

# GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

## 2024 ANNUAL REPORT



Garda  
Ombudsman



Garda  
**Ombudsman**  
INQUIRY INDEPENDENCE IMPARTIALITY



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# 1. FOREWORD

On the operational side, we have implemented significant changes in the overall processing of complaints, both from the top down and bottom up



2024 saw a significant increase in workload for the organisation, simply headed “transition”, to continue preparation for the commencement of the new PSCS Act. This was in addition to the increased numbers of complaints and the intensive efforts by all staff to reduce the time that investigations take from date of receipt to closure of the file. Transition drew staff from within and involved external assistance and I acknowledge the constant support of the Minister for Justice and the practical and financial support of the Department of Justice.

Staff numbers in GSOC increased this year and, bearing in mind the departure of staff, many of whom were very experienced, and the ongoing difficulty in replacing them and recruiting investigators, the quality of the work of GSOC remained on an upward trajectory.

While the continuing shifting sands of the commencement date for the new Act has afforded more time and space to ensure that Fiosrú will be in the best position possible to assume the existing role of GSOC and the additional powers and responsibilities that the new Act mandates, the uncertainty that results creates its own degree of disquiet and difficulties in administrative sequencing. One unfortunate fallout was the

inability to utilise the entirety of our budgetary allocation and we returned just over 2 million euros to the exchequer. This arose largely from the delay in commencing the new Act, reducing the need to recruit the additional staff that implementing the new Act will require.

On the operational side, we have implemented significant changes in the overall processing of complaints, both from the top down and bottom up. The effect of this has been to streamline and tighten the investigation process, so as to comply strictly with the statutory mandate and ensure that investigations involve only the work needed to ensure and maintain robust, comprehensive and timely reports. In my estimation GSOC is now better equipped to deal with present and future complaints and, provided that it is properly resourced, the high quality, independent investigation of complaints alleging Garda misconduct will live up to the legitimate expectations of legislators and the people.

The nomination of the new Police Ombudsman Emily Logan and forthcoming recruitment of a Deputy Ombudsman is welcome and the organisation has been significantly enhanced by the recruitment of a highly experienced and dynamic CEO. An ongoing concern is, of course, the difficulty in recruiting investigators. To that extent, while recruitment continues, we have engaged with third level institutions and the proximate result is the partnership with the University of Limerick in the introduction of a bespoke certification course for investigators. This course has already been commenced and will benefit not just Fiosrú, but the many other oversight bodies that experience similar difficulty as we have in recruitment. Positive engagement with the Garda Training College is also a welcome development and reflects real and valuable use of existing state resources and is without doubt in the national interest.

This is the last annual report that will issue on my watch. I wish to acknowledge the energy, dedication and skill the staff of GSOC, past and present, and thank them for their advice and assistance to me and my colleagues on the Commission. It is my view that the future of independent oversight of policing, mandated by the Oireachtas, is in safe hands.

**Rory MacCabe, SC,  
Chairperson**

## 2. 2024 AT A GLANCE

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### GSOC'S SERVICE DELIVERY IN NUMBERS

COMPLAINTS RECEIVED

2,226

PUBLIC INTEREST INVESTIGATIONS UNDERTAKEN

11

IN ABSENCE OF A COMPLAINT

ALLEGATIONS WITHIN COMPLAINTS

2,883

S102 REFERRALS

37

CHILD PROTECTION REFERRALS TO TUSLA

61

MANDATORY

67

FILES FORWARDED TO THE DPP

81

NON-MANDATORY

88 SANCTIONS IMPOSED BY THE GARDA COMMISSIONER FOLLOWING COMPLAINTS

2,590

CALLS RECEIVED TO THE LO CALL NUMBER

QUERIES RECEIVED 4,238

### STAFF AND BUDGET



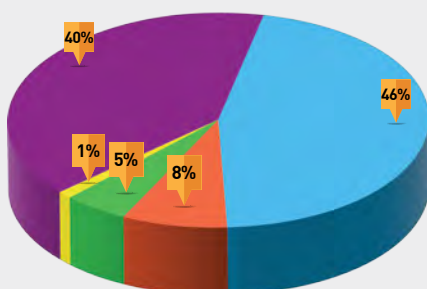
170

STAFF



19.633M

BUDGET



### MEETING OUTCOMES IN OUR STATEMENT OF STRATEGY

#### Independent complaints handling and investigation of alleged Garda misconduct in the public interest

In 2024, GSOC continued to deliver on its remit: receiving and progressing complaints from the public, initiating investigations, and progressing cases to completion. This work was carried out in parallel to the crucial preparatory work for our organisational transition to Fiosrú.

#### Excellent customer service

In 2024, GSOC continued to deliver an essential service to members of the public including:

- Receiving **2,226** complaints
- Processing of **95** data access requests
- Providing material for reply to **29** parliamentary questions
- Handling **49** Freedom of Information requests

#### A high-performing, well-respected organisation

In 2024, GSOC:

- Welcomed **33** new staff members
- Facilitated **1,454** individual participations across 125 live learning experiences to GSOC staff via our Learning and Development Programme

#### Smooth transition to GSOC's successor body Fiosrú

During 2024, GSOC actioned the following:

- On 09 July 2024, following an open competition and approval by resolutions of both Houses of the Oireachtas, Emily Logan will be formally appointed by President Michael D Higgins on commencement of the PSCS Act. As Police Ombudsman, she will be independent, accounting directly to the Oireachtas for her statutory functions.
- On 09 September 2024, GSOC welcomed the appointment of Sheila McClelland as its first Chief Executive designate for Fiosrú, the Office of the Police Ombudsman. Fiosrú will have its own vote and Sheila McClelland will be the Accounting Officer, accountable to the Oireachtas through the Committee of Public Accounts.
- Actively engaged with the Department of Justice and An Garda Síochána to prepare for the passage, enactment and implementation of the new Policing, Security and Community Safety Bill, including the establishment of Fiosrú.
- Development of a new corporate identity for Fiosrú.

### NOTABLE EVENTS

In March 2024, GSOC hosted a meeting to discuss cross border policing oversight arrangements with members of the Police Ombudsman for Northern Ireland (OPONI). The event included informative sessions on topics such as harvesting digital evidence for policing oversight as well as emerging issues such as body-worn video cameras and vehicle pursuits, among other subjects.

GSOC held a day dedicated to the development of our Family Liaison Officers (FLOs). We were joined on the day by FLOs from the Police Ombudsman for Northern Ireland (OPONI), An Garda Síochána, the Military Police and the Prison Inspectorate. During the day, speakers included representatives from the Irish Human Rights and Equality Commission (IHREC), the Citizens Information Service, the Irish Road Victims Association and Victim Support at Court (VSAC). FLOs also had a very informative session on the psychology of grief.

GSOC attended the Association for Criminal Justice Research & Development (ACJRD) Conference on June 12th 2024 in Dublin and the Irish Criminal Justice Agencies (ICJA) Conference October 4th 2024 in Dublin Castle.

Emily Logan, Police Ombudsman designate spoke at Dublin City University (DCU) Conference in September and at the Independent Police Complaints Authority Network (IPCAN) Seminar in November 2024.

### INTERNATIONAL LEADERSHIP

In 2024, GSOC showed leadership internationally as an active member of

- **The Network of European Integrity and Whistleblowing Authorities (NEIWA)**
- **The Independent Police Complaints Authorities Network (IPCAN)**
- **European Partners Against Corruption (EPAC)**
- **Ombudsman Association (OA)**

### INVESTIGATIONS OPENED BY TYPE

- Criminal investigation by GSOC (s.98): 591 investigations (46%)
- GSOC-led disciplinary investigation (s.95): 109 investigations (8%)
- Unsupervised disciplinary investigation by Garda Síochána (s.94(1)): 511 investigations (40%)
- Supervised disciplinary investigation by An Garda Síochána (s.94(5)): 62 investigations (5%)
- Discontinued prior to initiation of investigation: 10 discontinued (1%)



## 3

## INTRODUCTION



## 3. INTRODUCTION

This annual report has been prepared and submitted to the Minister for Justice in accordance with Section 80 of the Garda Síochána Act 2005.

### **The Role and Functions of GSOC**

The Garda Síochána Ombudsman Commission (GSOC) is an independent statutory agency set up in 2007 under the Garda Síochána Act 2005 (hereafter 'the Act'). Our function is to deal with matters involving possible misconduct by members of An Garda Síochána, in an efficient, effective and fair manner.

GSOC deals with complaints made by members of the public concerning the conduct of members of An Garda Síochána, whether allegations of a criminal or disciplinary nature. In addition, GSOC conducts independent investigations of matters referred to it by An Garda Síochána, the Minister for Justice, the Policing Authority, or matters which have been deemed by GSOC as meriting investigation in the public interest. These various aspects of GSOC's remit are explained in detail in this report, alongside a detailed accounting of delivery on GSOC's remit in 2024.

This report will detail many of the activities GSOC has undertaken in 2024 to prepare for transition to its successor agency in the coming period.

## Our Vision, Mission and Values

### Our Vision

is of first-rate human-rights based policing oversight, contributing to trusted policing and a safe and secure society.

### Our Mission

is to provide an independent, high-quality and trusted system for dealing with matters involving the possible misconduct of members of An Garda Síochána, in a manner which respects human rights and promotes public confidence.

**Our Values** are central to everything we do and guide us in our approach to how we do our work. They inform our decisions and how we treat our stakeholders and our colleagues. These core values and what they mean to us are shown below:



## 4

OUR TRANSITION TO  
FIOSRÚ, THE OFFICE  
OF THE POLICE  
OMBUDSMAN:  
PLANNING,  
PREPARATION AND  
STAKEHOLDER  
ENGAGEMENT



## 4. OUR TRANSITION TO FIOSRÚ, THE OFFICE OF THE POLICE OMBUDSMAN: PLANNING, PREPARATION AND STAKEHOLDER ENGAGEMENT

### New Policing, Security and Community Safety Legislation

The Policing, Security and Community Safety Act 2024 (hereinafter the PSCS Act), which was signed into law in February 2024, provides for the continuation of GSOC as Fiosrú - Oifig an Ombudsman Póilíneachta (Office of the Police Ombudsman) and enhances GSOC's existing powers and independence.

GSOC has broadly welcomed the PSCS Act and the positive changes that it should effect on Ireland's policing oversight structure, in line with the vision of the Commission on the Future of Policing in Ireland (CoFPI).

Fiosrú's key statutory objectives are:

- a) to promote public confidence in the processes for resolving complaints made by members of the public and in investigations,
- b) to improve public understanding of the role and functions of the Police Ombudsman,
- c) to ensure that their functions are performed in a timely, efficient and effective manner and in accordance with fair procedures, and
- d) to undertake research and analysis – in order to identify trends and patterns in complaints and investigations.

The Act sets out a number of significant changes for the reformed organisation in terms of its governance, powers and independence, including:

- change from the current three-person Commission governance model to a single Ombudsman, with a Deputy Ombudsman and Chief Executive Officer. The Police Ombudsman will be independent in the performance of their functions, accounting directly to the Oireachtas.

- increased financial independence by making Fiosrú a vote-holding body, funded directly from the Oireachtas. The CEO will be the Accounting Officer, accounting to the Oireachtas through the Committee of Public Accounts.
- in terms of investigations, expansion of the interpretation of conduct causing 'serious harm' to include sexual offences and abuse of power for a sexual purpose.
- introduction of a statutory review function, which provides complainants with the right to a review in a number of defined circumstances.

### Journey towards Fiosrú

GSOC has been working in the background on preparations for the transition to Fiosrú since July 2021.

In 2024, in anticipation of commencement in early 2025, preparatory activity increased. The Implementation Plan identified in excess of 300 tasks that needed to be completed internally to be ready to stand Fiosrú up. Completion of this work involved GSOC's staff showing huge dedication, working over and above to implement the Transition Programme, on top of their usual business activities.

By the end of 2024, the Transition Programme was 89% complete, with the majority of tasks outstanding being time sensitive and, as such, could not be completed until closer to commencement date.

GSOC is keenly awaiting the commencement of the PSCS Act, and is looking forward to embarking on the next chapter of its policing oversight journey, as Fiosrú

The following events deemed significant in moving closer to the creation of Fiosrú in 2024:

- The PSCS Act was signed into law in February 2024.
- On 9 July 2024, following an open competition and approval by resolutions of both Houses of the Oireachtas, Emily Logan was recommended for appointment by the President as the first Police Ombudsman under the PSCS Act. Emily Logan will be formally appointed by President Michael D Higgins upon commencement of the Act.
- On 9 September 2024, Sheila McClelland was appointed as the first Chief Executive Officer for Fiosrú.

Substantial stakeholder engagement on the transition continued throughout the year. GSOC remained actively involved with the Department of Justice's inter-agency and cross-departmental PSCS Implementation Programme. Through this programme, GSOC has been working with An Garda Síochána on reformed processes, protocols and agreeing lines of communication necessary for effective inter-agency co-operation.

At the end of 2024, GSOC is keenly awaiting the commencement of the PSCS Act, and is looking forward to embarking on the next chapter of its policing oversight journey, as Fiosrú.

## Stakeholder Engagement

In addition to engaging with Departmental, An Garda Síochána and other agency colleagues on the Act, GSOC also continued to expand its broader stakeholder engagement – both at home and abroad – over the course of 2024. This has been an essential element in our preparation for transition and reform, allowing us to communicate our strategic priorities for the future to policy makers, civil society and the wider public. It has also been an invaluable opportunity for mutual knowledge and experience sharing with colleagues in other jurisdictions. A more proactive and broad-ranging strategy of engagement with key stakeholders, building on the work done in 2024, will be a key pillar of the work of Fiosrú as it is established and developed.



# Fiosrú

Oifig an  
Ombudsman  
Póilíneachta

Office of  
the Police  
Ombudsman





# 5 REPORT UNDER THE PUBLIC SECTOR EQUALITY AND HUMAN RIGHTS DUTY



## 5. REPORT UNDER THE PUBLIC SECTOR EQUALITY AND HUMAN RIGHTS DUTY

A central tenant of GSOC's vision is respect for Human Rights and Equality. GSOC's core function is to handle complaints of potential misconduct by members of An Garda Síochána in an efficient, effective and fair manner.

Our complaints-handling, referral-handling and investigative work engages the rights of a range of stakeholders including complainants, Gardaí, the broader public and our own staff. The work of GSOC, due to its nature, must be underpinned by a strict adherence to fundamental rights, in particular the rights of complainants to seek redress for alleged misconduct, including those who have been the victim of serious crime, or who may have experienced various forms of vulnerability or disadvantage; and the procedural rights of those under investigation.

Equality of access to our services and equitable treatment for all are cornerstones of the service that we provide. We are highly cognisant of our own role in the State's broader obligations under Articles 2 and 3 of the European Convention on Human Rights, in particular in the context of our investigation of incidents involving death and serious harm referred to us under Section 102 of the Act.

Human rights and equality issues that we now focus on include:

- Open and transparent engagement with our stakeholders;
- Ensuring that staff are fully aware of the human rights and equality standards that underpin GSOC's work;
- Enhancing the accessibility of our functions and services, including through positive action to engage with diverse groups;
- Safeguarding staff dignity and welfare; and
- Building on the diversity of our workforce.

In 2024, we addressed some of the human rights and equality issues. The Public Sector Human Rights and Equality Duty places an obligation on GSOC to ensure staff are fully aware of their obligations to protect and defend the human rights of everyone. In 2024, we continued to build on the substantial progress made on human rights training and education for our staff.

In 2024, we had two staff members undertaking qualifications in Policing & Human Rights Law and one staff member graduated in a Masters in Human Rights in Criminal Justice programme, in the University of Limerick.

We continued to improve the openness and transparency of our stakeholder engagement in 2024, including through active engagement with civil society and policy makers. Work is ongoing in the development of a renewed communications and engagement strategy for Fiosrú.

Human rights and equality remain at the heart of our internal policies and procedures which are currently being examined for review in the context of GSOC's transition to Fiosrú.

Further enhancing the accessibility of our public communications, and of our services both online and in-person, remains a strategic priority for GSOC in transition. We also recognise the importance of generating accessible, disaggregated human rights and equality data, both to identify gaps in rights protections and to identify trends and patterns. We are working to ensure sufficient disaggregated data is available in Fiosrú to support strategic decision making. Ensuring that Fiosrú is well equipped to capture, interrogate and share disaggregated human rights and equality data is a core priority for us as we progress plans for a new Case Management System to meet the needs of our expanded functions and remit.

The demands of delivering GSOC's functions can be challenging for staff and we continue to place emphasis on staff welfare in our approach to navigating environmental challenges and ensuring service delivery.

GSOC is proud to have a vibrant and diverse workforce. We conduct our recruitment through the Public Appointments Service, which operates an equal opportunities policy. As GSOC transitions to Fiosrú, we remain committed to growing in a manner that preserves and enhances the diversity of our workforce, ensuring that we, as an organisation, are reflective of the community that we serve.







6

# BUILDING ON A STRONG LEGACY: A RENEWED COMMITMENT TO SUSTAINABILITY



## 6. BUILDING ON A STRONG LEGACY: A RENEWED COMMITMENT TO SUSTAINABILITY

Sustainability has long been at the heart of GSOC, shaping the way we work, innovate, and reduce our environmental impact. Over the years, our commitment to energy efficiency has led to significant achievements.

Now, with the re-formation of our Green Team, we are injecting fresh energy into this culture, ensuring that we continue to lead by example in sustainable practices. Our journey towards greater sustainability has been marked by tangible results and recognition. We have achieved an impressive 63% reduction in energy consumption, demonstrating our commitment to long-term efficiency and environmental responsibility.<sup>1</sup>

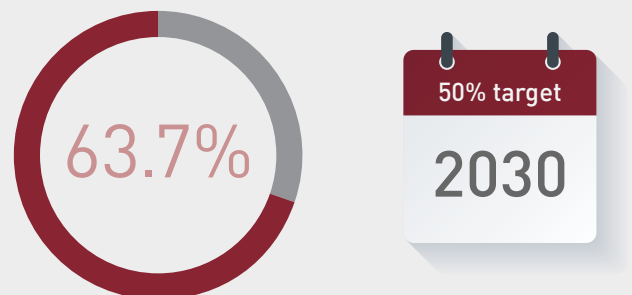
Another significant milestone is the improvement in our Display Energy Certificate (DEC) rating, which now stands at C2. This is a testament to the collective efforts of staff in embracing energy-saving initiatives and operational improvements.

### Future Upgrade Works

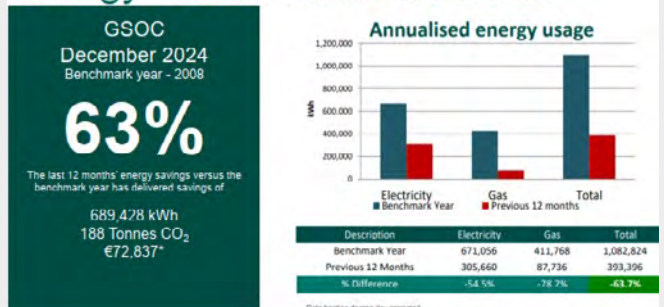
GSOC is planning upgrades to the heating and cooling system ensuring more efficiency and sustainability. As part of this, we will be looking at future-proofing these systems to align with our long-term sustainability goals. Additionally, we hope to extend the use of LED lighting in the office to further reduce energy consumption.

The momentum is building and, with renewed enthusiasm, we are confident that GSOC will continue to be a leader in sustainability. The Green Team will play a vital role in identifying new opportunities, implementing innovative solutions, and ensuring that sustainability remains embedded in our everyday operations.

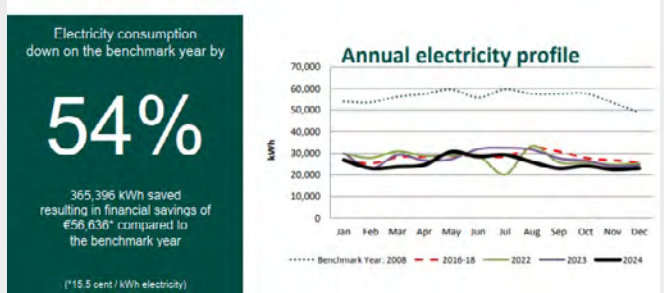
### GSOC - progress towards the 2030 Energy Efficiency target



### Energy Performance Overview



### Electricity consumption



1. Benchmark year - 2008

# 7 GOVERNANCE, FINANCE AND INTERNAL CONTROLS

## 7. GOVERNANCE, FINANCE AND INTERNAL CONTROLS

### Governance and Structure

The Garda Síochána Ombudsman Commission was established under the Garda Síochána Act, 2005, as amended. The functions of the Commission are set out in Section 67 of this Act.

### The Ombudsman Commission

The Ombudsman Commission is a three-person commission, all members of which were appointed by the President following the nomination of the Government and the passage of resolutions by both Houses of the Oireachtas recommending their appointment. One of the Ombudsman Commission members is appointed as Chairperson.

In 2024, the Ombudsman Commission comprised:

- Rory MacCabe, SC (Chairperson)
- Ms Emily Logan; and
- Mr Hugh Hume<sup>2</sup>

### Governance

The Ombudsman Commission is responsible for the control and direction of the Garda Síochána Ombudsman Commission and for ensuring good governance.

### Responsibilities and Objectives

Section 67(5) provides that the chairperson of the Commission shall manage and control generally the officers, administration and business of the Ombudsman Commission.

Along with its statutory functions and objectives, the Commission's responsibilities also include:

- promoting the success of GSOC by leading and directing GSOC's activities;
- providing strategic guidance to GSOC while still monitoring and supervising the discharge of any of its delegated functions;

- reviewing and guiding:
  - strategic direction,
  - major plans of action,
  - risk management policies and procedures,
  - annual budgets and business plans,
  - setting performance objectives,
  - monitoring implementation and performances, and
  - overseeing major capital expenditure decisions
- acting on a fully informed and ethical basis, in good faith, with due diligence and care, and in the best interest of GSOC, subject to the objectives set by Government;
- promoting the development of the capacity of GSOC including the capability of its leadership and staff; and
- holding senior management to account for the effective performance of their delegated functions and responsibilities.

A range of key decisions are reserved to the Commission, including in relation to:

- Approval of capital projects;
- Putting in place delegated authority levels, financial management policies and risk management policies;
- Approval of significant acquisitions, disposals and retirement of GSOC's assets;
- Approval of annual budgets;
- Assurances of compliance with statutory and administrative requirements in relation to the approval of the number, grading, and conditions of appointment of all staff;
- Setting the organisation's strategy; and
- Production of Annual Reports and accounts.

Meetings of the Ombudsman Commission

The Ombudsman Commission works closely together, while liaising with senior management, on a daily basis. In addition to this, the Commission holds formal meetings with GSOC’s senior management on a periodic basis to discharge its statutory governance and operational duties. Five such formal meetings took place in 2024.

Table A: Attendance at Formal Meetings of the Ombudsman Commission in 2024

Formal meetings of the Ombudsman Commission in 2024		
Name	Position	No. of meetings attended
Mr Justice Rory McCabe	Chairperson	4
Ms Emily Logan	Commissioner	4
Mr Hugh Hume	Commissioner	2
Ms Aileen Healy	Director of Administration	2
Mr Peter Whelan	Director of Investigations and Operations	3
Ms Sheila McClelland <sup>3</sup>	Chief Executive Officer designate	2

The Senior Management Team

The Senior Management team, reporting to the Commission, is responsible for the day-to-day management of the organisation.

During 2024, the following officials served on the Senior Management Team:

- Ms. Aileen Healy, Director of Administration
- Mr. Peter Whelan, Director of Investigations and Operations
- Mr Peter Hogan, Deputy Director of Administration
- Mr Garrett Croke, Deputy Director of Operations
- Mr Jon Leeman, Deputy Director of Operations
- Mr David Grant, Deputy Director of Operations
- Ms. Edel Gilligan, Head of Legal
- Mr Darren Wright, Principal Officer, Knowledge and Quality Management

Performance delivery and oversight

GSOC and the Department of Justice agreed an Oversight Agreement for 2024 in accordance with the Code of Practice for the Governance of State Bodies.

The Oversight Agreement sets out the broad governance and administrative accountability framework within which GSOC operates, and defines the key statutory and administrative roles, responsibilities and commitments which underpin the relationship between GSOC and the Department. The Agreement also sets out the arrangements for the effective governance, funding and general administration of GSOC in accordance with the Code. Any derogations or exceptions from the Code have been agreed with the Department and are laid out the in the Oversight Agreement.



Finance

GSOC is funded through the provision of an annual grant from the Vote for the Department of Justice. The Secretary General of the Department is the Accounting Officer for the Vote and for funding provided to the Commission.

Section 77 of the Act, requires the GSOC to keep, in such form as may be approved by the Minister for Justice with the consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it. The Commission is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 77 of the Act. The Chairperson is responsible for the preparation of GSOC’s accounts.

Expenditure

The Ombudsman Commission ensured that GSOC fully complied with the Public Spending Code throughout 2024.

Table B: GSOC Expenditure 2024

Category	2024 Budget €	Expenditure Subhead	2024 Expenditure €
Pay	13,796,182.68	A01 - Pay & Allowances	11,997,849.96
Non-Pay	5,837,184.08	A02 - Travel & Subsistence	166,153.10
		A03 - Incidental Expenses	1,721,480.32
		A04 - Postal & Telecommunication Services	84,232.76
		A05 - Office Machinery & Other Office Supplies	1,541,288.64
		A06 - Office & Premises Expenses	2,092,438.76
Total	19,633,366.76		17,603,443.54

Key management personnel

Total salaries paid to key management personnel by GSOC amounted to €886,802.

Non-salary related fees

No non-salary related fees were paid in respect of members of GSOC for 2024.

Table C: Employee Benefits Breakdown

Range		Number of Employees	
From To	2024	2023	
€60,000 - €69,999	28	38	
€70,000 - €79,999	21	10	
€80,000 - €89,999	9	8	
€90,000 - €99,999	12	11	
€100,000 - €109,999	3	3	
€110,000 - €119,999	-	2	
€120,000 - €129,999	3	1	
€130,000 - €139,999	3	-	
€140,000 - €149,999	-	1	
€150,000 - €159,999	-	3	
€160,000 - €169,999	1	2	
€170,000 - €179,999	-	-	
€180,000 - €189,999	1	-	
€190,000 - €199,999	-	-	
€2000,000 - €209,999	-	-	
€210,000 - €219,999	-	-	
€220,000 - €229,999	-	-	
€230,000 - €239,999	-	1	
€240,000 - €249,999	-	-	
€250,000 - €259,999	1	-	

### Employee benefits

The number of employees whose total employee benefits paid in 2024 fell within each of the following pay bands is shown in the table above (these figures include salary, overtime allowances and other payments made on behalf of the employee but exclude employer's PRSI):

### Consultancy, legal costs and settlements

The Commission is involved in legal proceedings which may generate liabilities, depending on the outcome of the litigation. Any actual amount or timing of potential liabilities is uncertain.

## Internal Control Environment

### Quality management

Quality Management development is continuing on an incremental basis, to put in place the necessary framework to ensure the organisation meets its statutory and governance obligations and service users receive a quality interaction. The organisational review and recommendations for the future, as envisaged by the PSCS Act, is being considered to formalise the approach to be taken by the quality function in the context of the organisational transition to Fiosrú, Office of the Police Ombudsman.

### Audit and risk

The Commission established its own Audit and Risk Committee in 2022 to oversee the management of risk and internal controls in the organisation and to advise the Commission in relation to matters of audit, governance and risk. The committee includes two independent members, one of whom chairs the committee, and a member of the Commission. One member of the committee has recent and relevant financial experience.

GSOC's risk management process includes:

- A Chief Risk Officer who has overall responsibility for overseeing the management of risk and keeping the Commission informed of high-level risks and their mitigation;
- A Risk Management Policy which sets out the processes in place for the identification, assessment, management and mitigation of risks in the organisation;
- A Risk Register which contains details of risks and their mitigation and which is kept up to date on an ongoing basis; and
- Risk is a formal agenda item for Commission meetings, at which a report on risk management is provided for the Commission's consideration. Risk management is also a standing agenda item for Senior Management Team meetings.
- Work continued with the implementation of the new GSOC Risk Management system in 2024, updating the Risk Register to identify, assess and mitigate risk, ensure ongoing review and improvements in GSOC and provide assurance to the Commission. This involved amalgamating and updating existing risks, identifying emerging risk and linking risk with GSOC's strategic objectives, identifying mitigating actions and controls in place.





## 2024 Statement of Internal Control in GSOC

The Ombudsman Commission hereby acknowledges our responsibility for ensuring that an effective system of internal controls is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

### Purpose of the System of Internal Control

The system of internal control can only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or other irregularities are either prevented or would be detected on a timely basis. The Commission is satisfied that the systems which it has in place are reasonable and appropriate for the Commission's circumstances having regard to its size, level of expenditure, staff resources and the nature of its operations.

### Internal Control Environment

The following steps have been taken to ensure an appropriate control environment.

- Internal reporting relationships are clearly assigned;
- Management responsibilities are clearly assigned and communicated between the Director of Administration, Corporate Services and the Finance Team;
- Decisions on expenditure rest with line managers and the members of the Commission in line with approved expenditure thresholds;
- Shared service arrangements were availed of in relation to the provision of a number of financial management and related services to GSOC:
  - The Department of Justice provide an agency payment service for the Garda Síochána Ombudsman Commission.
  - Payroll Shared Service Centre, which is part of the National Shared Services Office, processed payroll and travel and subsistence claims.
  - The Department of Justice provided fixed asset register maintenance, purchase ordering and tax filing services.
- When required, additional services are procured from external providers to supplement these services;
- Robust financial procedures and controls are in place and an external accounting firm is engaged to prepare GSOC's financial statements;
- GSOC has systems in place for the monitoring of risk and, in so far as possible having regard to the operating environment, dealing with the risks that have presented throughout 2024.

The Ombudsman Commission met formally to discharge its governance responsibilities on 4 occasions in 2024.

### **Risk and Control Framework Risk Management**

The Ombudsman Commission has established processes to identify and evaluate business and financial risks by putting a Risk Management Policy and Risk Register in place to:

- Identify the nature and extent of financial and operational risks;
- Assess the potential of risks occurring;
- Evaluate and assess capacity to manage the risks that do occur;
- Examine risks in the context of strategic goals;
- Put actions in place to mitigate risks; and
- Regularly report on risks.

The risk management process in place includes:

- A Chief Risk Officer to oversee the management of risk and keep the Ombudsman Commission informed of high-level risks and their mitigations.
- A Risk Management Policy which sets out the processes in place for the identification, assessment, management and mitigation of risks in the organisation;
- A Risk Register which contains details of risks and their mitigation and which is kept up to date on an ongoing basis. This register identifies specific risks, details the controls and actions needed to mitigate those risks and assigns responsibility for the mitigation and operation of controls;
- A Risk Monitoring Group, responsible for ensuring that the Risk Management system is subject to ongoing review, in conjunction with the Senior Management Team and the Chief Risk Officer; and
- An Audit and Risk Committee established to oversee the management of risk and internal controls in the organisation and to advise the Ombudsman Commission in relation to matters of audit, governance and risk.

Development of the framework, policy and structure in place is continuing at an operational level to move to the next level of maturity by embedding it across the organisation, and aligning it with strategic and business planning for the organisational transition to Fiosrú, Office of the Police Ombudsman.

The Ombudsman Commission established its own Audit and Risk Committee in 2022 to oversee the management of risk and internal controls in the organisation and to advise the Commission in relation to matters of audit, governance and risk. The Committee met 5 times throughout 2024. The committee is comprised of three members, one member of the Ombudsman Commission and two external independent members, one of which chairs the committee. One member of the committee has recent and relevant financial experience.

The Risk Monitoring Group was formed in April 2023 with the membership from across the organisation. The Group continues to meet every quarter to review the risk register and ensure regular engagement by stakeholders across the organisation. Managing risk is a regularised iterative process whereby the risks are updated quarterly by the Chief Risk Officer in liaison with business area representatives, monitored by the Risk Monitoring Group and reviewed by the Senior Management Team, Audit and Risk Committee and the Ombudsman Commission.



### Monitoring and Review

The system of internal control is based on a system of internal controls which includes management of information, administrative procedures and a system of delegation and accountability. In particular, this involves:

- Comprehensive budgeting with an annual budget which is reviewed regularly by senior management;
- Submission of monthly finance reports to the Director of Administration for review; and
- Regular review by the Commission and Corporate Services of financial information;

Mechanisms have been established for ensuring the adequacy of the security of the Commission's information (internally within GSOC) and communication technology systems.

### Incidents of Significant Control Failings

In 2023 Internal Audit carried out a review of strategic and business planning and performance in GSOC. From this review two high level findings were identified and recommendations made. GSOC have started the process to address these recommendations in the context of its transition to Fiosrú. There was no data breach in 2024 that were considered to be high risk.

### Compliance with the Public Spending Code

The Ombudsman Commission has procedures in place to ensure compliance with current procurement rules and guidelines as set out by the Office of Government Procurement. During 2024, the Garda Síochána Ombudsman Commission complied with those procedures. However, costs amounting to €21,573 were incurred in 2024, relating to a non-compliant procurement of goods and services in 2017 in relation to software licenses to support a specific urgent and sensitive investigation. GSOC are in the process of procuring a new Case Management System to replace all CMS systems currently in use in the organisation.

### Approval by the Commission

The Statement on the System of Internal controls has been reviewed by the Audit and Risk Committee in order to advise the Ombudsman Commission on the control system in operation during the reporting period. A review of internal controls was undertaken by Internal Audit and considered by the Audit and Risk Committee in March 2025. This has provided assurance to the Commission regarding the adequacy of the system of Internal control. The Ombudsman Commission is reasonably assured that the systems of Internal Control instituted and implemented in the Ombudsman Commission for the financial year ended 31st December 2024 were effective.



Rory MacCabe, S.C.  
Chairperson



Garda  
**Ombudsman**  
INQUIRY INDEPENDENCE IMPARTIALITY

## 8

## STAFFING

## 8. STAFFING

### **Staffing and Organisational Structure**

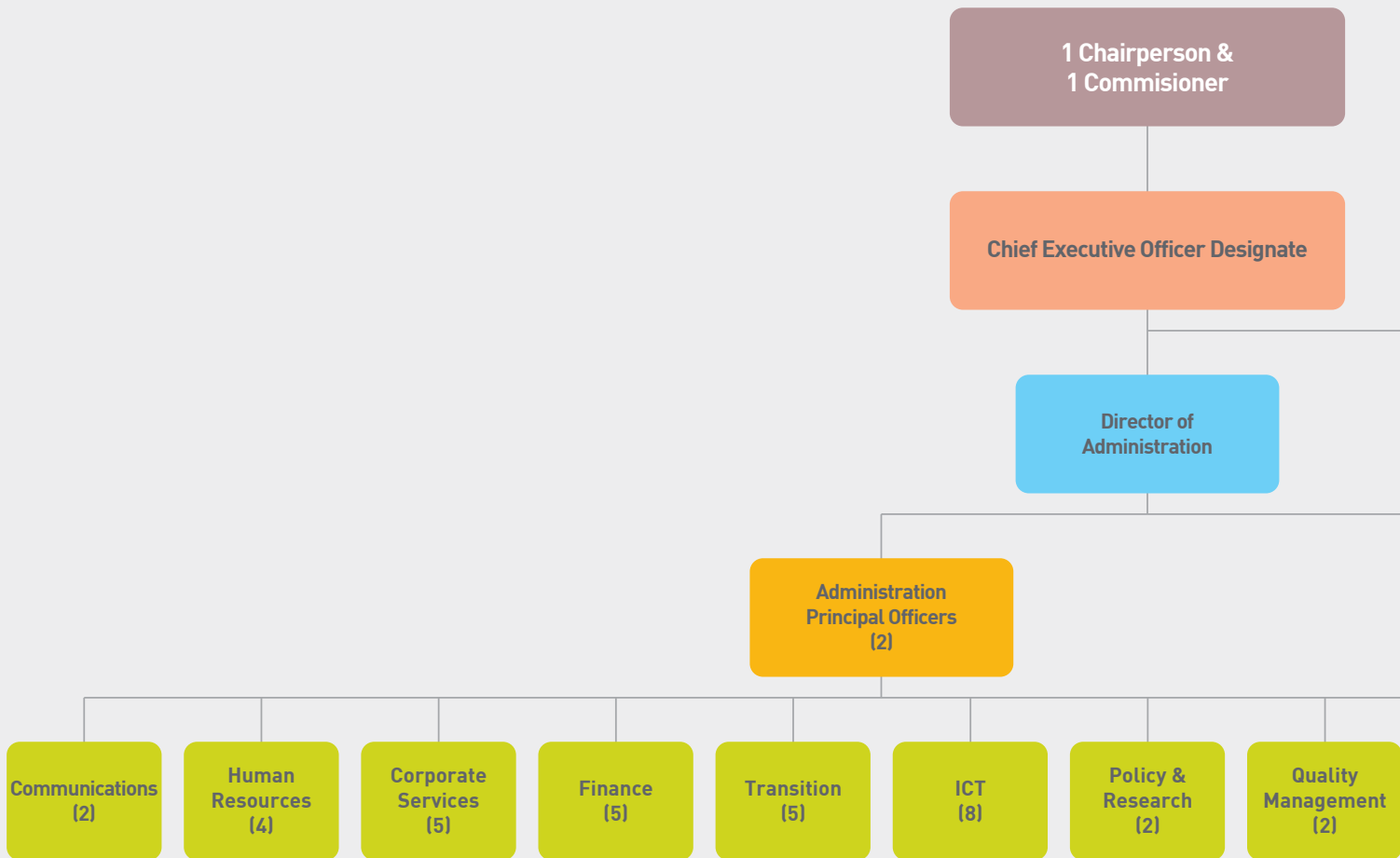
In accordance with section 71 (3) of the Act, officers of GSOC are Civil Servants in the Service of the State. Section 71 (4) of the Act provides that the Ombudsman Commission is the appropriate authority (within the meaning of the Civil Service Commissioners Act, 1956 and the Civil Service Regulation Acts, 1956 to 1996) in relation to its officers.

The National Shared Services Office (NSSO) provides a suite of HR, performance management, payroll and pensions administration services on behalf of GSOC under a Service Level Agreement.

As of 31 December 2024, GSOC employed a total of 170 staff members, reflecting an increase of 16 individuals compared to the end of 2023. Throughout 2024, GSOC successfully recruited 33 new staff members to fill both ongoing vacancies and new positions made possible by additional funding allocated for staffing in the 2024 estimates. Recruitment efforts continued toward the end of the year to fill further vacancies and newly created roles.

GSOC has established policies and procedures that enable its staff to make disclosures under the Protected Disclosures Act, 2014. In 2024, no internal disclosures were made under this policy.



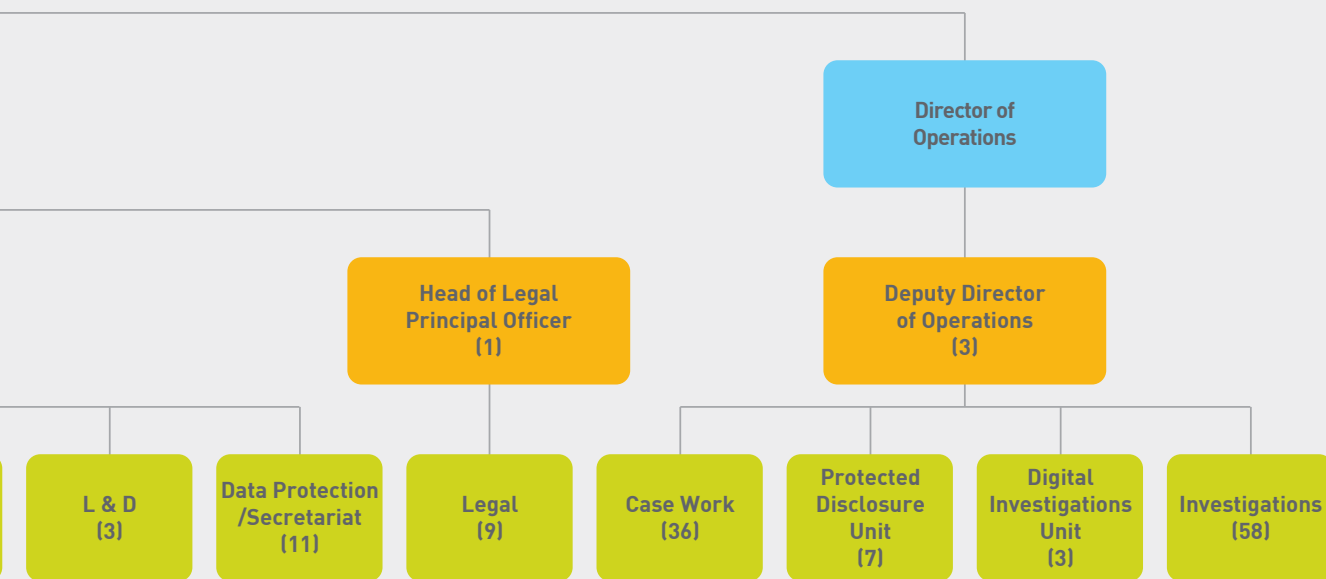
**Chart 1: GSOC organisational structure and staffing resources at 31 December 2024**

## Learning and Development

All of our learning and development activities and deliverables for 2024 were aligned to our Learning Development Strategy 2021-2024. This strategy highlights our focus on developing the capabilities the organisation needs to achieve our vision, mission and strategic outcomes. Our aim has been to make sure that GSOC staff have the knowledge, skills and experiences they need to carry out GSOC's statutory functions consistent with best practice. We have sought to equip GSOC with the capabilities required to meet future organisational needs and to progress careers of the staff.

Investing in the learning and development of staff members remained a key priority for GSOC during 2024. We achieved this through a combination of different learning experiences across various formats, including:

- synchronous (live) and asynchronous (recorded webinars and eLearning) learning experiences;
- formal education opportunities;
- informal mentoring;
- conference attendance;
- partnering with relevant criminal justice, and representative, advocacy and victim support bodies; and
- knowledge sharing among staff through scheduled knowledge sharing sessions and informal colleague support.



Learning needs for 2024 were identified through a learning needs analysis at an organisation and team level. We also reviewed individual needs captured in our performance management system, ePMDS.

In total GSOC staff achieved 1,454 individual participations across 125 distinct live learning experiences during 2024. Overall participation rates increased threefold compared to 2023. This increase reflects an increased investment and emphasis on supporting the development of GSOC staff, as well as our efforts to prepare staff for the commencement of the PSCS Act.

# 9 COMPLAINTS



## 9. COMPLAINTS

### How GSOC Receives and Investigates Complaints

Section 83 to 101 of the Act sets out how complaints alleging Garda misconduct are made to GSOC. The complainant must be directly affected by what they believe is Garda misconduct, must witness the alleged misconduct or a complaint can be made on behalf of someone, if consent is provided. Complaints can be made to GSOC in a number of ways, whether by filling out a GSOC1 complaint form online, in writing, by post, via email, in person at the GSOC public office or via correspondence from Garda Stations.

#### Admissibility

All complaints received by GSOC are assessed against a list of admissibility criteria outlined in section 87 of the Act. This list sets out the criteria a complaint needs to meet to be admitted by GSOC for investigation. If a complaint does not meet the criteria it will not be admitted by GSOC and will be deemed inadmissible.

For a complaint to be investigated it must meet the following criteria:

- It must be made by (or, in certain circumstances, on behalf of) a person who is directly affected by, or who witnesses, the conduct that is the subject of the complaint;
- It must relate to behaviour by a member of An Garda Síochána which would, if proven, constitute a criminal offence or a breach of Garda discipline;
- It must be made within one year of the incident which is the subject of the complaint;
- It must not be frivolous or vexatious;
- It must not relate to the general direction and control of An Garda Síochána by the Garda Commissioner;
- It must not relate to the conduct of a member of An Garda Síochána while the member was off-duty, unless the conduct alleged would, if proven, be likely to bring discredit on An Garda Síochána.

#### Types of complaints

##### Criminal

All complaints that contain allegations of a criminal nature against Gardaí are investigated by GSOC investigators. Such investigations take place under section 98 of the Act. When conducting criminal investigations, GSOC investigators have full policing powers, equivalent to all the powers, immunities and privileges conferred and all the duties imposed on members of An Garda Síochána.

The case studies in the following sections include examples of some criminal investigations.

##### Disciplinary

Complaints received by GSOC involving alleged breaches of discipline are investigated under section 94 or 95 of the Act. Under the current legislation, breaches of discipline may be investigated in one of these ways:

- **GSOC-led disciplinary investigations** are carried out by GSOC's own investigators. Such investigations may arise where disciplinary or systemic policy matters are identified during the course of a criminal investigation and which require separate follow-up. These are dealt with under section 95 of the Act.
- **Unsupervised investigations** are referred for investigation to An Garda Síochána and managed by Garda Senior Investigations Officers (GSIO) as set out in the Act.

Unsupervised investigations are subject to review mechanisms if the complainant is unhappy with the result. A request can be made to review the investigation under s94(10) of the Act.

- **Supervised investigations** are conducted by a member of Superintendent rank within An Garda Síochána and supervised by GSOC.

The case studies in the following sections include examples of some disciplinary investigations.

### S102 Referrals

Section 102 of the Act provides for independent investigation of any matter that appears to indicate that the conduct of a member of An Garda Síochána may have resulted in the death of, or serious harm to, a person.

### Public Interest Investigations

Section 102(4) of the Act provides for GSOC to undertake investigations in the public interest outside of the usual complaints or referrals processes.

### Our Local Intervention Initiative

Begun on a pilot basis in 2018, and now a core part of how we handle complaints, the Local Intervention initiative aims at resolving more minor service-level complaints at a local level, without the need for a formal investigation. Such complaints tend to relate to allegations of discourtesy or failures that would represent lower level examples of neglect of duty. Under this process, nominated Garda inspectors contact complainants who have indicated that they wish to engage in the initiative, and seek to address the issue through dialogue. The focus of the process is on addressing the problem, rather than apportioning blame.

Should the intervention not be successful, the complaint returns to GSOC, and is assessed for admissibility.

The initiative was launched to reduce the time taken for complaints to be addressed, by identifying cases where the launch of an investigation under section 94 of the Act would not be in the best interest of the complainant.

Local Intervention has seen good engagement by An Garda Síochána, and has had a positive impact for Gardaí, GSOC and complainants alike, providing a more efficient means of addressing service-level complaints. For a breakdown of the outcomes and impact of our local intervention initiative in 2024, and some case studies, see section 13.

## Key Facts and Figures for Complaints in 2024

### Volume of queries

In the first instance, queries and complaints are handled by GSOC's Casework Unit.

In 2024, caseworkers dealt with **4,238** queries. Initially each contact is opened on our system as a 'query', until we have sufficient information to upgrade it to a complaint and assess if for admissibility.

GSOC received **2,590** calls to the lo-call number throughout 2024. Some **97.4 per cent** of the calls received were answered with 60 seconds.

In 2024, Caseworkers met with **44** people in our public office.

## Volume of complaints

A total of **2,226** complaints were opened in 2024. A complaint may contain more than one allegation, and the 2,226 complaints received in 2024 contained 2,883 separate allegations.

The most common circumstances which gave rise to complaints in 2024 were 'customer service' at 22%, the conduct of Gardaí during arrests at 15% and when carrying out investigations at 13%.

### DAY IN THE LIFE OF A CASEWORKER

Casework is the first point of contact for members of the public if they wish to make a complaint regarding Garda misconduct. In Casework, members of the public can liaise with our case officers with their queries using our dedicated telephone line. Complaints are received in a number of ways, through email, online complaint form, post and in person, where appropriate. Casework have a dedicated admissibility team, this team will determine whether your complaint is admitted for investigation.

Statistics for a typical day in Casework Unit are:

- 261 emails received to the mailboxes.
- 6 pieces of correspondence received by post.
- 13 calls received on the public information line.
- 11 messages left after hours for a call back.  
These requests are usually returned within 24 hours.
- 4 requests for hard copy complaint forms.

Twenty-six (26) new contacts were received and opened on GSOC internal systems. All cases received are examined for child protection and other welfare concerns.

In one particular high-profile incident last year, GSOC's Casework Unit received over 100 individual contacts from members of the public worldwide. The vast majority of these did not witness the incident concerned, but all contacts received an individual response. This is work that cannot be captured in the traditional statistical reports.

Other duties on a typical day include letters issued to complainants and Gardaí on a variety of issues, including open cases and those assigned for an investigation pursuant to section 94 (1), as well as general file management.



**Table D: Circumstances of complaints established on receipt of complaint (Total complaints: 2,226)**

	Complaints	%
Customer Service	492	22%
Arrest	331	15%
Investigation	292	13%
Road Policing	270	12%
Other	182	9%
Property Issue	125	6%
Search (Person / Property)	134	6%
Domestic Incident	86	4%
Court Proceedings	74	3%
Disclosure of Information	62	3%
Public Order Policing	53	2%
Civil Matter	55	2%
Public Event	33	1%
Immigration	12	1%
During Police Custody	25	1%

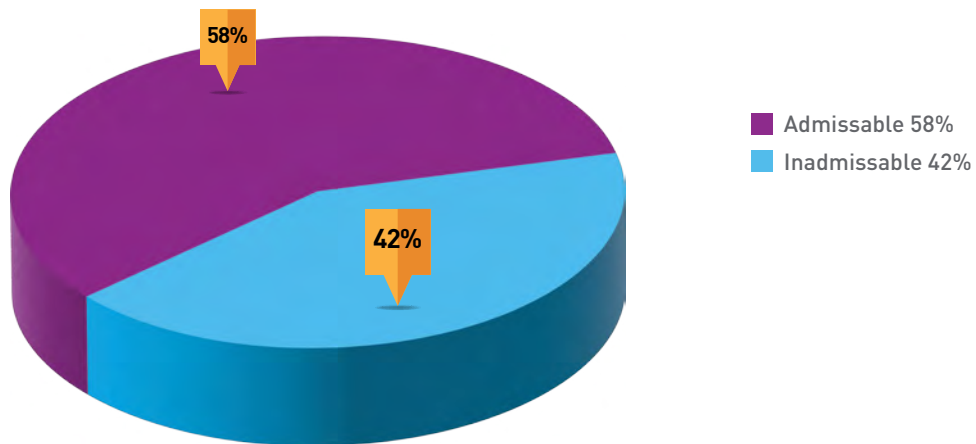
Common circumstances about which people complain to GSOC about include -

- **Customer Service** - This concerns the treatment by Garda members when interacting with the public.
- **Arrest** - This concerns any complaint arising from or relating to an arrest. The complainant does not have to be the person who is arrested.
- **Investigation** - This concerns any complaint about a Garda investigation. It includes, for example, quality and timeliness of the investigation and lines of inquiry established.
- **Road Policing** - This concerns any complaint relating to any road or traffic scenario involving the Gardaí.

### Admissibility decisions

In 2024, a total of **2,226** complaints were received, of which 1,281 (58 per cent) were admissible (containing at least one admissible allegation). A total of 945 (42 per cent) were inadmissible.

**Chart 2: Complaint Admissibility (Total Complaints: 2,226)**



## Types of complaints

**Table E: Allegation Types in Admitted Complaints -  
1,281 Admitted Complaints containing 1,927 allegations**

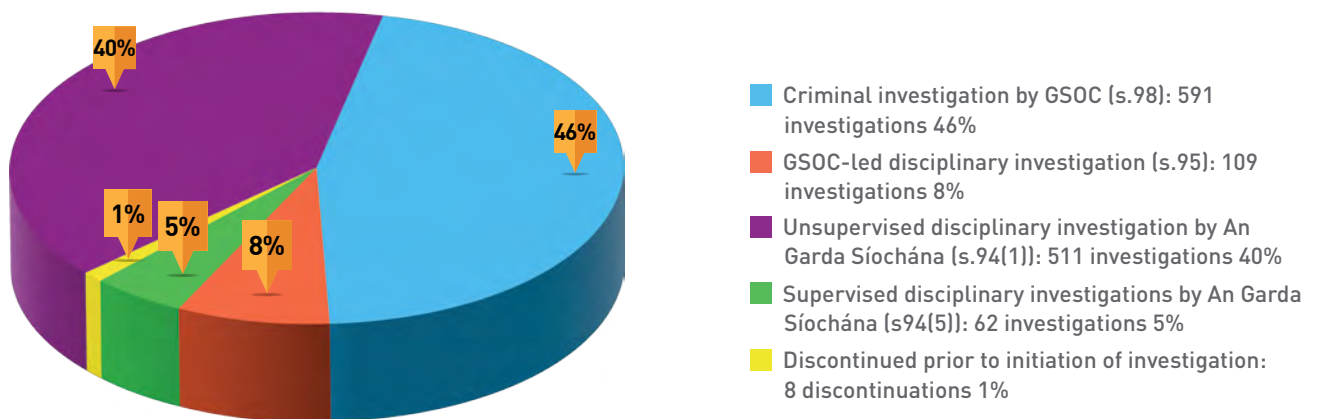
	Allegations	%
Neglect of Duty	734	38%
Non-fatal Offences	433	22%
Abuse of Authority	288	15%
Discourtesy	200	10%
Other	100	5%
Falsehood or Prevarication	38	2%
Criminal Damage	31	2%
Road Traffic Infringement	39	2%
Improper use of Information	25	1%
Sexual Offence	16	1%
Coercive Control	13	1%
Discrimination	10	1%

Common matters about which people complain to GSOC include:

- **Neglect of Duty** – allegations that a Garda omitted to take an action that could have been reasonably expected – such as returning a phone call at one end of the scale, or properly investigating an alleged serious crime at the other end of the scale - would be typical examples of ‘neglect of duty’.
- **Non-Fatal Offences** – these are allegations of a criminal offence listed in the Non-Fatal Offences against the Person Act, 1997 and include, for example, assault.
- **Abuse of Authority** – excessive use of force, or an instruction to do something which the person making the complaint believes was beyond the Garda’s authority to instruct, are the main types of allegation categorised as ‘abuse of authority’.
- **Discourtesy** – complaints around how a Garda spoke to or behaved towards a person.



**Chart 3: Investigations Opened by Type (Total Complaints Admitted for Investigation: 1,281)**



A hand is holding a black computer mouse over a keyboard. Below the keyboard, there is a document with a 'Press Shelf' label. The document also contains text about GSOC staff and CMS exhibits. The background is a wooden desk.

# 10 INVESTIGATIONS ON FOOT OF COMPLAINTS: OUTCOMES IN 2024

# 10. INVESTIGATIONS ON FOOT OF COMPLAINTS: OUTCOMES IN 2024

## Overview of 2024 Investigations

In 2024,

- GSOC submitted 67 files to the DPP following criminal investigations which is where GSOC consider that a criminal offence may have occurred.
- GSOC received 48 directions from the DPP in 2024. Of these, the DPP directed the prosecution of 22 offences (regarding 13 investigation files) and DPP directed no prosecution in relation to 35 investigations. These directions relates to criminal investigation initiated in 2024 and previous years.
- Eleven (11) Public interest investigations were open in 2024 and 26 were closed.
- GSOC made 110 court appearances for criminal prosecutions in 2024. GSOC was represented in court by a GSOC investigator and/or legal representative.
- GSOC made 29 court appearances for civil cases for example, Judicial Reviews, Non Party Disclosure. GSOC was represented in court by a GSOC investigator and/or legal representative.
- Three (3) DAR applications were made in court in 2024 (Digital Audio Recording).
- Following the conclusion of disciplinary investigation, GSOC investigators sent 65 reports to An Garda Síochána recommending breaches of discipline in 35 investigations.
- Eighty eight (88) sanctions were imposed following the conclusion of disciplinary investigations.
- Following receipt of 37 referrals in 2024, GSOC deployed 6 Family Liaison Officers (FLO) to in families dealing with loss and serious injuries. The role of the FLO is explained in further detailed on page 60.

- GSOC investigators were involved in 18 Coronial inquests in 2024. The role of GSOC in the Coroner’s Court is explained in further detailed on page 61.
- Building on the success of the Local Intervention program described earlier GSOC resolved 221 cases in that manner in 2024.
- Thirty one (31) Protected Disclosures received in 2024, 37 closed and 56 on hand at the end of the year.
- GSOC issued 6 Systemic Recommendations in 2024. Systemic recommendations are explained in further detail on page 73.
- Finally, as part of GSOC’s suite of powers, GSOC has access to Communication Data pursuant to the Communications (Retention of Data) Act 2011, as amended, in criminal investigations. This is data such as who is the registered user of a mobile phone (User Data), and other data such as listing details of phone calls made/received during specific dates and times (Production Orders). It is recognised that this data is highly sensitive therefore the Act requires varying levels of authority to access said data, including (for some data) the application to a District Court Judge. In 2024 GSOC made the following applications:

**Table F: Communication Data applications in 2024**

Legislation	Applications
S.6 (1)(b)(i) - User Data	44
S.6C - Internet Data	4
S.7(A(5) – Preservation Order	19
S.7(C(5) – Production Order	22

## Time Taken to Close Investigations

### Criminal investigations

In 2024, GSOC closed 514 complaints that had been deemed admissible and investigated as a criminal matter at some stage of the process.

On average, GSOC investigators spent 205 days investigating the criminal part of the above complaints. The median value was 124 days (range min: 0, max: 1581 days).

### GSOC led disciplinary investigations

GSOC led investigations are undertaken by GSOC investigators and dealt with under Section 95 of the Act.

In 2024, GSOC closed 92 complaints that had been deemed admissible and investigated as a GSOC-led discipline matter at some stage of the process.

On average, GSOC investigators spent 343 days investigating the disciplinary aspects of the above complaints. The median value was 159 days (range min: 0, max: 1756 days).

### Unsupervised and supervised disciplinary investigations

Unsupervised disciplinary investigations are undertaken by An Garda Síochána Investigating Officers (GSIOS).

In 2024, GSOC closed 612 complaints that had been deemed admissible and investigated as unsupervised discipline matters at some stage of the process.

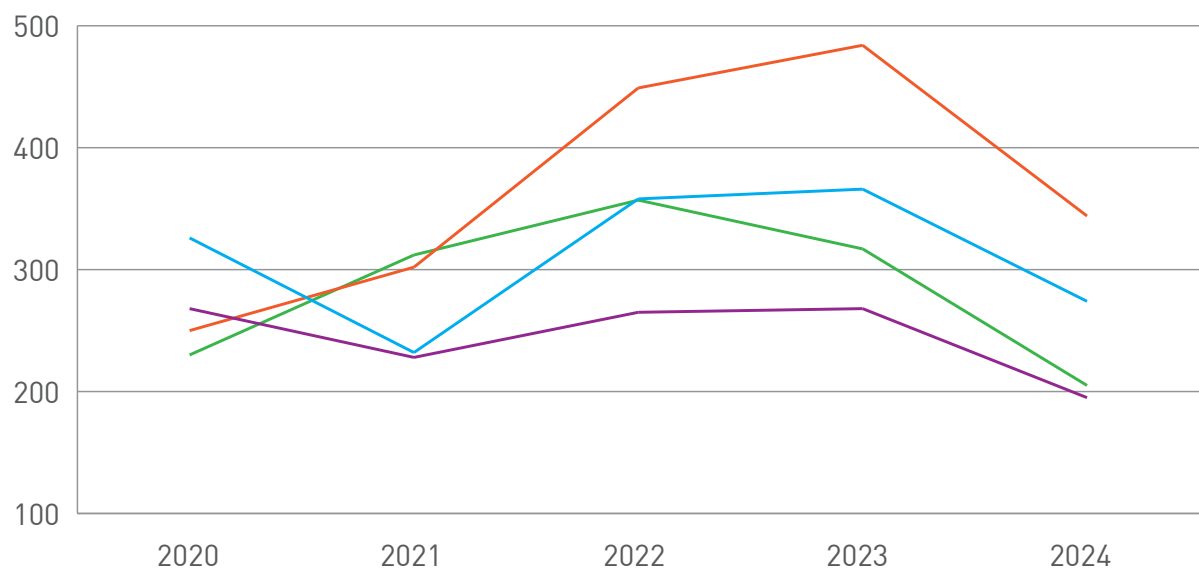
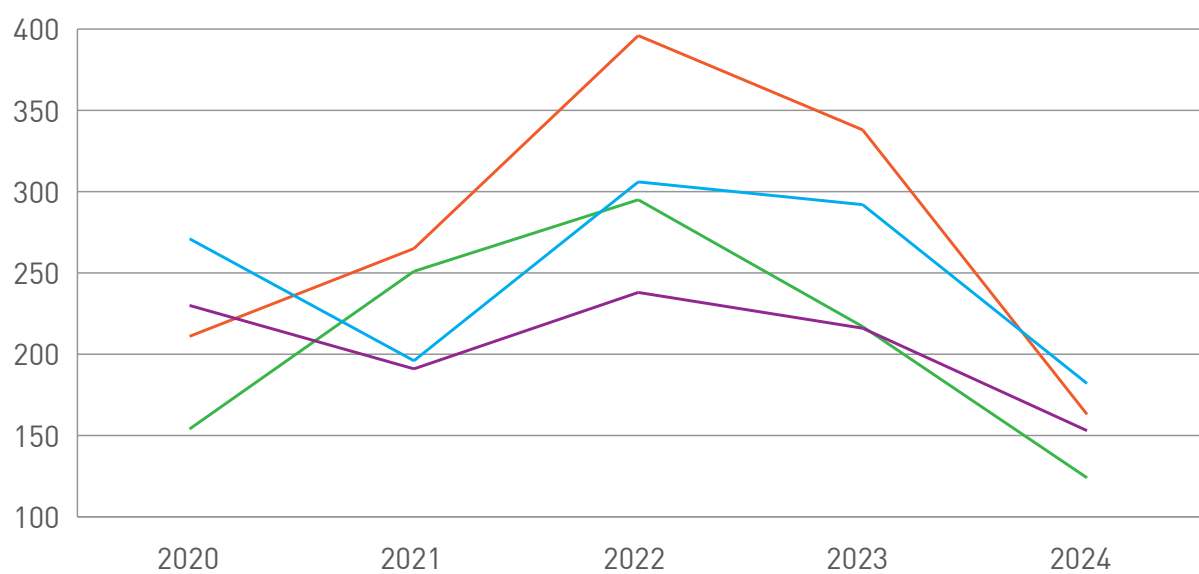
On average, the unsupervised investigative process took 195 days. The median value was 153 days (range min: 0, max: 1283 days).

Supervised disciplinary investigations are undertaken by An Garda Síochána Investigating Officers supervised by GSOC Investigations Officers.

In 2024, GSOC closed 85 complaints that had been deemed admissible and investigated as supervised discipline matters at some stage of the process.

On average, the supervised investigative process took 274 days investigating the disciplinary aspects of the above complaints. The median value was 182 days (range min: 1, max: 1364 days).



**Chart 4: Average Time in Phase****Chart 5: Median Time in Phase**

■ 94 (1) ■ 94 (5) ■ 95 ■ 98

## Investigations on Foot of Complaints: 2024 Case Studies

### Investigations on foot of complaints: examples where sanctions resulted

#### CASE STUDY 1

A referral was made to GSOC by a Superintendent under Section 102 of the Act on the basis that the death of a man occurred in the hours following his release from Garda custody.

A member of the public was arrested by Gardaí for a theft offence at a supermarket and he was subsequently detained at a nearby Garda Station for a number of hours. The man informed Gardaí that he had consumed alcohol and drugs and reference was also made to suicidal ideation. His solicitor subsequently attended the Garda Station and visited the man, following which he was charged and released on station bail. In the hours following his release from custody, the man was struck by a car at high speed while walking home on a main road and he died at the scene.

GSOC obtained CCTV from the location of the theft showing his actions inside and outside the shop. GSOC also obtained CCTV from the Garda Station where the man was detained which contained high quality visual and audio footage. The CCTV from the Garda Station showed the entirety of his interactions with Gardaí and the conversations that occurred. GSOC also obtained a copy of the custody record, notebook entries, copies of statements made by Garda members, witness statements, dash cam footage, 999 call recordings, scene photographs and a copy of the forensic collision investigator's report.

On examination of all of the evidence gathered, GSOC concluded that, although the man made reference to having the suicidal tendencies to Gardaí, other comments made by him to his solicitor and to Garda members while in custody did not indicate any immediate concerns for his health and safety, nor did they indicate an intention of serious self-harm.

GSOC concluded that the examination carried out did not show the commission of any criminal or disciplinary offence by any Garda member that would warrant further investigation. The investigation was discontinued.

## CASE STUDY 2

A referral was made to GSOC by a Superintendent under Section 102 of the Act, as the matter appeared to indicate that the conduct of a member of the Garda Síochána may have resulted in serious harm, to a person. The alleged offence was reviewed by GSOC and it was established that the referral did not meet the threshold of serious harm. GSOC utilised its powers to initiate a public interest criminal investigation.

A member of the public, subjected to arrest and custody by An Garda Síochána, alleged they had been assaulted while in Garda custody by a Sergeant not involved in their arrest. A junior member of An Garda Síochána alleged she was instructed by their Sergeant to create a false record of the incident in the Garda Custody Record, the member later amended the entry and detailed the correct version of events.

The GSOC investigator sought CCTV however no CCTV system was installed within the Garda Station at that time and had to rely on taking numerous statements from Gardaí, including the member who alleged she was instructed to make a false record, and those in the immediate area of the assault within the Garda Station. GSOC seized the Custody Record from the station that held the amended entry and interviewed the Garda Sergeant on two occasions under caution.

The Sergeant entered a not guilty plea to the two charges but was found guilty by a District Court Judge and convicted on both charges i.e. Assault Contrary to Section 2 of the Non-Fatal Offences Against the Person Act 1997 and another charge, described by the Judge as the more serious charge, of attempting to pervert the course of justice contrary to Common Law.

The District Judge imposed a sentence of 80 hours of community service in lieu of 4 months imprisonment.

### CASE STUDY 3

The complainant's wing mirror was damaged by a passing camper van which did not stop. The complainant alleged that Gardaí failed to investigate the collision properly and that Gardaí failed to keep them updated on the collision case.

This complaint was sent to An Garda Síochána to investigate and report back to GSOC on their findings. Their investigation determined that the member was in breach of the first allegation as there was an absence of updates on the Garda PULSE system for the first 10 weeks. This resulted in advice being given to the Garda member. The member was found not in breach of the second allegation as there was no evidence to support either the complainant or the member's account of when calls were/were not placed.

### CASE STUDY 4

The complainant was driving when a van overtook them, stopped in front of them and two men got out with a shovel and started to swing it at the complainant and threaten them. The complainant alleged that An Garda Síochána failed to respond to their correspondence and messages, and failed to provide any updates regarding the case. The complainant also alleged the case was struck out in court due to the summons been sent to the wrong address and that they were informed, by a member, that the summons had failed to be served.

This was referred to An Garda Síochána for investigation with the consent of the complainant. The Garda Investigator submitted a recommendation to GSOC to discontinue the investigation. It was established that the complainant spoke with one Garda, three Sergeants, one Inspector and a Superintendent in relation to their case. In addition to this the complainant received six telephone calls and three letters from Gardaí. The original investigating member in the case resigned from An Garda Síochána without properly handing over the case file. In their call to the complainant, the Superintendent acknowledged the service provided to the complainant was below standard and a number of remedial measures had been introduced to ensure this would not be repeated. Enquiries with the District Court Office revealed that the summons was struck out due to a classification of "Garda resigned".



## CASE STUDY 5

The complainant outlined that they witnessed a white van driving dangerously on the wrong side of the road and on the footpath at the perimeter of their property. The complainant alleged that Gardaí would not take action about dangerous driving which they reported and Gardaí affirmed the rights of the driver to drive on the wrong side of the road and on the footpath.

This was referred to An Garda Síochána to investigate and to report their findings to GSOC. Following the investigation one Garda member was found in breach for failing to afford the complainant the opportunity to make a formal statement of complaint and for not completing an investigation file and submitting the file to the DPP for direction. This member was dealt with by way of Advice. A second member was also found not in breach of discipline.

## CASE STUDY 6

The complainant stated they presented at a Garda Station by appointment to make a statement in relation to coercive control by their ex-partner. When they arrived at the station due to unforeseen circumstances the member was not in a position to take their statement that day and it was agreed to change the date. While at the station, the complainant handed over evidence as part of their complaint and they stated the member advised they would investigate the matter. The complainant stated he never heard from the station again and they believed the reason for this was due to their gender.

The complaint was referred to An Garda Síochána to investigate and to report their findings to GSOC and the Garda member concerned was subsequently found in breach of discipline in relation to three counts of Neglect of Duty. This member was dealt with by way of a Warning.

### CASE STUDY 7

The complainant stated that their house was burgled and that they reported it to An Garda Síochána. The complainant alleged that no attempts were made to gather any evidence. The complainant further alleged that despite sending multiple emails to the Gardaí to assist with their enquiries, they had been told that there were no suspects in the case. The complainant alleged that An Garda Síochána were assisting the culprit, rather than arresting and charging them.

The Garda investigators' report outlined that despite the complainant's claims to the contrary, a suspect had in fact been arrested and charged. It was also shown that Gardaí followed the established protocols for a case such as this and the investigating members maintained communication with the complainant, and provided timely updates regarding their investigation. The suspect was before the courts on charges relating to the burglary of the complainant's house.

### CASE STUDY 8

The complainant alleged that when driving his vehicle a Garda vehicle cut across his lane without indication thus almost causing him to crash into the Garda vehicle.

The Garda Member driving the vehicle was identified and interviewed after caution. During this, he confirmed that he had changed lanes but denied driving in a careless or dangerous manner. He advised that he was en route to attend a 999 call and all actions taken by him were in response to that. His attendance at the 999 call was corroborated. There was no CCTV evidence or independent witnesses to the allegation. There was no evidence to corroborate the allegations of the complainant in this matter and accordingly the matter was closed.

## CASE STUDY 9

The complainant alleged that he was assaulted by a Garda during the course of an arrest. The incident occurred in the early hours of the morning as he and his wife were travelling from his mother home. His mother has just died a few hours earlier. He alleged that he was struck with a baton several times and pepper sprayed.

GSOC took statements from the complainant. The photographs of injuries and phone video footage taken by his wife and another witness were also retrieved and GSOC obtained the medical reports.

The Garda involved was identified. The Garda observer on the night was also identified and witness statement taken. She stated that there was no necessity for the force used and there was no necessity for the arrest.

A CCTV trawl was carried out in the area with negative results.

The Garda member subject of the complaint was interviewed after caution and denied the allegation and stated that the use of force was justified.

An investigation file was prepared and forwarded to the DPP. Directions were received from the DPP to prosecute on one count of assault, contrary to Section 2 Non-Fatal Offences against the Person Act 1997.

The case was heard at the District Court before a Judge. Following a full contested case, the Garda member was found not guilty of assault.

## CASE STUDY 10

A referral was made by a Superintendent to the Ombudsman Commission. The referral related to the death of a woman while detained in a Garda Station. On examination of the facts, GSOC commenced a disciplinary investigation.

A full investigation was conducted into the circumstances surrounding the detention of the woman.

The woman was being detained to ensure her attendance in Dublin Metropolitan District Court at the next sitting of that court. The detention was necessary as the option of releasing her on bail was not available to Gardaí owing to the existence of three outstanding bench warrants. Such warrants remove the discretion of the member in charge of the Garda Station to release a person on what is commonly referred to as station bail.

A review of CCTV at the Garda Station concerned, showed that the entries created in the custody record by an individual Garda as regards visits to the cell of the woman were not accurate. The Garda member recorded entries in the custody record regarding visits to the cell of the woman which were not made.

The alleged neglect by the Garda member concerned did not contribute to the death of the woman. A visit by a doctor to this woman after the Garda concerned finished duty is listed on the custody record. The doctor raised no concerns as to the condition of detention, or potential indications of a sudden death.

A disciplinary investigation report was submitted to the Garda Commissioner. The Garda Commissioner imposed a disciplinary sanction on the member concerned.



### CASE STUDY 11

A complaint was made to GSOC by a member of the public alleging they had been assaulted by an off-duty Garda member. The complainant alleged they received numerous punches to the head in a bar in Dublin. The complaint was admissible and a GSOC criminal investigation commenced.

The GSOC investigator sought CCTV and obtained numerous statements from Gardaí. GSOC seized documentation including CCTV, statements and other evidence that had been obtained by a parallel Garda Síochána investigation being conducted, however the GSOC investigation took precedence. The Detective Garda was interviewed on two occasions under caution.

The matter was referred to the DPP and a Direction given that the Garda member was to be prosecuted.

The Detective Garda pleaded not guilty to the charges but was found guilty by a District Court Judge and convicted on one count of Assault Contrary to Section 2 of the Non-Fatal Offences Against the Person Act 1997.

In court the District Judge stated that in all the circumstances, this was an appropriate case in which to apply s.1(1)(i) of the Probation of Offenders Act 1907 on condition that the Detective Garda enter a bond of €500 with five conditions attached that included a payment of €5,000 to the victim.

### CASE STUDY 12

The case relates to a Garda member whose brother was detained by security at an event, following allegations of sexual assault by a female attendee. The Garda member attended and identified himself as a Garda. He removed his brother from the scene.

No complaint was received however the Superintendent referred the matter to GSOC, who subsequently opened a discipline investigation in the public interest.

The member was found in breach of discipline and subsequently reprimanded by the Garda Commissioner.

# 11 INVESTIGATIONS ON REFERRAL UNDER S102 (DEATH OR SERIOUS HARM)

- DIVISIONAL H.Q.
- ▲ DISTRICT H.Q.
- SUB - DISTRICT
- SUB - STATION

# 11. INVESTIGATIONS ON REFERRAL UNDER S102 (DEATH OR SERIOUS HARM)

## When is a Referral made to GSOC by An Garda Síochána?

Section 102 of the Act provides for independent investigation of any matter that appears to indicate that the conduct of a member of An Garda Síochána may have resulted in the death of, or serious harm to, a person. The provision forms an important element of the State's framework for the guarantee of compliance with its obligations under Article 2 and 3 of the European Convention on Human Rights.

The power to refer is delegated by the Garda Commissioner to superintendents whose responsibility it is to decide if it is appropriate to refer an incident, in order that it be investigated independently.

## How GSOC Investigates matters under Section 102

Once GSOC receives a referral from An Garda Síochána, we must investigate the matter.

We aim to respond proportionately, according to the circumstances. It is sometimes the case that, following the initial examination, it is clear that there is no evidence of misbehaviour or criminality. In other cases it is appropriate to undertake a full criminal investigation and refer the case to the DPP.

If there has been a fatality, there must be particular consideration given to the State's obligation under Article 2 of the European Convention on Human Rights (ECHR). Article 2 states that everyone's right to life shall be protected by law. The European Convention on Human Rights Act, 2003 requires that Irish state bodies including An Garda Síochána, perform their functions "in a manner compatible with the State's obligations under the convention provisions".

To be compliant with Article 2, investigations into deaths following police contact should adhere to five principles developed by the European Court of Human Rights. These are:

- Independence
- Effectiveness
- Promptness
- Public scrutiny
- Family Involvement.

These principles are at the heart of GSOC's approach to investigating fatalities.

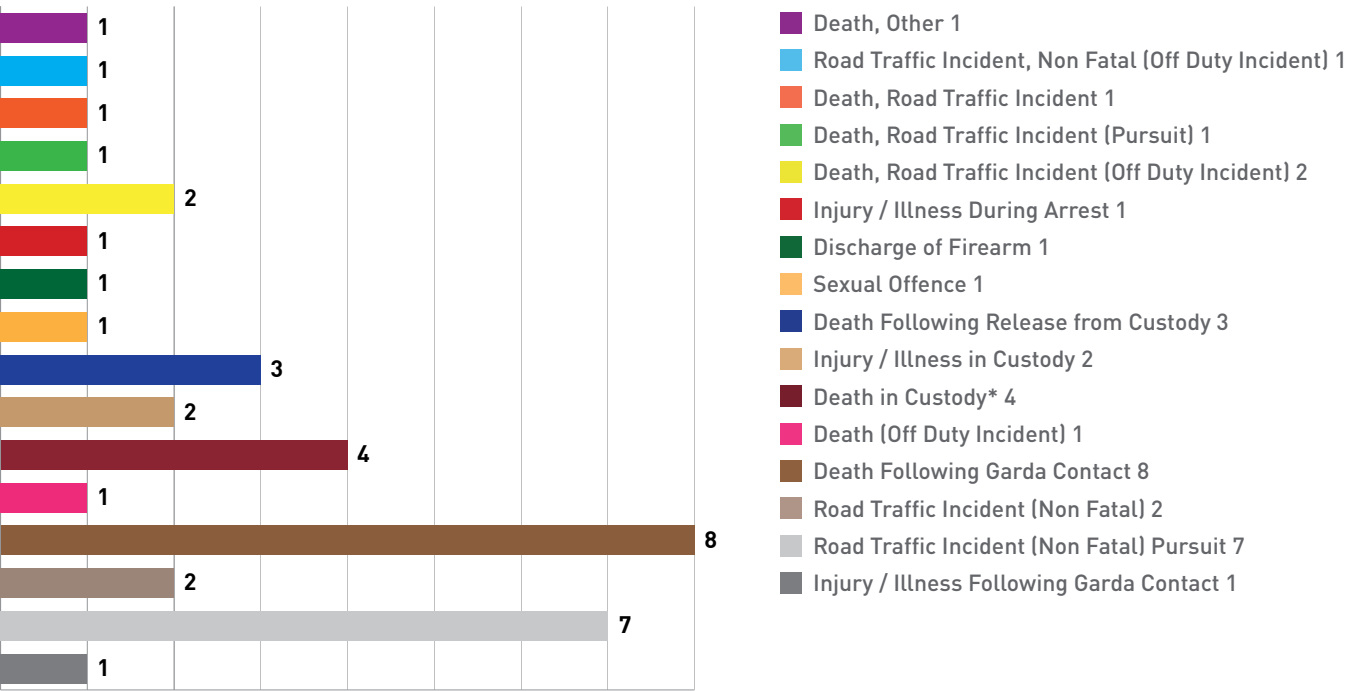


## Referrals Received in 2024

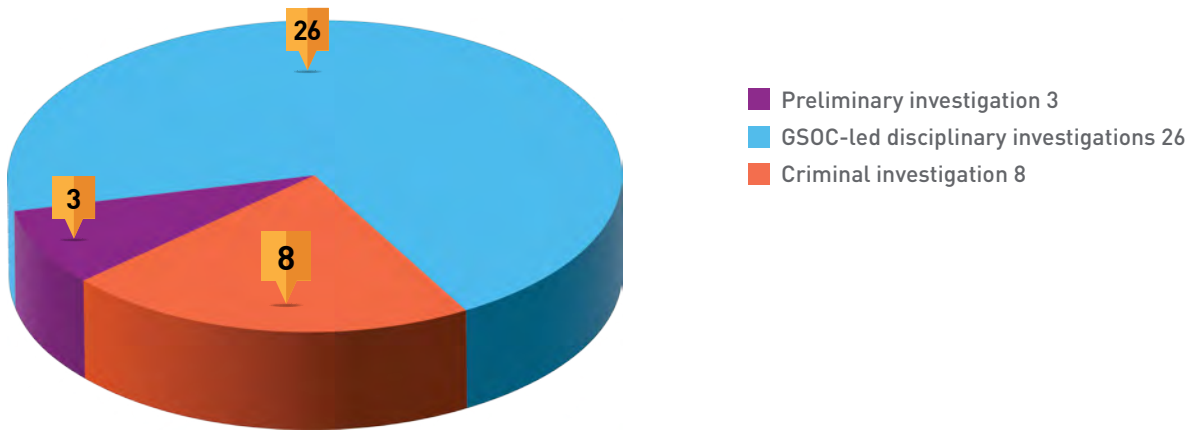
GSOC received **37** referrals under this section in 2024, compared with 35 in 2023, and 41 in 2022.

Twenty one (**21**) of the referrals received in 2024 related to fatalities. A breakdown of the circumstances is below.

**Chart 6: Circumstances of Referrals [Total Referrals Received: 37]**



**Chart 7: Investigation Types in Referrals (Total Referrals Received: 37)**



\*Note: Death in Custody includes an incident where a person later died in hospital.

## Investigations Following Referrals Completed in 2024

A total of 49 investigations following receipt of a referral were closed in 2024. These investigations were received in 2024 and in previous years.

**Table G: Types of investigation and their outcomes (investigations closed in 2024)<sup>4</sup>**

Type of investigation and outcome	Cases
Further investigation not necessary or reasonably practicable	13
Garda Discipline Regulations no longer apply to member	1
Regulation 10 – advice	1
Reduction in pay – not exceeding two weeks	1
Garda Commissioner identified no breach of Discipline Regulations	28
GSOC identifies no misbehaviour by member following S98	8
Criminal investigation undertaken and concluded- referred to the DPP – prosecution directed	5
Criminal investigation undertaken and concluded- referred to the DPP – no prosecution directed	5
Dismissal of allegation	3
<b>TOTAL</b>	<b>65</b>

The total number of outcomes (65) is higher than the number of referrals closed (49) because a referral can have a number of investigative outcomes, for example<sup>4</sup> if a criminal investigation was initiated first followed by a disciplinary investigation.

4. Referrals closed in 2024 may have been received in 2024 or previous years.



### **FAMILY LIAISON OFFICER'S (FLO)**

A Family Liaison Officer (FLO) in GSOC plays a crucial role in supporting families who are affected by incidents involving members of An Garda Síochána particularly in critical incidents such as deaths or serious harm following Garda contact.

The FLO serves as the main point of contact between GSOC and families during an investigation into a serious incident involving Gardaí.

Their primary role is to communicate sensitively, clearly, and consistently with families, ensuring they are informed about the investigative process, their rights, and the progress of the case.

All families must be treated professionally and with respect and dignity and be provided with all possible information whilst protecting the integrity of the investigation.

The key responsibilities are providing clear explanations of GSOC's role, investigative procedures, developments, and relevant legal processes. They offer emotional support and guidance to families in distressing and traumatic circumstances. They help families understand decisions made during the course of an investigation, including outcomes.

A FLO may also be appointed to the family by An Garda Síochána and the GSOC FLO will liaise with the Garda Síochána FLO where it is appropriate to do so and have a strong understanding of GSOC's mandate and legal framework.

The FLO will liaise with the exhibits officer over the return of property belonging to the deceased family member, handling it as sensitively as possible.

FLOs have excellent communication and interpersonal skills and a high degree of empathy, sensitivity, and professionalism. They have the ability to manage difficult conversations and support people in crisis. Specialist training has been provided to support the FLOs in this important role.

Following receipt of **37** referrals in 2024, GSOC deployed 6 Family Liaison Officers to families.

### **GSOC'S ROLE IN CORONER'S COURT**

Coroners are independent judicial officers whose role is to determine the cause and circumstances of a death. Only a Coroner can order an inquest. Whenever the cause of someone's death is unknown, violent or unusual, there will be an inquest which is a legal enquiry into the death.

GSOC and the Coroner both play crucial roles in the investigation of deaths in Ireland, particularly when those deaths involve the Gardaí. When a person dies in circumstances involving Gardaí and where there has been Garda contact prior to the death, GSOC is notified immediately and may take the lead in investigating the incident.

GSOC gathers evidence, interviews witnesses, and assesses whether Garda actions were appropriate. The Coroner will typically hold an inquest into any death involving Gardaí and where there has been Garda contact prior to the death, particularly if the death occurred under suspicious or violent circumstances and will review evidence gathered by GSOC investigators during their investigation.

The Coroner determines the cause of death and an inquest can clarify the circumstances of a person's death. While GSOC investigates the actions of the Gardaí, the Coroner investigates the cause of death. These two bodies operate separately but may share information, and their findings can complement each other.

For inquest cases, GSOC Designated Officers will prepare an investigation report for the Coroner. The content of the GSOC Designated Officer's report will vary depending on the complexity of a case. The designated officer liaises with the Coroner early in the investigation and establishes what is required. Statements taken by GSOC during the investigation into the death will be transcribed in the form of depositions to be read into evidence at the inquest.

GSOC also plays a lead role when a jury is required for an inquest.

GSOC investigators were involved in **18** Coronial inquests in 2024.

# 12 GSOC'S LEGAL UNIT: ENGAGING WITH THE COURTS



## 12. GSOC'S LEGAL UNIT: ENGAGING WITH THE COURTS

### Legal Activity Following Criminal Investigation

As outlined in previous sections, GSOC conducts criminal investigations on foot of both complaints and referrals, as well as in the context of public investigations.

Upon completion of a criminal investigation, where GSOC is of the opinion that the conduct under investigation may constitute an offence, a file is prepared and sent to the Office of the Director of Public Prosecutions (DPP).

Further, where there has been a death in Garda custody, or where a person has died following interaction with a Garda member, and GSOC has carried out a criminal investigation, GSOC may send a file to the DPP, in order to comply with its obligations under Article 2 of the European Convention on Human Rights (ECHR). GSOC may also send a file to the DPP, where the Ombudsman Commission determines that it is in the public interest to do so.

Section 110 of the Act also creates the offence of providing false or misleading information to the Ombudsman Commission in relation to a complaint or investigation whether by a member of An Garda Síochána or a member of the public.

In all cases, it is for the DPP to determine whether or not to prosecute a case in court.

### DPP directions to prosecute 2024

In 2024, GSOC sent a total of 67 files to the DPP.

GSOC received 48 directions from the DPP in 2024 (this statistic is based on 9 files that were submitted in 2023 and 39 files which were submitted in 2024).

Of these:

- The DPP directed the prosecution of 22 offences (regarding 13 investigation files) arising from investigations submitted to the DPP in 2024 (11 files) and 2023 (2 files).
- In 2024, the DPP directed no prosecution in relation to 35 investigations. This statistic relates to 28 files that were submitted by GSOC in 2024 and 7 files that were submitted in 2023.

In addition to the above, there were 29 cases awaiting direction from the DPP, at the end of 2024.

The below is a breakdown of the offences where prosecutions were directed:-

- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.
- One Count of Threatening, Abusive or Insulting Behaviour, contrary to section 6 of the Criminal Justice (Public Order) Act, 1994 (summary disposal) in respect of one Garda member.
- One Count of Assault, contrary section 2 of Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.

- One Count of Providing False or Misleading Information, contrary to section 110 of the Garda Síochána Act, 2005, as amended, in respect of one complainant.
- One count of Assaulting or Obstruction of a Peace officer contrary to Section 19(1) of the Criminal Justice (Public Order) Act, 1994 (prosecution on indictment) in respect of one complainant.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.
- One Count of Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997 in respect of one Garda member.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of two Garda members.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997 (prosecution on indictment) in respect of one Garda member.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.
- One Count of Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Unlawful Possession of Controlled Drugs, contrary to section 3 of the Misuse of Drugs Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Possession of Controlled Drugs for Unlawful Sale or Supply, contrary to section 15 of the Misuse of Drugs Act, 1997 (summary disposal) in respect of one Garda member.

- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.
- One Count of Criminal Damage, contrary to section 2(1) of the Criminal Damage Act, 1991 in respect of one Garda member.
- One Count of False Imprisonment, contrary to section 15 of the Non-Fatal Offences Against the Person Act, 1997 (summary disposal) in respect of one Garda member.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.
- One Count of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997 (summary charge only) in respect of one Garda member.

### **Criminal cases decided in court 2024**

In 2024, there were 15 concluded cases before the courts.

Of these fifteen cases, three cases were dismissed; the DPP entered a nolle prosequi in one case, because the accused had passed away; there were acquittals in two cases; section 1(1) of the Probation of Offenders Act, 1907 was applied in five cases, along with charitable donation/fines in some of these cases; in one case the accused was ordered to complete 80 hours of community service; and in the remaining three cases, the accused persons were given a custodial sentence.

In the three cases dismissed by the District Court Judges, the Garda members subject of the investigations were charged with the following offences:

- Two separate charges of Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997;
- One charge of Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997.



### Cases pending before courts at end of 2024

Garda members are facing charges before the courts in **18** separate investigations and the range of offences include:

- Assault, contrary to section 2 of the Non-Fatal Offences Against the Person Act, 1997;
- Assault Causing Harm, contrary to section 3 of the Non-Fatal Offences Against the Person Act, 1997;
- Unlawful Possession of Controlled Drugs, contrary to section 3 of the Misuse of Drugs Act, 1977;
- Criminal Damage, contrary to section 2(1) of the Criminal Damage Act, 1991;
- False Imprisonment, contrary to section 15 of the Non-Fatal Offences Against the Person Act, 1997;
- Dangerous Driving, contrary to section 53 of the Road Traffic Act, 1961;
- Harassment, contrary to section 10 of the Non-Fatal Offences Against the Person Act, 1997;
- Endangerment, contrary to section 13 of the Non-Fatal Offences Against the Person Act, 1997.

### CASE STUDY 13

The DPP charged a Garda member with Assault and Attempting to Pervert the Course of Justice, as a result of an investigation by GSOC, where a complainant alleged that the member had assaulted him whilst he was in custody in a Garda Station. The GSOC investigation also gathered evidence that the member had directed that the allegation of Assault not be entered in the Custody Record. The trial took place over two days and ultimately, the Judge convicted the member of both offences and sentenced him to a period of two months' imprisonment. The custodial sentence was suspended on the basis that the member complete eighty hours of Community Service.

## Non-Party Disclosure

The GSOC Legal Services Unit also coordinates the Non-Party Disclosure (NPD) of evidence in criminal proceedings, in conjunction with the Operations Directorate. This is carried out in accordance with an agreed protocol with the DPP in 2019, that is available to view at:

<https://www.gardaombudsman.ie/about-gsoc/non-party>

In 2024, 101 files regarding requests for non-party disclosure were prepared and issued to the DPP. This compares to 125 files in 2023. Further, GSOC also received 31 non-party disclosure privilege review requests from the DPP.

**Note:** A summary offence is an offence which can only be dealt with by a judge sitting without a jury in the District Court.

**Note:** Summary disposal is when the case can be heard in either the District or Circuit Court, but the DPP instructs that the matter should be heard in the District Court. The Judge then hears a summary of the facts and if the Judge agrees with the DPP, the matter will remain in the District Court.





# INVESTIGATIONS IN THE PUBLIC INTEREST

The Act, 2005, provides for GSOC to undertake investigations in the public interest. Such investigations can commence a number of ways.

## **GSOC-initiated public interest investigations (Section 102(4))**

Misconduct by a Garda or Gardaí comes to the attention of GSOC outside of the usual complaints or referrals processes. Such matters can come to the attention of GSOC, for example, via media reports, or via details contained in an otherwise inadmissible complaint. On such occasions, GSOC has the power to commence an investigation in the public interest where it appears that the conduct of a member of An Garda Síochána may have committed an offence, or that their behaviour may justify disciplinary proceedings.

## **Minister-initiated public interest investigations (Section 102 (5)).**

The Minister for Justice can refer any matter to GSOC concerning the conduct of a member of An Garda Síochána, and GSOC will investigate it. This includes referrals made to GSOC under the Independent Review Mechanism (IRM) established by the Minister in 2014. A total of 21 referrals were received by the Minister between 2015 and 2016 and the remaining two investigations were closed in 2023.

## **Public interest investigations on request of Policing Authority or Minister (Section 102 (7)).**

Both the Policing Authority and the Minister may refer a matter to GSOC to consider whether it should investigate it in the public interest.

## **Public Interest Investigations Closed and Commenced in 2024**

Eleven **(11)** public interest investigations were opened in 2024 while **26** were closed. The closed investigations included some commenced in previous years.

There were no requests made to GSOC to investigate a matter in the public interest under Section 102(5). There were no public interest investigations opened following a referral from the Minister for Justice under Section 102(7). GSOC public interest investigations opened in 2024 included allegations of failure to investigate sexual violence, corrupt or improper practice and excessive force.

# 13 LOCAL INTERVENTION

## 13. LOCAL INTERVENTION

GSOC's Local Intervention (LI) process ran for its seventh year in 2024. This process seeks to resolve some complaints to GSOC locally and without the need for a formal investigation.

The Local Intervention initiative proved very successful in 2024. Over the course of the year, GSOC referred a total of 177 cases for local intervention, a decrease on the 2023 figure of 323. A total of 221 cases were resolved, including some carried over from the previous calendar year. At year-end, no cases remained on-hand.

**Table H: Outcomes under the Local Intervention Process 2024**

Local Intervention	No. of Cases 2023	Number of Cases 2024
Referred by GSOC for Local Intervention	323	177
Resolved/closed following LI process (see note 1 below)	188**	221
Closed without intervention, typically where complainant did not engage or withdrew their complaint (see note 2 below)	7*	129
Referred back to GSOC for admissibility decision	79**	48

\*Figure includes cases that had been referred to in previous calendar year

\*\*Figure includes cases that had been referred to in previous two calendar years

### Impact

As the above table shows, a significant proportion of cases that were forwarded to the nominated Garda inspectors are resolved or closed following local intervention. From a complainants' perspective, the LI approach allows their complaints to be addressed and resolved quickly – usually in a matter of days or weeks, rather than on a timescale of months, had their complaints been admitted for formal unsupervised investigation.

As the focus of Local Intervention is resolution, rather than formal investigation of disciplinary breaches, it also can lend itself to a more satisfactory outcome. At the end of a formal investigation, whether or not the Garda who is the subject of the complaint of is found in breach of discipline, complainants are unlikely to have had their specific complaint 'resolved'. Local Intervention has 'resolution' as its primary aim.

[1] This category is comprised of cases marked as;

- Resolved
- Returned as resolved, unconfirmed
- Returned as unresolved, closed without further action
- Closed without intervention

[2] These are cases marked as Closed without Intervention. These include cases where

- The complainant agreed to LI and the file was referred to an AGS inspector. The LI inspector was then unable to contact the complainant or otherwise unable to assist with LI.
- The complainant agreed to LI and the file was referred to an AGS inspector. The complainant was then withdrawn prior to commencement of LI.



### HOW LOCAL INTERVENTION WORKS

All cases received by GSOC are recorded initially on the case management system (CMS) as 'queries', and are not upgraded to complaints until there is sufficient information available for an admissibility determination. The Local Intervention process engages at the 'query' stage, before an admissibility decision is made.

- When a complaint is received, GSOC decides whether or not the matter is suitable for Local Intervention. Only service-level issues are considered for local intervention.

Examples include:

- Poor quality or standard of service
- Inefficient or no service
- Incivility/impoliteness/rudeness
- Lack of communications or response
- If GSOC is of the view that the complaint is suitable for LI, GSOC contacts the person making the complaint, explains the LI process, before asking if the person will consent to having the matter dealt with in this way.
- If the complainant consents, GSOC refers the matter to a nominated Garda Inspector who manages the process on behalf of An Garda Síochána. If the person does not consent, GSOC will proceed to assess the complaint for admissibility, per the standard process.
- The nominated Garda Inspector contacts the complainant by phone to identify what actions or outcomes he/she is seeking to achieve. Typically, the Inspector then has a discussion with the Garda member concerned to explore what may have led to the issue. The process is not about apportioning blame, it is about addressing the issue raised and learning from what has happened in order to prevent a reoccurrence. The inspector contacts the complainant again to advise on the action taken to address the matter. If the complainant is satisfied with the response, the inspector notifies GSOC and GSOC confirms with the complainant that he or she is satisfied. GSOC then closes the file. If the attempts to resolve the matter through LI are unsuccessful, the complaint is referred back to GSOC which decides if the complaint should be admitted for investigation.

## Local Intervention: 2024 Case Studies

### CASE STUDY 14

The complainant states that she called the local Garda Station over her concern for a neighbour's young child and asked the Garda Síochána member to do a child welfare check. The complainant stated she had previously called Gardaí over noise, antisocial behaviour and physical fighting regarding the same household. The complainant was unhappy how she was treated by the garda member and felt like she was being treated by the Garda member as if she was the problem.

The complaint was referred for Local Intervention with the consent of the complainant and was satisfactorily resolved.

### CASE STUDY 15

The complainant was the victim of an unprovoked attack and theft which resulted in them being hospitalised. The complainant stated the Garda member dealing with their case was failing to properly proceed with the matter and provide information in relation to the court proceedings. The Garda member failed to return calls when contacted by the complainant.

The complaint was referred for Local Intervention with the consent of the complainant. The complainant received the information they required and an update regarding the court case. The complainant was then satisfied to close their complaint.

## 14

INFORMING GARDA  
POLICY AND PRACTICE

## 14. INFORMING GARDA POLICY AND PRACTICE

### Systemic Recommendations

Under section 215(1)(b) of the Policing, Security and Community Safety Act, 2024, the Police Ombudsman has been given a new statutory power to make recommendations in relation to the practices, policies or procedures of An Garda Síochána or any other issue of a general or systemic nature in relation to An Garda Síochána.

In the meantime, GSOC has sometimes encountered practices that are appropriate to bring to the attention of Garda management. Highlighting these issues when they arise, and making recommendations to avoid the recurrence of similar incidents, is an important element of oversight, therefore GSOC welcomes the new statutory function along with the concomitant responsibility of AGS to report to the Police Ombudsman of the actions (if any) to be taken by the Garda Commissioner.

Recommendations focus on systemic matters of practice and management, rather than on the behaviour of individuals.

Where a GSOC Systemic Recommendation is relevant to other strategies to improve policing or community safety – for example The Third National Strategy on Domestic, Sexual and Gender-Based Violence – the Ombudsman Commission may also share its recommendations with the relevant agencies and officials.

In 2024, GSOC issued six new systemic recommendations, listed below.

These engage with a range of systemic matters of practice and management, including with regard to:

- Treatment in Custody
- Custody Management and record keeping
- The use of restraint
- The conduct of personal searches
- Managed containment of vehicles
- Storage and record keeping in relation to firearms at Garda Stations

## **Third National Strategy on Domestic, Sexual and Gender-Based Violence**

The Third National Strategy on Domestic, Sexual & Gender-Based Violence was launched in June 2022 alongside an Implementation Plan.

GSOC was included as a named agency in the Implementation Plan, with particular reference to our statutory role as an independent agency handling complaints about Garda members, whether related to the adequacy of their response to Domestic Abuse/ Sexual Violence incidents, or to where they are alleged perpetrators. The Implementation Plan also captures GSOC's role in making recommendations in relation to An Garda Síochána policy/practice relating to domestic, sexual and gender-based violence, with a view to improving service levels for victims and improving the effectiveness of Garda investigations. The Plan further sets out an expectation that An Garda Síochána will give effect to improvements in policy, practice and training to respond to GSOC's findings and recommendations.

Over the course of 2024, GSOC has actively engaged with the work of the High-Level Oversight Board for monitoring the Implementation of the Strategy, providing relevant updates. This work will continue throughout the life of the Strategy.





# 15. PROTECTED DISCLOSURES

Under the Protected Disclosures Act 2014 (as amended), workers of An Garda Síochána, including garda members, Garda staff, Garda reserve, may confidentially disclose allegations of wrongdoing within An Garda Síochána to GSOC.

The Protected Disclosures Act 2014 underwent a number of amendments in 2023. January 1st 2023 saw the commencement of the Protected Disclosures (Amendment) Act 2022. This act transposed the provisions of the EU Whistle-blowers Directive (1937/2019) into Irish law. The Protected Disclosures Act was further amended on 19 July 2023, by the European Communities (Protection of Persons Who Report Breaches of Union Law) Regulations 2023 (S.I. No. 375 of 2023), which gives further effect to the Directive by providing for reporting to EU institutions and bodies.

GSOC has a dedicated Protected Disclosures Unit (PDU) to handle protected disclosures made under the Act.

## Protected Disclosure Caseload in 2024

The below table details the caseload of protected disclosures dealt with by the Unit in 2024.

## International Sharing of Best Practice

GSOC continued engagement as the Irish representative with the Network of European Integrity and Whistleblowing Authorities (NEIWA) working on shared knowledge and expertise in disclosure matters and the implementation of the EU Directive 2019/1937. GSOC was represented at a meeting of NEIWA during 2024, and also contributed to working groups around the development of whistleblowing practice and procedure.

Table J: GSOC Protected Disclosures Caseload in 2024

Matters on Hand in 2024		
Matters remaining on hand on 31/12/23 and carried into 01/01/2024		62
Reports received in 2024		31
Matters actionable in 2024		93
Matters closed in 2024		37
Matters remaining on hand on 31/12/2024		56
Reports Received and Requiring Assessment in 2024		
Reports Received Through External Reporting Channels		25
Transmissions of Reports from Office of the Protected Disclosures Commissioner		6
Transmissions of Reports from other Prescribed Persons		0
Total Number of Reports for Assessment in 2024		31
Outcome of Assessments Conducted in 2024		
	Fully	Partially
Awaiting assessment at end of year	13	0
Assessed as warranting further follow up	1	0
Transmitted to another prescribed person or the OPDC	1	3
Closed due to the report being considered minor	0	0
Closed due to the report being considered repetitive or containing no new information	0	0
Referred to another more relevant procedure	3	1
Assessed as warranting no further follow up	11	0

## 16. INFORMATION REQUESTS

GSOC's Data Protection and Freedom of Information (FOI) Unit deals with the majority of requests for information received by GSOC every year. Within the Unit, there is a dedicated team of staff who deal with requests made under the Data Protection Act, 2018 and the Freedom of Information Act, 2014.

This team is responsible for ensuring these requests are responded to within the required time limits, promoting awareness of data protection, FOI and privacy matters within GSOC, providing data protection advice to staff and ensuring that GSOC adheres to its statutory obligations under the legislation.

Forty-nine (49) FOI requests were received in 2024. This represents a 18% percent decrease from sixty (60) requests received the previous year. Most requests were for information held in GSOC case files. As records contained within an investigation or complaint files (that is, related to an examination or investigation under Part 4 of the Act, 2005) are not covered by the FOI Act, these requests were refused.

The remaining FOI requests related to complaint statistics and administrative statistics.

GSOC received four internal reviews into decisions relating to the refusal to provide access to records contained in investigation or complaint files. In 2024, there were no requests referred to the Office of the Information Commissioner (OIC).

Further detail about the FOI requests received in 2024 are available on the FOI Disclosure Log which is on the GSOC website.

The number of data access requests received in 2024 was 95. The majority of these requests were from complainants who were seeking access to their personal data held on GSOC complaint and investigation files. This involved the review and processing of over 250 separate files. There were four requests for the erasure of personal data

held by GSOC under Article 17 of the General Data Protection Regulation (GDPR).

In 2024, the Data Protection Unit dealt with fifty-four (54) requests for advice on data protection matters from staff across GSOC business units. Most of the issues raised concerned disclosure of information to third parties and advice sought in relation to Data Sharing Agreements.

Requests for information received from the Department of Justice and representatives from members of the Oireachtas are dealt with by GSOC's Secretariat Unit. The unit responded to twenty-two (22) information requests from the Department of Justice, twenty-nine (29) submissions in response to parliamentary questions and four (4) representations from members of the House of the Oireachtas. These requests related to updates on investigations currently underway in GSOC and information surrounding GSOC's social media engagement.

Requests for information from journalists, outside of the FOI process, are dealt with by GSOC's Communications Unit which provides a 24-hour a-day on-call service. The Unit responded to 164 queries received from the media in 2024.

**Table K: Information Requests Processed in 2024**

Subject	Number
Requests under the Freedom of Information Act, 2014	49
Requests under the Data Protection Act, 2018	95
Information Requests from the Dept of Justice	22
Submissions in response to Parliamentary Questions	29
Representations from members of the Oireachtas	4
Media Enquiries	164

## 17. GSOC AND CHILD PROTECTION

GSOC has obligations in relation to child protection under both the Children First Act, 2015, and the Children First National Guidance for the Protection and Welfare of Children. During the course of their work taking complaints from members of the public, or conducting investigations, staff may become aware of situations in which children may have been harmed or may be at risk of being harmed.

Under the Children First Act, certain GSOC staff, namely Designated Officers (investigators and Child Protection Team members) are mandated persons.

As a mandated person, the Designated Officer must make a referral to Tusla if he or she knows, believes or reasonably suspects that a child has been harmed, is being harmed or is at risk of being harmed, or if a child discloses harm.

The obligation to refer also arises if a child discloses a belief that they are at risk of harm.

GSOC Designated Officers made **61** mandatory referrals to Tusla in 2024.

In addition, GSOC made **81** non-mandatory referrals in 2024. These related to matters which came to the attention of GSOC staff in the course of their work, but not in the course of a criminal investigation.

Non-mandated persons are required to notify GSOC's Designated Liaison Persons of issues that may relate to child protection and/or welfare while fulfilling their official duties through raising alerts on the organisation's case management system. A total of **643** such Child Protection alerts were made on the case management system in 2024. The alerts are reviewed by the Designated Liaison Persons. These trained members of staff will review and make a decision to make a referral or not to Tusla.

### Key Figures

**643** NEW CHILD  
PROTECTION  
ALERTS

NON-  
MANDATORY  
REFERRALS

**81**

MANDATORY  
REFERRALS

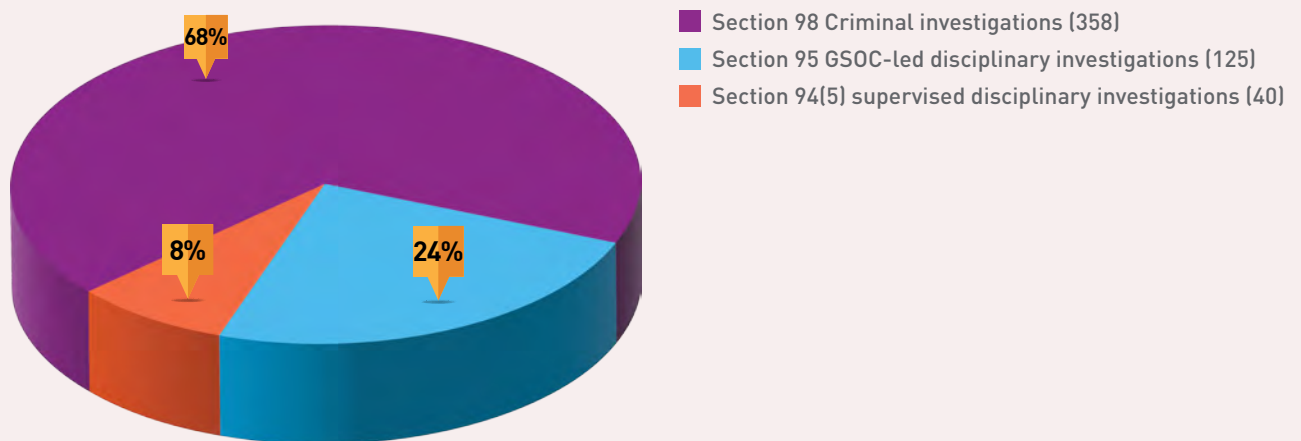
**61**

**620**

DECISIONS  
NOT TO  
REFER

## APPENDIX 1: GSOC INVESTIGATIONS ON-HAND AT YEAR-END 2024

At year-end 2024, the GSOC Investigations Unit had a total of GSOC-led 523 investigations ongoing. This compares to a total of 446 at year-end 2023.



In addition to these investigations, **287 unsupervised disciplinary investigations by An Garda Síochána**, arising from complaints to GSOC, were ongoing. A further 10 such cases, while complete, were under review by GSOC, at the request of the complainant, at year-end.

Approximately 151 further cases were in various other 'phases' of the case management process. This would include cases recently received and at initial assessment stage; cases that have been completed and are awaiting the completion of final reports under sections 97 or 101 of the Act; and cases that are in the process of being discontinued.



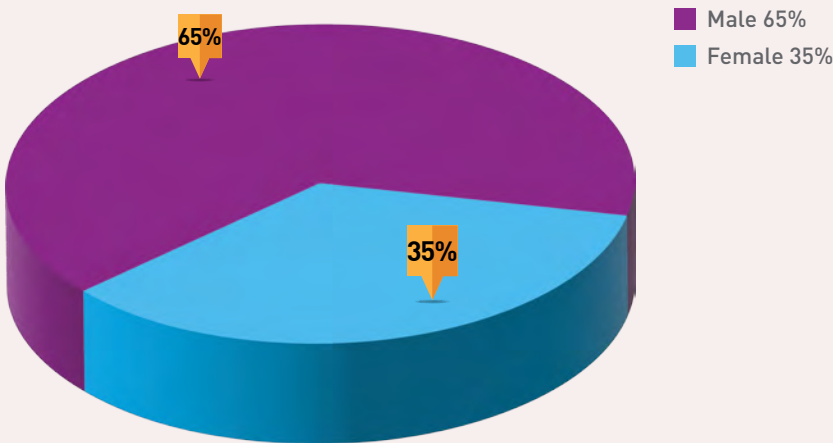
# APPENDIX 2: PROFILE OF COMPLAINANTS IN 2024

On submission of a complaint to GSOC, complainants are invited to complete an anonymous survey on a voluntary basis in order to provide GSOC demographic data on those who seek our services.

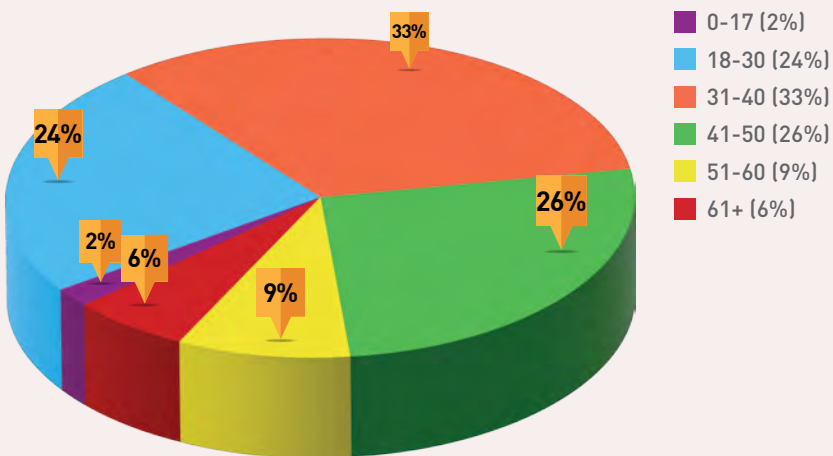
In 2024, 453 complainants responded to the survey. This represents a response rate of approximately 19%.

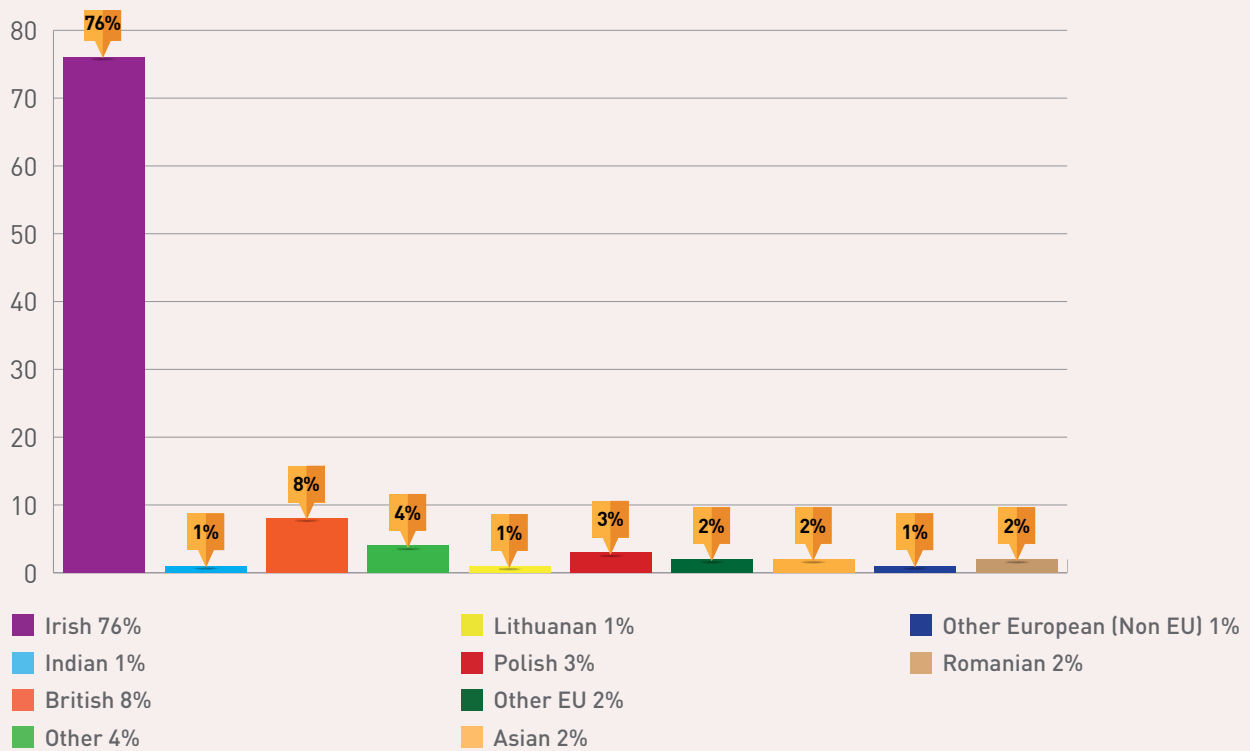
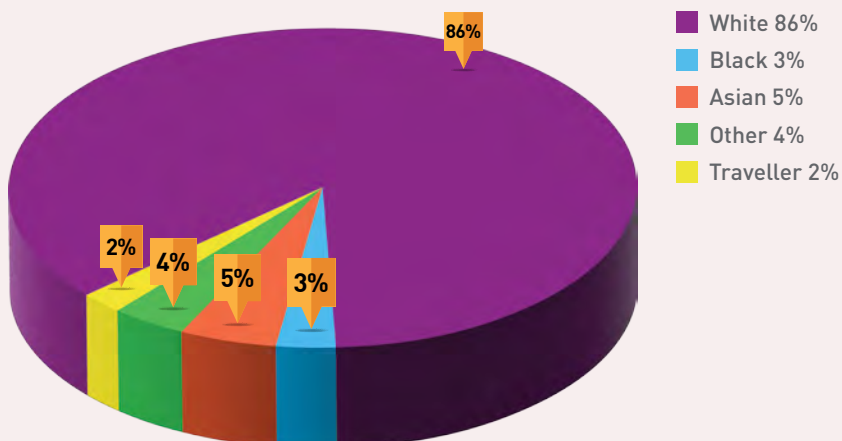
The charts below outline the profile of complaints who answered the survey, across a number of demographic categories.

(i) Gender

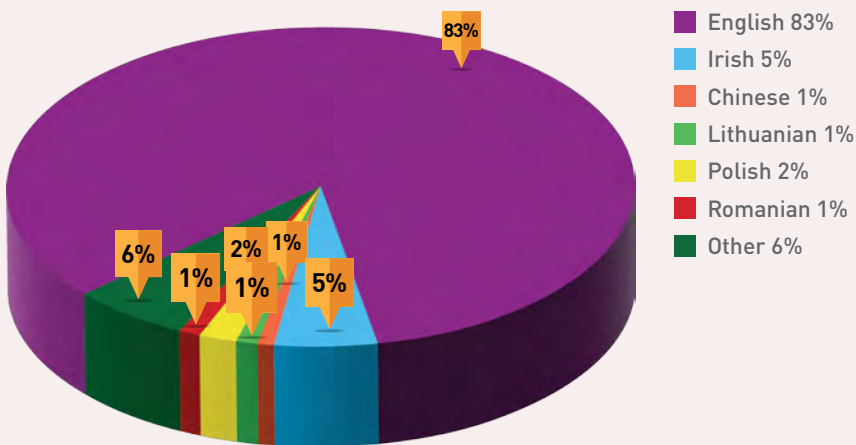


(ii) Age

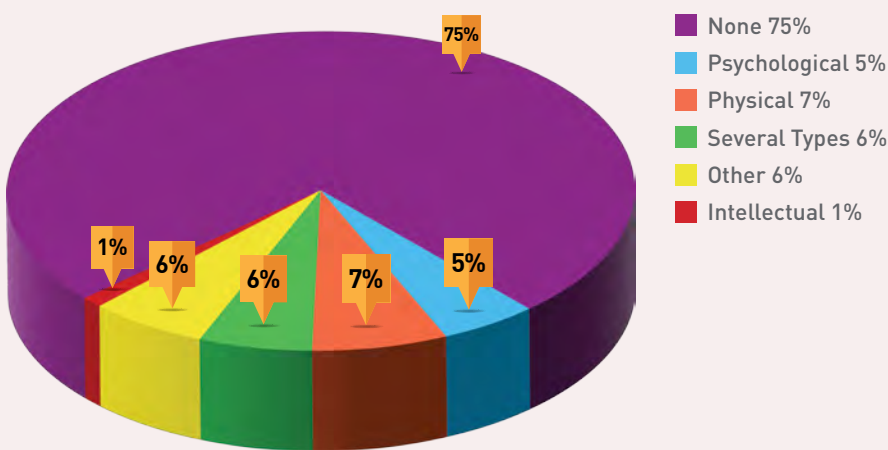


**(iii) Origin or nationality****(iv) Ethnicity**

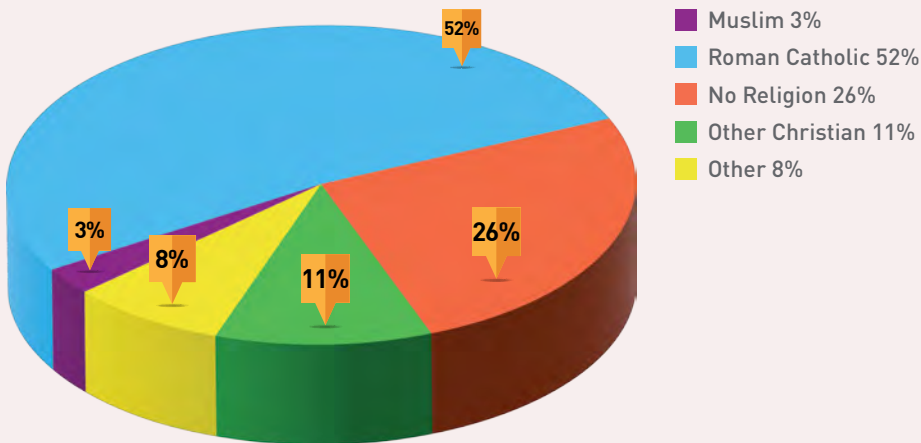
(v) Language



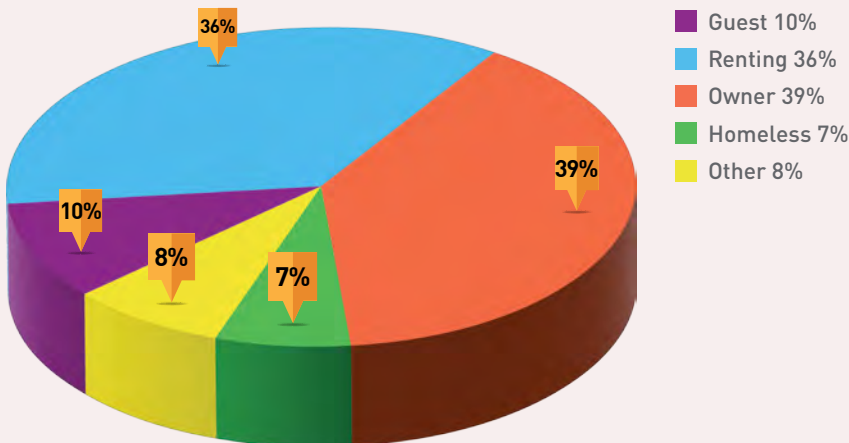
(vi) Disability



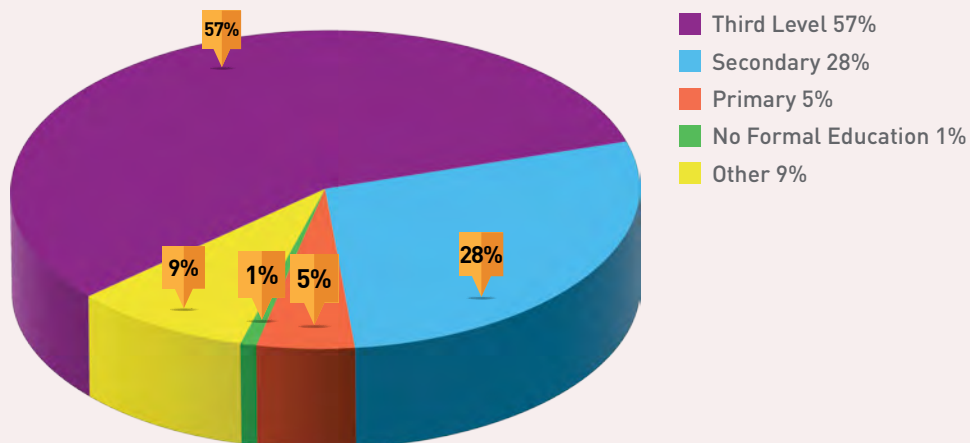
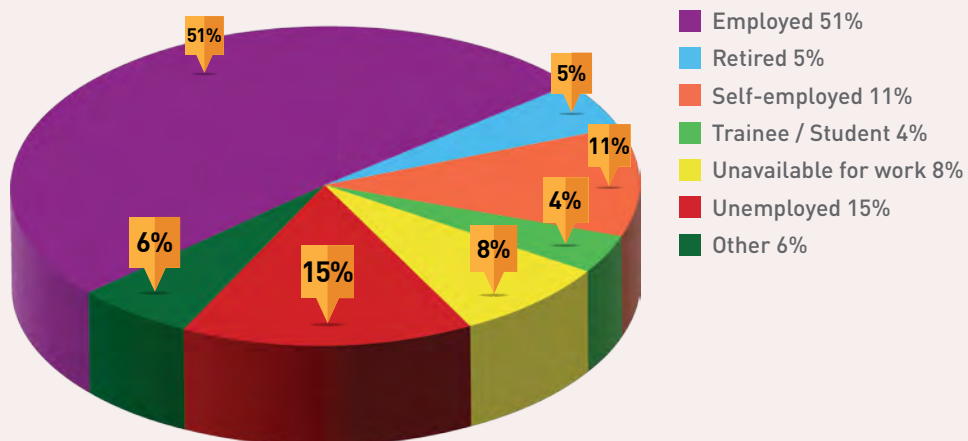
(vii) Religion



(viii) Housing status



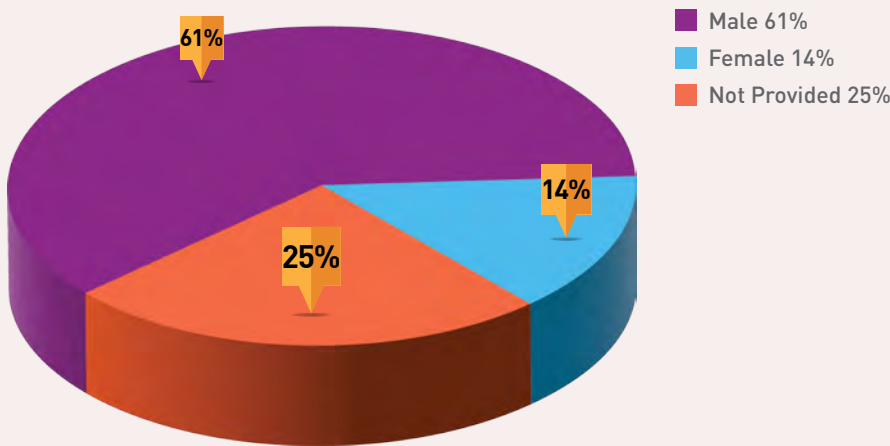


**(ix) Educational attainment****(x) Employment status**

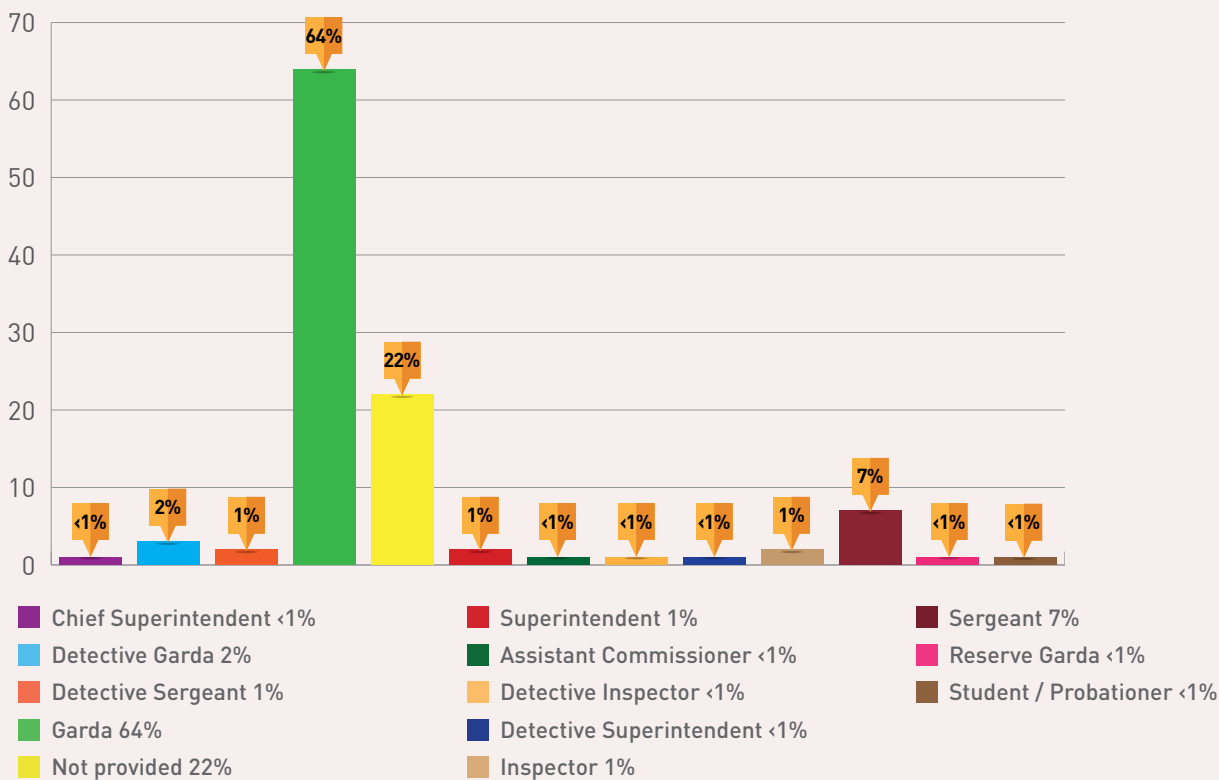
# APPENDIX 3: GENDER AND RANK OF GARDAÍ SUBJECT TO COMPLAINTS IN 2024

The following charts show the breakdown of gender and rank of Gardaí subject of complaints in 2024, where this information is known. Both pie charts account for the admitted allegations in 2024.

(i) Gender of members of An Garda Síochána in complaints admitted in 2024



(ii) Rank of members in allegations admitted in 2024



## APPENDIX 4: GEOGRAPHICAL DISTRIBUTION OF COMPLAINTS AND ALLEGATIONS

The table shows the geographical distribution of all complaints made against Gardaí in 2024. They show the number of complaints that have been determined to be admissible, inadmissible, and those on which admissibility decisions had not yet been made by 31st December 2024. Excluded are 9 complaints for which Garda divisions had not yet been established by the end of the year.

The greatest number of allegations recorded against Gardaí were in the Dublin Metropolitan Region (DMR). This would be expected given the concentration of the population and policing activity in the capital. Within the DMR, the highest number came from DMR North, with **182** complaints and DMR West, with **173** complaints. In 2023, DMR NORTH and DMR West had the highest number of allegations.

Outside the DMR, Meath / Westmeath (**141**) and Galway (**109**) respectively were the divisions with the highest number of complaints against Gardaí in 2024. In 2023, Cork City and Kildare had the highest number of allegations outside the DMR.

**Table L: Complaints by Garda division (excluding the Dublin Metropolitan Region)**

Garda Division:	Number of Complaints:	Garda Members
Clare / Tipperary	78	53
Cork City	95	86
Cork County	97	63
Donegal	63	73
Galway	109	66
Kerry	58	50
Kildare	86	68
Kilkenny / Carlow	39	50
Laois / Offaly	74	59
Limerick	92	54
Louth / Cavan / Monaghan	85	89
Mayo / Roscommon / Longford	73	48
Meath / Westmeath	141	138
Sligo / Leitrim	47	36
Waterford	53	69
Wexford / Wicklow	102	90

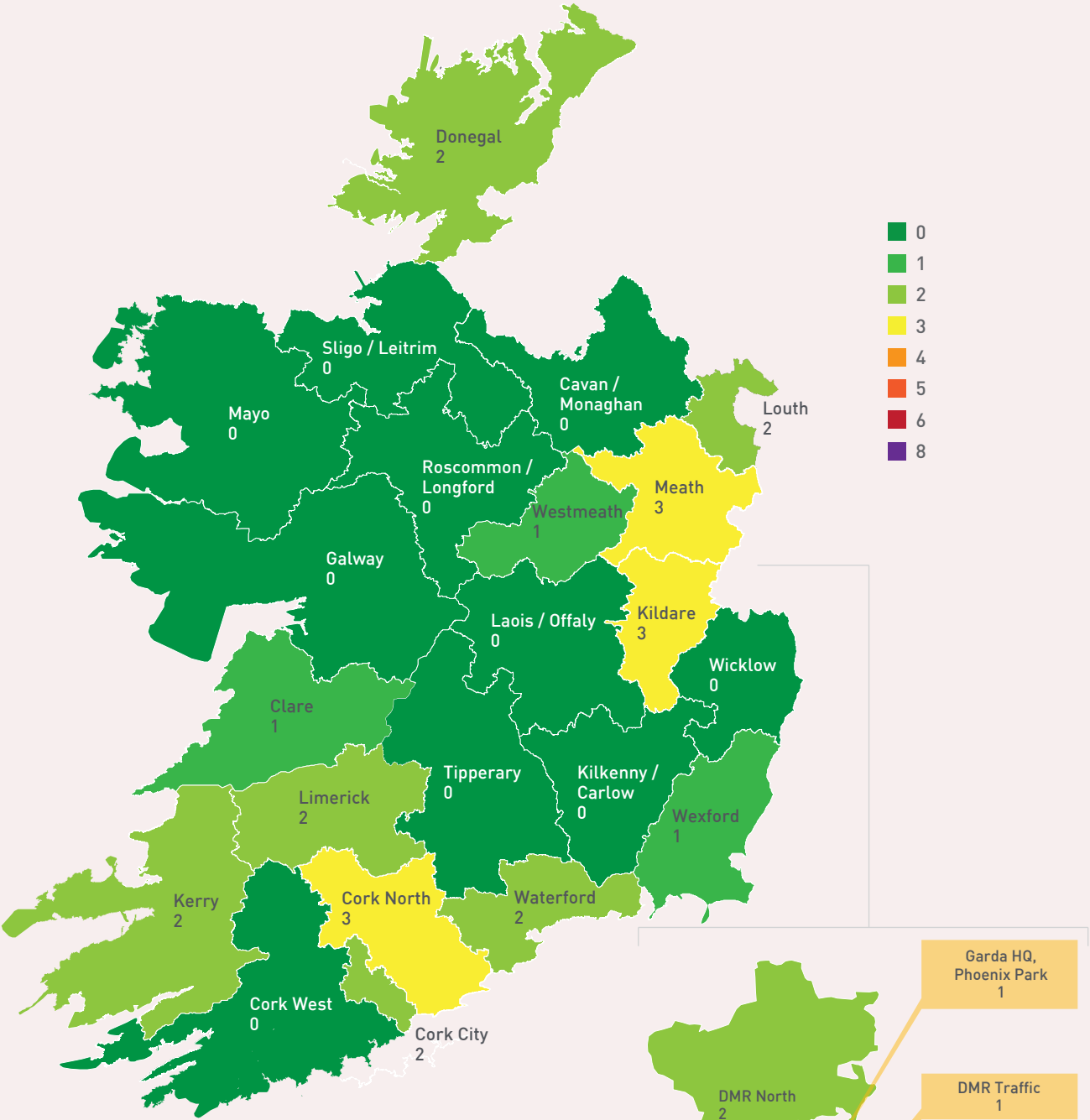
**Table M: Complaints by Garda division - Dublin Metropolitan Region (DMR)**

Garda Division:	Number of Complaints:	Garda Members
D.M.R East	63	46
D.M.R North	182	166
D.M.R North Central	99	78
D.M.R South	128	88
D.M.R South Central	149	127
D.M.R West	173	159
D.M.R Traffic	14	12
Garda National Immigration Bureau	4	1
Garda Headquarters Phoenix Park	95	4
Harcourt Square	16	25

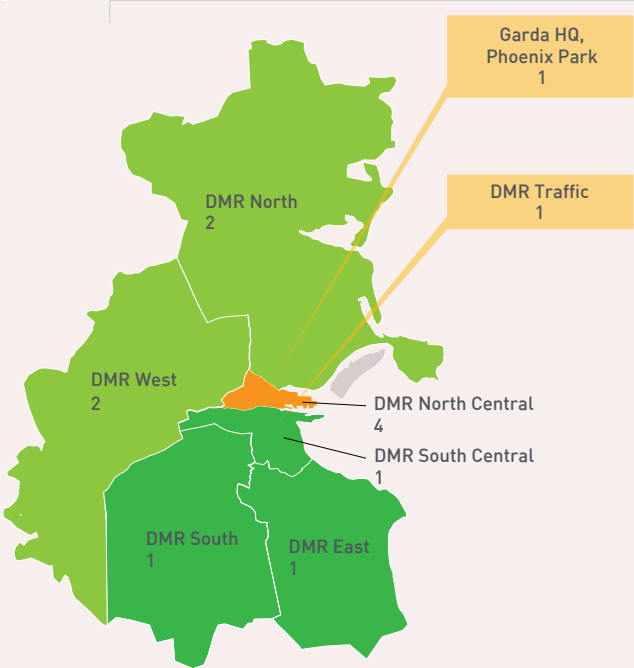


APPENDIX 5:

Map 1: Referrals by Garda Division (Excluding Dublin Metropolitan Region)



Map 2: Referrals by Garda Division – Dublin Metropolitan Region



NB. The total number in the table above is slightly higher than the total number of referrals (37) because one referral involved Gardaí from more than one division.

## GLOSSARY OF TERMS AND ABBREVIATIONS

Term	Meaning
The Act	The Garda Síochána Act, 2005, as amended, is the principal act governing the functioning of GSOC. This can be seen at: <a href="http://www.irishstatutebook.ie/eli/2005/act/20/enacted/en/print">http://www.irishstatutebook.ie/eli/2005/act/20/enacted/en/print</a>
Admissibility	All complaints are assessed against the criteria listed in section 87 of the Act to decide whether they can legally be admitted for investigation or not.
Advice	This is a sanction, which may be applied by the Garda Commissioner, for breach of the Discipline Regulations – it can be formal or informal.
Allegation	Each complaint is broken down into one or more allegations, which are individual behaviours being complained about. For example, if a person said that a Garda pushed them and used bad language, this is one complaint with two separate allegations.
Article 2	Article 2 of the European Convention on Human Rights (ECHR) states that everyone's right to life will be protected by law.
Complaint	An expression of dissatisfaction made to GSOC by a member of the public, about the conduct of an individual member of An Garda Síochána. A complaint may contain one or more allegations against one or more Gardaí. Each allegation against each Garda is assessed individually for admissibility.
Council of Europe's "Venice Principles"	The 'Principles on the Protection and Promotion of the Ombudsman Institution', adopted by the Council of Europe's Venice Commission in March 2019. The Venice Commission is the Council of Europe's Commission for Democracy through Law providing legal advice to its Member States. The 25 Venice Principles represent the first independent set of international standards for Ombudsman institutions.
Custody Regulations	Criminal Justice Act, 1984 (Treatment of persons in Custody in Garda Síochána Stations) Regulations, 1987 – regulations related to the detention of people in Garda Stations. It can be seen at <a href="http://www.irishstatutebook.ie/eli/1987/si/119/made/en/print">http://www.irishstatutebook.ie/eli/1987/si/119/made/en/print</a>
Discipline Regulations	The Garda Síochána (Discipline) Regulations 2007, as amended. These can be seen at: <a href="http://www.irishstatutebook.ie/eli/2007/si/214/made/en/print">http://www.irishstatutebook.ie/eli/2007/si/214/made/en/print</a>
Disciplinary Action	Sanction which may be applied by the Garda Commissioner following an investigation. There are two levels of action provided for by the Discipline Regulations, relating to less serious breaches and serious breaches of discipline respectively.
Disciplinary Proceedings	These are proceedings that may be instituted by the Garda Síochána following a disciplinary investigation. Recommending the institution of such proceedings is the limit of GSOC jurisdiction. Any sanction arising is a matter for the Garda Commissioner.
DMR	Dublin Metropolitan Region

DO	Designated Officer
DPP	Director of Public Prosecutions
ECHR	European Convention on Human Rights
FRTC	Fatal Road Traffic Collision
GSIO	Garda Síochána Investigating Officer
GSOC	Garda Síochána Ombudsman Commission
IO	Investigations Officer
Local Intervention	The local intervention process is aimed at resolving certain service-level types of complaints against members of An Garda Síochána at a local level without the need for the matter to enter a formal complaints process. The process entails nominated Garda inspectors contacting the person making the complaint, establishing what the issues are, and attempting to resolve matters to the complainant's satisfaction.
Median	When numbers are listed in value order, the median value is the number at the midpoint of the list, such that there is an equal probability of falling above or below it.
Member in charge	The member of An Garda Síochána who is designated as being responsible for overseeing the application of the Custody Regulations, in relation to people in custody in the Garda Station. This can be a member of any rank. The full legal definition and list of duties of a member in charge can be seen in sections 4 and 5 of the Custody Regulations (see above).
Ombudsman Commission	The three Commissioners of the Garda Síochána Ombudsman Commission.
Out of time	A complaint made more than twelve months after the incident being complained of.
PDA	Protected Disclosure Act, 2014
PD/PDU	Protected Disclosures/Protected Disclosures Unit.
PSCS Act	The Policing, Security and Community Safety Act was enacted in February 2024. The text of the Bill can be found on <a href="http://www.irishstatutebook.ie">www.irishstatutebook.ie</a> .
Restorative justice	Restorative justice occurs when both the victim of a crime and the offender agree to communicate in relation to what occurred. This is a voluntary process and both parties must agree to it. The communication gives the victim the opportunity to relay to the offender the impact that the crime had on them and provides an opportunity for the offender to acknowledge the wrong they committed and take responsibility for their actions. A report is prepared by an independent person as to the outcome of the communication. This report is then put before the Court.
Summary disposal	Summary disposal is when the case can be heard in either the District or Circuit Court but the DPP instructs that the matter should be heard in the District Court. The Judge then hears a summary of the facts and if the Judge agrees with the DPP the matter will remain in the District Court.







**Garda**  
**Ombudsman**  
INQUIRY INDEPENDENCE IMPARTIALITY

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Garda Síochána Ombudsman Commission, 150 Upper Abbey St, Dublin 1, D01 FT73  
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