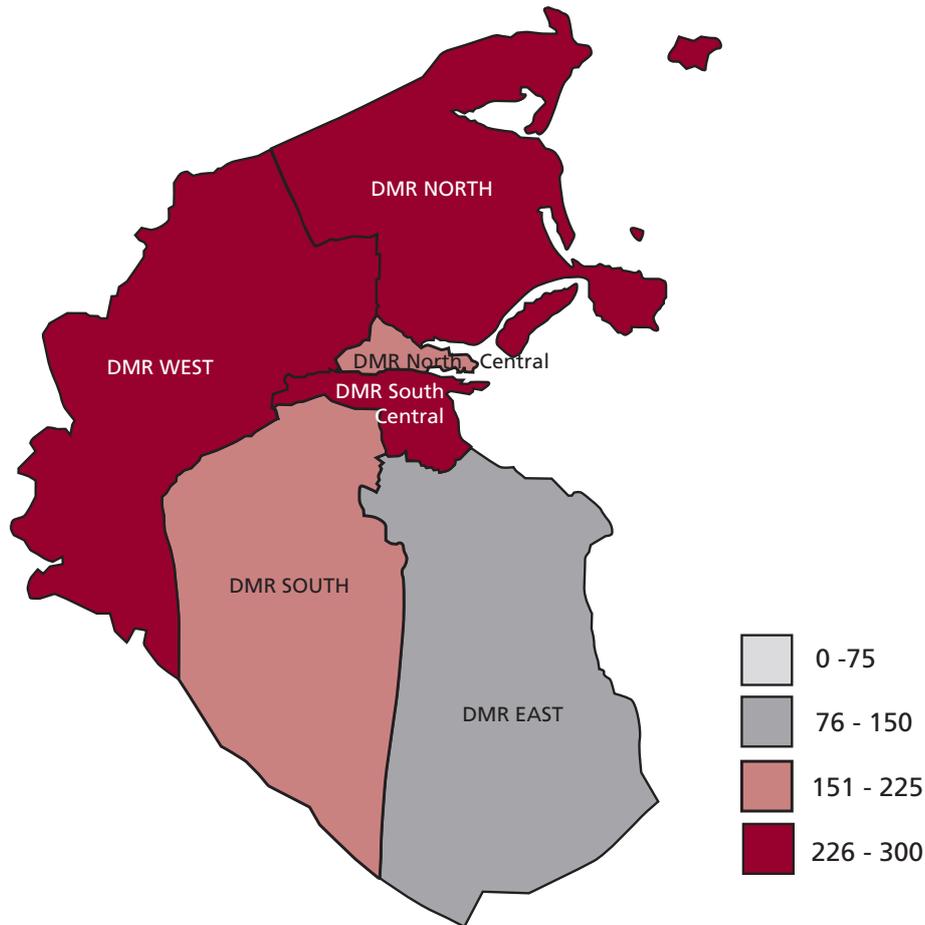
GSOC received complaints by post (28%), public office (24%), telephone (15%), fax, on-line complaint form/email (15%) and via Garda stations (18%).

Status	Complaints
On hand 31/12/2007	1,596
Received in 2008	2,681
Closed in 2008	2,249
On hand 31/12/2008	2,028

Map 1: Allegations per Garda Division



Map 2: Allegations per Garda Division (Dublin Metropolitan Region)

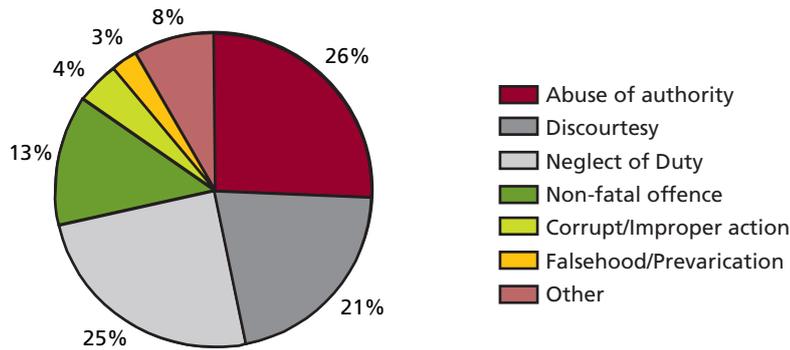


Allegations

A complaint may contain several allegations relating to one or several individual gardaí. Those allegations may suggest breaches of discipline, criminal offences or both. The total number of allegations arising from complaints during 2008 was 4,227.

The most common classifications assigned by GSOC to allegations were:

- Abuse of authority (26%);
- Neglect of duty (25%);
- Discourtesy (21%); and
- Non-fatal offence (13%).

Chart 1: Allegation Type

GSOC improved the categorisation of allegation types during 2008. By consequence, GSOC can provide a more accurate reflection of the true nature of allegations being submitted.

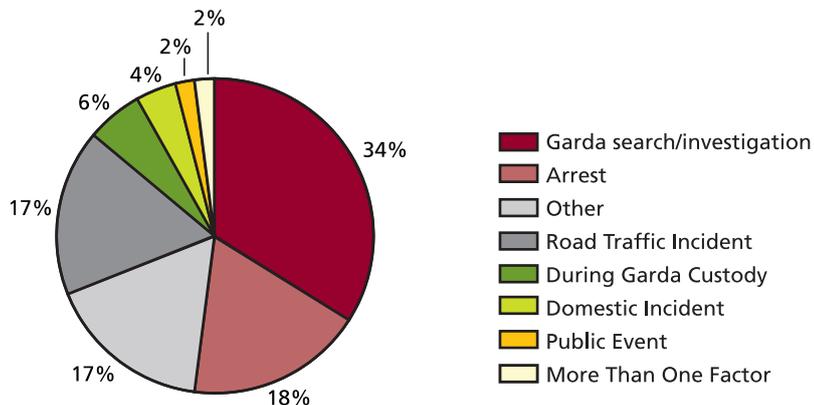
Factor in Allegation

The factor entails the context in which a garda is alleged to have misbehaved. An example would be where a person alleges that a garda was rude during a search of a person. While the allegation type would be discourtesy, the factor would be a 'garda search/investigation'.

Thirty-four percent of all allegations where the factor is known occurred during a garda search/investigation. A further 18% occurred during arrest, while 17% occurred in the course of driving on public roads.

GSOC sought to establish what factors were commonly associated with complaints and allegations. The most common factors in allegations were:

- Garda search/investigation 34%;
- Arrest 18%; and
- Road Traffic Incident 17%.

Chart 2: Factor in Allegations

When complaints in which the factor is 'garda search/investigation' are further analysed it is found that over two thirds of these comprised complaints arising from a neglect of duty (37%) or abuse of authority (30%). GSOC has noted two common issues in these as being an alleged failure by gardaí to respond to a call/keep a victim of a crime informed and the garda conduct during the execution of warrants.

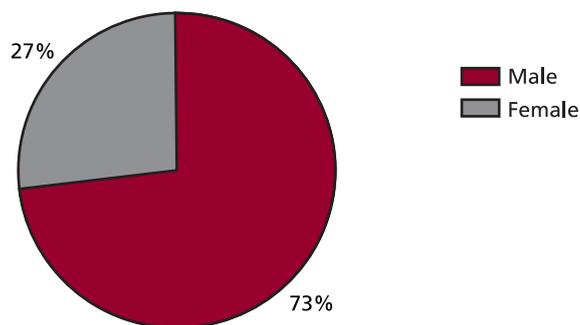
Complainants

In order to examine why complaints about Garda behaviour arise, GSOC carries out research on an ongoing basis to ascertain what sections of society use the complaints system. To do this, GSOC asks complainants to answer a set of relevant questions on a voluntary basis.

Of those complainants who responded to the questionnaire, it is noted that Complainants to GSOC in 2008 were predominantly male:

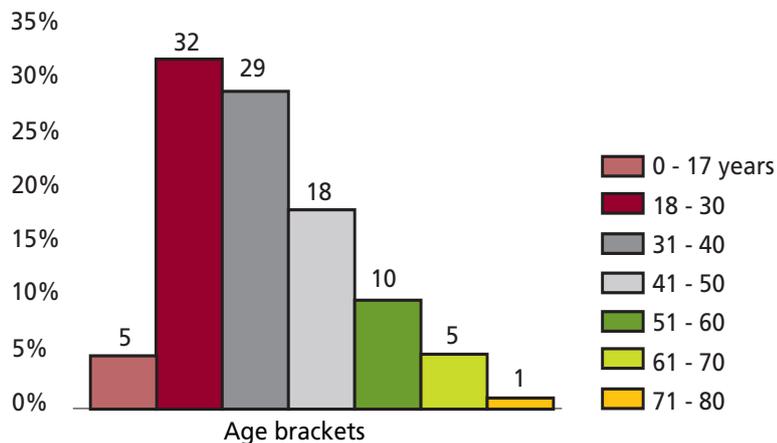
- Male 73%; and
- Female 27%

Chart 3: Sex of Complainants



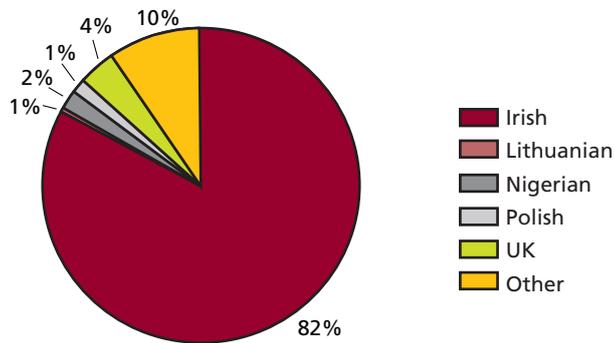
Complainants were predominantly aged between 18 and 50

Chart 4: Age of Complainants



The majority of complainants were Irish.

Chart 5: Complainant Nationality



Gardaí who were subject to complaint

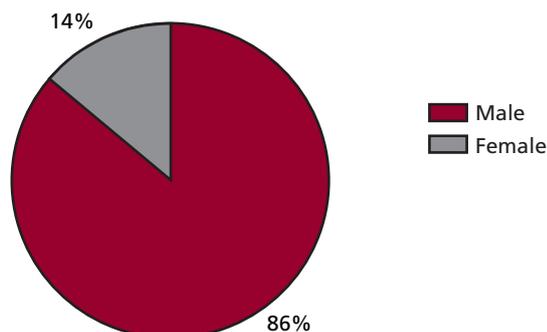
Based on the data available, the majority of complaints made to the GSOC in 2008 were against the Garda grade:

- Student/Probationer 0.8%;
- Garda 80%;
- Sergeant 14%;
- Inspector 1%;
- Superintendent 3%;
- Chief Superintendent 1%; and
- Assistant Commissioner/Deputy Commissioner 0.2%.

The majority of complaints made to GSOC were against male gardaí. Females comprise 21% of the Garda Síochána. This means that female gardaí are complained about some 7% less than their representation within the Garda Síochána. The sex of a garda does not appear to be a major determining factor in the incidence of complaints, as shown below:

- Male 86%; and
- Female 14%.

Chart 6: Sex of Gardaí subject to Complaints



1.3 Response to Complaints

Section 67(2)(b) assigns to GSOC the duty:

“to carry out the duties and exercise the powers assigned to it under Part 4 in relation to those complaints...”

When a complaint is received, Case Officers commit to providing regular updates on the progress of the complaint-handling process. Case Officers establish the nature of the complaint(s) and proceed accordingly. The initial step is to decide on the admissibility of a complaint. In some cases, a complaint did not contain enough information on which to base an admissibility decision. It was not uncommon for Case Officers to seek further information in advance of the admissibility decision being made. By consequence there was always a certain number of cases awaiting an admissibility decision. If the required information was not supplied within a reasonable period of time, GSOC proceeded to make a decision based on the available information.

Admissibility

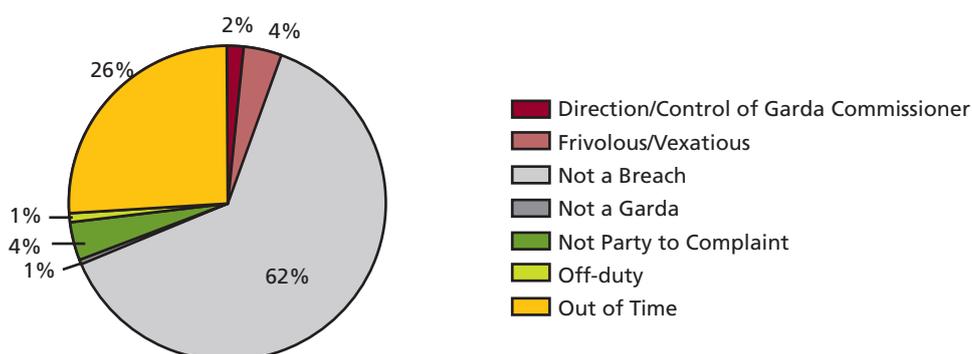
“Admissibility” covers the complaints process from the point that the complaint is made to the point where the GSOC determines whether it is admissible in accordance with the criteria provided for under section 87 of the Act. If a complaint is deemed to be admissible, the GSOC will then decide the method through which to investigate the complaint with the objective of bringing it to completion.

Admissibility status of allegations received in 2008 (as of 31/12/08):

- Admissible 56%;
- Inadmissible 32%;
- Pending 10%; and
- Withdrawn 2%.

The Act sets out the criteria which must be met in order for a complaint to be determined admissible. In accordance with these criteria, the reasons for which allegations were deemed inadmissible (as a percentage of all inadmissible allegations) in 2008 are set out here.

Chart 7: Reasons Complaints deemed inadmissible



Investigative Methods

GSOC's overall caseload for 2008 was greater than the number of complaints received in that year as 1,596 cases at various stages of processing were carried over from 2007.

Once a complaint is determined to be admissible, GSOC decides the most appropriate manner in which the complaint should be investigated. During 2008, the investigative methods deemed appropriate by GSOC were:

- section 90 Informal Resolution (136);
- section 94 investigation by the Garda Síochána (supervised by GSOC) (175);
- section 94 investigation by the Garda Síochána (unsupervised) (638);
- section 95 investigation by GSOC (2); and
- section 98 investigation by GSOC (641).

Closure of Cases

GSOC closed 2,249 cases during 2008 following processing and investigation:

- 1,469 cases were closed as inadmissible complaints;
- 310 cases were closed in accordance with section 93(1) of the Act which provides that the investigation of a complaint can be discontinued if the GSOC considers it to be frivolous or vexatious, false or misleading, or that further investigation is not necessary or reasonably practicable;
- 65 cases were closed under the section 90 Informal Resolution process;
- 147 cases were closed following a section 94 unsupervised investigation by the Garda Síochána;
- 20 cases were closed as a result of a section 94 supervised investigation by the Garda Síochána; and
- 238 cases were closed following a section 98 investigation by GSOC.

Investigative Decision/Method	Opened in 2008	Closed in 2008
Section 90 Informal Resolution	136	65
Section 94 investigation by the Garda Síochána (supervised by GSOC)	175	20
Section 94 Unsupervised Investigation by the Garda Síochána	638	147
Investigation by GSOC	641	238
Inadmissible		1,469
Section 93		310

Informal Resolution

Section 90 of the Act provides for resolution of less serious complaints by means of mediation or Informal Resolution (IR). The categories of allegations that are generally considered by the GSOC to be suitable for IR are discourtesy, incivility and neglect and usually relate to relatively minor issues which could be resolved by way of an explanation or assurance by the garda member(s) concerned.

Best international practice suggests that informal resolution, if it can be achieved quickly, is preferable to formal investigation and, accordingly, GSOC believes that the over-riding principles for the process should be that the matters are dealt with appropriately and expeditiously. Within GSOC to date, IR has taken the form of what could be termed 'conciliation', with specifically trained GSOC staff seeking to achieve agreement on a speedy resolution of the case.

In its first year of operation GSOC found however that conducting IR under current legislative arrangements (which require the written consent of both the complainant and the garda member(s) who is/are the subject of the complaint) proved to be an extended and time-consuming process. In that context, GSOC decided in 2008 to proceed with IR only in respect of those cases where it was believed that a speedy resolution could be achieved. GSOC also engaged in consultations with Garda HRM and the Garda Representative Bodies in 2008 with a view to improving the take up of IR during the year.

There was a general improvement in the take-up of IR during the year. This would appear to be due to several factors. GSOC's internal re-structuring resulted in Case Officers being able to make contact with complainants and garda members at an earlier stage than in 2007.

There seemed to be a more coherent understanding among gardaí that IR could be swift, focused and was subject to escalation or closure in the event of failure to secure a positive outcome. Both complainants and gardaí appeared more willing to give IR a chance on the grounds that it provided an opportunity to achieve a fair and expeditious resolution.

Notwithstanding the improvement in the take-up of IR in 2008, GSOC remains committed to the views that:

- an alternative and more practical system for Informal Resolution needs to be put in place; and
- the most appropriate manner in which to do this is by way of an amendment to the Act.

In this regard, GSOC submitted proposals to the Minister for Justice, Equality and Law Reform in 2008 which inter alia suggest that section 90 of the Act should be deleted and replaced by a new section which would provide for an IR system which would be more practical in its operation and would be in keeping with best practice internationally. Effectively, through this legislative change, GSOC is proposing that complaints determined to be admissible and suitable for IR shall be referred to the Garda Síochána and that the IR process should be undertaken at a local level by an appropriate Garda Officer.

GSOC is of the view this proposed change will assist the Garda Commissioner in the management and control of a disciplined force, and inform and empower local Garda Officers to monitor and resolve minor issues on an effective and efficient basis.

Section 94 Supervised and Unsupervised Investigations

Allegations which, if proven, could amount to a breach of the Garda Síochána (Discipline) Regulations 2007 can be investigated by the Garda Síochána under section 94 and GSOC can determine if the investigation should take place under the supervision of GSOC or without supervision.

Where a case was deemed suitable for unsupervised investigation and referred accordingly to the Garda Commissioner in accordance with section 94(1), dedicated staff within the Operations Directorate handled the relevant liaison between GSOC and the Garda Síochána. These staff members have responsibility for management of cases referred to the Garda Commissioner for investigation under section 94(1) to ensure that the investigations are completed within the timeframes agreed between the Garda Commissioner and GSOC in the Protocols. The success rate improved in 2008 but some considerable difficulties remain.

Where investigation by the Garda Síochána was deemed appropriate, some issues arose. Garda staff associations stated their unhappiness with any cases being referred to their members for investigation by them. Superintendents in particular tend, under the Garda (Discipline) Regulations, to be tasked with such investigations. In consultations with Superintendents, GSOC heard that they believe their workload to be onerous enough without what they see as this additional burden. GSOC is of the view, and has expressed to Garda management and staff associations, that oversight should not take away the responsibility of ranking officers to manage the Garda Síochána. GSOC has pointed out that the cases referred under this section are of a minor nature and that a managerial response is often the appropriate one. There exists in the Act a right of review for complainants where there is dissatisfaction with outcomes of unsupervised investigations.

Section 98

By December 31st 2008, GSOC's investigators were conducting 645 investigations under section 98 of the Act. The Act obliges GSOC to mount an investigation into allegations of misbehaviour which, if proven, would constitute an offence. This can range from allegations of very serious assault to minor offences such as summary offences under the Road Traffic Acts. Criminal investigations may involve witness appeals, scene examination, taking of statements, securing and storage of exhibits.

1.4 Guidelines for Informal Resolution

Section 67(2)(c) assigns to GSOC the function:

"to issue guidelines for the informal resolution under section 90 of certain categories of complaints and to make procedural rules for investigations under section 95..."

Prior to commencing operational duty, and following extensive consultation with interested parties, GSOC issued guidelines relating to IR. The guidelines are published in booklet form and are available from GSOC at no charge. In GSOC's discussions with the DJELR regarding amendments to the Act, some changes to the system of IR were proposed. These were under review on December 31st 2008.

1.5 Procedural Rules for Investigations under section 95

The Commission agreed procedural rules for investigations under section 95.

Section 95 provides that GSOC may investigate a complaint by way of a disciplinary investigation where the allegation does not appear to constitute a criminal offence. Section 95 investigations are to be conducted by GSOC designated officers.

Section 95 rules have now been formally adopted by the Commission. These rules set out the entitlement of parties to make submissions and present evidence to the investigation. They also establish the right of a garda member under investigation to disclosure of relevant information about the complaint. Copies of these rules, together with GSOC guidance documents relating to the section 95 procedure, are provided to the complainant and garda member(s) under investigation at the start of the section 95 process.

1.6 Reporting of the Results of Investigations

Section 67(2)(d) assigns to GSOC the function:

“to report the results of its investigations under Part 4 to the Garda Commissioner and, in appropriate cases, to the Director of Public Prosecutions (DPP) and, if it reports to the Director, to send him or her a copy of each investigation file...”

Section 98

Following investigation under section 98, GSOC sent 31 files to the DPP. These 31 files identified 44 potential defendants. They resulted in:

- 10 directions for prosecution - awaiting court dates as at December 31st 2008;
- 30 directions for no prosecution; and
- 1 conviction for dangerous driving.

Section 94 Unsupervised Investigations by Gardaí

In 2007/2008, GSOC referred 980 cases for unsupervised investigation by the Garda Síochána (as at December 31st 2008):

- 797 were open;
- 183 closed of which:
 - 25 were subject to disciplinary action;
 - 141 resulted in no disciplinary action; and
 - 17 were moved to other forms of investigation, e.g. section 98.

As cases investigated under section 94 (unsupervised) are handled by the Garda Síochána, GSOC does not send reports to the Garda Commissioner arising from such investigations.

Section 94 Supervised Investigations by Gardaí

Following a supervised investigation, GSOC may send a report to the Garda Commissioner who may then take appropriate action. During 2008, GSOC referred 175 cases to the Garda Síochána for (supervised) investigation - that added to the 28 cases referred to the Garda Síochána under this section in 2007.

Of the total cases referred under this section in the period from May 9th 2007 to December 31st 2008:

- 160 were open; and
- 20 were closed with no disciplinary action,

as at December 31st 2008.

Note: Some cases may be moved from one investigative method to another during their life-cycle if the investigation produces evidence that warrants such a move. As a consequence, the combined figure for open and closed cases in this section exceeds the total figure given elsewhere in this report.

1.7 Investigations under section 102

Section 67(2)(e) assigns to GSOC the function:

“to conduct, in accordance with section 102, other investigations of matters concerning the conduct of members of the Garda Síochána...”

Section 102(1) Referrals by the Garda Commissioner

Referral under section 102(1) arises when the Garda Commissioner forms the view that:

“the conduct of a member of the Garda Síochána may have resulted in the death of, or serious harm to, a person”.

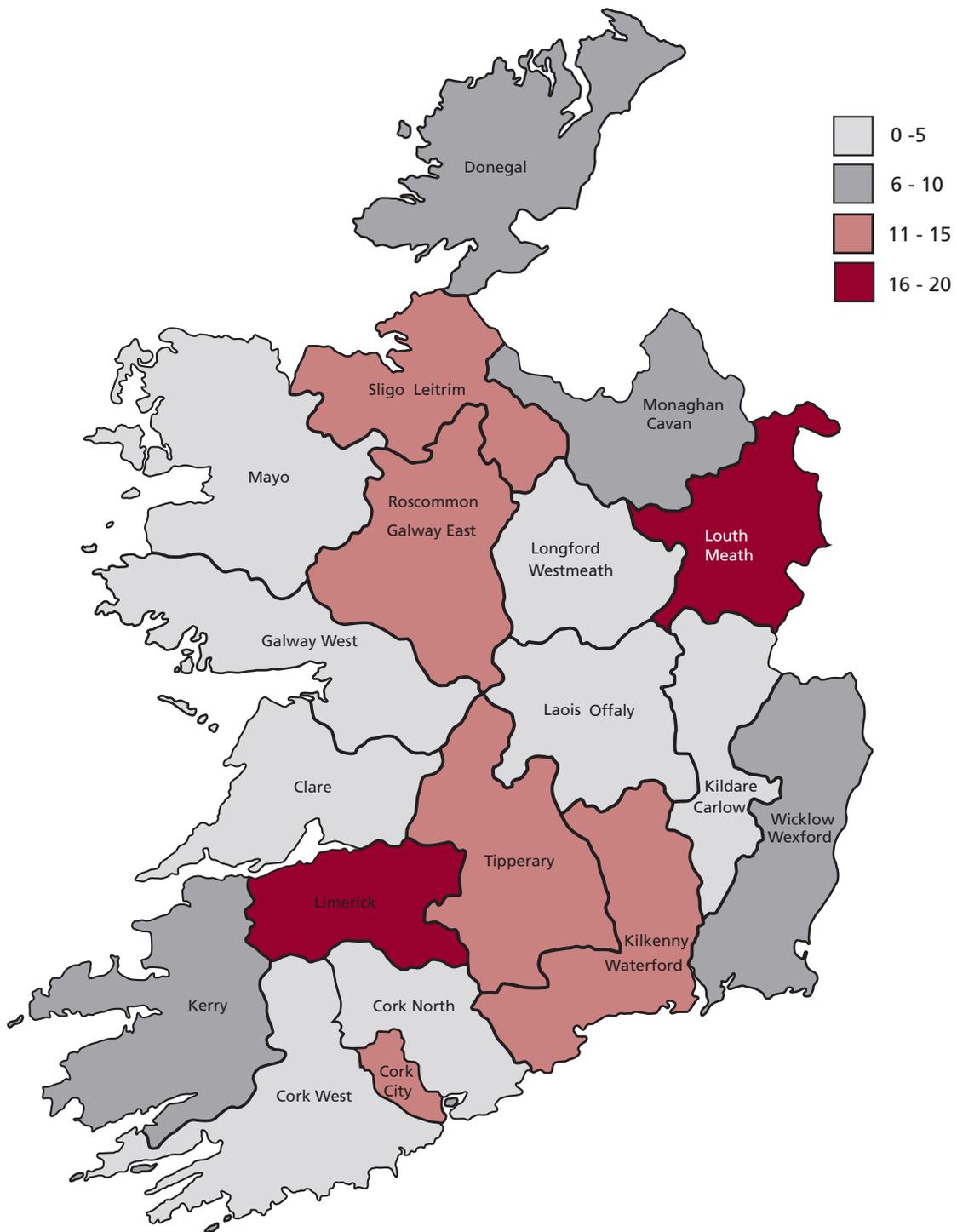
In such instances, GSOC is obliged to investigate.

Volume of Referrals

During 2008, there were 129 such referrals. This reflects a measurable decrease from 2007. GSOC is of the view that the current volume is a more accurate reflection of the number and nature of incidents that constitute appropriate referrals. GSOC believes that the obligation imposed by section 102 on the Garda Síochána is now more fully appreciated and the decrease in the number of referrals reflects this. GSOC continues to stress, however, that all matters which meet the statutory requirement for GSOC involvement should be referred by the Garda Síochána.

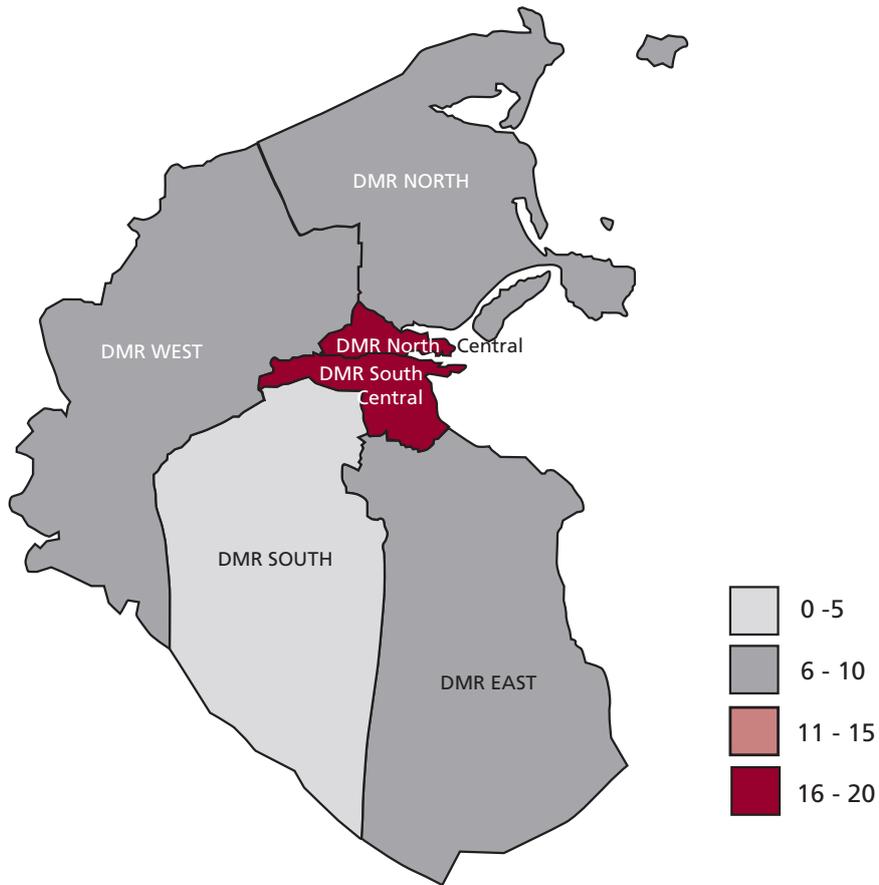
The 129 referrals by the Garda Commissioner to GSOC in 2008 resulted from the actions of 201 separate gardaí. The referrals related to 136 individual non-garda injured parties and two other injured parties who were members of the Garda Síochána. The 129 referrals gave rise to examination of 208 separate items of garda conduct.

Map 3: Referrals under section 102 by Garda Division



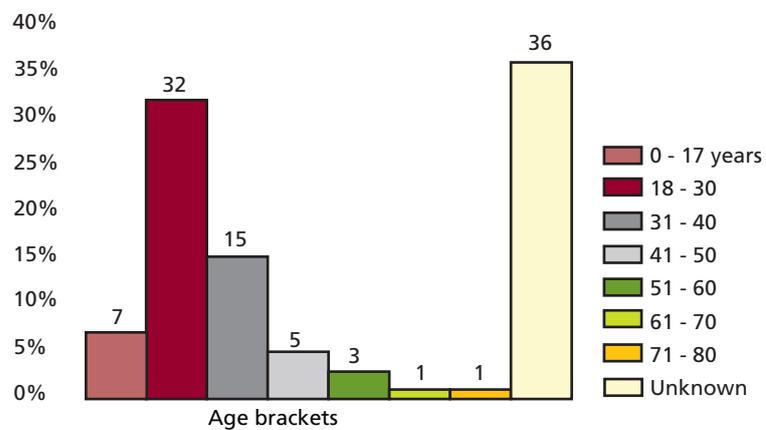
Footnote to Map: In 2008, the Garda Síochána introduced boundary changes to many of its operational Divisions. The maps presented in this Report do not reflect these changes as (a) both the majority of referrals received by GSOC in 2008 were attributable to the existing Divisions, and (b) not all boundary changes had been implemented by the end of the period to which this Report relates.

Map 4: Referrals under section 102 by Garda Division (Dublin Metropolitan Region)



As with 2007, the majority of section 102 referrals involved non-garda injured parties aged 18-30 years (32%). Minors comprised a significant minority of such cases (7%) which was double their proportional make-up of the complaint caseload (3.5%).

Chart 8: Age of Non-Garda Injured Party



Injuries Sustained

GSOC is of the view that reporting on the incidence of injuries sustained and the manner by which any injuries were sustained is of assistance to the Garda Síochána in monitoring its procedures and identification of any necessary revision of practices and training.

As the chart below suggests, 81% of section 102 referrals involving a non-garda injured party entailed an injury being sustained, 15% did not and it was not known whether an injury had been sustained in 4% of referrals.

Chart 9: Incidence and Nature of Injuries sustained by Non-Garda Parties

The most common forms of injury sustained were open wound/bruising (50%) and bone fracture/sprain (20%).

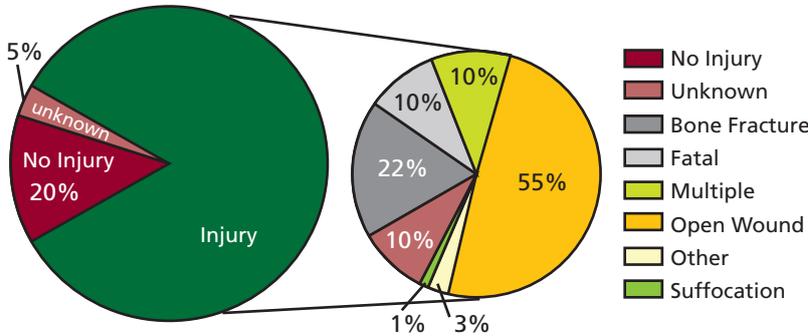
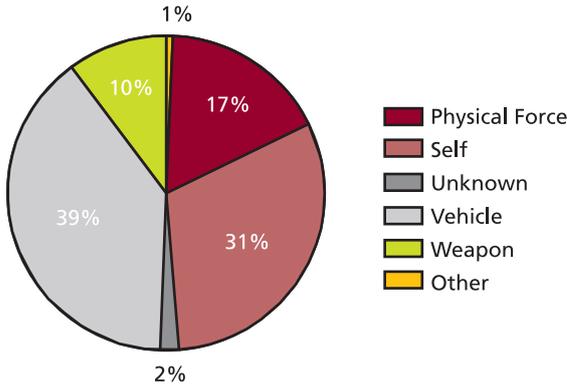


Chart 10: Method by which Injury Sustained



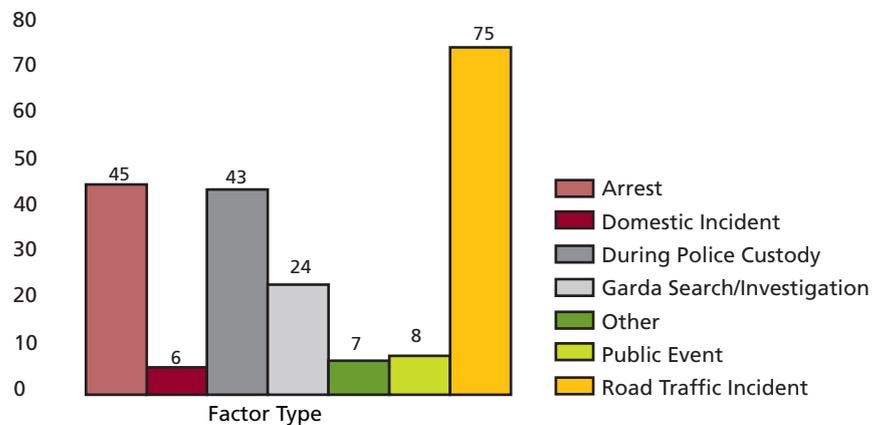
In the case of the self-induced injury, two broad scenarios were found to be at the source of most injuries sustained. These were either self-harm or injury sustained in the course of attempting to evade/not co-operate with garda directions. Alcohol was a factor in 43% of cases where an injury was self-induced, drugs in 11% of these particular cases and 43% occurred while the person was in custody (equivalent to just under 15% of the total section 102 caseload).

Two incidents of TASER electronic control device use were reported to GSOC during 2008; one of these involved a minor injury to the person, as determined at the time of the referral. GSOC found no garda misbehaviour in relation to these incidents.

Thirteen referrals under this section involved fourteen fatalities; these comprised three gardaí and eleven members of the public. Eight fatalities arose from road traffic incidents. There were no deaths in garda custody in 2008.

Factor in section 102 Referrals

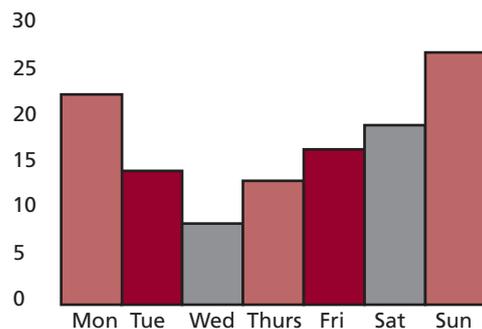
Chart 11: Factor Type in section 102 Referrals



This is the first time that the factor in a section 102 referral has been reported by GSOC. The factor is understood by GSOC to entail the situational context in which a garda is alleged to have misbehaved.

Bearing in mind that the conduct of 208 individual gardaí came under scrutiny under this section, 36% involved road traffic incidents.

Chart 12: Day of Week for Referrals



The majority of all section 102 referrals (52%) occurred on Friday, Saturday or Sunday. Just under half of referrals from these days involved a non-garda injured party under the influence of alcohol (49%); alcohol consumption was not known in 2% of cases.

Bearing in mind the findings in respect of injury method, factor and day of week, it is apparent that road policing emerges as a significant issue for the Garda Síochána. The Garda Inspectorate 'Roads Policing Review and Recommendations' in 2008 highlighted the challenge of implementing road safety and recommended a review of all internal Garda policy relating to roads policing, including the need for greater garda road policing training. GSOC suggests that, based on figures set out here, there is scope for prioritising the review of garda practices and training in relation to road traffic incidents.

Outcomes

The table below sets out the outcomes on section 102 referrals, as of December 31st 2008.

Further investigation not necessary/reasonably practicable	14
No action - insufficient evidence	1
No misbehaviour	110
Under investigation	82
Prosecution	1
Total	208

GSOC closed 61% of all section 102 referrals received during 2008.

The referral of a matter under section 102(1) necessitates an appropriate and prompt response from GSOC. Officers are on call to meet this need on a 24/7, nationwide basis. In serious cases, some of which have involved death of persons, GSOC officers attend at the scene and take control of whatever aspects of the incident fall under GSOC's jurisdiction. Scene management is critical and this means that co-operation between the GSOC Senior Investigating Officer and the senior Garda is vital to successful operations. Management may include scene preservation, evidence-gathering, interviewing of witnesses and family liaison. There may also be need for garda involvement in road closures, forensics, etc. Co-operation by the Garda Síochána, from GSOC's perspective, has been good.

Of the 129 incidents referred to GSOC during 2008, 13 incidents gave rise to 14 fatalities; eight arose from road traffic incidents while six arose following garda contact. (This latter

category is where a person suffers death in a period following contact with gardaí which is close enough to warrant investigation of the garda conduct during that contact.) Three of the 14 fatalities were members of the Garda Síochána.

The 129 referrals received during 2008 resulted in 208 instances of referred conduct, involving 202 members, being scrutinised by GSOC - this arose because there was more than one member involved in some incidents and occasionally more than one element of behaviour to be investigated.

1.8 Section 102(4) - Public Interest Investigations

Section 102(4) empowers GSOC to:

“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”.*

GSOC was involved in three such investigations in 2008.

GSOC continued its investigation into the circumstances surrounding the death of Mr. Terence Wheelock on September 16th 2005 following his arrest and detention at Store Street Garda Station, Dublin 1. This investigation commenced on July 27th 2007 and is ongoing.

On August 19th 2008, GSOC opened an investigation into the adequacy of the Garda investigation into the road traffic accident involving the late Ms. Mary Seavers and the compilation of the Garda Report to the Director of Public Prosecutions (DPP). This investigation is ongoing.

On October 15th 2008 GSOC opened an investigation into the involvement of certain members of the Garda Síochána in matters leading to a decision to withdraw the prosecution by entry of a nolle prosequi in the case of a man who came before the Dublin Circuit courts on July 31st 2008. This investigation is ongoing.

1.9 Section 106 - Examination of Practices, Policies and Procedures of the Garda Síochána

Section 67(2)(f) assigns to GSOC the function:

“to examine practices, policies and procedures of the Garda Síochána in accordance with section 106”.

GSOC commenced an examination in relation to certain aspects of the Fixed Charge Processing System (FCPS); that examination is ongoing.

1.10 Protocols

Section 67(2)(g) assigns to GSOC the function:

“to draw up with the Garda Commissioner protocols in accordance with section 108...”.

Section 108 of the Garda Síochána Act 2005 requires GSOC and the Commissioner of the Garda Síochána to *“make arrangements...by written protocols”* for:

- A** use of detention facilities at Garda Stations by Designated Officers of GSOC;
- B** application of the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Stations Regulations 1987);
- C** handling of any investigations by GSOC that coincide with investigations by the Garda Síochána into the same matters; and
- D** the sharing with each other of information including evidence of offences obtained by either GSOC or the Garda Commissioner.

The Protocols were agreed and signed on May 8th 2007. No revision was sought by GSOC or the Commissioner of the Garda Síochána during 2008.

Objective b for GSOC, as set out in section 76(1) of the Act is:

“to promote public confidence in the process for resolving those complaints.”

2.1 Public and Garda Attitudes

GSOC undertook Public and Garda Attitudes Surveys in 2008, as it did in 2007. The purpose of those Surveys was to gauge awareness of, and reaction to, GSOC and police oversight. They were also conducted in order to benchmark GSOC’s performance in creating confidence in the new system of independent oversight.

Main findings from the 2008 Public Attitudes Survey include:

- 66% of respondents were aware of GSOC, a rise of 15% on 2007;
- 33% of respondents said that they knew of GSOC’s powers, a rise of 22% on 2007;
- 21% believe that the complaints system is mainly used by those hoping to avoid prosecution for an offence as opposed to 56% who did not;
- 54% would, if they had a complaint, make a complaint to a garda station in the first instance compared to 13% who would complain to GSOC; and
- 81% believe that GSOC’s existence will improve garda handling of complaints about gardaí, a rise of 11% on 2007.

Main findings from the 2008 Garda Attitudes Survey include:

- 76% of garda respondents expect a complaint to be made about them during their careers;
- 74% believe complaints are made with good cause in few/no cases;
- 48% believe complaints are best handled by an independent body; and
- those garda respondents with five years or less of service hold more negative views of GSOC than longer-serving gardaí.

Four measures directly comparable between the two years are that:

- 23% believe GSOC to be effective compared to 18% in 2007;
- 20% believe GSOC to be efficient compared to 16% in 2007;
- 50% believe GSOC to be independent compared to 27% in 2007; and
- 27% believe GSOC to be fair to all parties in a complaint compared to 30% in 2007.

Some measures from the 2008 Garda and Public Attitudes Surveys are comparable.

These include:

- 82% of the public respondents believe GSOC to be independent compared to 50% of garda respondents;
- 50% of public respondents believe GSOC is effective compared to 23% of garda respondents;
- 48% of public respondents believe GSOC is efficient compared to 20% of garda respondents; and
- 19% of public respondents believe GSOC will impact negatively on garda morale compared to 23% of garda respondents who feel that GSOC's existence impeded them from doing their job properly.

2.2 Provision of Information to Interested Parties

GSOC recognises that public confidence will be promoted by the provision of accurate, appropriate and timely information to interested parties, as well as efficient and effective management of the case-load. GSOC has legal obligations under section 103 of the Act and also under the Data Protection Acts. GSOC also recognises that the media have a significant role in the dissemination of information to the public.

GSOC developed a policy on the operation of section 103 during 2008. Section 103 states that GSOC shall provide certain interested parties/persons with sufficient information to keep them informed of the progress and results of an investigation. GSOC's policy is that it will make every reasonable, lawful effort to provide information, bearing in mind the constraints of other sections of the Act regarding the confidentiality of certain information. GSOC's policy is to fulfil its obligations having regard to the following general principles:

- **Openness:** GSOC will be as open as legally possible, while being mindful of its obligations toward, e.g. people's safety and state security;
- **Public Confidence:** GSOC is mindful of its duty to promote public confidence in the complaints process;
- **Fairness:** GSOC will always endeavour to be fair and impartial to all;
- **Effectiveness:** GSOC recognises that the successful completion of investigations is of paramount importance to the public and gardaí alike. Certain information may be provided on a confidential basis and all involved are asked to respect that confidentiality lest an investigation be jeopardised;
- **Efficiency:** GSOC will supply such information as is consistent with an efficient and proportionate investigation.

GSOC engaged in extensive provision of information to interested parties by way of telephone, face-to-face meetings, letter and email. On one occasion, at the request of the complainant and their elected public representative, also a complainant, GSOC made public a notification made to the complainants under this section.

In accordance with the Data Protection Acts 1998 and 2003, 27 data access requests were processed by GSOC during 2008; 24 of those requests were made by members of the Garda Síochána and three were made by members of the public. Many of the requests followed notification to the Garda member(s) of inadmissible complaints. Several of the requesters wrote back with requests for clarification or were unhappy with the level of information which could be provided, i.e. members of the Garda Síochána were unhappy that GSOC, in line with its obligations pursuant to the Garda Síochána Act 2005, are prohibited in certain circumstances from releasing a copy of the complaint, the name of the complainant, etc. It is worth noting that while the processing of access requests was time-consuming for GSOC during 2008, such requests generally resulted in very limited information being given to the requester as GSOC is necessarily constrained by the Garda Síochána Act 2005.

GSOC's major interactions with the press, radio and television media arose from the reporting of critical incidents. The incidents which attracted most media interest were those which involved fatalities. GSOC's Press Office provided a 24/7 media service on all high-profile incidents. This included briefing press, radio and television including the provision of audio-visual briefings to the latter two.

GSOC published statistics every month on its case-load and GSOC's management of it. These statistics indicate the numbers of complaints received, the outcome of admissibility decisions and the investigative approach to cases. The website also carried copies of all press statements made by GSOC as well as copies of papers presented by GSOC at seminars and conferences.

2.3 Consultative Group

GSOC is conscious that it works in a community and that meaningful engagement with other relevant bodies can be of mutual benefit. In 2006, a consultative group was set up to explore issues of common interest to GSOC and the Garda Síochána and to seek guidance from several expert and interested bodies. The membership is drawn from the following organisations:

The Garda Síochána;
Association of Chief Superintendents;

Association of Garda Sergeants and Inspectors;
Association of Garda Superintendents;
Department of Justice Equality and Law Reform;
Garda Representative Association;
Garda Síochána Complaints Board;
Garda Síochána Inspectorate;
Garda Síochána Ombudsman Commission;
Irish Human Rights Commission; and
NUI Galway.

The Group met in 2008 to discuss a wide range of topics based on a year of operational experience. Clarification, advice and opinions were shared and included the following issues:

- Copy of complaint;
- Section 102 referrals;
- Pace of processing;
- Vexatious complaints;
- Inadmissible complaints;
- Record retention;
- Informal Resolution;
- Legislative amendments;
- Probationer Gardaí; and
- Interview forms.

2.4 Outreach Programme

GSOC conducted a public Outreach Programme throughout 2008. The Programme is designed to promote public confidence in the process for resolving complaints about Garda Síochána members and to inform GSOC of diverse views on policing practice, policy and procedure in Ireland. The aim of the Programme is to inform the public of the role of GSOC. It is also a useful mechanism for bringing to light issues which might give rise to complaints and for identifying areas where reform may be helpful in reducing the incidence of complaints.

The main elements of GSOC's Outreach Programme included:

- proactively contacting and informing community organisations and public bodies of its remit (over 300 contacted to date);
- providing on-site presentations nationwide about GSOC's work;
- answering questions arising from, or following, such events; and
- welcoming submissions from parties with an interest in the topics of police, policing and police oversight.

The theme chosen for the Outreach work in 2008 was 'Youths on the Margin'. Data gathered for the Second Annual Report (2007) was examined. It showed that the most common age of complainants to GSOC in year one fell within the 18-30 years category. GSOC contacted some organisations working with young people to get a sense of whether there was a need/demand for GSOC to talk to them; the response was extremely positive - particularly so from the Youthreach programme and, as a result, GSOC entered into an educational partnership with that programme in 2008.

Youthreach is a nationwide programme recognised by the Department of Education and Science and funded by that Department with assistance from the European Social Fund. The programme offers 15-20 year old early school leavers and young mothers (up to 21 years) the opportunity to train in both personal and technical skills and to get nationally recognised qualifications in many activities. There are over 100 Youthreach centres nationwide, the vast majority of which would be located in what could be regarded as 'disadvantaged areas'. The feedback received when these groups were initially contacted indicated that many of the students attending these services were in regular contact with the Gardaí. Every Youthreach centre contacted indicated that they would warmly welcome a GSOC information talk to their students. GSOC delivered 31 talks to Youthreach centres in Dublin, Meath, Louth, Cork, Kerry and Donegal. The groups usually comprised of between 20-30 people. The talks provided an overview of GSOC's remit. It was important at the outset to point out the independence of GSOC to the students. It was equally important to emphasise the fact that GSOC was providing an information service to these groups and not canvassing for complaints.

GSOC continued to respond to other outreach inquiries as they arose resulting in presentations to a variety of groups, including immigrant community groups, Pavee Point and the Probation Service.

GSOC also participated in seminars and workshops with fellow professionals and delivered papers on topics where GSOC would have a particular perspective. Such papers included: children and the police complaints process to the Youth Justice Conference, University College Cork; minorities and policing to the Association of Criminal Justice Research and Development; mental health and the criminal justice system to the National Disability Authority; police oversight to Dublin Institute of Technology MA Criminology Course.

2.5 International Contacts

During 2008, GSOC continued to liaise closely with international counterparts and oversight organisations. The purpose of such contacts is the development of an understanding of systems of oversight as practised in other jurisdictions and, through this learning process, to endeavour to establish best practice as implemented across a wide range of practitioners.

In particular, GSOC continued to maintain close contacts with the Office of the Police Ombudsman for Northern Ireland (OPONI), the Independent Police Complaints Commission (IPCC) (England/Wales) and the Police Complaints Commissioner for Scotland (PCCS). These links were further consolidated in 2008 through an inaugural one day annual conference held in Belfast and through the development of practitioner working groups in the areas of investigation, legal affairs and research.

In addition, the British Irish Ombudsman's Association (BIOA) provides an opportunity for GSOC to meet a wide range of Ombudsman organisations.

On the wider international sphere GSOC provided attendance at the conferences of the following organisations:

CACOLE	Canadian Association for Civilian Oversight of Law Enforcement
EPAC	European Partners against Corruption
NACOLE	National Association for Civilian Oversight of Law Enforcement

All such attendances provided excellent opportunities for the development of learning and networking within the police oversight community.

2.6 Outreach to Gardaí

GSOC believes strongly in communicating its message of independence and impartiality to garda members. With the cooperation of Assistant Commissioner Louis Harkin, Chief Superintendent Kieran McGann and latterly Chief Superintendent Jack Nolan, it provided lectures to graduating classes in the Garda College in Templemore throughout 2008. These lectures were typically two-hours each, presented to students at either Phase Three or probationers at Phase Five of their training. The aim was to meet students at Phase Three, i.e. before they spend time dealing with the public.

GSOC assisted in Garda Síochána management supervisory development programmes for newly-promoted inspectors and sergeants which took place in Nenagh, Co. Tipperary. These seminars were a half-day long each and consisted of presentation and discussion.

GSOC provided input into scenario-based Garda training for Senior Investigating Officers. These had the benefit of bringing face-to-face GSOC Senior Investigating Officers with their counterparts in the Garda Síochána in a non-confrontational, learning environment.

GSOC also provided input into the Garda Síochána Review of Training which was undertaken in 2008.

2.7 Visits to GSOC

GSOC invited guest speakers to address and exchange views and experience with the entire staff on dedicated training days. This proved a useful exercise in learning from senior professionals and of imparting to them the insights gained by GSOC staff in the course of their work. The Commissioners and staff are very grateful to these busy people who gave generously of their time to share their views and experience with GSOC and extends its thanks to The Commissioner of the Garda Síochána Fachtna Murphy, Sunday World Crime Correspondent Paul Williams, Chief Superintendent Brendan Cloonan of Garda HRM, State Pathologist Dr. Marie Cassidy, DJELR Secretary - General Seán Aylward, Ombudsman Emily O'Reilly and RTE Crime Correspondent Paul Reynolds.

GSOC submitted a Two Year report to the Minister for Justice, Equality and Law Reform on February 20th 2008 in accordance with section 80(2) of the Act. It reported on the effectiveness of the commission and the adequacy of the functions assigned to it. It made several recommendations for improving the effectiveness of the Ombudsman Commission. The report is available on www.gardaombudsman.ie.

Following that report, GSOC was in further contact with the DJELR made further proposals for amendment in light of operational experience.

Some of the more significant amendments sought include:

- To make provision for the referral of complaints received by GSOC to the Garda Síochána, who would have the power to investigate them not only as disciplinary matters (as is currently the case) but also where appropriate, as suspected offences. From experience GSOC has learned that some complaints are made alleging possible minor criminality, which upon investigation may only amount to a breach of discipline. For example an allegation that a garda used excessive force in placing handcuffs on an accused in the course of a lawful arrest could amount to a minor assault – however, upon investigation and in the absence of any injuries, such a case might more appropriately be dealt with as a disciplinary breach. Under the current statutory system however such an investigation is conducted by GSOC as criminal investigations.

Cases have arisen where a complaint initially appears to be of a purely disciplinary nature and has been referred to the Gardaí for investigation. However, upon further investigation, criminal misbehaviour may be identified by the Garda Investigating Officer. GSOC believes that Act should have sufficient flexibility so that where the alleged criminality is of a minor nature the most efficient and appropriate way to deal with the matter may be for the Gardaí to continue to investigate with GSOC retaining an oversight function;

- To include a general statutory power to conduct a preliminary examination: some complaints are of a nature as to reveal, in early course, that they lack substance. GSOC believes that, in the interest of efficiency and fairness, in appropriate cases the power to conduct a preliminary examination would mean that cases of this type could be resolved without the need to initiate a formal criminal or disciplinary investigation against the Garda complained of;

- The streamlining of processes: for example that GSOC would be entitled to contact Garda members directly (rather than via the Garda Commissioner) to notify them that the complaint has been deemed admissible for investigation. Another example is that GSOC believes that the current system of notifying Garda members that a complaint was received against them and deemed inadmissible serves no purpose since no further action will be taken in relation to it; and
- To introduce a system of IR of complaints alleging minor misbehaviour that is modelled on the successful system in place in Northern Ireland whereby a complaint deemed suitable for IR would, with the consent of the complainant, be sent to local garda management to resolve the matter if possible.

Officials at the DJELR engaged in detailed discussions with GSOC toward the production of a draft Heads of Bill. At December 31st 2008, the matter was under consideration by the DJELR.

CHAPTER FOUR | ADMINISTERING AND SUPPORTING THE WORK OF GSOC

Section 67(2)(5) states that:

“The chairperson of the Ombudsman Commission shall manage and control generally the officers, administration and business of the Commission.”

4.1 Management of GSOC

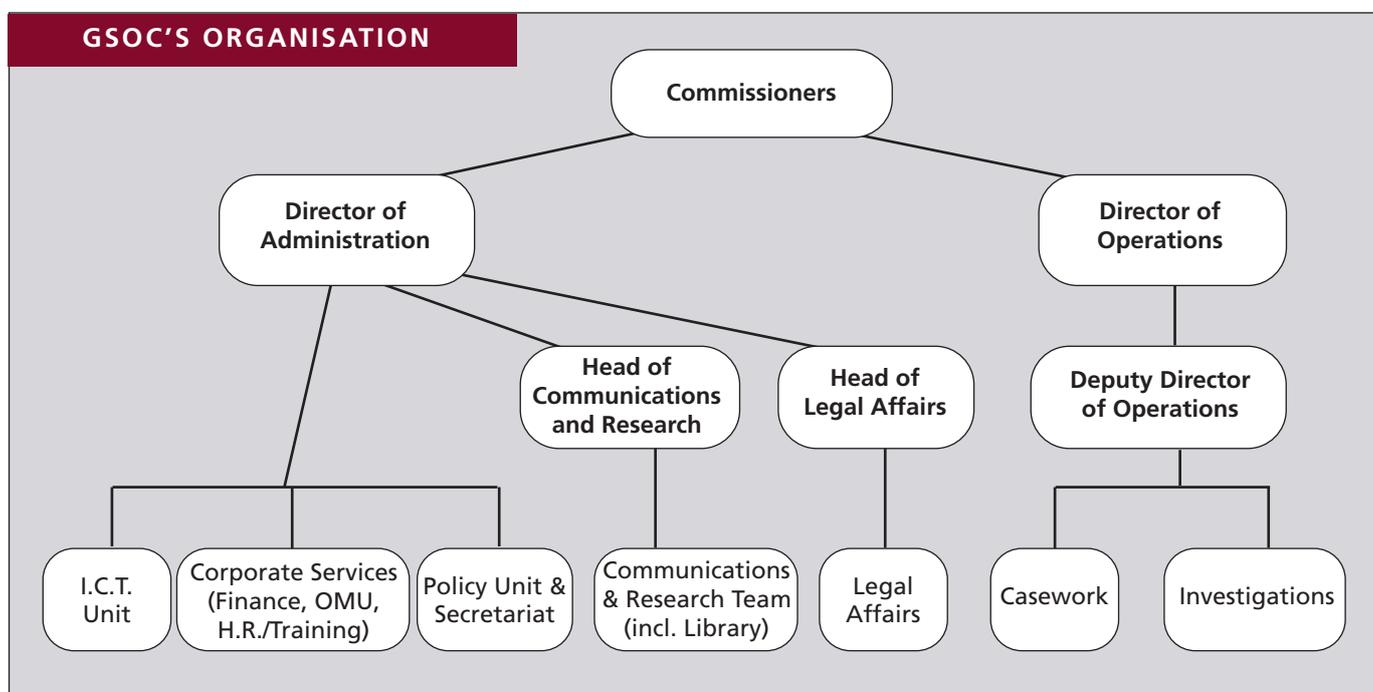
The Ombudsman Commission in 2008 comprised of three members namely: Mr Justice Kevin Haugh, Ms Carmel Foley and Mr Conor Brady.

The Ombudsman Commission was supported by the Senior Management Team:

- the Director of Administration;
- the Director of Operations;
- the Deputy Director of Operations;
- the Head of Legal Affairs; and
- the Head of Communications and Research.

An organisational chart for GSOC as at the end of 2008 is displayed hereunder.

Figure 1: GSOC's Organisation Chart - 2008



4.2 Staff of GSOC

At the end of 2008, GSOC's total core staffing complement had reached 92.

In line with the provisions of section 74 of the Act, four Superintendents from the Garda Síochána continued to work on secondment with GSOC during 2008.

4.3 Administrative Restructuring

During 2008, GSOC undertook a major review of its business processes which took into consideration the experience gained by the organisation during its first full year of operation. This review, which was a necessary precursor to the development of GSOC's Statement of Strategy and Business Plan, was conducted with specialist assistance from Talbot Associates. As a result of that review, restructuring - which aims to improve the efficiency and effectiveness of the organisation in line with GSOC's statutory aims - was planned; implementation of the restructuring commenced in mid-2008.

One significant result arising from the restructuring of GSOC's corporate structures during 2008 was the creation of two distinct but complementary Directorates:

Administration (Support Services) Directorate – managed by the **Director of Administration**; and

Operations (Investigations and Case Management) Directorate – managed by the **Director of Operations**.

This change to the organisation's structures had the effect of streamlining the processing of complaints, placing responsibility for complaint handling from receipt to conclusion into the one Directorate. This will result in significantly improved efficiencies across the organisation over time. Synergies not achievable under the original organisational structure, built during the developmental phase of GSOC and implemented at a time of reduced resource capacity, now provide for a more cohesive platform on which to build for the future.

The two Directorates encompass the following functional Units:

- **Support Services** - ICT, Policy Unit, Secretariat, Human Resources, Finance, Legal, Corporate Services and Communications and Research; and
- **Investigations and Case Management** - Casework and Investigations (including Intelligence Unit).

Operations

The task of receiving complaints, determining admissibility/inadmissibility of complaints, conducting informal resolution and processing unsupervised Garda investigations falls to GSOC's 20 Case Officers, with involvement at Director and Commissioner level where necessary. Case Officers work in task-specific teams which encourages the development of expertise in the various elements of the complaint handling and management process. Managed by two Senior Case Officers, the composition of the teams was kept under ongoing review during 2008 to ensure that the greatest levels of efficiency and effectiveness were being attained.

The task of undertaking independent investigations and supervising Garda investigations (where appropriate) is carried out by GSOC's 40 Investigators. Investigators work in operational teams; each team is lead by a Senior Investigating Officer, who manages the day-to-day operations of the caseload assigned to that team. During 2008, GSOC put in place arrangements to facilitate flexible working to enable the teams to provide a nationwide 24/7 response to incidents. Incidents which required a swift response, in particular referrals made to GSOC pursuant to section 102 of the Act, were particularly resource-intensive given the geographical size and nature of GSOC's area of jurisdiction. In order to facilitate a prompt response, a team was based in the South-West (Cork/Kerry) during 2008 to provide a service to the Southern and South-Western regions while a second team was based in the West of Ireland. Much progress was made during the year towards the establishment of a decentralised office, in keeping with Government policy, in Longford – it is anticipated that this will be put in place in early 2009.

In June, GSOC hosted a Joint Quality Board SIO Conference for Senior Investigating Officers. Investigators from the IPCC and OPONI attended. This was a very useful step toward the establishment of a forum wherein standards and approaches could be compared and bench-marked.

The management of complaints and investigations by the Operations Directorate is described in detail in Chapter One.

Administration (Services)

At the end of 2008, the Services Directorate consisted of 29 staff. Responsibilities within this Directorate are allocated along Unit lines, i.e., Finance, Training, Communications and Research, Legal Affairs, Policy Unit, Secretariat, Corporate Services, Information and Communication Technology and Human Resources. The Directorate provided necessary organisational inputs to ensure and enhance the operational capacity to fulfil GSOC's core functions.

4.4 Support Services

Information and Communications Technology (ICT) Unit

The ICT Unit, similar to other core business units, made enormous strides during 2008, counting among its many achievements the rollout of the new state-of-the-art Case Management System, the location and development of in-house capability for management of the website, the secure deployment of ICT Remote Access Services to investigators and the day-to-day support of voice and data services. Much of the work carried out by GSOC's ICT Unit is specialised and focused on GSOC's particular requirements and as such is highly demanding in terms of staff time, initiative and expertise.

CASE MANAGEMENT SYSTEM (CMS)

Early on in its development, GSOC identified a requirement for an ICT system that would optimise the efficiency and effectiveness of its case-related operations. The system was primarily developed to support the logging and tracking of complaints and the investigation processes.

GSOC's new CMS went live at the end of April 2008. It provides a robust foundation for the business by providing the following services/benefits:

- a flexible workflow process that automatically routes complaints/investigations through the stages required in the business process ensuring that the relevant expertise is applied to the process in the preparation of case files;
- the automatic generation of all letters and forms required to support GSOC business;
- the electronic tracking of physical evidence and hard copy documents;
- full e-document management capability which supports the storage of all documents both in bound/outbound in every conceivable format;
- a Central Database which will ensure data integrity across the system and ensure all information related to a case is stored centrally in a secure manner; and
- a detailed Management Information System (MIS) layer which will enable GSOC management to monitor all aspects of the business, e.g. case throughput, staff performance, case history, etc.

WEBSITE / WEBSERVER

GSOC's website (www.gardaombudsman.ie) is an important communications tool for the organisation. It provides the public with a secure channel for lodging complaints/queries using the online Complaints Form. It is also an important channel for the dissemination of publications and press releases which are regularly uploaded and updated on this site.

GSOC's webserver was originally located with an external service provider and was remotely managed through that third party service provider. Due to the confidential nature of the data traversing this server, a strategic decision was taken in early 2008 to relocate the webserver in-house where the GSOC ICT infrastructure would ensure the security and integrity of the data. The website is now updated by the Communications and Research Team in conjunction with the staff of the ICT Unit.

REMOTE ACCESS

As GSOC has a nation-wide remit it was evident that the dispersal of teams outside of the Dublin area would be necessary to ensure its capacity to meet the projected level of investigations. This process has given rise to the practice of remote working and the requirement for remote access in the context of ICT. The ICT Unit devoted significant resources during 2008 to developing a solution to meet the remote access requirement and to satisfy the security implications for GSOC's ICT infrastructure and systems. This is an essential prerequisite due to the operational environment within which GSOC functions and because of the sensitive nature of the data stored on these systems. The solution now encompasses hard disk encryption with two factor authentication across customised internet infrastructure. Laptop interface and security is strictly controlled by an "End Point Protection" solution. These measures were necessary to protect the integrity of the data should a laptop be lost or stolen and also to ensure that remote users do not inadvertently compromise the ICT infrastructure and systems.

DAY-TO-DAY SUPPORT OF VOICE AND DATA SERVICES

The ICT Service Desk received and resolved 1,385 service requests during 2008. Priority categorised calls received immediate attention while the remaining requests were dealt with within four working hours.

Legal Affairs Unit

The Legal Affairs Unit comprises three lawyers and two administrative support staff. In 2008, its principal functions included advising the members of the Ombudsman Commission on all aspects of their statutory function including matters relating to corporate governance (e.g. the delegations of functions) and the devising of policies to implement strategies for the effective and efficient exercise of its powers.

LEGAL ADVICE

The bulk of the Unit's time was spent on supporting the Operations Directorate by providing legal advice on all aspects of its work including the management of complaints both pre- and post-admissibility, the conduct of disciplinary investigations and the exercise of police/criminal investigative powers by the Investigations Unit. This work involved not only advising on individual cases/files but also developing systems, processes and procedures that reflect the full extent of GSOC's statutory powers as well as its duties under the Constitution and European Convention on Human Rights. This has been supplemented by regular training sessions, for the staff of the Operations Directorate, on core legal issues of relevance to GSOC, including Article 2 of the European Convention on Human Rights, Garda powers of search and seizure and detention, the conduct of disciplinary investigations and the preparation of files for transmission to the DPP.

Another key aspect of its work in 2008 was co-ordinating GSOC's request for legislative amendments to the Garda Síochána Act, 2005 and advising the Ombudsman Commission in that regard.

LITIGATION

The Legal Affairs Unit is also responsible for the management of all litigation involving GSOC, both civil and criminal. It co-ordinates liaison with the Office of the DPP and State Solicitor network, as well as advising on, and quality assuring, all 31 files referred to the DPP by the Ombudsman Commission during 2008.

POLICY

The Legal Affairs Unit has also been heavily involved in the development of systems and policies that affect the running of the whole organisation – for example it led the development and roll-out of GSOC's Data Protection Policy.

The Unit has been heavily involved in the development of strategic relationships including the creation of a regular discussion forum with the Legal Services of the IPCC and the OPONI, presenting papers at conferences on childcare and mental health, attending training and outreach at the Garda Training College and developing working relationships with other agencies including the Irish Human Rights Commission and the Ombudsman for Children.

Human Resources and Training

RECRUITMENT & STAFFING

During 2008, GSOC's Human Resource Unit (HRU) completed its recruitment campaign to ensure that all sanctioned¹ positions were filled. There was a particular emphasis on recruiting investigative staff as efficiently as possible, so that the core business of GSOC would benefit from having all of the required expertise and experience available to it. Staff members recruited by GSOC to date are from the following countries: Ireland, Australia, Nigeria, the United Kingdom (and Northern Ireland), Slovakia, South Africa, Spain, New Zealand and the USA.

POLICY & PROCEDURE DEVELOPMENT

During 2008, the HRU undertook work towards the compilation of a comprehensive suite of policy and procedures manuals for HR, in addition to completing procedural manuals for the Human Resource Management System and Clockwise (Time & Attendance System).

PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (PMDS)

To ensure that GSOC is fully participative and up-to-date in Civil Service modernisation, particularly with regard to best practice in the field of human resource management, staff development and the appraisal of performance, preparation for the planned introduction of PMDS in GSOC at the start of 2009 commenced. To this end an internal working group, consisting of staff from various business units, considered in 2008 the optimal approach to rolling-out PMDS in GSOC bearing in mind its particular needs and unique staffing context; as a consequence, a customised PMDS training programme was designed. Utilising in-house staff for the design of this programme provided a substantial financial saving to GSOC by avoiding the expense of engaging external training consultants. It is planned that in-house staff will also deliver the training which will help to ensure that the training is focused specifically to GSOC's needs.

TRAINING AND DEVELOPMENT

During 2008, and in line with public policy on training and development of staff, GSOC's Training Unit facilitated the attendance of 72 staff members at 488 days of internal and external, work-related training courses, seminars and conferences. This significant investment of €91,898 in the training and development of staff is reflective of GSOC's commitment that all staff members will be given sufficient resources, training and development to deliver GSOC's business goals as set out in the Statement of Strategy and Business Plan, in a professional, efficient and effective manner.

¹ The current complement is subject to the Government decision in relation to a requirement for 3% savings in payroll and consequently GSOC staffing complement is lower than that originally sanctioned.

In compliance with the requirements of the Comptroller and Auditor General, and in keeping with recommendations of the Civil Service Training and Development Centre (CSTDC), GSOC will conduct an evaluation of return on investment (RoI) in training in respect of all training undertaken by GSOC staff to ensure that value for money is obtained and that a transfer of learning occurs resulting in improved business impact and outputs. This emphasis on the achievement of return on investment is increasingly important in the context of the current constraints on public funding.

A wide variety of specially selected training courses were provided to members of GSOC staff during 2008 and included those in the administrative, public policy, ICT, HR, public procurement, management, health and safety and specialist investigative fields. GSOC Investigators underwent accredited training with the Institute of Criminal Studies, University of Portsmouth. Appendix 1 provides a summary outline of courses provided.

GSOC also actively encourages staff to further their third level education by promoting the public service "Refunds of Fees Scheme" as espoused by the Department of Finance. During the 2008-9 academic year, 12 of GSOC's staff have undertaken third level study at undergraduate, postgraduate and doctoral level. Funding, which is closely monitored, is primarily targeted at those interested in acquiring work-related qualifications, however, ongoing personal and career development for staff is also a significant consideration.

Corporate Services

GSOC's Corporate Services Unit is involved in the day-to-day management and provision of all supports to assist the Office in the commission of its functions. The major elements of this function relate to procurement, security, facilities management and the decentralisation programme.

PROCUREMENT

During 2008 Corporate Services procured all supplies and services for the organisation; establishing and managing contracts with more than 100 service providers and suppliers. GSOC conducted six formal national procurement processes to establish framework agreements and tendered fixed term contracts. The staff members involved in procurement undertook formal training in 2008 to ensure that GSOC: (a) achieved best Value for Money, and (b) was in full compliance with National and EU procurement rules at all times.

SECURITY

GSOC's security structures are regularly reviewed and, where necessary, further enhanced. During 2008, the documentation of a coherent security policy and the associated procedures was completed to ensure that the security and safety of staff, premises, data and equipment is maintained at the highest of levels at all times – this encompassed GSOC's headquarters as well as the decentralised site in Longford.

FACILITIES MANAGEMENT & SERVICE ACCESSIBILITY

Throughout 2008, all essential aspects of preventative maintenance and repair services within GSOC's building on Abbey Street Upper were managed to ensure that it met with the on-going regulatory requirements, etc., in terms of providing a safe, secure office space for personnel and an accessible, customer-focused facility for members of the public.

As an example of our holistic customer focus, GSOC's engagement with the National Disability Authority in 2008 was undertaken with the view to proofing the accessibility of the GSOC buildings and services. In practical terms, and in order to progress this aim, "Loop Systems" were procured and installed in GSOC's public reception area and interview rooms to ensure that persons with impaired hearing have full access to GSOC services.

DECENTRALISATION

In 2008, GSOC liaised with the DJELR, the Irish Prison Service (IPS) and the Office of Public Works to advance the decentralisation of a number of GSOC staff to Longford. Significant progress was made in this area and it is anticipated that a number of staff will decentralise to this site in the second quarter of 2009.

Communications and Research

COMMUNICATIONS

Information provision, media response and outreach programmes are described in detail in Chapter Two. The Communications team provided a 24/7 response to media enquiries, particularly in relation to critical incidents.

RESEARCH

GSOC conducted Public and Garda Attitudes Surveys for the second year-running. It is envisaged that both surveys will be conducted again in 2009 at a similar point in time with a view to providing comparable measures of awareness of and attitudes to GSOC.

Background papers were prepared in the context of presentations to two national research conferences hosted by the National Disability Authority and the Association for Criminal Justice Research and Development. The presentations focussed on the incidence within GSOC's caseload of persons with mental health difficulties and, separately, minorities and implications of both for service delivery of independent police oversight. Engagement with academics, policy makers and practitioners at such events provides GSOC with insights and evidence upon which it can improve its own service model.

GSOC's attendance at a further research event, the European Society of Criminology's annual conference, led to it being involved in the scoping meeting to establish a Working Group on Policing.

GSOC and its equivalent bodies in England-Wales and Northern Ireland, the IPCC and OPONI, convened a meeting at which to identify possible research synergies. GSOC hosted the first meeting in Dublin and identified customer satisfaction surveys (complainants and police complained-about) as a topic on which value could accrue to each organisation from sharing its own experience of same with the others.

With a view to improving its analytical capability GSOC put in place GIS (Geographic Information Systems) and data mining software to interrogate its caseload data. Both tools allow for enhanced inquiry and display of research findings, in line with best international practice.

Policy Unit

A significant emphasis within GSOC since its establishment has been the importance of consistency of approach, in order to ensure absolute fairness to all parties concerned, while also retaining scope for initiative and dynamism in GSOC's staff members. The sphere of police oversight is developing internationally and GSOC is already a leader in its field. By combining and utilising the experience of its diverse range of staff, GSOC has put together and is implementing a significant number of up-to-date, forward thinking policies.

GSOC's Policy Unit is an integral facet in the organisation's determination to drive forwards the efficiency and effectiveness of its statutory mandate. It serves to coordinate the preparation of policy across the organisation.

Appendix 2 gives an illustrative sample of the policies introduced by the Commissioners during 2008.

Health and Safety

During the first quarter of 2008, the Safety Statement for GSOC's headquarters was completed and circulated to all personnel. A number of health and safety procedures have also been established including Accident Reporting and Building Evacuation Procedures.

The Health and Safety Committee was established, comprising representatives from various areas of the organisation, with Safety Representatives receiving the appropriate training. The Committee meets on a quarterly basis and, during 2008, commenced a health and safety risk assessment for GSOC's Headquarters.

GSOC is a member of the Risk Management Network which is facilitated and chaired by the State Claims Agency.

Finance

In keeping with best practice, GSOC is committed to the highest standards of governance in relation to its usage of public funds. Accountability, accuracy and transparency are all matters that underpin GSOC's fiscal policies and procedures.

In respect of 2008, GSOC was allocated a combined pay/non-pay budget provision of €11,645,000 from monies voted to the DJELR. The launch, within GSOC, of the 2008 budget marked the initial devolution of budgets to line managers. This initiative is aimed at facilitating line management to control specific budgets and to enable the creation of a culture of relational analysis of inputs to outputs and the development of a 'Value For Money' approach. This process will be deepened in the coming years through the increased devolution to managers across the organisation of area-specific fiscal allocations. This devolution is supported by the production of monthly organisation and section expenditure reports for the Senior Management Team. The emphasis on devolution of responsibility reflects Government policy on accountability and transparency and is reflected in all spheres of GSOC activity.

However, in August 2008, as a consequence of a deteriorating national economic environment, the DJELR sought a budgetary saving of €2.5 million from GSOC, specifically from the non-pay allocation within the remainder of the financial year. Following direct consultation with DJELR, and in the context of the combined (pay and non-pay) budget, a saving of €1.7 million was attained. By year end, total combined expenditure amounted to €9,940,012 comprising pay expenditure of €5,916,177 and non-pay expenditure of €4,023,835.

GSOC aims to ensure ongoing best practice in its financial and budgetary practices and to this end the Finance Unit has produced a comprehensive Finance Procedures Manual for the office. This manual sets out for all personnel the nature of devolved budgets, individual responsibilities and obligations and the procedures to be operated within GSOC.

During 2008, GSOC was subject to financial audits by the Comptroller and Auditor General and the Internal Audit Unit of DJELR. Feedback from these audits assisted Corporate Services to enhance procedures already in place.

Chart 13: GSOC's expenditure and savings for the year 2008

Original Budget	€11,645,000.00
Category	Expenditure - January to December 2008
A01 Salaries, Wages & Allowances	€5,916,177.59
A02 Travel & Subsistence	€271,884.69
A03 - Incidental Expenses	€611,673.83
A04 - Postal & Telecommunication Services	€128,768.56
A05 - Office Machinery & Other Office Supplies	€1,871,121.06
A06 - Office & Premises Expenses	€848,343.01
A07 - Consultancy Services	€252,432.17
A08 - Research Expenditure	€42,961.32
Appropriation in Aid	€9,253.59
Sundry Codes	€5,903.67
Total Expenditure	€9,940,012.31
Budget Remaining	€1,704,987.69

Please note figures quoted have not been audited at the time of issue of this Report.

Secretariat

GSOC's Commissioners and Directors are directly supported by the staff of the Commission Secretariat. In a busy and demanding environment the Secretariat provides a comprehensive coordination and liaison role in addition to its essential clerical/administrative function.

Partnership Committee

In 2008, in line with Government policy, GSOC established a Partnership Committee, which is now fully functional and becoming a significant forum for staff interaction with management in GSOC. The diverse staff profile of the Committee members ensures that all business units and grades of staff in GSOC are represented.

Green Working Group

The Green Working Group was established in February 2008 with its members coming from across the organisation; this Group met monthly for the remainder of 2008.

During the course of the year, the Green Working Group implemented various “green initiatives” in the organisation including the introduction and promotion of the use of recycling bins. The Group’s intranet site is operational in-house and offers staff various energy-saving tips. A member of the “Power of One” visited GSOC and made a presentation at GSOC’s Communications Day in June 2008.

The Group initiated contact with the OPW’s *Optimising Power at Work - Staff Energy Efficiency Campaign* and the OPW subsequently installed energy monitoring equipment in the building; logging equipment is due to be installed shortly and will enable the Group to take monthly readings, monitor energy use and give feedback on energy usage. GSOC is at the forefront of implementing Government policy on such issues and is proactive in terms of seeking out staff initiative in this field of activity.

Efficiency Working Group

The Efficiency Working Group was established in mid 2008 in order to identify areas or processes which might be targeted with a view to (a) the achievement of savings, and (b) the improvement of efficiency. Group members are volunteers from across the organisation and operate in the context of general partnership teams. The Group has compiled a number of efficiency recommendations, relating to all sections of the organisation, which are due for consideration by senior management in early 2009.

At the conclusion of 2008, GSOC's first full year in operation, the concept of independent oversight of policing was better understood by all the relevant stakeholders than it had been in GSOC's first months of operation in 2007. Interactions with Coroners' Courts, the DPP and the Courts Service were more frequent and the experience gained was beneficial. Operational matters between GSOC and the Garda Síochána were dealt with more efficiently as operational personnel became more familiar with the practicalities of meeting respective obligations under the Act and the Protocols which arise from it. Cooperation which GSOC received from state agencies with which it had dealings was good.

GSOC made significant progress during the year. This progress was achieved by implementing some operational improvements arising from the experience gained in year one. The business process was streamlined, resulting in a satisfactory decrease in the number of cases awaiting an admissibility decision, a number which was of particular concern to GSOC at the beginning of the year. This improvement was achieved through continued commitment to ongoing learning and a willingness to change which was shown by all staff during the year.

The improvement to the business process is likely to make 2009 an even busier year for GSOC. More cases are expected to come before the courts and to enter the disciplinary process. With improved analytical capability, GSOC will be in a position to identify evidence based trends in garda conduct and to communicate its findings to the Garda Síochána with a view to influencing garda behaviour through training and ongoing development of staff.

Legislative amendments were proposed by GSOC in 2008. If, as anticipated, these amendments are enacted into law during 2009, GSOC would then expect to make further improvements to the system of independent oversight of policing.

A great number of organisations and individuals have interacted with the organisation over the period in review and the Commissioners would like to acknowledge their assistance.

These include:

Air Corps

Canadian Association for Civilian Oversight of Law Enforcement

Central Applications Facility

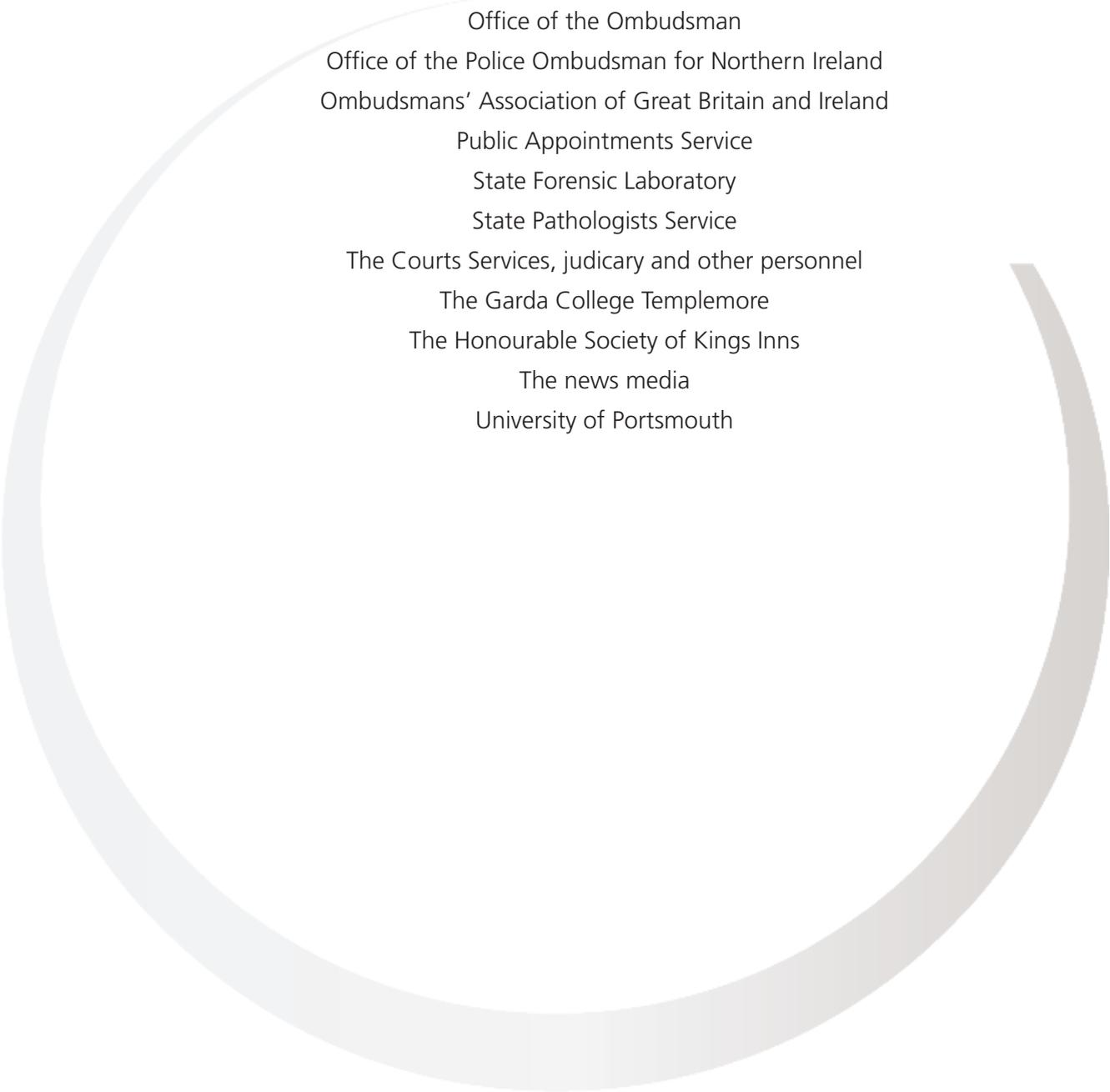
Coroners Services

Department of Finance

European Partners against Corruption

Garda Síochána Complaints Board

Garda staff associations



Health Service Executive
HSE personnel
Independent Police Complaints Commission (for England and Wales)
Morris Tribunal
National Association for Civilian Oversight of Law Enforcement
Office of Public Works
Office of the Director of Public Prosecutions
Office of the Financial Ombudsman
Office of the Ombudsman
Office of the Police Ombudsman for Northern Ireland
Ombudsmans' Association of Great Britain and Ireland
Public Appointments Service
State Forensic Laboratory
State Pathologists Service
The Courts Services, judiciary and other personnel
The Garda College Templemore
The Honourable Society of Kings Inns
The news media
University of Portsmouth

APPENDIX 1

A SUMMARY OUTLINE OF TRAINING COURSES PROVIDED TO GSOC STAFF DURING 2008

- Report Writing
- Minute Taking
- Business Writing
- Change Management
- Time Management
- Introduction to Public Procurement
- Principal Officer Development Programme (Module 1)
- Certificate in Training Practice
- Business Process Improvement
- Return on Investment Training
- Media Skills
- Intermediate Presentation Skills
- Force Equality & Diversity Conference
- Learning & Development in the Public Sector
- Forum on Public Procurement 'Value For Money' Conference
- Conflict Management Conference
- Tomorrow's Child Conference
- 8th Annual European Partners against Corruption Conference
- National Crime Scene Investigation Forum
- Gaeleagras
- English Language Course
- French: Level 3
- ICT Project Management Course
- Dreamweaver IT Training
- Symposium Phone System End User Training
- Computer Awareness
- Safety Representative Training
- Manual Handling
- Scenes of Crime Investigation Course
- Scenes of Crime Refresher Course
- Forensic Photography Training
- Road Traffic Acts: A Review of Recent Developments
- Preparation for a Trial on Indictment
- Specialist Interview Course

- Investigations Team Training
- Advanced Road Death Investigations Course
- Investigator Training – ongoing assessment (University of Portsmouth)

A sample of the third level courses undertaken by members of GSOC which were supported under the “Refund of Fees” Scheme.

- PhD in Governance
- MA Public Management
- BA Irish Language
- Certificate in Civil Service and State Bodies
- BSc (Hons) Human Resource Management
- BA Human Resource Management
- BSc (Hons) Criminology and Psychological Studies

APPENDIX 2

AN ILLUSTRATIVE SAMPLE OF POLICIES INTRODUCED BY GSOC'S COMMISSIONERS DURING 2008

Policy on GSOC's involvement in complaints previously lodged with the Garda Síochána Complaints Board

Policy on the correct legal basis for the winding up of investigations

Policy on the operation of section 88(2)(b)

Policy on handling cases alleging misbehaviour by off-duty Gardaí

Policy on handling of threats of death or injury

Policy on handling of complaints of perjury

Policy on dealing with Subject Access Requests (Data Protection)

Policy on sending of files to the Director of Public Prosecutions

Policy regarding section 103 of the Garda Síochána Act 2005

Policy on inadmissible cases – notification to Garda member(s)

Policy on requests for adjournment of trials pending completion of GSOC investigations

Policy on Serial Complainants.

GSOC's Policy on Data Protection and the Policy on Website Privacy were also agreed by the Commissioners during 2008.

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obtained from the Garda Síochána
Ombudsman Commission, on request.