



Fair Procedures*

The case of Maybury Sharon -v- Commissioner of An Garda Siochana High Court Baker J 2016 IEHC 224 is an interesting case in that the decision confirms that where a decision to transfer the Garda is given in a letter which is devoid of reasons and gives no information for the basis of that decision that such a decision is contrary to fair procedures and quashed the decision. However the Court refused to quash the decision to transfer the employee.

The case is interesting in that it reconfirms that in dealing with any employee if an employee is to be written to in relation to matter it is important, particularly for disciplinary matters, that a reason why something has been done or is proposed to be done should be set out.

***Before acting or refraining from acting on anything in this guide, legal advice should be sought from a solicitor.**

****In contentious cases, a solicitor may not charge fees or expenses as a portion or percentage of any award of settlement.**