

An Garda Síochána

Oifig Saoráil Faisnéise
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

Bí linn/Join us  

Láithreán Gréasain/Website: www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000451-2016 Partially Granted

Dear

I refer to your request, dated and received on the 6th December 2016 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 Freedom of Information Act 2014 states that An Garda Síochána is listed as a partially included agency “*insofar as it relates to administrative records relating to human resources, finance or procurement matters*”. Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request is shown below:-

- 1. The number of complaints of bullying, harassment and sexual assault made by Gardaí against other members in each year since 2010.*
- 2. The number of bullying, harassment and sexual assault complaints categorised as upheld, withdrawn or resolved in each year since 2010.*
- 3. The number of Gardaí either suspended or expelled from the force after being found guilty of bullying, harassing or sexually assaulting a colleague. Again, I am seeking such information for each year since 2010.*
- 4. Separately, I am also looking for figures regarding the number of complaints of bullying, harassment and sexual assault made by members of the public against a member of the force since 2010.*

5. *How many bullying, harassment and sexual assault complaints were categorised as upheld, withdrawn or resolved in each year since 2010.*
6. *The number of Gardaí either suspended or expelled from the force after being found guilty of bullying, harassing or sexually assaulting a member of the public. I am seeking this information for each year since 2010.*

I have now made a decision to partially grant your request on 28th December 2016.

The purpose of this letter is to explain my decision. This explanation has the following parts:

1. An explanation of the relevant findings concerning the records to which access is denied:
2. A statement of how you can appeal this decision should you wish to do so.

1. Findings, particulars and reasons for decision

The records you sought in relation to the number of complaints of bullying, harassment and sexual assault have been subject to a number of previous Freedom of Information requests and details up to October 2016 have been provided and the responses are available in our 2015 and 2016 Human Resources Disclosure Log, which is available at <http://www.garda.ie/Controller.aspx?Page=15334>.

The following decisions are relevant to your request:

2015 Requests	2016 Requests
FOI-0000028-2015	FOI-0000116-2016
FOI-0000090-2015	FOI-0000211-2016
FOI-0000154-2015	FOI-0000337-2016

However, in order to provide a reply to you in its entirety, your request was forwarded to the Human Resources and People Development Section who have provided the following records in respect of parts 1 & 2 of your request wherein you sought:

1. *The number of complaints of bullying, harassment and sexual assault made by Gardaí against other members in each year since 2010.*
2. *The number of bullying, harassment and sexual assault complaints categorised as upheld, withdrawn or resolved in each year since 2010.*

Please see table below which outlines the number of complaints of bullying, harassment and sexual assault in each of the years since 2010 and the status of these complaints.

YEAR	COMPLAINTS RECEIVED	UPHELD	NOT UPHELD	RESOLVED	WITHDRAWN	ONGOING
2010	16	4	12	N/A	N/A	N/A
2011	17	2	11	4	N/A.	N/A
2012	12	3	5	1	3	N/A

2013	7	1	6		N/A	N/A
2014	10	2	5	1	N/A	6
2015	5	1	3	N/A	N/A	1
2016	2	N/A	N/A	N/A	N/A	2

Part 3 your request sought:

'3. The number of Gardaí either suspended or expelled from the force after being found guilty of bullying, harassing or sexually assaulting a colleague. Again, I am seeking such information for each year since 2010.

One member was dismissed following a court conviction. This process was concluded in 2013. (Published in An Garda Síochána Annual Report 2013, pg 49).

An Garda Síochána expect its officers to behave with the highest standards of integrity and professionalism at all times, and any conduct, which brings or is likely to bring discredit to the organisation will be investigated. The number of complaints received should be placed in context with the overall strength of An Garda Síochána which is approximately 13,000 members.

There are two policies in place to deal with allegations of harassment, sexual harassment and bullying in the workplace within An Garda Síochána. These include:

- “Working Together To Create A Positive Working Environment” is a booklet which “*outlines the Policy and Procedures of the Garda Síochána for dealing with Harassment, Sexual Harassment and Bullying in the Workplace*”. This policy is available on the Garda website at the following link: <http://garda.ie/Documents/User/Harassment%20Sexual%20Harrassment%20and%20Bullying%20in%20the%20Workplace.pdf>
- “Dignity at Work” is a booklet which outlines “*An Anti Bullying, Harassment and Sexual Harassment Policy for the Irish Civil Service*”. This document is also available on the Garda website by following the attached link: <http://garda.ie/Documents/User/Dignity%20at%20Work%20Policy.pdf>

As per my correspondence of 13th December 2016, parts 4 and 5 of your request were transferred to the Garda Síochána Ombudsman Commission who may hold these records.

Part 6 of your request sought:

6. The number of Gardaí either suspended or expelled from the force after being found guilty of bullying, harassing or sexually assaulting a member of the public. I am seeking this information for each year since 2010.'

One member resigned in lieu of dismissal. This process was concluded in 2013. (Published in An Garda Síochána Annual Report 2013, pg 49).

2. Rights 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-000451-2016**

Freedom of Information Office,
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: BOFIIIE2D

You must ensure that your FOI reference number (FOI-000451-2016) 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 will be removed to protect confidentiality where applicable.

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

Yours sincerely,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICER.

3RD JANUARY 2017.