



Steven Condra <stevencondra1971@gmail.com>

FW: GSOC REF: 340009-10-22

2 messages

Casework Management <caseworkmanagement@gsoc.ie>
To: "stevencondra1971@gmail.com" <stevencondra1971@gmail.com>

13 June 2024 at 15:39

Dear Mr Condra.

Please find below the email from Avril Marren as referred to in our telephone conversation today.

Kind Regards

Louise Dwyer

Case Manager

From: Section94
Sent: Thursday 6 April 2023 17:20
To: 'mstevencondra1971@gmail.com' <mstevencondra1971@gmail.com>
Subject: GSOC REF: 340009-10-22

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(Please quote this reference no. when contacting the GSOC)

Dear Steven, good afternoon

I am writing to you about your complaint that we discussed over the phone on 20 March 2023. My colleague Catherine told me that you called in the meantime. I'm sorry that I was delayed in emailing you.

For transparency, I attach a copy of the letter that I already sent to you by post. This is the letter where I explained that the investigation into your complaint had to be discontinued and why.

As I explained over the phone, GSOC is independent and impartial. GSOC cannot make a decision on a complaint based solely on the complainant's account of events (what you remember about how the incident happened). Equally, we cannot decide the outcome of an investigation based only on what An Garda Síochána tells us either. GSOC needs to have other independent evidence to make any decisions about whether or not any Garda misbehaviour happened.

In your case, the independent evidence that the investigation found, did not support what you said in your complaint. The evidence found does not show that the bus driver assaulted you, nor that anything of evidential value was left out of your statement, nor that the Garda member involved misbehaved in his interactions with you. Because GSOC can only act on independent evidence, this means GSOC could not determine what happened, and the investigation had to be discontinued instead. Because there is no evidence to support what you said and remember of what happened, nothing further can be done to investigate your complaint.

On the phone you told me numerous times that you were not lying. To be clear, it is not the case that anyone thinks that you are deliberately trying to mislead GSOC. I think you provided all the information you could, as best you could, based on how you remember it. However, as explained, the evidence that the investigation found does not corroborate what you said in your complaint, and GSOC can only make decisions based on evidence.

I understand that you are disappointed with the decision to discontinue the investigation into the complaint. However, having considered all matters, I am satisfied that there is insufficient evidence to justify further investigation, and that the decision to discontinue the complaint was correct.

While we were on the phone, you told me that you think you made your statement about what happened on the bus to the Gardaí on a different date to the one that is written on the statement itself. Based on the investigation report, I have no doubt that the date on the statement is correct.

When we talked about the date of the statement, you asked if you could get a copy of it. I've looked into this for you. Members of the public can make a request to have whatever personal information that the Gardaí have in their records given to them, by going to the Garda website, [here](#), and filling out the [Subject Access Request Form](#). I want to make it very clear from the outset that the law is very particular about what records An Garda Síochána are allowed to give to you. I don't know if your statement falls under these rules. I don't know if An Garda Síochána will be legally allowed to give you a copy of the statement. Nonetheless, I want you to have information on how you can ask for the statement if you decide that that is what you want to do.

I hope I have clarified everything for you.

Yours sincerely

Avril



Garda Ombudsman

Avril Marren

(She/Her) ([What's this?](#))

Case Officer

Garda Síochána Ombudsman Commission

[150 Upper Abbey Street, Dublin 1](#)

[D01 FT73](#)

E: Section94@gsoc.ie

T: 0818 600 800

W: www.gardaombudsman.ie

[Garda Síochána Ombudsman Commission \(GSOC\).](#)

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Discontinuance Letter.DOCX

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Steven Condra <stevencondra1971@gmail.com>

14 June 2024 at 02:16

To: Casework Management <caseworkmanagement@gsoc.ie>

It says my evidence can not be corroborated. This is not true. Inspector Niall Daly, Waterford Garda station as stated to me in an office in that station that my statement was not taken for almost 4 months at which time the video evidence was deleted.

I have also discovered through talking to Garda Sargent John Mills of Tramore Garda station that a statement is not required for a member of the Garda to collect video evidence.

This means the Garda decided on my behalf and the states behalf that my complaint of being assaulted was not worth his time.

Totally unacceptable

Steven Condra - The victim.

[Quoted text hidden]