

An Garda Síochána

Oifig Saorála 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

Láithreán Gréasain/Website: www.garda.ie

Bí linn/Join us  

Ríomh-phoist/Email: foi@garda.ie

Mr Shane Phelan

Re: Freedom of Information Request FOI-000036-2017

Partially Granted

Dear Mr. Phelan,

I refer to your request, dated and received on the 3rd February 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:

- *A list of external legal practitioners (solicitors/law firms and barristers) paid in 2015 for services carried out on behalf of An Garda Síochána, including the name of the practitioner, the sum paid and, where possible, a general description of the work carried out.*
- *A list of external legal practitioners (solicitors/law firms and barristers) paid in 2016 for services carried out on behalf of An Garda Síochána, including the name of the practitioner, the sum paid and, where possible, a general description of the work carried out.*

I wish to inform you that I have decided to grant your request on the 28th March 2017.

The purpose of this letter is to explain my decision.

Seirbhísí gairmiúla póilíneachta agus slándála a sholáthar le hiontaoibh, muinín agus tacaíocht na ndaoine ar a bhfreastalaimid
To deliver professional policing and security services with the trust, confidence and support of the people we serve

1. Findings, particulars and reasons for decision.

Details of your request were forwarded to the Finance Directorate within An Garda Síochána who conducted a search of their records and identified the records as set out below.

An Garda Síochána invoked the services of the Legal Practitioners at Appendix A while conducting the recent O'Higgins and the MacLochlainn Commissions of Investigations. The Commissions of Investigation Act 2004 provides for the establishment of commissions of investigation which can investigate matters of significant public concern.

The O'Higgins Commission of Investigation was established in February 2015 to investigate and report on certain matters relative to the Cavan/Monaghan Division of the Garda Síochána.

The MacLochlainn Commission of Investigation was established in August 2014 to undertake a thorough investigation of the fatal shooting of Mr. Ronan MacLochlainn by members of the Garda Síochána in the course of an attempted armed robbery of a Securicor van in Co. Wicklow in May 1998.

Appendix B attached contains a list of legal practitioners whose services were engaged as Presiding Officers or Chairpersons on Boards of Inquiry's following internal discipline investigations under the Garda Síochána (Discipline) Regulations 2007.

The Garda Síochána (Discipline) Regulations 2007 provide at Regulation 25 that the Presiding Officer in respect of Boards of Inquiry shall be selected from a panel nominated by the Minister for Justice and Equality. The Presiding Officer shall be a Judge of the District Court, a practising barrister or solicitor of not less than 10yrs standing.

Regulation 34 provides similar provisions for the selection of the Chairperson of an Appeal Board from the same panel.

The services of legal practitioners were engaged in relation to matters being dealt with under the Harassment, Sexual Harassment & Bullying Policy. Appendix C attached outlines the legal practitioners who were engaged for these services.

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 **F01-000036- 2017**.

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: BOFIE2D

You must ensure 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,

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

30TH MARCH 2017

APPENDIX A

Payment to Legal Practitioners for O'Higgins/ MacLochlainn Commission of Inquiries

	2015	2016	Grand
ALEXANDER CAFFREY	€ 8,795		€ 8,795
COLM SMYTH	€ 53,914	€ 19,021	€ 72,935
GARRET BYRNE	€ 38,050	€ 30,353	€ 68,403
JIM BENSON,	€ 23,269	€ 5,818	€ 29,087
MAURICE COLLINS S.C.		€ 8,303	€ 8,303
MICHAEL DURACK S.C.	€ 158,040	€ 55,265	€ 213,305
MICHAEL MACNAMEE	€ 39,187	€ 23,080	€ 62,267
PETER LEONARD.	€ 26,178	€ 19,868	€ 46,046
SARAH-JANE HILLERY	€ 7,811		€ 7,811
SILIVA MARTINEZ GARCIA	€ 9,041		€ 9,041
LUAN O'BRAONAIN, BL	€ 1,194		€
Grand Total	€ 365,479	€ 161,708	€ 527,187

Payments to Legal Practitioners for Discipline Board of Inquiries

2015

	List of Legal Practitioner Paid in 2015	Amount Paid
1.	David Conlan Smyth S.C	€ 4,325.00
2.	Ms Paulyn Marrinan Quinn, SC	€ 2,100.00
3.	Mr Thomas Cahill, S.C	€ 7,500.00
4.	Doyle Solicitors	€ 4,875.00
5.	Ms Anne Leech, Solicitor,	€ 4,500.00
6.	Mr. Macarten O' Gorman Solicitor	€ 1,295.00
7.	Ms Caroline Biggs SC	€ 2,000.00
8.	Mr Mark Edmond Doyle, Solicitor	€ 1,750.00
9.	Ms Breda Fleming, Solicitor	€ 4,350.00
10.	Mr Niall Farrell	€ 2,125.00
11.	Mr Rory de Bruir, B.L	€ 5,075.00
12.	Karl Carney	€ 1,995.00
13.	Mr Joe Revington, S.C	€ 3,600.00
14.	Ms Elma Lynch	€ 1,500.00
15.	Ms Maureen Cronin	€ 750.00
16.	Ms Cynthia Lennon	€ 9,000.00
17.	Ms Caroline Williams B.L	€ 15,975.00
18.	Mr John McCormack	€ 8,000.00
19.	Ms Eithne Leahy BL	€ 400.00
20.	Ms Anne Leech Solicitor	€ 9,400.00
21.	Ms Keara Donnelly	€ 2,733.50
22.	Ms Keara Donnelly	€ 3,002.50
23.	Mr Karl Carney, Solicitor	€ 550.00
24.	Mr Liam Moloney	€ 1,325.00
25.	Mr Niall Farrell	€ 3,875.00
26.	Ms Cynthia Lennon	€ 1,300.00
27.	Mr Macarten O'Gorman Solicitor	€ 1,220.00
28.	Ms Mary Murphy	€ 3,700.00
29.	Ms Mary McGregor	€ 4,400.00
30.	Ms Elma Lynch	€ 750.00
31.	Ms Martine O'Connor	€ 12,450.00
32.	Mr Rory de Bruir	€ 13,100.00
33.	Eavanna Clinton Killeen	€ 2,367.50
	Total	€ 141,288.50

2016

	List of Legal Practitioner Paid in 2016	Amount Paid
1.	Mr John A Campbell & Co Solicitors	€ 1,050.00
2.	Mr Ward McEllin Solicitor	€ 9,274.48
3.	Ms Maureen Cronin BL	€ 11,625.00
5.	Ms Keara Donnelly BL	€ 4,360.00
7.	Mr Robert Cussen	€ 2,313.00

8.	Mr Tony Williams	€ 12,350.00
9.	Mr Anthony Sheil	€ 4,316.72
10.	Ms Keara Donnelly BL	€ 11,332.50
11.	Mr Dermot McKeon SC	€ 3,300.00
12.	Mr Michael Fitzgibbon BL	€ 3,000.00
13.	Mr Joe Revington SC	€ 3,675.00
14.	Ms Martine O' Connor BL	€ 9,600.00
15.	Ms Ann O' Brien BL	€ 1,200.00
16.	Mr John McCormack BL	€ 9,840.00
17.	Mr Karl Carney, Solicitor	€ 2,335.00
18.	Ms Keara Donnelly BL	€ 3,101.50
19.	Ms Caroline Williams BL	€ 19,300.00
20.	Mr Richard Bennett Solicitor	€ 3,393.75
21.	Anne Leech, Solicitor	€ 14,960.00
22.	Mr Macarten O' Gorman	€ 2,300.00
23.	Miss Cynthia Lennon	€ 8,550.00
24.	Miss Cynthia Lennon	€ 7,520.00
25.	Ms Caroline Biggs SC	€ 750.00
27.	Mr Richard Kennedy, Solicitor	€ 8,500.00
28.	Ms. Ann O'Brien	€ 1,200.00
	Total	€ 159,146.95

APPENDIX C

Payment to Legal Practitioners for Harassment/Sexual Harassment & Bullying Matters

Name	2015	2016	Total
Helen Boyle, BL	€7,872.30	€4,920.00	€12,792.30