

# 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](http://www.garda.ie)

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000197-2019 Request Part Grant

**Dear**

I refer to your request, dated and received on 15<sup>th</sup> May, 2019 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:

*Under the Freedom of Information Act 2014, I would like to request information on the number of Gardaí who were disciplined in 2018 and so far in 2019 and provide a breakdown of the offences they were disciplined for.*

I wish to inform you that I have decided to part grant your request on the 13<sup>th</sup> June, 2019.

The purpose of this letter is to explain my decision.

### **1. Findings, particulars and reasons for decision.**

Upon receipt of your request, the Internal Affairs Section of An Garda Síochána were contacted to retrieve the information. Internal Affairs have provided this office with the information detailed below.

Members of An Garda Síochána are subject to the Garda Síochána (Discipline) Regulations, 2007 as amended. As per the Regulations, minor disciplinary matters are addressed locally by way of Regulation 10. Such records are retained locally and are not held centrally. Matters of

a more serious nature (Part 3) and a less serious nature (Part 2) are progressed centrally through the Discipline Section.

In 2018 there was a total of 118 members who were found to be in breach of discipline. These are broken down as follows - 108 members were found in breach of Part 2 and 10 members were found to be in breach of Part 3 discipline.

The table below details the above statistics broken down into regulation type, description and the number of breaches.

<b>Found In Breach of Discipline</b>		
<b>Regulation Type</b>	<b>Description</b>	<b>Total Number of Breaches</b>
Part 2	Discreditable Conduct	21
Part 2	Neglect of Health	1
Part 2	Criminal Conduct	1
Part 2	Discourtesy	2
Part 2	Misconduct towards Members	3
Part 2	Neglect of Duty	83
Part 2	Disobedience	5
Part 2	Falsehood	5
Part 2	Abuse of Authority	1
Part 2	Corrupt or Improper Practice	1
Part 2	Abuse of Official Communications	1
Part 3	Discreditable Conduct	4
Part 3	Neglect of Duty	8
Part 3	Criminal Conduct	1

The figures provided in the table details the number of breaches and a description of the breaches in 2018. However, I wish to advise that the figure for the number of breaches will not equate to the number of members as some members may have been found in breach of discipline on more than one occasion or may have had multiple breaches found against them.

The Sections of the Freedom of Information Act 2014 which deny access to information are known as exemptions. In this regard, I wish to advise you that I am refusing to release the records in relation to 2019 under Section 15(1)(d) which states:

*15(1) A head to whom an FOI request is made may refuse to grant the request where*  
*(d) the information is already in the public domain.*



I wish to advise that this information is already published on the Garda website and may be accessed by following the attached link:

<https://www.garda.ie/en/about-us/our-departments/governance-and-accountability/internal-affairs/complaints-discipline-statistics.html>

The Discipline Section at Internal Affairs is responsible for the oversight of all investigations undertaken by An Garda Síochána under the provisions of the *Garda Síochána (Discipline) Regulations 2007/2011* Statutory Instrument Nos. 124 of 2007 and 620 of 2011 which came into effect on 1<sup>st</sup> June, 2007 and 22<sup>nd</sup> November, 2011. The following link provides further details;

<http://www.irishstatutebook.ie/eli/2007/si/214/made/en/print>  
<http://www.irishstatutebook.ie/eli/2011/si/620/made/en/print>

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.

## **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-000197-2019**.

**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:** IE86BOFI90001710026896  
**BIC:** BOFIE2D

**You must ensure that your FOI reference number FOI-000197-2019 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](http://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,

Maria Brodigan ACTING ASSISTANT PRINCIPAL  
MARIA BRODIGAN  
FREEDOM OF INFORMATION OFFICER

13<sup>th</sup> JUNE, 2019.