

An Garda Síochána

Oifig Saorála Fáisnéise
An Garda Síochána, Teach áth Luimnigh
Lárionad Gnó Udáras Forbartha Tionscail
Baile Sheáin, An Uaimh
Contae na Mí
C15 DR90



Freedom of Information Office
An Garda Síochána, Athlumney House
IDA Business Park
Johnstown, Navan
Co Meath
C15 DR90

Teileafón/Tel: (046) 9036350



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Ms. Ali Bracken.
Irish Daily Mail,

Re: Freedom of Information Request FOI-000179-2017 Request Granted

Dear Ms. Bracken,

I refer to your request, received on 18th April, 2017 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency "insofar as it relates to administrative records relating to human resources, or finance or procurement matters". Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request sought:

How many gardai have been subject to internal disciplinary procedures each year since 2010 and a full breakdown of the breaches of discipline that they have been disciplined for.

I wish to inform you that I have decided to grant your request on the 16th May 2017,

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision.

The Internal Affairs Section within Governance and Accountability were contacted to identify the information requested in your FOI Request.

The Discipline Section at Internal Affairs is responsible for the oversight of all investigations undertaken by An Garda Síochána under provisions of the *Garda Síochána (Discipline) Regulations 2007/2011* (Statutory Instrument Nos. 214 of 2007 (www.irishstatutebook.ie/eli/2007/si/214/made/en/print) and 620 of 2011 (www.irishstatutebook.ie/eli/2011/si/620/made/en/print)), which came into effect on 1st June, 2007 and 22nd November, 2011. The purpose of these Regulations is to provide a code of conduct for all members of An Garda Síochána, which must be strictly adhered to. Any suspected breaches may be subject of investigation by Officers appointed pursuant to the Regulations. The penalties provided under the Regulations include dismissal; requirement to retire or resign as an alternative to dismissal, reduction in rank; reduction in pay; warning, caution and advice.

Members of An Garda Síochána are subject to the Garda Síochána (Discipline) Regulations, 2007 as amended. As per the Regulations, minor disciplinary matters are locally addressed by way of Regulation 10. Such records are retained locally and are not held centrally. Matters of a more serious nature (Part 3) and less serious nature (Part 2) are progressed centrally through the Discipline Section.

Table A shows the number of members who were the subject of a disciplinary proceedings and the number found to be in breach of the discipline regulations for each year from 2010 to 2016.

These figures will differ from the number of breaches of discipline recorded as a single member may have been found in breach a more than one discipline regulation in any given year. Therefore there is not a one to one relationship between the number of members found in breach of discipline and the number of breaches of discipline.

Table A

Year	No. of Members of An Garda Síochána subject to disciplinary proceedings	No. of Members of An Garda Síochána found in breach of discipline.
2010	179	151
2011	206	152
2012	217	169
2013	187	153
2014	249	167
2015	250	167
2016	224	136

Table B shows the number of breaches recorded by the specific breach of discipline for years 2010 to 2011. The figures were collated in a different manner to the years 2012 onwards which are shown on Appendix 1.

Table B

Breach Type	2011	2010
Neglect of Duty	285	161
Discreditable Conduct	115	78
Neglect of Health	2	2
Falsehood/Prevarication	48	17
Disobedience of Orders	20	4

Breach Type	2011	2010
Misconduct towards a member	14	6
Improper practice	3	1
Intoxication on Duty	0	1
Abuse of Authority	1	1
Breach of Confidence	5	0
Criminal Conduct	5	0
Breach of Section 39 of the Garda Síochána Act 2005	3	0

In 2012 the breaches of discipline figures were broken out by less serious breaches of discipline and serious breaches of discipline requiring a Board of Inquiry. Appendix 1 shows the breaches of discipline for years 2012 to 2016 broken down as follows.

1. **Regulation 16/17 Breaches** which relates to the Garda Síochána (Discipline) Regulations 2007, S.I. 214/2007 - Part two; refers to the Less Serious Breaches of Discipline.
2. **'Boards of Inquiry Breaches'** which relate to the Garda Síochána (Discipline) Regulations 2007, S.I. 214/2007 - Part three - Serious Breaches of Discipline.

FOI queries regarding breaches of discipline have been asked previously and a number of the responses are published in the FOI webpage of the Garda Síochána Website.

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000179-2017**.

Freedom of Information
 An Garda Síochána,
 Athlumney House,
 IDA Business Park,
 Johnstown,
 Navan,
 Co. Meath
 C15 DR90

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

Account Name: Garda Síochána Finance Section Public Bank Account
Account Number: 10026896
Sort Code: 900017
IBAN: IE86B0F190001710026896
BIC: BOFIIE2D

You must ensure that your FOI reference number is included in the payment details.

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at www.garda.ie.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,



HELEN DEELY
FREEDOM OF INFORMATION OFFICER.

SUPERINTENDENT

16TH MAY, 2017

Appendix A – Breaches of Discipline 2012 – 2016

Breach Type	2016		2015		2014		2013		2012	
	Reg 16/17	Board of Inquiry	Reg 16/17	Board of Inquiry	Reg 16/17	Board of Inquiry	Reg 16/17	Board of Inquiry	Reg 16/17	Board of Inquiry
Discreditable Conduct	84	12	65	15	70	25	52	31	88	43
Discourtesy	11	0	14	0	5	0	6	0	5	1
Misconduct towards a member	5	0	6	0	6	0	4	11	12	0
Neglect of Duty	277	104	471	68	296	61	221	13	229	17
Disobedience of Orders	11	0	12	1	13	10	12	6	16	9
Falsehood/Prevarication	13	14	39	2	10	4	11	10	13	0
Breach of confidence	2	0	4	1	3	0	1	1	3	0
Corrupt/Improper Practice	0	1	0	2	0	2	1	2	0	0
Abuse of Authority	1	0	4	0	2	0	4	1	5	0
Neglect of Health	0	0	3	0	0	0	2	1	1	0
Untidiness	2	0	2	0	0	0	1	0	1	0
Misuse of Money	0	0	1	0	0	1	0	0	0	0
Intoxication	0	0	0	0	2	0	0	0	4	0
Drinking on Duty	0	0	1	0	1	0	0	0	0	0
Unauthorised Entry	0	0	0	0	2	0	0	0	2	0
Prohibited spare time activity	0	0	0	0	1	0	0	0	2	0
Criminal Conduct	0	2	2	2	0	2	3	4	3	4
Fail to comply with Reg 12	0	0	0	0	0	0	0	1	1	0
Accessory to a breach	0	0	0	0	0	0	0	0	1	0