

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 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:
www.garda.ie

Bf linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000268-2021 Request Part-Grant

Dear

I refer to your request, dated and received on 5th August, 2021 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:

- 1. The total public expense, e.g. and expense to the Garda vote, of the provision of the MA/LLM/Human Rights in Criminal Justice in 2020.*
- 2. The cost of registration and attendance of an individual person on the provision of the MA/LLM/Human Rights in Criminal Justice in 2020.*
- 3. The total cost to the public funds, and expense to the Garda vote, of the provision of the MA/LLM/Human Rights in Criminal Justice in 2021.*
- 4. The cost of registration and attendance of an individual person on the provision of the MA/LLM/Human Rights in Criminal Justice in 2021.*
- 5. The names of the individuals who sat on the Education Funding Board which decided on selection to the MA/LLM/Human Rights in Criminal Justice in 2020. (These individual(s) were acting in a public function and as such their name should be provided in a FOI request – recourse to the Data Protection Act 2018 does not apply here.)*

6. *The names of the individuals who sat on the Education Funding Board which decided on selection to the MA/LLM/Human Rights in Criminal Justice in 2021. (These individual(s) were acting in a public function and as such their name should be provided in a FOI request – recourse to the Data Protection Act 2018 does not apply here.)*
7. *A written copy of the selection process, guidelines, methodology or other instruction by which the Board makes decisions as to which courses are funded and places on courses were granted in 2020.*
8. *A written copy of the selection process, guidelines, methodology or other instruction by which the Board makes decisions as to which courses are funded and places on courses were granted in 2021.*
9. *The number of individuals who applied for selection to the MA/LLM/Human Rights in Criminal Justice in 2020.*
10. *Please provide a breakdown of individuals who applied for selection to the MA/LLM/Human Rights in Criminal Justice in 2020 by (i) gender (ii) rank (iii) Division.*
11. *The number of individuals who applied for selection to the MA/LLM/Human Rights in Criminal Justice in 2021.*
12. *Please provide a breakdown of individuals who applied for selection to the MA/LLM/Human Rights in Criminal Justice in 2021 by (i) gender (ii) rank (iii) Division.*
13. *The number of individuals who were successful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020.*
14. *The number of individuals who were successful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021.*
15. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020.*
16. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021.*
17. *Please provide the names of the individuals who were involved in the Educational Funding Board appeals process for the MA/LLM/Human Rights in Criminal Justice in 2020. (This individual(s) was acting in a public function and as such their name should be provided in a FOI request – recourse to the Data Protection Act 2018 does not apply here.)*
18. *A written copy of the appeal process, guidelines, training, methodology or other instruction used by those involved in appeals for the MA/LLM/Human Rights in Criminal Justice in 2020.*

19. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020 and then appealed the decision of the Educational Funding Board.*
20. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021 and then appealed the decision of the Educational Funding Board.*
21. *Please provide the names of the individuals who were involved in the Educational Funding Board appeals process for the MA/LLM/Human Rights in Criminal Justice in 2021. (This individual(s) was acting in a public function and as such their name should be provided in a FOI request – recourse to the Data Protection Act 2018 does not apply here.)*
22. *A written copy of the appeal process, guidelines, training, methodology or other instruction used by those involved in appeals process for the MA/LLM/Human Rights in Criminal Justice in 2021.*
23. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division.*
24. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division.*

Additional Request

25. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division and were successful in their appeal.*
26. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2020 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division and were unsuccessful in their appeal.*
27. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division and were successful in their appeal.*
28. *The number of individuals who were unsuccessful in their application for selection to the MA/LLM/Human Rights in Criminal Justice in 2021 and then appealed the decision of the Educational Funding Board by (i) gender (ii) rank (iii) Division and were unsuccessful in their appeal.*

I wish to inform you that I have decided to part-grant your request on 31st August 2021. I have numbered your request for ease of reference.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

On receipt your request was forwarded to the relevant section within An Garda Síochána who conducted a search for records relating to your request.

Details of records sought for in Parts 1 & 3 of your request are provided in the table below.

Total cost to the public funds and expense to the Garda Vote	
2020	€24,183
2021	Estimated at €20,030

With regard to Parts 2 & 4 of your request, I have been advised that An Garda Síochána and the University of Limerick provide a scholarship of two thirds of the total cost per applicant per academic year and this is detailed in HQ Directives HQ 029/2020 and HQ 021/2021. Full programme costs are available on the University of Limerick website which may be accessed by following the attached link <https://www.ul.ie/gps/course/law-human-rights-criminal-justice-llm-ma>.

Therefore, I am refusing parts 2 & 4 of your request in accordance with Section 15(1)(d) of the FOI Act, wherein

Refusal on administrative grounds to grant FOI requests:

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.

The records sought in Parts 5, 6, 17 & 21 of your request are provided in the table below.

Individuals who sat on the Education Funding Board	
2020	2021
Chief Superintendent Patrick Murray	Chief Superintendent Derek Smart
Chief Superintendent Sean Colleran	Chief Superintendent Patrick Murray
Principal Officer Monica Carr	Superintendent Brian Conway
Superintendent Brian Conway	Principal Officer Bridget Casey Mulligan
Individuals who were involved in the Education Funding Board Appeal Process in 2020 & due to Sit in 2021	
Chief Superintendent Derek Smart	Chief Superintendent Padraig Dunne
Principal Officer Fiona Delaney	Superintendent Maria Conway
Superintendent Maria Conway	Principal Officer Fiona Delaney

The following records address Parts 7 & 8 of your request were you seek the selection process, guidelines, methodology or other instruction which the Board applies in order to grant funding:

The Selection Process

An Educational Funding Board is convened to conduct a short listing process. Those successful in the short listing process are interviewed by the University of Limerick. Successful applicants from the interview process are accepted onto the programme. The decision resulting from the short listing and interview process are final

An Educational Funding Board convenes to consider each application. Criteria for allocation of funding includes:

- Adequacy and content of candidate's application form
- Local Management recommendations
- Potential return on investment to An Garda Síochána
- Current organisational needs and requirements
- Relevance and benefits of the course to the role/function of staff member
- Relevance and benefits of course to position/section to which the staff member is allocated
- Costs

The records requested in Parts 9, 10, 13, 15, 19, 23, 25 & 26 of your request are provided in Appendix 1 herewith attached.

Appendix 2 attached provides the records sought in Parts 11, 12, 14 & 16 of your request.

The following addresses the records in Parts 18 & 22 of your request were you seek the selection process, guidelines, methodology or other instruction used by those involved in the Appeals Process:

The Appeals Board

An Educational Funding Appeal Board is convened and appeals must be submitted no later than four (4) weeks after the Educational Funding Board decision. Criteria for allocation of funding includes:

- Adequacy and content of candidate's application form
- Local Management recommendations
- Potential return on investment to An Garda Síochána
- Current organisational needs and requirements
- Relevance and benefits of the course to the role/function of staff member
- Relevance and benefits of course to position/section to which the staff member is allocated
- Costs

I have been advised that as the applicant appeals process is currently still ongoing the Appeals Board has yet to convene for 2021. Therefore in accordance with the provision of Section 15 (1)(a) of the FOI Act I am refusing Part 20, 24, 27 & 28 of your request as the records do not exist. Section 15(1)(a) of the Act states:

Refusal on administrative grounds to grant FOI requests:

15(1) A head to whom an FOI request is made may refuse to grant the request where

(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,

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-000268-2021**.

Freedom of Information Office, An Garda Síochána Athlumney House, IDA Business Park, Johnstown, Navan, Co. Meath, C15 ND62.

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: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number FOI-000268-2021 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

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you wish to discuss the above, please contact the FOI Office by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL
PAUL BASSETT
FREEDOM OF INFORMATION OFFICER

 **AUGUST, 2021.**

APPENDIX 1

2020 - MA/LLM Human Rights in Criminal Justice - UL										
Number of Applications	No of Successful Applications	No of Unsuccessful Applications	Gender Male	Gender Female	Rank	No	Division	No	No of Applications for Appeal	No of Applications Successful after Appeal
41	3	38	28	13	Superintendent	1	Tipperary	2	1	0
					Inspector	9	Westmeath	1		
					D/Sergeant	2	Wexford	2		
					Sergeant	15	Kerry	4		
					D/Garda	3	Kilkenny	4		
					Garda	11	Laois/Offaly	1		
							Limerick	4		
							Mayo	1		
							Roscommon/Longford	1		
							Garda College	2		
							Garda HQ & National Units	6		
							Cavan/Monaghan	1		
							Clare	2		
							Cork City	2		
							Cork North	2		
							DMR South	2		
							DMR South Central	4		

APPENDIX 2

2021 - MA/LLM Human Rights in Criminal Justice - UL									
Number of Applications	No of Successful Applications	No of Unsuccessful Applications	Gender Male	Gender Female	Rank	No	Division	No	No
31	3	28	25	6	Inspector	5	Cork City	2	
					Sergeant	12	Cork West	1	
					D/Garda	4	DMR North	1	
					Garda	10	DMR South	2	
							DMR South Central	3	
							Galway	1	
							HQ	7	
							Kerry	3	
							Kildare	1	
							Kilkenny	3	
							Louth	1	
							Meath	1	
							Tipperary	1	
							Waterford	1	
							Wexford	2	
							Wicklow	1	