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Ms. Frances Fitzgerald, T.D.
Minister for Justice
94 St. Stephen's Green
Dublin 2

RE: Covert Human Intelligence Sources

1. This is my Fifth Report in my capacity as the Independent Oversight Authority of the above title, authorised by letter dated 10th December 2010.
2. I have visited all the Divisions (or Regional Offices) concerned.

In no year since my appointment have I visited the Divisions in the same order or at the same time of the year – this is to ensure that no comfortable pattern could be expected.

This year I visited two outlying Offices, (within one particular Division) in order to be satisfied of compliance with the detailed obligations (away from a Controller's Office) of the individual members of An Garda Síochána. One visit took place prior to my visit to the Divisional Office and one after.

3. On all my visits to the Divisional Offices I met with the Controller; and as many of the staff as I considered would give me an accurate and adequate appreciation of the level of compliance required.

The duration and detail of my enquiries with individuals varied in time from hours to minutes, as I considered appropriate.

4. As has been my practice over the years, the length of notice given of each visitation and inspection varied from a maximum of two weeks to a mere two hours.

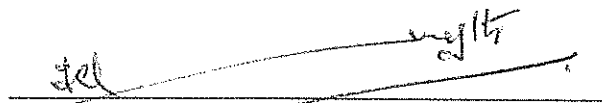
No indication of any kind, was given by me, as to what line or lines of enquiry I would pursue. Over the years I have tried to ensure that my enquiries cannot be met with prepared answers – hence the random on the spot form of inspection to which I have adhered.

5. Before completing my visitations to the Divisional Offices, I attended the Offices of the Detective Chief Superintendent, Security and Intelligence and met with the Detective Chief Superintendent and senior members of his staff and a member of the National Source Management Unit.

On completion of my visitations I did likewise and ^{with} the relevant Assistant Commissioner. ~~get~~

6. A complete and exhaustive investigation was, and is not envisaged by my terms of reference.
7. I have reviewed and monitored the use within An Garda Siochana of Covert Human Intelligence Sources: and I am satisfied that there has been substantial compliance with the Code of Practice of An Garda Siochana of the Management and Use of Covert Human Intelligence Sources.

Dated this 5th day of October 2015



T.C. Smyth, S.C.

(Retired Judge of the High Court)