



Notification of Errata: May 2012

Text which has been added to Children First: National Guidance for the Protection and Welfare of Children

Chapter 4: Interagency Cooperation

4.15 Roles and responsibilities of Other Statutory Organisations

Garda Síochána Ombudsman Commission

4.15.6 The Garda Síochána Ombudsman Commission (GSOC) is an independent statutory body established under the Garda Síochána Act 2005. Under this Act the Commission is required and/or empowered to investigate certain matters.

Specifically the Commission is required to investigate any matter, where it appears to the Garda commissioner 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 Garda Commissioner refers such incidents to GSOC under section 102(1) of the Garda Síochána Act 2005), and this matter is referred to it by the Garda Commissioner.

The Commission more generally is empowered to:

- (i) Directly and independently investigate complaints against members of An Garda Síochána;
- (ii) Investigate any matter, even where no complaint has been made, where it appears that a Garda may have committed an offence or behaved in a way that would justify disciplinary proceedings; and
- (iii) Investigate any practice, policy or procedure of An Garda Síochána with a view to reducing the incidence of related complaints;

Designated Officers of GSOC, if directed to investigate a complaint against a member of An Garda Síochána under Section 98 of the Garda Síochána Act 2005, have the same powers, immunities and privileges conferred on members of An Garda Síochána.

During the course of any such criminal investigation, and while using the full police powers conveyed by Section 98 of the above Act, the designated officers of GSOC are empowered to execute Section 12 of the Child Care Act, 1991.

Any member of the public who is directly affected by, or a witness to the conduct of a member of An Garda Síochána which s/he believes is misbehaviour (including a child or vulnerable adult), may make a complaint to GSOC.